

Chairman Ruby and Members of the Committee:

My name is Connie Monson and I'm in full support of HB 1503, "Tyanna's Law".

On June 27, 2015, my daughter, Shayna, was hit head-on by a drunk driver driving the wrong way on Bismarck Expressway. Her two passengers, Taylor (Shayna's college roommate) and Abby (Taylor's best friend) were killed upon impact. Shayna received a major traumatic brain injury. The blood alcohol content of the drunk driver at the scene of the accident was .295.

Shayna had just turned 21, Taylor was days away from turning 22, and Abby was 22. These three young ladies had very promising futures ahead of them...they were so full of life! Even though Shayna survived the accident, her life as we all knew it died with her two passengers.

Shayna graduated at the top of her class at Dickinson High School. She was excelling at UND at the time of the accident. She had a 4.25 GPA and was 14 credits away from graduating with a major in Biology and a minor in Chemistry. Her dream was to become an anesthesiologist, so she was preparing to take the MCAT exam. The drunk driver took that dream away from her.

Shayna had a personality that lit up the room when she walked in. She made friends quickly and easily. Her smile was radiant. She always put others first and offered to be the designated driver when she and her friends went to the bar...and that is exactly what she was doing the night of the accident. Her impact on people was made evident to me as I looked around the ICU waiting room at St. Alexius Hospital at the 50+ friends that sat waiting to hear updates on her dire condition. It was evident when friends and family filled the hospital chapel a day after the accident, holding hands and praying for Shayna's recovery.

Shayna's immediate prognosis was very critical. Her father and I were told she had a 10% chance of living. And if she lived, she would most likely be paralyzed and blind, or worse, she would remain in a vegetative state for the rest of her life. The doctors waited for 48 hours to move forward with medical procedures as they truly didn't believe she would live that long. It was agonizing to wait out those 48 hours!

We witnessed miracles every day in Shayna's recovery. She spent more than 10 months in facilities in Bismarck, Denver and Omaha. After she came home to Dickinson, she continued therapies for 2 ½ years. She was like a newborn baby living in an adult body. Her brain had to relearn every bodily function. It took three months for her brain to "wake up" enough to begin moving forward with physical, occupational and speech therapy. It took weeks before she could do so much as hold her head up. She spent hundreds of grueling hours regaining strength and teaching her brain to walk and talk again.

We are nearing the 10 year anniversary of that dreadful night. Shayna was eventually able to obtain her bachelor's degree. She is currently participating in the Clinical and Translational Sciences program at UND. None of this would be possible however without special accommodations through Disability Services. Our hope is that someday she will be able to obtain a job that is medically related, as her original dream was to work in the medical field. However, her ability to focus for long periods of time without becoming exhausted is difficult. She has applied for many jobs over the years but continuously gets overlooked.

Shayna is living alone but is not completely independent. Vision issues and slow reaction times do not allow her to drive. Her social life is minimal, next to non-existent. Her friends have moved on in life and making new friends is challenging. So as I said, her life as we all knew it before the accident died at the hands of the drunk driver on June 27, 2015.

Elizabeth Barfoot-Clarke, a journalism professor at Louisiana Christian University, has spent hours conducting research regarding drunk driving cases in the United States. Her research discovered North Dakota has one of the highest drunk driving related arrests per capita in the nation. And yet, we have some of the most lax laws in the nation.

In Shayna's situation, the drunk driver was charged with injury or death resulting from 39-08-01.2 (criminal vehicular injury), which is currently a Class C felony. Her case was the first to be heard after the 2013 North Dakota legislature approved stricter DUI laws. The judge in her case knew that he was setting precedence for future cases and due to additional charges, the drunk driver was sentenced to 5 years in prison, which is the maximum allowed. I understand every situation is different, but serving 5 years in prison compared to the life changes that Shayna has/is experiencing is not comprehensible.

Knowing that we can't stop individuals from driving under the influence, and knowing that our current jail/prison systems are faced with housing shortages, my hope is that facing potential consequences of a Class B felony could be a deterrent for some individuals. We'll never be able to eliminate this problem completely, but if we can prevent even one more person from experiencing such devastating, life changing experiences, then this change is worth it!

I ask for your support and move HB 1503 forward with a do pass recommendation. Thank you!