

Mr. Chairman and Members of the Legislature,

My name is Kristi Finney and I am the mother of a young man killed by a hit-and-run driver. I've learned the hard way why we need to get tougher on this crime.

In August 2011, two young men were struck by an SUV traveling in the bike lane. The vehicle first hit my son Dustin, throwing him 175 feet, over the head of 17 year old Kevin, who was then also hit. The driver "took off as if nothing happened." Dustin died at the scene; Kevin had minor injuries. An 18 year old male, caught within the hour and with a blood alcohol level of .169 three hours after the crash, eventually pleaded guilty to Criminally Negligent Homicide, Felony Hit-and-Run, DUII, and Vehicular Assault of a Bicyclist. He is serving 5 years in prison with a possible 20% time off for good behavior.

We took the guilty plea rather than go to trial for Manslaughter because the District Attorney felt the case wasn't strong enough to win a conviction: no one had seen the driver. The defendant was covered in glass, his own blood was in the vehicle, his fingerprints were on the door handle, and his girlfriend admitted she gave him the car to drive, but no one could testify they saw him behind the wheel.

What I've learned since my son's death is that when one person hits another and then makes the decision to leave that person on the road like garbage, uncaring of their degree of injury (whether death, traumatic brain injury, or a scraped knee), the driver has stacked the legal deck in their own favor. Leaving is often the best thing they can do for themselves. Sometimes they get away with their crime entirely. Sometimes they turn themselves in later, after they've had time to sober up and/or seek legal representation. Sometimes they are caught despite their best efforts to run but even then, leaving was somehow usually to their benefit, as in our case.

In my research of hit-and-run crashes, I've rarely, if ever, seen a driver who didn't have some issue other than just leaving the scene. There was a reason they left and it wasn't just "I was afraid" or "I didn't know I hit anybody." These drivers were impaired by drugs or alcohol, they were using their phone, they were driving while suspended, they had previous reckless driving infractions, they had outstanding warrants, or they were in the commission of another crime (i.e., car was stolen), etc.

A person who leaves the scene of a crash, especially an injury crash, is not innocent. They are selfish and uncaring. What if by staying they could have prevented a death or at least seriousness of injury? What if by staying they could have prevented a second or third vehicle from further hurting the victim? What if they could have comforted a critically injured person instead of leaving them to die or suffer alone? The cry of every mother of every injured person in a hit-and-run is "How could someone just leave my child alone like that?" We never look at people the same way again. We no longer trust anybody. We know it can happen to us and we wonder when it will happen again. Every new hit-and-run is another blow.

During the sentencing in my son's case, the consequence that appeared to most upset the young man who killed Dustin was that he has lost his driver's license for life. I ask you to please vote for HB 2542. Hit-and-run is serious. Let's get serious about consequences. Thank you.