



News Release

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Drunk Driver Sentenced in Crash that Injured Carver Mayor

Carver County Attorney Mark Metz announced the sentencing of Jan Marie Labine, date of birth 11/26/63, for two counts of Criminal Vehicular Operation.

On September 12, 2010, shortly after 4:30 p.m., at the conclusion of Carver Steamboat Days, Labine was driving her car up 6th Street West, in the City of Carver, at a high rate of speed. Carver Mayor Greg Osterdyk (then Carver Mayoral Candidate), was seated on the driver's side of a golf cart which was parked along the side of the road on 6th Street West. Osterdyk and a passenger were talking to a friend. Labine then struck the rear of the golf cart, throwing Osterdyk and his passenger from the cart. The golf cart ended up on top of Osterdyk. Members of the Carver County Sheriff's Office and Emergency responders quickly arrived to the scene.

Osterdyk was seriously injured as a result of this crash. His passenger also suffered injuries.

The Carver County Sheriff's Office investigated the matter. Through their investigation it was determined that Ms. Labine's alcohol concentration was .25. Labine has a prior conviction for DWI in 2001.

On April 20, 2011, Labine pleaded guilty to one felony count of Criminal Vehicular Operation Causing Great Bodily Harm, for injuries sustained by Osterdyk. Labine also pleaded guilty to one gross misdemeanor count of Criminal Vehicular Operation Causing Bodily Harm, for injuries sustained to the passenger of the golf cart.

On June 3, 2011, Labine was sentenced by the Honorable Judge Richard Perkins. Consistent with the request of Chief Deputy County Attorney Mike Wentzell, Judge Perkins stayed an 18 month prison sentence and imposed a one year jail term, which is the maximum jail sentence allowed by the Minnesota Sentencing Guidelines for this offense. Judge Perkins further ordered that Labine be placed on probation for 5 years, perform 200 hours of community work service, attend a Mother's Against Drunk Driving (MADD) Victim Impact class on or before September 12 each year, have no use of alcohol or drugs, and submit to random testing.

In sentencing Labine, Judge Perkins stated, "You made some choices. Some people characterize them as mistakes. That is just balderdash."

Carver County Attorney Mark Metz commented, "Drunk driving has reached epidemic levels in our community, state, and nation. Cases like this remind us all that when a person chooses to get behind the wheel of a car while under the influence, they are choosing to disregard the risk that their actions will seriously injure or kill innocent people. Although Ms. Labine did not undertake these actions intending to injure anyone, her conscious disregard of these well-known risks justifies the significant sentence that she received. "

Drunk driving is the most common crime committed in Carver County and the United States, yet it is also the most preventable. Every day, lives are forever altered due to drunk driving. In 2009, there were 3,931 alcohol-related crashes and 141 deaths in Minnesota alone. The estimated economic cost was over \$255 million. From 2007 to 2010, Carver County had 13 deaths and 12 injuries due to alcohol-related traffic crashes. In the two minutes it will take a person to read this short article, one person will have been injured somewhere in the United States in an alcohol-related crash.

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