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CRASH KILLED PARENTS OF FIVE



Ted Rhodes, Calgary Herald

Ed and Sandra Green leave court Tuesday after learning that a drunk driver's sentence for the crash that killed their daughter and her husband had been increased. They are now helping to look after their five grandchildren.

Court extends drunk driver's sentence by 15 months

DARYL SLADE
CALGARY HERALD

Alberta's highest court has extended by 15 months the prison sentence handed to an intoxicated Red Deer driver who blew through a red light last year, broadsiding a vehicle and killing the parents of five children aged four to 14.

Brad Howe, 34, and his wife Krista, 35, died instantly in the crash on Feb. 7, 2010.

Alberta Court of Appeal Justice Peter Martin said on

Tuesday in delivering the unanimous decision that the trial judge erred last April in sentencing Chad Mitchell Olsen, 24, to just 27 months.

Martin, speaking for justices Ellen Picard and Cliff O'Brien, said the trial judge should not have given Olsen nine months credit for bail conditions that were not onerous. The panel said the judge virtually ignored Olsen's lengthy record of traffic convictions, but gave him credit for not having a criminal record.

The panel then issued a 3½-year prison sentence for the two counts of impaired driving causing death.

"Mr. Olsen has had a persistent recklessness in operating a motor vehicle and following the rules of the road," Martin said, noting the offender had 16 traffic convictions — nine of them for speeding — over the previous five years.

"We accept his remorse as genuine, but his lesson should have been learned years before and not at such a price

to two innocent people and their children."

"This comes as cold comfort to the victims of such crimes, but we must deter people who find themselves impaired then take control of a motor vehicle."

The Red Deer couple was driving home from playing board games at a friend's house when Olsen sped through a red light going at least 85 in a 50 km/h zone.

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COURT: 'Children are very resilient'

Olsen's truck crashed into the couple's small car and killed them instantly, leaving their children as orphans.

Court heard Olsen had a blood-alcohol level of .226 — nearly three times the .08 legal limit.

Sandra Green, mother of Krista Howe, and husband Ed Green now help their other daughter Karla take care of the children.

Karla left a career in Vancouver to move to Red Deer to become the guardian of the children.

Sandra Green said the increase in jail time was moving in the right direction, but that a sentence in the range of eight to 10 years would be more of a deterrent.

"It's closer to what would be deemed

justice, but there's nothing that can replace what has been taken," she said outside court. "My primary concern with the sentencing is it can deter other people who find themselves in the same position as Chad Olsen."

Ed Green added it's "a bit of a step upward."

"It's definitely more of a sentence to deter people thinking of getting behind the wheel," he said. "Maybe it's not enough but we're getting there."

Sandra Green said the kids are doing well. They are in the same physical environment as before the crash, she noted, so there has been less disruption: "same home, same neighbourhood, same friends, same toys."

"Children are very resilient," she

said. "We talk daily about Brad and Krista. They show some signs of insecurity when we leave, but on the whole they're doing well."

Defence lawyer Joan Blumer had urged the court to uphold the sentence imposed by the trial judge.

"Essentially, the Crown is asking for you to create a starting point (minimum)," said Blumer.

"We know there is a broad range of sentences for these offences, and this sentence is well within the range set by this and other courts," she said.

"There's no reason to make a starting point. There should be some discretion left to the trial judges."

Olsen did not attend the hearing.

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