

Good morning, Chairman Klemin and members of the House Judiciary Committee.

My name is Austen Schauer, District 13 in West Fargo.

On July 6, 2012, Aaron Deutscher, his wife Allison (who was three and a half months pregnant), along with their 18-month-old daughter Brielle packed their vehicle in West Fargo for a family reunion in Bismarck.

The Deutschers never arrived as they were killed by a drunk driver.

Over the last five years, there have been 172 fatal crashes in North Dakota killing 191 people and injuring nearly two thousand people.

35% of those fatalities involved alcohol abuse.

A recent Forbes article says North Dakota is the **fifth worst state** for drunk driving. Our state has the **second highest rate of DUI arrests**, and the **ninth highest rate** of drunk drivers involved in fatal crashes.

Montana is the worst state for drunk driving followed by South Dakota.

We have a problem that we need to address.

Today, I bring you **House Bill 1558**.

This bill provides the North Dakota judicial system with the authority to order offenders of criminal vehicular homicide to pay **child restitution** when the deceased victim was a parent or guardian of a minor child.

This measure aims to ensure that the children left behind receive the financial support they need for their well-being and development.

HB 1558 outlines specific considerations for determining the amount of child restitution, including factors such as the financial needs of the child, the resources of the surviving parent or guardian, the child's standard of living, educational needs, custody arrangements, and childcare expenses.

By establishing clear judicial guidelines for calculating child restitution, **HB 1558** provides consistency and fairness to ensure these children receive adequate financial support following a tragic and life-changing incident involving their parents.

Furthermore, **HB 1558** addresses the situation where a defendant is ordered to pay child restitution but is incarcerated. The defendant will have up to one year for payment following his/her release.

The court can also adjust or amend a restitution judgment from a civil award received by the child's surviving parent or legal guardian.

Will this bill be a deterrent against driving drunk?

We believe the answer is yes with proper education.

People need to know if they choose to drive drunk, they not only risk their own life, (and the lives of others), but they also can face serious financial consequences in restitution.

This can become a significant part of any anti-drunk driving marketing campaign. We can get the word out.

Let this committee, Mr. Chairman, and the 69th legislative body send a strong message about the consequences of reckless and irresponsible actions behind the wheel.

This bill embodies North Dakota's commitment to upholding justice, protecting the interests of children, and fostering accountability among offenders.

Alcohol and drug-related crashes are 100% preventable. Many lives would be saved if every driver consistently made a choice to drive **sober** or get someone else to drive.

But if they don't and end up killing a parent with young children at home, **HB 1558** lets our judges determine whether restitution should be part of the punishment for this needless crime.

I ask for your support and stand open for questions. Thank you, Mr. Chairman.