

Evaluating Changes to Pennsylvania's DUI Law:
"Deanna's Law"

Senate Transportation Committee
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Main Capitol Room 8 E-B

Testimony of:
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Thank you for the opportunity to appear before you today.

My name is Jack Stollsteimer, and I am the District Attorney in Delaware County. In the twenty months I've served as DA, it has been my honor to work with Rich and Roseann DeRosa, who have been leading the fight to enact Deana's Law to ensure that no other family has to endure what they have suffered: the tragic and horrific loss of a child because of a repeat DUI offender. Stated simply, the man who killed Deana should have been in jail and not on the road the day he took her life. On behalf of the DeRosa's, as well as countless other families who have lost loved ones to repeat DUI offenders, and with the support of the Pennsylvania District Attorneys Association (PDAA), I urge you to pass SB 773 to make our roads safer for all Pennsylvanians.

This hearing today comes at a critical time. According to the National Highway Safety Administration (NHTSA), despite a 2.1% drop in motor vehicle traffic caused by the pandemic, our nation experienced a 10.5% increase in fatal motor vehicle crashes in the first quarter of 2021 when compared to the same period in 2020. One cause of this increase is the number of people who continue to drive while impaired, either by alcohol or increasingly by drugs. And while anyone who drives impaired presents a risk to kill or maim, we also know that repeat DUI offenders, like the man who killed Deana after five previous DUI convictions, are the most dangerous and simply must be stopped before it's too late.

In January of 2018 the Pennsylvania Departments of Drug and Alcohol Programs and PennDOT issued a joint project report showing that drivers with prior DUI convictions are 62% more likely to be in a fatal crash. According to studies cited by PA Parents Against Impaired Driving, fully 40% of all DUI fatalities are caused by repeat DUI offenders.

As these figures make plain, DUI is not a victimless crime and a vehicle operated by an impaired driver too often becomes a deadly weapon. Any let me be clear, I fully support treatment; I support ignition interlock; and I would like to see fewer license suspensions. But those who are repeat offenders pose a significant danger to all of us. The DeRosa's learned that the hard way.

These fatalities are not inevitable: we all know that ridesharing services have exploded in recent years in popularity and availability. We also know that campaigns to promote "designated drivers" have also influenced public perceptions about drinking and driving. But for individuals who repeatedly put themselves and the public at risk by driving while impaired, we must simply do more to keep them off the road.

That's why I believe the passage of Deana's Law is a smart criminal justice policy initiative. SB 773 targets with tougher sentences only those repeat DUI offenders with two or more prior convictions, and requiring that subsequent sentences be served consecutively, not currently. By imposing stiffer sentences to further encourage impaired drivers to stay off our roads, or by incarcerating those who repeatedly break the law and weaponize their vehicle, the lives of Pennsylvanians will be saved.

If enacted, I firmly believe SB 773 will ensure more families will not suffer the pain and anguish the DeRosa's have lived with ever since that night when their lives were forever changed by a man who should have been in jail and not behind the wheel of a car.

On behalf of myself, the PDAA, and the DeRosa family, I thank you for your consideration today and for the Senate's overwhelming vote of support for this measure last session. I am happy to answer any questions you may have.