
SENATOR MIKE PADDEN

4TH LEGISLATIVE DISTRICT - WASHINGTON STATE SENATE

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**Padden continues decade-plus effort to end impaired driving;
DUI look-back receives hearing in Senate committee**



Sen. Mike Padden, R-Spokane Valley, receiving the 2011 Legislator of the Year award from Mothers Against Drunk Driving.

OLYMPIA... Today the Senate Law and Justice Committee [heard testimony](#) on [Senate Bill 5054](#), a measure aimed at strengthening the state’s felony DUI law and reducing the pain and suffering faced by the victims of impaired drivers. The bill, sponsored by Sen. Mike Padden, would extend the “look-back” in DUI cases, allowing courts to consider convictions over the previous 15 years during sentencing.

Washington makes the 4th DUI conviction a felony, but under state law, courts may consider only convictions within the previous 10 years.

“We know repeat offenders pose the greatest danger on our roads and highways,” Padden said. “Right now, during the pandemic, traffic is down 10 percent or more, but impaired driving is up

substantially. So, the need for this legislation is stronger than ever.

“We need to end the scourge of impaired driving and prevent this most unnecessary loss of life.”

Padden, R-Spokane Valley, has worked for more than a decade to strengthen the state’s DUI laws and give members of law enforcement and courts more tools to prosecute offenders. In 2020, he sponsored a similar look-back bill; its House counterpart (HB 1504) died without a final vote.

“I would love nothing more than to stop sponsoring DUI legislation,” said Padden. “But as long as we continue to see innocent lives being taken because repeat offenders are allowed to remain on the streets, I will continue to fight in the Legislature for stronger laws and more tools to protect the public.”

Padden pointed to the case of Dean Hermsen, who barely escaped a 12th DUI conviction in 2019. According to the Washington Department of Licensing, Hermsen holds the state record with 11 DUI convictions over the last 36 years. He is one of two people with 11 DUI convictions in Washington, and another five people have 10 convictions each during that time.

Those testifying called these kinds of habitual repeat offenders the most dangerous people on the road and pleaded with the committee to make it easier to take these dangers off the street.



Amy Freedheim, the King County Senior Deputy Prosecuting Attorney who handles all of the felony DUI prosecutions in her county, testified in support of the bill.

“There is no one more dangerous to our community than a repeat DUI offender – no one,” Freedheim told the committee. “Every time an impaired driver gets behind the wheel, they can kill, every single time. ... And a multiple repeat DUI offender is the most dangerous. They know they have an addiction; they know their driving is dangerous; and yet they continue to drive impaired.”

“In the third quarter of 2020, there’s been a 13.1 percent increase in traffic deaths compared to 2019. Please pass this bill.”

Freedheim was joined by Skagit County Prosecuting Attorney Rich Weyrich, who urged the committee to support the change in order to save lives.

Miriam Norman, a traffic safety resource prosecutor for the state of Washington, cited some critical research on repeat offenders.

“What we know is if you are going to recidivate, the average DUI defendant will do that about six years out,” said Norman. “So, in terms of a 10-year watch period, it’s currently not catching all of the people who choose to recidivate. We only catch one person, of all DUI offenders on the road at any given point.

“We have defendants who are still misdemeanor DUIs and they have 16 prior offenses, but they just happened to not be adjudicated within that 10 years. ...Especially with the delays due to the pandemic, delays due to toxicology laboratories, we are seeing cases drag on forever, and these offenders are eluding felony prosecution simply because we can’t get it done in time. So we urge you to vote yes on this bill, as it will promote public safety and hold offenders accountable who happen to be the most dangerous on our roadways,” Norman concluded.

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