



Thank You

Barbara

"Haven's Girl 2010"

LETTERS TO THE EDITOR

Thanks to efforts of

many for 'Haven's Law'

My granddaughter, Haven McCarthy, was tragically killed on Dec. 10, 2007, as she exited a school bus on her way home from school. With my sister, Sherry Uphold, and my son, Jacob McCarthy, by my side providing support, I contacted my local delegate, Delegate Kelli Sobonya, RCabell, who drafted a bill known as Haven's Law. I thank you [The Dominion Post] for your fine article on March 17, covering the passage of Haven's Law, named after a young girl killed by a driver who ignored the flashing lights on a school bus.

Although Delegates Barbara Evans Fleischauer and Alex Shook, both D-Monongalia, were co-sponsors of the original bill, we wanted to take this opportunity to let your readers know how critical their support was to passage of this new law.

When the bill was first taken up in the [House] Judiciary Committee, Fleischauer said that causing the death of a child in connection with a school bus accident should be a felony. She drafted a motion to amend the bill, and was joined by Judiciary members Sobonya, and Delegate Patrick Lane, RKanawha, and Shook. Shook suggested that the penalty should be similar to drunk driving and helped craft an amendment to improve the sentencing language.

Last year, both of these Monongalia County delegates played a large role with the other sponsors in helping to shepherd the bill through the House Finance Committee, overcoming arguments that we should not increase the state's future costs for corrections by adding a new felony charge. But the bill failed in the state Senate.

This year, Fleischauer helped move the bill through the House by arranging for a fiscal note. We needed it fast, within a couple of hours, and she made a few phone calls and it happened. Then, she gave an impassioned speech on the House floor explaining that even though prison costs are a huge burden on our state, we need to send a message that it is never OK to pass a school bus. Because only 18 children were killed in the whole country last year, she explained, it is unlikely to be a huge cost, too. More importantly, she noted, it could be your child, your neighbor's or your grandchild getting off the bus and being injured or killed. After her speech, the bill passed unanimously in the House.

Fortunately, this year we were able to convince our senators that the bill should be passed. Although Republicans and Democrats don't always agree in the Legislature, I'm glad they all worked in a true, bipartisan effort to pass this important legislation. The governor has signed this important legislation and the bill is now law. Haven's legacy will live on as more children can be saved from those who disregard our children exiting or entering a school bus.

Linda McCarthy Bailey

Huntington