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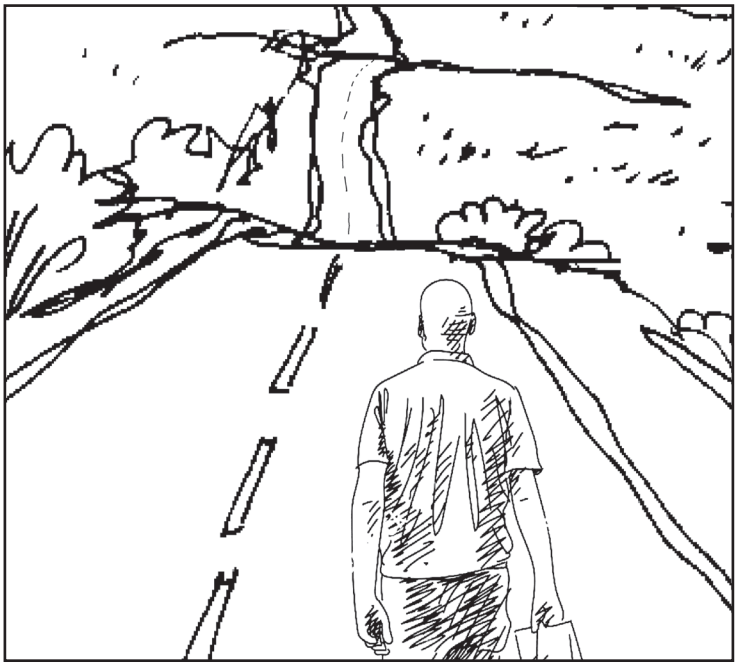
LOOKING DOWN THE ROAD

Driverless Cars are Heading our Way.... And It's a Game Changer for Road Safety

By William S. Aiken Jr.



I have attended many conferences on road safety and drunken driving. But last October at the STOP DWI Symposium in Lake Placid, NY, a presentation on AV (Autonomous Vehicles) raised my eyebrows unlike any other panel discussion on road safety that I had ever seen before. The presenter, Sgt. Terence McDonnell confidently stated that AV would reduce road crashes by 90%. He made a compelling case to back up this claim that will change the game for the safety on our roads and highways.

After hearing his presentation, I knew I had to get Sgt. McDonnell to enlighten RID members on AV. What will happen in the future with AV? How will it impact us? What is the timeline to transition from manned vehicles to AV? He graciously accepted my request to share his expertise and shed light on this inevitable and consequential issue.

1) When did it first hit you that there would be such a strong movement toward the research and development to implement AV (autonomous vehicles) or driverless cars?

I have always had a strong interest in automotive and traffic safety technology and read a significant amount in these areas, so I was following the advancements being made in automotive safety and robotics through the early-mid 2000s. As a member of the Highway Safety Committee of the International Association of Chiefs of Police (IACP) I learned of some testing Google was doing on the roads in and around San Francisco in 2011-2012, but even then, it seemed like something of a novelty.

Staff Sgt. Terence J. McDonnell, New York State Police

The "Eureka Moment" for me happened in March 2013, when Google engineer Chris Urmson gave a presentation to the Highway Safety Committee to educate us on what he and his team were doing in California and how this would change transportation in the future. It was an epiphany. More than 90 percent of crashes are caused by human error, so by taking the human out of the operation of the vehicle, we could potentially save tens of thousands of lives every year.

There is a huge potential for other social benefits, such as mobility for the mentally and physically challenged, improved productivity, etc., but I believe these pale in comparison to the potential to reduce crashes and their resultant injuries and fatalities.

The first use of AV was applied during the Iraq war in a very limited capacity. Since then, the progress in the advancement of AV has been mind-boggling. As you have done your research, what has surprised you the most about the capability of the technology being applied in the engineering of driverless cars?

Certainly, the rapid pace of development has been impressive, but regarding the capability of the technology I would have to say the ability of the computers to anticipate, if you will, the expected movements of everything else in the operational environment.

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RID NEEDS YOUR SUPPORT

Remove Intoxicated Drivers is driven by the support we receive from our members. If you enjoy reading our newsletter and endorse our efforts to combat drunk driving, please consider visiting our website at www.rid-usa.org and make a donation through our PayPal account or send your support in the return envelope. Your support allows us to continue the mission Doris Aiken started 40 years ago.

While RID has been at the forefront of tremendous progress, drunken driving remains a serious threat to road safety. RID receives no government funding or no corporate sponsorship. Our organization is completely funded by our members and donors. We can't do this work without you.

Looking Down The Road...

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As human drivers we do this all the time without thinking about it. We make judgments about where the other vehicles, bicycles, and pedestrians around us are going, and we adjust to accommodate them. The same is true of the software in these Automated Driving Systems. They employ cameras, radar, and usually lidar to sense the environment and they make predictions about where everything in that environment is going or not going, and they respond to those predictions to navigate the environment safely.

The real world is not a test track; it is a constantly changing and unpredictable set of circumstances, and the test vehicles I have experienced are remarkably good at sensing everything and responding accordingly. But getting to fully autonomous mobility will require more than just good software. Machine learning and artificial intelligence may be the final factor that gets us to full autonomy and, more importantly, the public confidence to truly accept the technology.

2) There has been a tremendous amount of resources devoted to the development and planning for the transition from human-operated vehicles to autonomous ones. Which in your opinion would be the better approach to spearhead such a major transition; a mandate by the government, a free market solution provided by the private sector, or a combination of both?

There must be a combination of both. Researchers, developers, manufacturers, etc. must have the latitude to innovate, but innovation does not necessitate a completely deregulatory approach where public safety takes a secondary role. Public safety by its very nature is a government responsibility. We are entering a critical stage in the integration of autonomous technology on public roads, and we need to get this right.

In traffic safety, we measure our successes and failures in human lives, and we must never ever consider that there is some acceptable level of collateral damage on the road to autonomous driving. No one knows better than RID the importance of focusing on the victims of crashes, and this is true regardless of the cause. There have been a handful of high-profile crashes of vehicles equipped with autonomous driving systems in the past year or so, and they had major implications on public and political acceptance of autonomous vehicle technologies. Without safety there will not be public confidence, and without public confidence, there will be no market for this lifesaving technology.

The American Association of Motor Vehicle Administrators (AAMVA) published Guidelines for the Safe Testing and Deployment of Highly Automated Vehicles in May 2018. AAMVA is not a regulatory agency, but its work is directed at providing voluntary model policy to states and Canadian provinces to support innovation through harmonized policies across the jurisdictions.

The document provides a balanced approach for states to consider. The guidance provides 65 recommendations for states to consider and an additional 23 recommendations to manufacturers. Already, both jurisdictions and manufacturers have begun to heed some of these recommendations. AAMVA is continuing its work to include broader issues in this space, including commercial vehicle applications, mandatory vehicle inspection programs, cyber security, and privacy.

3) What about the cost to the consumer? Will the affordability of this technology be a big obstacle for the manufacturer or the average car buyer to make this transition to AV?

It would be highly premature to make that judgment. Consumers today can afford many of the automated driver assistance systems (ADAS) available in the marketplace. These ADAS are the stepping stones, if you will, to more integrated autonomous driving technologies. Most new models today offer some ADAS technologies and Toyota has made a full suite of ADAS available standard across its entire fleet. Tesla and GM both offer some more integrated ADAS capabilities, but it is important to point out that even these higher-level driver assistance systems still require the driver to be engaged in the driving task at all times.

Some have suggested that achieving fully autonomous vehicles capable of operating without a human operator will result in a system of mobility as a service (MAAS) instead of traditional vehicle ownership. This could significantly reduce transportation costs for the average person, who will no longer need to own the vehicle, maintain it, or insure it. Those costs will be shared across all users. How all that will play out is not known, but most likely there will be a mix of vehicle ownership models in the future.

4) You have been involved with AV on a policy level. As the standards and regulations are being considered for AV, has there been much disagreement regarding the crafting of the policies that will govern this new technology?

Absolutely. If you look across the nation, most (but not all) states have some legislation in place, while others have used executive orders to either expressly permit or prohibit testing or deployment of these technologies on public roads. Some of these laws and executive orders only permit specific activities, while others prohibit any regulation at all. Many states have interagency working groups to discuss pertinent issues and help guide regulations or policies, which is a prudent course of action.

Here in New York, most discussions at the state level have been ad hoc, and the legislation to enable testing and demonstrations of the technology has been enacted through the state budget, not the traditional legislative process. Fortunately, the DMV, State Police, and DOT in NYS are in frequent communication and autonomous vehicles have been on our radar collectively for many years.

This is where the AAMVA Guidance documents can help. The AAMVA Autonomous Vehicles Working Group is composed of representatives of 20 jurisdictions, including 2 Canadian Provinces. The individual members have been selected specifically for their interest and expertise, but they come from a broad range of backgrounds, job duties and even political persuasions. The introspection by the working group is significant and achieving consensus in such diversity requires finesse, but the end product is superior.

5) You've stated that AV will be a game changer that will reduce road fatalities. What has convinced you that this new technology will have such a dramatic, widespread impact on improving road safety?

Because it's logical. Changing human behavior in a traditional sense seldom is. NHTSA tells us more than 90 percent of crashes are caused by human error, so it's logical that removing the human from the activity should yield safety benefits like we have never seen.

I spent the past 25-30 years of my career implementing some of the most successful traffic safety projects in history, which have helped drive down traffic fatalities to record lows here in New York. (The same is not true nationally.) The combination of awareness, education, and enforcement achieves incremental results. It relies on creating a risk perception in the target audience, and hoping that that perception is strong enough to change behavior. And if we change enough behaviors, there is a noticeable reduction in crashes caused by these behaviors.

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The reason AV is different is that the life-saving benefits are the windfall, not the objective. Technologies such as emergency braking and blind spot monitoring are designed to reduce crashes, but these are not AV in its deeper sense. AV is being embraced for its efficiency, productivity, service delivery for the underserved, profitability, etc. There are billions being invested in these technologies largely to turn a profit.

We are on the horizon of a change in ground transportation as we know it, not because it is being foist upon us, but because we as individuals and as a society will want it. We will want it like we want our smart phones today. It will become our new way of life. And if logic prevails, that new way of life will have far fewer traffic deaths.

7) The AV technology is progressing so fast, it's hard to predict what role AV will play in the transportation system in the future. But from where we stand today, what timeline do you see for AV being fully implemented for the public's use? Or do you see a strong resistance against this movement?

I have no way to really gauge that from my area of involvement, but several of the major manufacturers have set targets for 2021-2022, and when the same question was posed to industry and academic experts at a U.S. Senate Commerce Committee hearing in January 2018, that timeframe was the consensus of those testifying. But, realistically, penetration of the vehicles into the American fleet with any level of depth will likely take a decade or more.

But, personally, I think that the commercial vehicle application of the technology may be poised to surpass that of the passenger applications once the technology becomes proven simply because of the tremendous economic potential. And a whole new class of unmanned commercial robots may also occupy roads, and potentially sidewalks. Amazon announced in January deployment of its Amazon Scout delivery robot in communities in Washington State. Similar vehicles could be used to deliver everything from your Amazon Prime to pizzas and groceries.

A resistance to the technologies is certainly a possibility, particularly if society fears loss of jobs, or if safety becomes secondary to rapid rollout and crashes occur. We often hear autonomous vehicles referred to as "disruptive technology" because it has the potential for such fundamental change in the workforce and how we do things. But history should tell us that a transformative technology is not always a disrupter in a negative sense. Nothing has been more transformative than the advent of the personal computer but it has not cost jobs; it has created whole new industries. I predict AVs will as well.

But the resistance caused by a public perception that the vehicles are unsafe resulting from a rush to public roads and resultant crashes could significantly impact the industry. A single crash with an autonomous UBER Vehicle last year, which killed pedestrian Elaine Herzberg in Tempe, Arizona, caused reverberations throughout the industry and the halls of Congress. It generated an NTSB investigation, halted testing by several companies, and caused political backlash not before seen. It underscores why it is so important to get this right. We need to cautiously and deliberately support the innovators but demand that public safety always be the number one priority.

THOSE WHO TAMPER WITH IIDS NEED TO BE HELD TO ACCOUNT

By William Aiken Jr.

Thanks to our dedicated news clipper, Joyce Bascom, I was alerted to a case of a convicted drunken driver attempting to skirt an IID (Ignition Interlock Device). Shannon K. Prendergast, 36 of Queensbury, NY allegedly drove to an appointment with her probation officer in a vehicle without a IID. She was arrested and charged with felony forgery, then sent to the Warren County jail on $2,500.00 bail. (1)

I imagine there are few people brazen enough to drive without the mandated IDD then meet with their probation officer. There aren't solid statistics on the crime of tampering with IIDs. Many offenders are never caught.

All 50 states have some sort of ignition interlock law. Twenty nine states—Alabama, Alaska, Arizona, Arkansas, Connecticut, Delaware, Hawaii, Idaho, Illinois, Iowa, Kansas, Louisiana, Maine, Maryland, Mississippi, Nebraska, Nevada, New Hampshire, New Mexico, New York, Oregon, Pennsylvania, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia—and the District of Columbia, have mandatory ignition interlock provisions for all offenses. California has a pilot program in four of its largest counties. Colorado and Maine's laws are not mandatory for a first conviction, but there are strong incentives to install an interlock device on the first conviction. (2)

This framework makes no sense. Having a hodgepodge patch of laws where tampering with an IID can get you remanded to jail in one state and pay a small fine in another state is not justice for all. This imbalance should be addressed by the Federal government, so when an IDD is tampered with, there is unanimity among every state.

Deliberately violating the terms of a drunk driving conviction such as tampering with IIDs or driving someone else's vehicle should have serious consequences. The penalties vary from state to state. Part of deterring those convicted of DWI from continuing their behavior is a simple solution. Here it is: the judge issuing the sentence should be required to not only warn the convicted drunk driver against tampering but also to inform them of the penalties for that violation.

I know for some losers they will be determined to drive drunk at all costs and the only deterrent for them is to be remanded to jail. But if the penalties were increased and a provision to inform the drunk driver of the consequences at their sentencing was added to the law, it might discourage the idea beforehand. Secondly, if the drunk driver goes ahead anyway with their scheme after clearly been warned, there would be justification of a severe penalty since they had been warned.

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THOSE WHO TAMPER WITH IIDS NEED TO BE HELD TO ACCOUNT

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Anyone who engages in a scheme to get around an IID deserves to have the book thrown at them. In cases where an IID is issued as opposed to revoking or suspending the license, the court is showing empathy to the plight of the drunk driver. Whether it's to care for a child or permit the offender to continue to have transportation to their place of employment, the courts have to weigh the punishment with the interest of public safety.

My suggestion is that anyone who alters their assigned IID should suffer the same penalty as someone who drives on a suspended license. And the penalty should mandate a jail sentence. If the drunk drivers know they'll be losing their freedom it will have an impact on some, not all offenders. Yet, I see this measure as an incremental step of progress. Every bit can make a difference.

During an interview I did back in October with Albany County Vehicular Crimes Unit, Mary Tanner-Richter, I asked her why some jurors have difficulty convicting drunk drivers. She offered a well known quote, one that's been used by Supreme Court Justice, Sonia Soto Mayer, "If not for the Grace of God, there go I." meaning, that some jurors still can relate to the drunk driver.

There are a whole host of excuses, ranging from the lack of intending to harm others to possibly having been drunk behind the wheel themselves. This misplaced empathy has been a stumbling block in passing laws that attempt to address the severity of drunk driving.

I would like to thank Joyce Bascom for sending RID clippings of these DWI cases. She helps put a spotlight on criminals, like Shannon K. Prendergast that might otherwise go unnoticed and potentially fall through the cracks.

The Albany Times Union also deserves kudos for their steadfast coverage, devoting more space and resources to covering the issue of drunk driving. They have consistently stood out among the print media in the Capital District reminding the public that drunken driving is still a scourge on society.

Footnotes:

1.) Albany Times Union, January 25, 2019

2.) NCLS (National Conference of State Legislators) Oct. 24, 2018

LEGALIZING RECREATIONAL MARIJUANA

NYS Legalization Legislation Pending

By Renee Barchitta

During the last 30 years even though we have made progress preventing impaired driving and reducing the number of related deaths and injuries through the deterrence of legislation, education, enforcement, and prosecution our work is not finished. Linda Campion's article 'A DWI Perspective Spanning Thirty Years' in this issue of "Looking Down The Road" she stated: "…we have a long way to go before our roads will be truly safe for innocent victims like Kathleen…" (her beautiful daughter)…in this world."

According to (NHTSA) The National Highway Safety Administration in 1989: 22,424 people died in alcohol-related fatalities (with a driver BAC of .01 or above), accounting for 49% of all crash fatalities, for a total of 45,582 people. In the same year, 19,531 people died in alcohol-impaired fatalities (with a driver BAC of.08 and above), accounting for 43% of all crash fatalities.

In 2017, 12,747 people died in alcohol-related fatalities (with a driver BAC of .01 or above), accounting for 34% of all crash fatalities, of a total of 37,133 people that year. In the same year, 10,874 people died in alcohol-impaired fatalities (with a driver BAC of .08 and above), accounting for 29% of all crash fatalities.

Although the reduction in the number of alcohol-related crash deaths from 1989 to 2017 represent a success, there were still 12,747 lives taken away from families, friends, and communities. According to NHTSA, every day almost 30 people in the United States die in impaired-driving crashes (.08 and above)—that's one person every 48 minutes in 2017. In 2010, the most recent year for which cost data is available, these deaths and damages contributed to a cost of $44 billion that year.

Currently, the US is going through the greatest opioid addiction crisis in its history. According to the US Health and Human Services Agency there are currently 2.1 million people with an opioid disorder in the US with over 70,000 Americans dying from opioid/heroin drug over dose or reaction every year. Many of these Americans probably had previously driven impaired.

Legalization

Knowing the human and economic toll of impaired driving and drug abuse, the question must be asked, whether the legalization of the recreational use of Marijuana is in the best interest of the public.

The Legalization of Recreational Marijuana affects many aspects of our lives, including impaired driving, having immediate and future ongoing consequences. The following information is offered as a tool to empower you in your efforts in stopping Marijuana recreational legalization, impaired driving and drug abuse. Although some of the references pertain to New York State, they can be applied to any state where the recreational use of Marijuana is planned to be legalized.

Law Enforcement, Mental Health, and Traffic Safety Professionals Concerns

In a recent article in the Daily Gazette entitled, 'Law Enforcement Fighting Marijuana Legalization', the NYS Sheriff's Association, NYS Association of Police Chiefs, NYS Association of County Mental Health Officials, The American Automobile Association, and AAA New York, are opposed to legalization of recreational Marijuana and discussed their concerns.

The President of NYS Sheriff's Association Oneida County Sheriff Rob Marciol stated: "We took an oath as sheriffs to keep our communities safe, and legalization of Marijuana will make our communities less safe." Malverne Police Chief John Aresta, President of the State Association of Police Chiefs, said that "…his members feel that with a widespread opioid addiction epidemic is already causing harm across the state, marijuana shouldn't be legalized."

<u>Other concerns from Sheriffs</u>

- Impaired driving
- Train Officers in Drug Recognition (DREs)
- Retire Police dogs trained in detecting Marijuana or retrained

• Increase in arrests of drivers from other states

• Increased funding needed for public health, public safety, criminal justice, and consumer protection

State Association of County Mental Health Officials Concerns

• Increase in traffic crashes

The American Automobile Association and AAA New York Concerns

• Increase in auto crashes as crashes have increased in Colorado where recreational use has been legal for several years.

Impaired Driving

• According to the (CDC) Center for Disease Control and Prevention, Marijuana users were about 25% more likely to be involved in a crash than drivers with no evidence of marijuana use.

• According to (NCBI) The National Center for Biotechnology Information, cannabis is the most frequently found drug among fatally injured drivers who were speeding at the time of the crash.

• According to the Highway Loss Data Institute, collision claims reported to insurance companies have increased in Colorado, Oregon and Washington, where recreational marijuana use is legal.

• A report by (AAA) the American Auto Association found that the percentage of drivers who were impaired on Marijuana during fatal crashes in Washington State more than doubled between 2013 and 2014 (after legalization).

Challenge of Testing for Marijuana Impairment

There is no "per se" threshold for THC impairment (the psychoactive substance in Marijuana that effects perceptions, moods, and consciousness) like the one in place for alcohol, (BAC) Blood Alcohol Concentration. Marilyn Huestis, who spent over 20 years leading Marijuana research projects at the National Institute on Drug Abuse, stated "There is no one blood or oral fluid concentration that can determine whether someone is impaired."

Occasional Users THC Concentrations Zero after 2.5 Hours THC, quickly leaves the bloodstream. Ms. Huestis research shows that while an occasional user is impaired for 6 to 8 hours, blood THC concentrations can be zero after 2.5 hours.

Concern with Roadside Testing On average in the United States, it takes from 1.4-4 hours after a crash or traffic stop to administer a blood test. "If someone is driving impaired, by the time you get their blood sample, you've lost 90% or more of the drug", stated Ms. Huestis.

Long-term Daily Users THC Accumulates In the tissues -Impairment possible for over 30 days Long-term daily Marijuana users, including for medical use, also present a challenge for determining impairment. THC accumulates in the tissues of the body and then slowly releases over time. Long term users can test positive for cannabis even after 30 days of non-use. Impairment of physical skills can still be observed three weeks after the last use.

Method and Strength of Marijuana

Whether Marijuana is inhaled or consumed, or whether the user determines the amount and strength, can affect the level of impairment.

Roadside Testing

Most researchers and traffic safety professionals do not support a legal driving limit for Marijuana, but rather well-trained police officers who can identify the signs of impairment and biological marker tests given at roadside.

Conclusion

Legalizing recreational Marijuana has negative short and long-term consequences on public health and safety. "The costs of legalization will not only affect our tax dollars and health care, but the safety of our children and the productivity of our nation", stated Bill Bennet, former US Drug Czar. Marijuana legalization negatively impacts impaired driving. If all efforts to stop legalization in your State fail, the following are suggestions of important health and safety measures needed in proposed legalization:

• It is important to have an opt out choice for counties, towns or jurisdictions in your State to reject having Marijuana shops. However, an unintended consequence includes possible impaired drivers returning from other locations that sell Marijuana.

• Reject the use of a non-scientific per see tolerance number to determine impairment

• All Officers trained as (DREs) Drug Recognition Experts. Currently only a small number of officers are trained. If 100% is not possible, training in (ARIDE) Advanced Roadside Impaired Driving Enforcement has a minimal needed training in drug impairment identification.

• Training for Judges and District Attorneys for prosecution

• Funding for law enforcement equipment

• An ongoing public education and information campaign regarding impairment and driving and risks of use

• Sobriety checkpoints targeting Marijuana and other drugs including alcohol impairment

• An increased enforcement presence near state borders, where Marijuana is illegal

• A pre and post Marijuana legalization study on crime, impaired driving, hospitalizations and effects on youth.

For more analysis on the effects of the legalization of marijuana, you can visit the links below:

https://www.drugabuse.gov/publications/drugfacts/drugged-driving
https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2811144/
http://blog.northeast.aaa.com/marijuana-and-driving-study/

Renee' Barchitta, MS has been a RID member for over 35 years, Former Delaware County STOP-DWI Coordinator and NYS Governor's Traffic Safety Highway Safety Representative.

Roger Barchita, MS and Retired NYS CASAC Alcoholism & Substance Abuse Counselor, also contributed to this article.

A SURVIVOR'S STORY

By Bill DiKant

It was a crisp December night, four days after Christmas, 1977. You are a police officer on a normal patrol. The pavement is dry; just a few stars twinkle above. Then the radio in your car crackles, "Auto accident, Route SB9J Northbound." Unit 8720, another car, responds.

You and your partner are talking about some courses you have taken. The talk comes back to the accident that unit 8720 is handling.

The radio tells you they have called for rescue units, an investigator and medical examiner. God, it's a bad one.

Thoughts about the New Year's party at the chief's house arise. You're looking forward to it.

The radio crackles again, "8720 to 604. 604 on. Can we meet at your station?"

You respond, "Ten four. ETA oh-five min." You arrive at headquarters just ahead of the other patrol and set up for coffee. The sergeant and patrolman come in and their faces show strain.

You become tense, the look tells you: "It's your family!" Quickly thoughts of kissing them and telling them you'll be home at 10 p.m. race through your mind. Goddammit!

"How bad?" you ask.

The sergeant replies, "Bad."

They take your gun and belt, and next thing you know you're under the red lights enroute to the hospital. The feelings take over. God, don't let my family be hurt. Hurry up! That car won't pull over, dammit, get out of the way!

The bright lights of the hospital, the smell and activity only add to your anxiety. The room they bring you to is cold.

"How are they?" you ask.

Barbara Dikant April 15, 1945 - December 29, 1977.
On her wedding day with Bill.

The boys are in the emergency room; we'll know more later. Your wife of thirteen years is dead, so is your eight-year-old daughter, the medical examiner tells you. Two beautiful girls, both in looks and character. In just a few moments part of your life is destroyed.

The parish priest, your uncle and brother-in-law arrive, everyone is compassionate, trying to ease your grief. Why? Why me? What did I do to deserve this? No one can answer.

Your thoughts go to the other driver, "If that s.o.b. is alive, I'll fix him," you holler. "I'll kill him."

Then you find out that he also died, but that does not ease your pain.

Mom – who's with her? God, you want so to be with her!

A lone figure in blue appears and brings you coffee, a brother officer from the city who forever will be nameless. You see the pain in his eyes, "I'm sorry," he says, and departs.

You are allowed to see your sons; the oldest, Michael, is twelve; Marc is six. Damn it, damn it, you say, the innocent shall suffer.

The nurses and interns work with dedication to soothe you.

Talk to the boys the priest says, and you do. Please, Mike and Marc, make it for me. Dear God, don't take them too!

They take you back to the room down the hall. People in the hall look at you wondering. You wonder if they are "his" family.

Slowly time passes, and the boys are brought up to the intensive care unit on the sixth floor. You wait in the room next to it. You grab small bits of sleep. Only time will tell now.

Six a.m. and dawn is breaking. The uniform is damp with sweat, so your brother-in-law takes you home for clean clothes. As you enter the driveway the outside light is on, as is the one in the kitchen. The silence of your home is overpowering, the tears roll down your face. Exhaustion comes and you go up to sleep.

Later on you go back to the hospital. The doctors give Mike slim hopes of recovering, but Marc has a better chance.

So now comes the decision about Mike. Those people in New Jersey did it, and now you've got to. Papers are brought in and signed. Mike's beautiful blue eyes go to the eye bank so maybe another will see the beauty he saw and enjoyed so much. His kidneys will go to someone who needs them.

You look in on the boys. Mike is pale. Marc's color is pretty good despite the tubes, wires, and machines trying desperately to keep up his life's functions.

Back to Mike's bed, "Let him go to his mother and sister," you say, "I love you, Mike."

New Year's Eve and the third part of your life is gone.

Father says mass on New Year's Day at mom's. He helps ease the burden that words can't describe. Your wife, Barbara, had helped at Sunday School and had been involved in other activities at Sacred Heart Church.

Karen DiKant
December 6, 1969 - December 29, 1977

Your little princess, Karen, with her silly ways, had captured Father's heart. Mike, the altar boy, had been liked by all he came in contact with. The three of them had done so much in their short lives. They were so involved – collecting for muscular dystrophy, swimming for cancer, Boy Scouting. Mike had worked hard for all his achievements. Karen had always been busy with her baton twirling, figure skating and Brownies. My Barbara, that beautiful person who was loved and liked by everyone.

These were three good people wasted. Your burning hatred is for that man; if he had killed himself only his family would have cared. "Curse him forever!" you hear yourself saying, "Suffer in hell all eternity, you bastard."

Funeral arrangements, the wake, so many, many people. You try to hold together and watch out for mom. You try to remember all who come. Some sign the memorial book; some don't.

After what seems a long, time, the people dwindle. It's time to go.

Every day for 30 days you go to the hospital with mom to see Marc, your youngest, fight for survival. For two weeks he's in intensive care in a coma. Then he shows improvement every day. Soon he sits up and starts to eat a little solid food. He's had a broken collar bone, lacerations and a severe concussion. You wonder what's going on in his mind. How are we going to tell him? Later on mom tells Marc about Barbara, Mike and Karen. How she does it is beyond you, because you couldn't.

Luckily Marc is doing pretty well in all areas, and he is soon released from the hospital. Mom had taken care of him, but now he wants to go home with you. You've got to get Barb's purse at the State Police Station. Her paycheck is inside, uncashed, amid broken pieces of glass.

Soon after, a friend from the police department gives you a report. The other driver was drunk. They did a thorough investigation. You never liked a drinking driver. Now you hate them all. He had been on welfare. Our tax dollars had helped kill your family.

Michael DiKant
June 12, 1965 - December 29, 1977

The hate flares up. He had money to drink but not to feed his family or provide for their other needs.

The tavern owners had served him for quite a while. They never should have let him drive in his condition. Very bitter feelings for these people well up inside you. Shortly after the accident, the tavern where this man was drinking catches fire and burns down. Ironic circumstances. A local newspaper carries the article and pictures with the headline, "Tragic Loss for Owners." You have that newspaper's coverage of your loss, pictures too. Full front-page, headlined "Head On Crash Kills 3." The words "Tragic Loss" did not appear then.

Sometime in May 1978 you learn that a testimonial dinner had been held for the couple that owned the tavern. About $1,000 had been collected to help them reopen their bar. Only a few know I've instituted a lawsuit against them for serving that drunken driver.

No, they are not back in business. The State Beverage Control has their license.

Many months have gone by now, months of frustration and worry. Many trips to the hospital and doctors for my son's check-ups. Finally one burden is eased as he is released from medical care. He shows no lasting physical or emotional problems, it is hoped he never will. The nights for you are not too restful. When sleep does come, you waken with the thoughts of the accident, reliving it all over again and again.

Shortly after your loss, another accident occurs not far from the same spot where ours took place. A young man is killed and he leaves a wife and child. The other driver, another drunk, survives. This person is arrested for driving while intoxicated and released without bail.

One, two adjournments and finally he is sentenced to loss of license to drive for one year, three years' probation and to attend rehabilitation clinic.

It's damn easy! Take a person's life with a gun or knife and you'll get at least a few years in jail. Kill him with a car while under the influence of alcohol and you walk away.

No wonder many police officers are disgusted and discouraged. The arrest, printing and photographing, the breath test all take lots of time and taxpayers' money. And all that happens to the DWI driver is sentencing on reduced charges.

Sure, his insurance premium goes up. But so should his liability. Not that money will ease the pain of the loss, but maybe it will help those left behind to at least make an attempt to keep going on.

In most cases burial expenses cannot be met, in addition to hospital costs and the many others incurred with the loss of life. In our case, the drinks served have cost our family over $40,000 – a big price for $6-7 worth of liquor.

Such people should be prosecuted to the full extent of the law. There is now a bill in the State Senate which would prevent them from being able to plead to reduced charges and there are a number of other bills pending in the Legislature which would toughen laws on drinking and driving. They should be passed.

And if you're one of the people who takes that extra drink or two before getting behind the wheel of your car, please clip this article and keep it somewhere where you'll see it everyday.

- *Bill Dikant, Castleton-on-Hudson, NY.* If you have any comments regarding Bill's story, you can contact him at jdikant65@aol.com

2017 MARIJUANA USE FOR YOUNGEST 50% OF FATAL CRASH DRIVERS IN SELECTED STATES AS HIGH AS DUI.

By Al Crancer

A look at data for the US and several geographically diverse states gives us an idea about what is happening with increased availability and use of marijuana.

With about 50% of fatal crash drivers age 35 or younger, drivers in CA, CO, and NY are already at the DUI level. For the USA, the percentage of Marijuana is only 15% lower than DUI.

CA & CO are "Recreational Use" states, with NY only a "Medical Use" state.

Marijuana & DUI % for Fatal Crash Drivers < AGE 36, FARS		
State	% DUI	% Mj
US	33.2%	28.1%
CA	34.6%	33.2%
CO	37.3%	36.5%
NY	27.7%	32.7%

Data is shocking, considering that about 50% or more of the fatal crash drivers were NOT tested for drugs. If more drivers were tested for drugs in these states, the percentage of marijuana would even be higher.

Number & Percent Fatal Crash Drivers NOT Drug Tested, 2017 FARS		
State	%	#
US	64.1%	13,604
CA	72.8%	1,600
CO	49.9%	199
NY	67.7%	340

Median Age of Drug Use FC Drivers varies by State, but Narcotic users older than Marijuana users, and Marijuana users younger than DUI. The oldest Recreational Use State, CO, has Marijuana median age getting closer to DUI median age.

Median Age of Fatal Crash Drivers, US, CA, CO, NY, 2017 FARS			
State	DUI	MJ	Narc
US	33	29	46
CA	32	26	46
CO	33	32	48
NY	34	26	33

As a CA resident living near Berkeley, I already see the backlash from legalization. Many cities are banning the dispensaries because they see the problems caused by access, especially upon the youth. Also, in Colorado, teen suicides of marijuana users are noted and are of great concern.

Organizations that are primarily "Stop DUI" might want to broaden their scope & recognize the tsunami of death and destruction coming with the increased legal availability and use of Marijuana.

Total Marijuana fatalities known 2017: CA:364, CO:137, NY:90, and US:3,671. No big deal unless it's you or a loved one! There's a new kid on the block – and he's smoking pot!

Al Crancer, BS, MA. Published author in Science (first Gov approved marijuana study,1969), Journal of American Med. Assoc, Amer. Journal of Psychiatry, Crancer has held positions in WA DMV, CIA, USAF Office of Scientific Research & NHTSA. Al is also the creator of the political cartoon strip, "Bureaucat".

EDUCATION IS A STILL A KEY COMPONENT TO PASSING LAWS THAT MAKE FOR SAFER ROADS

By William Aiken Jr., Vice President Remove Intoxicated Drivers

Thou shall not infringe on the right to drink and drive. This unwritten constitutional amendment has been the underpinning of the battle RID has taken on since our inception more than 40 years ago and continues to this very day. While the culture of drunken driving has dramatically improved since RID took on this challenge, much of the opposition to road safety is still rooted in misinformation that's peddled as fact.

A recent article, "Tougher DWI Standards Proposed", featured a poll in the Times Union (Feb. 7th) that showed 82% (of over a thousand participants sampled) oppose lowering the BAC (Blood Alcohol Content) from .08 to .05. That is a powerful rejection of a policy that has a proven track record of saving lives in the countries where it's been implemented. But a closer look at this poll reveals it to be misleading in several ways.

First, the source of the poll, Tablehopping.com, is a website devoted to promoting the restaurant industry. So the profile of the people sampled is interested in their dining experience and may see a lowering of the BAC as an infringement on businesses.

Second, a rep from the restaurant industry was quoted in the article, saying that a woman weighing 120 lbs would get to a BAC of .05 with a little more than one drink and a man weighing 160 lbs would reach a .05 level after just two drinks. These claims are outright false. The rep offered no timeline for this scenario or a source to back up her claim. She also claimed that a person isn't meaningfully impaired at .05. In 1984, C. Everett Koop, the Surgeon General at the time, announced that a person begins to lose their peripheral vision at .029. The author of the article, Steve Barnes, (a TU food critic) never challenged these lies. They were printed as being factual. So many people reading this propaganda will believe it.

Another bias favoring the alcohol industry in Barnes's article is that he summarized the proponents of .05 in a single paragraph. While he reprinted a long press release from the American Beverage Institute, he didn't afford the .05 advocates the same luxury. He could have easily quoted any number of experts on DWI that would have put the statistics in a context that's compelling and easy to grasp.

Third, the comments section of the article illustrated a cynicism toward lowering the BAC and the law officers that would enforce it. A surprising number of people commenting believed that .05 was just a power grab by law enforcement to increase their coffers with more DWI fines. The article used data that was 20 years old that supported lowering the BAC. Barnes failed to mention that Utah passed a .05 bill last year. While the hard numbers aren't available yet, a comparative analysis of DWI statistics from the year before the law was passed and the following year showed a reduction in DWI arrests, crashes, and fatalities.

To the point that law enforcement is motivated by an increase in its revenue with additional DWI fines, it doesn't add up. During a recent Webinar hosted by the NTSB (National Traffic Safety Board), a Utah law enforcement official addressed the concern by pointing out that .05 won't change what officers do every day to make the roads safe. They won't be out there looking for drivers with a .05 BAC. They will do what they have always done; look for signs of impairment, regardless of the BAC level.

Most of us concerned with making our roads safer don't have the credentials of law enforcement. But we can research the facts and present proposals that are supported by facts. Former NTSB board member, Dr. Bella Dihn-Zarr was asked how to argue for a .05 BAC. She said, "The facts are on our side. So stick to the facts and avoid debating the emotions of this issue."

Often claims of law enforcement greed and false claims of impairment level are based on emotion, not facts. If we follow Dr. Dihn-Zarr's advice, we can be more effective advocates. We have more data that prove lowering the BAC will save lives. The support from agencies like the NTSB and NTSHA (National Traffic Safety Highway Administration) has never been more resourceful. The increase in transportation options provided by car services, like Uber and Lyft, give more choices that make drinking or driving a binary decision.

Yet, the arguments by the Alcohol and Restaurant industries remain the same as if these changes don't affect the issue of drunk driving. So a new educational campaign should be the mantel for road safety organizations, a campaign of Public Service Announcements that highlights these factors. There's no billion dollar industry to fund such PSAs. There's plenty of resources and lobbying money that are active in opposing road safety measures. This situation calls for the government to fund such a campaign, just like they have for "Friends Don't Let Friends Drive Drunk" or "Buzzed Driving is Drunk Driving."

As our late founder of RID, Doris Aiken understood so well, education is key to changing the culture. This axiom remains today and it should be used as a guideline in making the case to lower the BAC to .05 in New York State.

For the original article by Steve Barnes go to https://www.timesunion.com/living/article/Tougher-DWI-standard-proposed-13595677.php

A DWI PERSPECTIVE SPANNING THIRTY YEARS

By Linda Campion

Kathleen Campion,
June 16, 1968 - March 18, 1989

Thirty years ago, my family was living the "American dream". My husband and I were raising three children. The two oldest were beginning to follow their dreams, attending college, while being responsible citizens. In the blink of an eye, our lives were, forever, changed. Our oldest daughter, Kathleen, age 20, was killed by an alcohol-impaired driver. The twenty-four hour nightmare continues.

At the time of Kathleen's death, alcohol-related crashes were classified as accidents. (Crashes being defined as those which are preventable). Many prosecutors were not willing to fully investigate to determine if there was evidence of criminal negligence as well as the alcohol factor which are the elements needed to satisfy the criteria to move forward in such cases. That is where my family found themselves while seeking justice for Kathleen's death. We were locked in a fight to move the case forward in a legal system that was not familiar to us.

Many years have passed with countless pieces of legislation enacted into law to STOP DWI on our roads and highways across our nation. Education has been a high priority in every facet of our society.

That brings us to where we are now. A large portion of our population still chooses to view driving while one's ability is impaired to be only a mere mistake and not a poor, unwise, unsafe choice. Recently, in the area where I reside, three prominent politicians were arrested and charged with driving while their ability was impaired by alcohol. All three declared that they had made a mistake. Denial is also a major reason leading to why those still choose to drive impaired because they have engaged in this practice so many times without being stopped by law enforcement or been involved in a serious injury or fatal crash. There is the false premise that driving is a constitutional right and not a special privilege. Let us not forget about the individuals who disregard the law and drive without a license. A district attorney once told me, many years ago, that all anyone needs is a key to the vehicle.

Where are we going in the future? National Highway Traffic Safety Administration statistics show that alcohol-related fatalities .01 and above are again rising. This is reflected in the 2016-2017 statistics. As long as an individual's right to drink and then drive trumps the innocent victim's right to life, liberty, and the pursuit of happiness, we will spin our wheels. Has anyone noticed? The alcohol industry is flooding the market with just about every beverage in a "spiked" state, even water! Their approach and packaging are no longer subtle. The other day, while browsing in a local store, I noticed that regular cans of sparkling water were displayed alongside the "spiked" cans. That is because the packaging is so similar that even the store clerks cannot tell them apart unless one is able to read the small print that is hard to find on the packaging.

Craft beers are becoming more popular. The alcohol content of these beers can be much higher than the beer that can be purchased in local stores. The public needs to be made aware of this higher alcohol content which can rise to as much as 20%ABV. No longer can one say that one beer is equal to drinking a twelve- ounce beer, a five oz. glass of table wine, or a 1.5 fl. Ounce of 80 proof alcohol. The alcohol industry is still reluctant to declare, very simply, that if one drinks, then that individual should not drive!

I have often thought that it is next to impossible to determine one's alcohol level before getting behind the wheel to drive after drinking any amount. Why take the chance? After my thirty year journey working to STOP DWI, I realize that we have only scratched the surface and have a long, long way to go before our roads will be truly safe for the innocent victims like Kathleen in this world.

NEW YORK SENATOR MEETS WITH RID/ SAFETY OFFICIALS ON .05 BILL

Dr. Bella Dihn-Zarr, William Aiken, New York Senator Jim Tedisco, Tara Gill, Thomas Louizou at the Senator's Clifton Park office

What are the issues related to drunken driving in your community?

If you're interested in submitting an article for the newsletter, or have a comment or suggestion, RID is happy to provide this platform to voice your concerns.

William Aiken, Vice President
ridusa@verizon.net
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A CITIZEN'S PROJECT TO REMOVE INTOXICATED DRIVERS

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