

My name is Sgt. Keenan Zundel with the Cass County Sheriff's Office. I am sending this testimony in support of SB 2362. I currently am one of the Patrol Sergeants for Cass County and have been supervising on Patrol since 2015. I am a certified Drug Recognition Expert and sit on the DRE Advisory Board as well as the Vision Zero Stakeholder Board. I have been serving as a Deputy Sheriff since 2005, where I have dedicated the majority of my career to traffic safety and have become subject matter expert in traffic safety and impaired driving. I have stopped thousands of vehicles, responded to countless fatal crashes, and have been on scenes that you would have to see firsthand to understand the horror.

Through my professional experience, the one single thing an individual can do to increase the survivability of a crash is wear their seatbelt. I have seen many crashes that I assumed were fatal, however the use of a seatbelt saved the occupants' lives. I have also been to crashes that had no physical damage to the vehicle, however the unrestrained driver was killed due to being ejected and rolled on by the vehicle. I could discuss and reiterate the facts and statistics showing the importance of seatbelt use, that I am sure are being testified to by the primary seatbelt advocates. These numbers, most times, are just numbers on paper to most people. There is no backstory and there is no real connection to the situation. I instead am going to discuss some of my experiences of seatbelt use, not only in my professional experience as a Deputy Sheriff, but also as a North Dakota citizen from small town USA.

I want to talk about is the toll this job has taken on me. As I have said before, I have been a Deputy Sheriff since 2005, the vast majority of that time was spent on Patrol. I have seen fatal crash after fatal crash. I have been involved in death notifications of families. I have pulled bodies off the highway. I have had to pick up brain matter of children ejected and killed from a vehicle rolling on them. I have seen and done things that I hope nobody in this room will ever have to do. If we allow people to make the choice if they want to use a seatbelt or not, more people will be killed in motor vehicle crashes. Period. Deputies and Officers like me, volunteer fire, first responders, and EMS will have to respond to that scene on these crashes. Sometimes, the victims of these crashes are our family members. Sometimes they are our friends. Sometimes they are our neighbors and coworkers. This will be something that we all will have to live and deal with for our entire lives. So I ask, please take the time to consider the toll that these "victimless" situations take on our cops, EMS, and first responders.

I have two personal experiences that I think are important to the group regarding seatbelt use, both of which are prior to my law enforcement career and both of which have probably shaped me to make traffic safety my focus in law enforcement.

October of 2001, I was driving home after hanging out with a friend. I decided to take the gravel backroads that would have saved me 2 miles had I made the trip home safely. I never made it home this night. I was paying more attention to the music playing on my radio than the road or the speeds I was traveling. At one time I saw my speeds around 80 miles per hour on this gravel road. Out of nowhere, the road had a 90 degree turn. I had minimal time to react and all I could do skid off the roadway like a loose cannonball. I went airborne and cartwheeled my car end-over-end. I remember the smell of the powder when my airbag deployed. I remember how loud the banging crashes were as I rolled end-over-end. I remember looking up and seeing the ground through my shattered windshield and my dim headlights illuminating the front of my vehicle. I remember wondering if I had put my seatbelt on as at that time, it was only about a 60% occurrence at this stage of my life. Luckily for me I had.

I got out of my vehicle, which was totally unrecognizable. The entire front and rear of the vehicle was totally destroyed. I walked away from the crash feeling pretty sore, but was able to walk to the next farmstead for help. I later found out I had a compression fracture to my back and eventually would face hip and neck issues for the rest of my life, however, I survived relatively unharmed all thanks to the seatbelt.

The Trooper that came to cover my crash and told me that the only thing that saved my life was my seatbelt. Looking at the situation, I completely agree. I, without a doubt, would have been ejected at a high rate of speed and almost certainly would have been crushed by the still rolling vehicle. I almost became a statistic that night. I was almost a “knock on the door by law enforcement” telling parents their son was killed in a car crash.

Fast forward to just over a year to November 5, 2002. My stepbrother was on his way to school. It was one of the first icy frosts of the year. My brother started to drive off the roadway and overcorrected and drifted sideways into the wrong lane due to the icy roads. He was T-boned by oncoming traffic and killed instantly. Every single major organ and vessel in his body exploded according to the coroner’s report. Now I cannot say that he would have survived the crash had he had his seatbelt on, because that is unknown. I can tell you that had he had his seatbelt on, maybe the crush of the T-bone crash wouldn’t have been enough to kill him. I can also tell you that if he was seat belted in place, he wouldn’t have been thrown in the backseat, hitting his head on the rear passenger window frame causing fatal injury to his brain. When my parents identified his body at the morgue, the only injury seen was a cut on his right eyebrow from where he hit his head on the back passenger window frame. This crash left my family a version of the family it was. My stepdad has never recovered and never will. This crash has taken one of the funniest most genuine humans I have met and turned him into an empty shell of a person mourning the loss of his son every single day. This loss will haunt my family forever.

This is a story that I share for the good of the order in hopes to reduce traffic fatalities to zero and to help pass the primary seatbelt law. Very few people that know me have ever heard this story before. It’s something I keep to myself, buried down deep due to the trauma it has caused me still to this day. I hope that this story can prevent one family from suffering the loss my family has suffered.

Through my experience, I have heard a lot of fallacies about seatbelts and have witnessed the reality in actual real-world experiences. These crashes were seen with my own eyes on actual crash scenes, not talked about by a friend of a friend or theorized by people that have no qualification to do so. I can tell you; it is really easy to have an opinion with no facts backing you up when you are sitting at the kitchen table reading the newspaper.

I know one of the big arguments is about seatbelts infringing on personal rights. It is stated that the state shouldn’t tell someone what they can and can’t do. I ask in response, how is this any different than telling a driver they cannot drive while impaired on drugs or alcohol? How is it any different than telling drivers they must limit their speeds on roadways? How is this any different than telling someone that cannot see very well that they cannot drive at night? It frankly is not. Certain laws are put in place to protect citizens not only physically, but also monetarily.

Driving is a privilege, not a right. The costs incurred by allowing people to drive unrestrained cost more to society, families, and taxpayers than anyone can understand. What are you willing to pay as a tax payer? As a family member? If your loved one was going to get into a crash, would you want them to

have the highest chance of survival? How many fatalities are too many? I promise you that if your loved one was killed in a crash, one would be too high.

The fear we all hear about seatbelt use by the opposition is that it only affects the person choosing to not wear their seatbelt. First off, through my experience, anyone not wearing a seatbelt becomes a projectile thrown throughout the vehicle that can kill or injury anyone in the vehicle even if the other passengers are restrained. Secondly, anyone who has made this statement has never lost someone over something as simple as the three seconds to buckle a seatbelt. The loss of a loved one has no monetary price tag and affects everyone that cared about them. I hope that the people that say this never have to experience it firsthand.

A few years back I was dispatched to a crash that ended up being a single car rollover. I was first on scene and had to search for the driver who was ejected. I remember seeing debris all over the roadway and the median. I found an unrecognizable object that turned out to be the victim of the crash who was ejected. I remember thinking to myself that this almost looks like a person, but knew there was no way it could be a person. This was a person and not an object. This victim was ejected so hard, she was unrecognizable to a trained eye looking for a body in the median. Unfortunately, the driver was pregnant and lost the child as a result of the trauma from being ejected from the vehicle. There were a lot of costs in terms of loss and grief and many people's lives were changed forever. Like I said before, there is no way to put a monetary value on this loss and grief this crash caused. The monetary costs were also very high. Not only did the insurance company pay for the medical bills for the surviving mother and damaged property, but due to the severity of the injury, the State of North Dakota will be paying Social Security Disability for the injuries of this woman for the rest of her life.

I have heard people claim they never wear their seatbelts in town or close to home. I personally have been to rollovers where speeders have been driving way too fast on city streets that they caused rollovers in residential 25 miles an hour small town streets. One example of this was a van full of school children that was blocks from school that was hit so hard it caused the van to roll. Had seatbelts not been used, this could have been extremely tragic. Fortunately, everyone was belted in and uninjured.

Some claim that if passed, law enforcement will use the funds from seatbelt violations for a revenue source. The fact of the matter is that the funds from these citations goes into the state fund and are not used by any law enforcement agency. Law enforcement officers aren't asking for this law so they can write tickets or generate revenue but rather so they don't have to "knock on doors" and tell loved ones their family member is dead from what should have been a survivable crash.

As an officer, I am looking to this law as a way of modifying behavior. We know that people living in the border communities such as Fargo and Moorhead have been known to put their seatbelt on when crossing over the river into Minnesota, not because they are likely to get picked up but because they know that it is the law and it could happen.

Again, I have story after story. These are just a few of my experiences that I hope are considered in voting for SB 2362 and why I hope this bill is passed. Thank you for your time.

Sgt. Keenan Zundel