



March 11, 2021

House Finance Committee  
Colorado General Assembly  
200 E Colfax Avenue  
Denver, CO 80203

Dear Chair Bird, Vice Chair Snyder, and members of the House Finance Committee,

Hello! I am writing on behalf of Mothers Against Drunk Driving Colorado and the Colorado Organization for Victim Assistance to ask for your vote in favor of HB 1039.

In general, our society doesn't take vehicular crimes as seriously as it should. Drunk and drugged driving and careless driving are both 100% preventable crimes, yet because a vehicle is involved, many in the media and the public still call them "accidents." And within the class of impaired-driving victims, injured victims often feel like second-class citizens. Well-meaning acquaintances often tell injured victims they should be thankful despite the serious and often life-changing injuries they've endured—after all, they survived.

In our justice system, injured traffic victims often do not get the same support and resources as victims in fatality cases. We don't believe this is intentional—resources are finite and agencies do the best they can. While this is reasonable, the impact to injured victims remains.

The injury cases where MADD supports victims often involve careless driving resulting in serious bodily injury. These cases typically fall into two scenarios:

- 1) The case started as a felony vehicular assault case and was pled down to misdemeanor DUI and careless driving or;
- 2) A misdemeanor DUI case where an injured victim was not identified on scene.

When the latter happens, it is usually because an injury is internal or the injured victim is transported from the scene before their injuries are documented. In these cases, the DA's office often adds careless driving as a charge once the injury is established. In either scenario, we are usually looking at a very dangerous and harmful act that has ended up with a lesser charge of careless driving.

Because careless driving resulting in serious bodily injury is not included in the Victim Rights Act, injured victims in these cases often find themselves on the outside of the judicial process without rights and sometimes without access to victim's compensation and other resources. On top of dealing with their injuries, it is even more difficult for injured victims to get justice.

We are grateful for the work that was done on the Vulnerable Road User bill in 2019. We believe extending this legislation to cover all victims of careless driving resulting in serious bodily injury is a meaningful way to increase accountability for people convicted in these cases while also providing an additional measure of justice for injured victims who are often overlooked.

Please support HB 1039. Thank you for your consideration of this important bill.

Sincerely,



Fran Lanzer  
Executive Director  
MADD Colorado