

Bill HB 1381 Accidents Resulting in Death – Mandatory Drug and Alcohol Testing

Richard Leotta, Activist and Father of Officer Noah Leotta, Fully Supports This Bill

The Bill is to require police to acquire drug and alcohol testing from a detained/suspected driver of a crash involving fatalities or life-threatening injuries. In December 2015, my son Officer Noah Leotta was making a roadside stop of a suspected drunk driver when another driver crashed into him. The driver that struck my son refused drug and alcohol testing. However, the police officer on scene involuntarily acquired blood from the detained/suspected driver for drug and alcohol testing. It should be noted that this was prior to the Supreme Court Ruling that blood testing requires a warrant. The test results showed that the driver had a blood alcohol content of .22 along with marijuana and Xanax in his system. This information and evidence removed any questions as to the cause of the crash which helped the state prosecute its case against the drunk and drugged driver that killed my son, and helped bring legal, emotional and mental closure to our grieving family. Without this information there would not have been a complete and accurate record and understanding of the cause of the crash that killed my son. This would have led to a miscarriage of justice against the state and the victim, as the case against this driver would not have been fully and accurately prosecuted under criminal and civil proceedings. Additionally, it should be noted that when serious Commercial Motor Vehicle (CMV) accidents occur, the Federal Motor Carrier Safety Administration (FMCSA), which regulates CMVs, requires post-accident drug and alcohol testing of drivers. This commonsense requirement should not be limited to CMVs.

Summary Statement:

- **As is required for CMVs, for personal motor vehicle crashes involving fatalities or life-threatening injuries, police should be required to obtain complete and accurate information and evidence to include, drug and alcohol testing from the detained/suspected drivers involved in the crash. This will help bring legal, emotional and mental closure for all parties involved and helps protect the victims and community. Therefore, I ask for your full support of HB 1381.**