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Testimony of Director Lauren V. Stewart

TESTIMONY NEITHER FOR NOR AGAINST LD 962: An Act to Establish the Offense of Aggravated Operating Under the Influence Resulting in the Death of a Pet

Senator Beebe-Center, Representative Hasenfus, and distinguished Members of the Joint Standing Committee on Criminal Justice and Public Safety, I am Lauren Stewart, Director of the Department of Public Safety, Bureau of Highway Safety, and I am here today to testify on behalf of the Department Neither for Nor Against LD 962.

Impaired driving continues to be a serious and primary concern undermining safety on our roadways. In the last five years, 195 people have lost their lives in impaired driving crashes. While those are the deaths associated with impaired driving, over that same period 7,739 impaired driving crashes have occurred that resulted in injury, serious injury, or property damage.

The loss of life of any living being that results from impaired driving is unacceptable and preventable. It should be noted that under current law, pets are considered property and therefore an operator can already be charged with criminal mischief for killing someone's pet and if the value of the pet is deemed to be \$2,000.00 or more, it is considered a felony. Aggravated criminal mischief is a Class C felony in Maine that occurs when someone intentionally and recklessly damages or destroys the property of another (17-A M.R.S §805). If someone is prosecuted for aggravated criminal mischief, for killing someone's pet, the courts can levy up to a \$5,000.00 fine (17-A M.R.S §1704) and up to five years in prison (17-A M.R.S. §1604).

I would also like to note that it is unclear if this bill is also intended to include the killing of one's own pet, but as written it would.

Thank you and I would be happy to try to answer any questions you may have.

Buckle Up. Drive Safely.



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