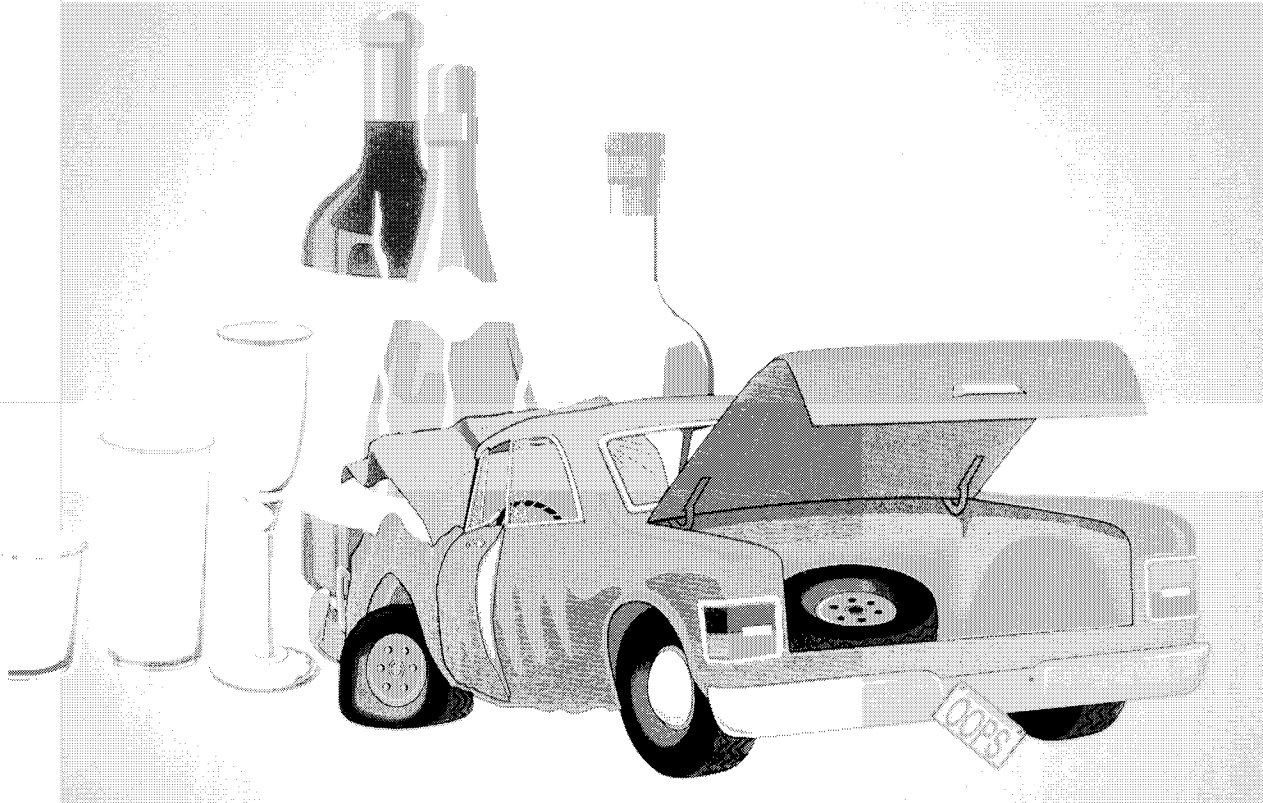


# Drunk



# Driving



## Drunk Driving Death and Injury

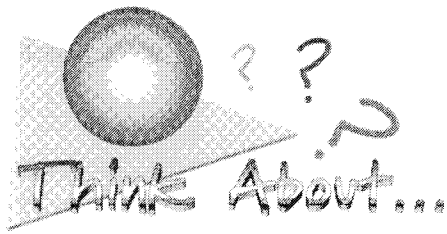
### WORDS TO KNOW

DWI	crash
DUI	accident
Mothers Against Drunk Driving(MADD)	second-degree murder
blood alcohol concentration (BAC)	manslaughter
binge drinking	homicide/negligent homicide

### OBJECTIVES

As a result of this lesson you should be able to:

- define driving under the influence/driving while intoxicated
- discuss why impaired driving is a serious crime
- know myths and facts about drunk driving
- examine the impact of drunk driving crashes on victims
- identify symptoms and warning signals of alcoholism
- identify strategies to prevent drunk driving crashes



On November 10, 1991, an 18-year-old swimmer celebrating a swim meet was provided fortified wine by a teammate's 21-year-old girlfriend. He quickly drank 1 bottles and drove through a residential section of Mesa, Arizona at speeds exceeding 80 mph in a 30 mph zone. His car struck and killed a 22-year-old college student and seriously injured a 16-year-old girl as they were walking in a crosswalk. The driver left the scene but turned himself in to police the next day. As a result of the elapsed time, police were unable to obtain breath, blood or urine specimens to determine a blood alcohol concentration (BAC). The driver was convicted of manslaughter for the death and aggravated assault for the injury. He was sentenced to ten years in prison. The 21-year-old provider of alcohol was convicted of a misdemeanor and sentenced to six months in jail.

It was an autumn evening, and Kenny was going around a blind curve on his way home from work. A full sized four wheel drive pick up was suddenly in his lane. Kenny was killed by a 20-year-old, twice convicted of drinking and driving, and driving with a revoked license. Kenny was a husband and father of two daughters. The driver broke his ankle. He was sentenced to work at the Marina Del Rey Sheriff's station for a year and received 5 years probation.

1. Do you think someone should be arrested for providing alcohol to a minor? Explain your answer.

2. Do you think probation is an appropriate sentence for someone who has previously been convicted of drinking and driving, driving on a revoked license and eventually killed someone? Explain your answer.

### DEFINITIONS

The following definitions are applicable in this state.

**Blood Alcohol Concentration (BAC)** A driver's BAC is based on the ratio of alcohol to blood or breath.

**Driving While Intoxicated (DWI)-**

**Driving Under the Influence (DUI)-**

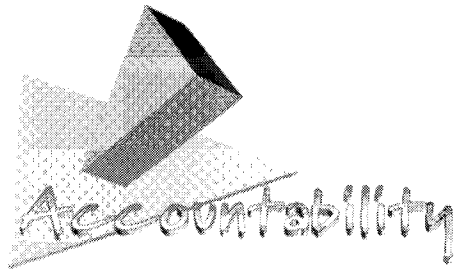
**Second-Degree Murder-**

**Vehicular Homicide/Negligent Homicide-**

**Manslaughter-**

**Serious Bodily Injury-**





All drunk driving crashes could have been prevented. Two deliberate choices were made. One was to use alcohol or other drugs and the other was to drive. This is why the term “**crash**” is preferred to the word “accident”. An **accident** happens when a dog runs in front of a car which causes the driver to veer into the lane of another car. Someone who deliberately drinks, drives, and eventually causes a collision, could hardly be referred to as causing an “accident”.

Alcohol’s effect on an individual is determined primarily by two factors: The amount of alcohol consumed and the rate at which it is absorbed into the body. Other contributing factors include body weight, alcohol tolerance, mood, environment and the amount of food consumed.

### **Alcohol is a Drug!**

Alcohol is a “depressant.” This can be confusing because the word depressant would seem to mean something that causes depression, but this is not the case. In fact, many people get lightheaded and playful when they drink.

A depressant is something that decreases bodily functions, not that depresses a person’s mood. Alcohol acts something like a general anesthetic. The depressant effect begins by reducing the activity of the higher brain

centers such as those that control vision, thought, speech and movement. This process also diminishes control over behavior and emotions, which is why drinkers tend to behave impulsively and are overly emotional at times. With increasing BAC levels, alcohol begins to slow the deeper and more primitive brain centers that regulate vital bodily functions such as heart rate, breathing and sleeping. In other words, it is not one's mood that is depressed by alcohol, but the functioning of the brain. This is why it is risky to mix alcohol and prescription drugs such as sleeping pills. They both depress brain functions. In fact the combination of alcohol and pills can so severely depress the functioning of the brain that respiration or the heartbeat may cease, and with it, life itself.

You cannot counteract the effect of alcohol or speed up the rate of metabolism once alcohol is in the system. A common myth is that coffee can reduce the effects of alcohol and help sober up a drunk person. In fact, nothing has yet been discovered that will make a drinker's brain function more normally in terms of perception, reaction time, or judgment other than the passage of time. Caffeine may briefly make a drunk person feel more alert, but an alert drunk can be even more dangerous: he or she may be more willing to get behind the wheel of a car. There is no magic path to sobriety after alcohol is already in the blood. You cannot "burn it off," urinating will not "drain it out," gobbling a sandwich will not "soak it up," drinking coffee will not "take the edge off," nor can you by hard concentration, medication or positive thinking make yourself sober. (Vogler & Bartz, 1992)





5. \_\_\_ Alcohol is a food and drug.
6. \_\_\_ Everybody reacts the same to alcohol.
7. \_\_\_ A person can die of alcohol poisoning from gulping drinks.
8. \_\_\_ Alcohol is a drug, just as cocaine and marijuana are.
9. \_\_\_ The use of marijuana does not impair driving skills as much as the use of alcohol.
10. \_\_\_ It is safe to drive as long as a person has only one drink.

## *The FACTS About Alcohol Content*

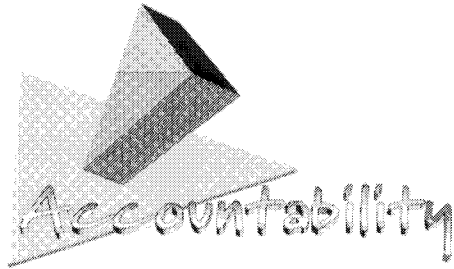
Don't let the bottle fool you. A 12-ounce can of beer, a five-ounce glass of wine, a nine-ounce wine cooler and one shot of whiskey contain about the same amount of alcohol. Each bottle has its own label and will state either the percentage of alcohol or the proof. Proof is easily converted to percentage by simply dividing it in half, so any liquor that is 80 proof is 40 percent alcohol. The alcohol content of wine and malt beverages may vary depending upon production methods.

In most states, a person is legally considered to be under the influence with a blood alcohol concentration (BAC) of .10 or greater. Many states are now lowering the level to .08.

Reaction time slows with a BAC below .10. Vision and depth perception become distorted; emotions and moods become unpredictable. Alcohol begins to affect coordination and judgment. According to the American Medical Association, driving skills have deteriorated at .05 BAC. A driver with a BAC of .10 is **six** times more likely to have a crash than a sober driver. Furthermore, a driver with a BAC of .15 is **25** times more likely to have a crash, while a driver with a .20 BAC is 100 times more likely to have a crash (Ryan, 1993).

It is relatively safe to say that your body metabolizes about one drink per hour. However, recent research suggests that men produce more of a certain enzyme than women, and this enzyme begins the rapid absorption of alcohol in the stomach. More alcohol will therefore get into a woman's bloodstream, making





## The Effects of Alcohol on Health

The health risks associated with heavy drinking are well known and have been highly publicized. The crimes of suicide, domestic violence, sexual assault and other crimes are frequently committed while under the influence. Impulsive behavior is very common after drinking and plays a major role in many accidents. For example, after several drinks, an individual decides to repair a TV antenna and climbs on the roof. He falls off, makes his way back into the house and dies on the bathroom floor from serious injuries.

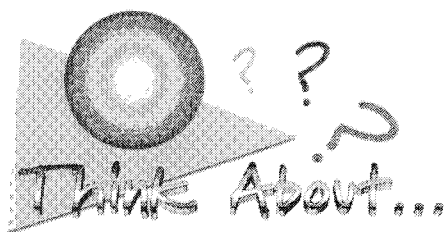
Drinking alcohol lowers one's inhibitions, so, while under the influence, many people have an easier time engaging in certain activities that they might normally be more reserved about. Although it is true that even a little bit of alcohol can lower your inhibitions and make you feel amorous, larger amounts will interfere with sexual performance by reducing sensitivity and reflexes, including achieving and maintaining an erection. A more serious matter is when someone is drunk, he or she may impulsively engage in sexual intercourse that can and often does result in an unwanted pregnancy. Sexually transmitted diseases are also consequences of drinking and acting impulsively. A person whose thinking is impaired by alcohol may not be as likely to avoid sexually dangerous situations such as not using a condom or having sex with someone they don't know.

Recent concern about fetal alcohol syndrome (FAS) has prompted the government to require warnings on alcoholic beverage containers and in public places that serve alcohol. Fetal Alcohol Syndrome can occur

when pregnant women drink alcohol which results in a variety of physical and/or developmental abnormalities in the baby. A woman who goes on even one drinking binge while pregnant can cause a chemical assault on the developmental processes of her baby (Vogler & Bartz, 1992).

**Drinking alcohol is legal only for people over 21, and should only be used by adults who will not be driving or engaging in any risk-taking behavior at the time or several hours later.**

Pregnant women should never use alcohol or other drugs.



Mary and John have been at an anniversary party for her parents. John had been drinking heavily but insisted he could drive home. James, husband of Sue and father of three children was driving home from work on the same road as John. Suddenly, John crossed the center line and crashed into James' vehicle. James was instantly killed in the crash. Mary was thrown from the car and sustained severe injuries. She is permanently disabled. John recovered from his injuries after a brief hospital stay. John's trial is pending.

Please answer the following questions.

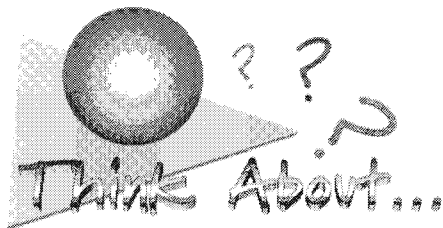
1. **Whose fault is the crash?**



## Teen Drinking and Driving

Today, across the country, eight young people will die in alcohol-related vehicular crashes. Think of eight young people who are closest to you: your children, nieces, nephews, and friends. It could be them.

A 1993 U.S. Department of Health and Human Service series of reports on underage drinking showed that at least 10 million American teenagers drink monthly, 8 million drink weekly, and almost a million go on weekly **drinking binges** of five or more drinks in a row. The series also revealed that teenagers are able to purchase alcohol without being asked for proper identification despite the fact the purchase and possession of alcohol by persons under 21 is illegal in all 50 states. Alcohol is one of the most widely available and problem-producing drugs available today. Alcohol is the drug of choice for young people, and they consume it earlier and earlier. Research has shown that people who begin to use alcohol early in their teens are more likely to experience serious alcohol-related and health problems later in life.



Read the following article.

"I Was Arrested for Drunk Driving"

A "Harmless" Game Landed Me in Jail

by

Anna Cruz

Out of nowhere, a flashing red light blazed through my rear window. I froze in panic. I could feel my heart pounding in my ears. A cop in a blue-and-white flagged me to the side of the road. No siren. Just a swish of his hand. That's when my hands started to shake. I could barely pull over, they were shaking so bad. I was like, "Hang on, Girl." But in my head, I was falling off a cliff. I know I'd just made the biggest mistake of my life. I felt my future drain away right there on River Street in Hackensack, New Jersey. Me...Ms. Straight and Narrow, was about to be cuffed, booked and arrested on a DWI (driving while intoxicated). How could I have been so stupid?

### A Special Party

There was this party. Yeah, I know, there's always a party. But this was a special party. It was the last week of summer vacation, and the old gang was about to split up again and head back to college. It was a Thursday night. I was meeting my friends, Sonny and Tara, and some other kids at Sonny's parents' house in the 'Sack. We all went to high school together. Even after a year of going our separate ways, we were still really tight. So we were hanging at Sonny's and drinking a couple of beers. But it was cool. I knew what I was doing. At least I thought I did. Before Brad.

Brad was--how can I describe him? Flawless. He was Sonny's neighbor. An older guy. Totally brilliant. He already graduated pre-med and was accepted into Columbia. He was going to be a surgeon. Save lives, he said. Play God. Said he'd seen a human heart up close and it was awesome. Brad had heard the music at Sonny's that night and dropped by. Tara leaned over and whispered, "Look at his hands." He was rolling this silver dollar over his fingers. Like a magician, you know? Over and over his fingers. He said that's what surgeons do to keep their hands in shape. He said he could pick a hair up from a glass table with just his



fingertips. I couldn't take my eyes off his hands. You know when guys have clean, tan hands that are soft, yet really muscular? Those were Brad's hands. I remember thinking, "I could marry those hands."

So I had a couple of beers and was feeling fine. We were all laughing and lounging around. Very ripe scene. It was about 10 o'clock. As a joke, Tara said we should turn ER on and see if Brad could diagnose the patients. Then Sonny added his two cents to the mix.

### The Drinking Game

"Heard about the ER drinking game?" he asked. Said he read about it on the Internet. Like, whenever Carter flirts with Dr. Lewis, everyone has a drink. Or each time Ross gets puppy-dog eyes while looking at that curly-haired nurse, you take half a drink. Those are the rules. Sonny said it was totally hot at his dorm. It sounded stupid to me, but this sort of whirlwind took over and Sonny was getting more beers and the TV was on and before I knew it I was in the middle of it all. I mean, before I could explain that I drove my mom's car from Ridgewood and told her I'd be home before midnight. Really, who says something so lame in front of a gorgeous doctor-to-be?

### Just Like on TV

"Step out of the car, please." The red light was still flashing. A cop was shining his flashlight on my face. I didn't move. I didn't think I *could* move. "Step out of the car," he said again. This time he reached through the open window, pulled up the lock and opened my car door. As soon as I stood up, I got totally dizzy. I felt much more drunk on my feet, but I tried to maintain. Just like on TV, the cop asked me to walk in a straight line and touch my nose with my finger. I couldn't believe I couldn't do it. I couldn't believe, either,

that the officer took out handcuffs and slapped them on my wrists. That's when it came crashing home: I was in big trouble. This nightmare wasn't going to end in a commercial. He gently led me to the backseat of the police car and told me I was going downtown to the precinct to take an alcohol test.

"My car..." I stammered.

"It'll be impounded," he told me.

Then he asked, "Are you over 18?"

"I'm just 18," I said.

"Then you just made a very adult mistake."

All the way to the station, I felt like crying but couldn't. I was beyond tears and way into complete and total panic. I'd never even gotten a "C" on a report card.

### Uncuffed

The police station was really quiet. Not like *NYPD Blue* at all. Mostly just cops in uniforms milling around. They would look at me, see the cuffs, then look away. I felt like a criminal...which I guess I was. My head was spinning and I couldn't walk very well. Totally humiliating! The officer propped me up on his arm and

led me into a little room with a couple of chairs and a small desk. He took the cuffs off, which was good because they were starting to cut into my wrists.

“Was I driving too fast?” I remember asking. He told me no, I was crawling along at about 10 miles an hour...on the wrong side of the road. That’s when I started to cry. I blubbered that I’d never done anything wrong before, that it was just one little mistake. He stopped filling out his report and looked me straight in the eye.

“Do you know how many people have been killed by drunk drivers who make one little mistake?” After that, I didn’t say anything else. Just tried to listen while he read off a sheet of paper informing me I was being arrested for violating New Jersey state law, and that I was required by law to consent to a breath test for alcohol. He asked how much I’d had to drink and when was the last time I ate. I felt sick. I’d never felt so alone in my life. I just wanted to go home. That’s when the officer brought in the breath test and told me to blow in the tube. After that, he explained there would be a hearing the next day and I should call someone to bail me out.

No one was home. My older brother had already left for school and my parents, who were supposed to be back from Manhattan by midnight, must have been tied up in traffic or something. And my friends, well, they were all still at Sonny’s and in no condition to drive either. So the officer led me to a jail cell where I sat rotting for the next hour-and-a-half.

### Alone in a Small Cell

It’s totally psychotic being in jail. Not what I expected at all. First of all, I was alone in a small cell with a tiny bed, stainless-steel sink and toilet with no seat. It was clean enough. I mean, I didn’t have to stand because it was too gross to sit. And I didn’t have to cower in a corner away from a bunch of drug addicts and prostitutes either.



That was good. But when the cop turned the lock and left me sitting alone on the green plastic bed sheet, that was bad. I could barely breathe. I felt like I had major claustrophobia. Just knowing I couldn't get out made me freak. If I needed a little fresh air or wanted to go to the bathroom in private, well, too bad. You really do feel like an animal in a cage. It's a feeling you can't know unless you experience it for yourself.

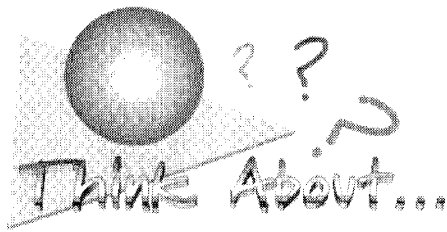
When my parents finally came to pick me up, it was the worst part of all. I could see my mom had been crying. My dad didn't say a word. I know they both knew I knew better than to drink and drive. It's like they had trusted me to be smart and I let them down. Impressing Brad seemed like the most feeble excuse, but what else could I say?

### **A Record That Would Never Go Away**

The next day in court, my mom and dad stood beside me as I pleaded guilty and took my punishment: a fine of \$250 and suspension of my license for six months. And a record that would never go away. I could have been ordered back to jail, but the judge released me to the custody of my parents. Before it was over, though, the judge asked me to turn and face my mom and dad.

"Do you love them?" he asked. I said that I did. My mom and I both started to tear up. My dad, too. Then the judge told me to remember that moment...that feeling. "Remember it," he said, "because drunk drivers kill people's moms and dads and daughters every day. Think about that the next time you consider getting behind the wheel drunk. Think about somebody's mom."





**Look over the article, *Driving Under the Influence: A \$14,000 Decision!* Be prepared to discuss the costs of drunk driving.**

Even though the legal drinking age is 21, millions of American youths drink and drive every year. Of those who are caught driving drunk, most had no previous arrests. They were people just like you. They didn't intend to place the public in danger. But they did make a terrible error in judgment – a choice to use alcohol or other drugs and then behind the wheel of a vehicle.

Drunk driving is expensive. Following are expected costs of a first drunk driving violation that does not involve a crash.

<b>Towing your vehicle</b>	<b>\$ 60.00</b>
<b>Vehicle storage fee</b>	<b>20.00</b>
<b>Defense attorney</b>	<b>1000.00</b>
<b>Minimum fine</b>	<b>200.00</b>
<b>Court costs</b>	<b>52.50</b>
<b>Service fee</b>	<b>200.00</b>
<b>Total</b>	<b>\$1532.00</b>

Beyond that, the more severe cost is increased insurance rates.

First, you'll be forced to move from a standard insurance company to a high-risk company. If you were on your parents' policy before the offense, they will drop you like a hot potato.

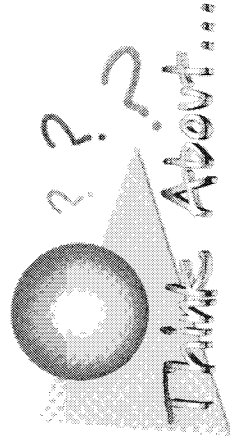
Let's say you are an 18-year-old male living in Dallas, Texas this summer. Your parents gave you a 1995 Pontiac Trans Am as a graduation gift. They were willing to keep you on their policy as long as you paid your share of the premium. Your policy includes liability limits of \$20,000 per person, \$40,000 per occurrence, property damage limits of \$20,000 per occurrence and a comprehensive and collision deductible of \$500. Here's what will happen to your insurance rate:

<b>Premium Before Drunk Driving Offense:</b>	<b>\$1,000 every six months or \$2,000 per year</b>
<b>Premium After Drunk Driving Offense:</b>	<b>\$3,000 every six months or \$6,000 per year.</b>
<b>Total Annual Increase:</b>	<b>\$4,000</b>

More bad news: The drunk driving offense will keep your insurance rate up for three years, resulting in an additional \$12,000 for automobile insurance. (If you offend again, it gets even worse!)

So.....the total cost of one drunk driving offense over a three year period of time (until you are a senior in college) is nearly \$14,000. That's a sobering thought.

Adapted with permission from Home and Away, (1995). October). Falls Church, VA: AAA and with gratitude to Jeff Hiemenz of Allstate Insurance for current rate information



## The Victims' Perspective

An offender has a choice-- to commit a crime or not. If deciding to commit the crime, he or she may be caught and arrested, or may continue to elude the police and perhaps continue to drink and drive.

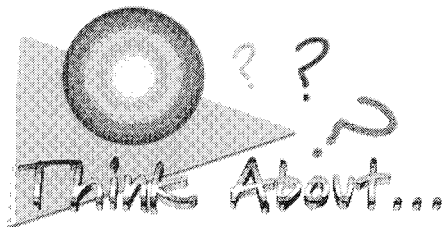
The victim has no choice. Some might say the victim was "in the wrong place at the wrong time." No one is safe from the drunk driving offender; it could be your spouse, child, mother, father or **YOU**.

The offender, once arrested, is informed of his or her rights. If injured while committing the crime or during the arrest, medical attention is offered. The offender has an attorney provided if unable to afford one, and may be released on bond shortly after the crash. During the pre-trial period, if incarcerated, the offender is provided with food, shelter, books, television and recreational opportunities.

Meanwhile the victims of the crash who survive are still in the hospital or perhaps at home recuperating and learning to live with their injuries. They must pay for their own medical care and ambulance bills.

Family members of those killed are beginning a lifetime of grief. They may never before have experienced such emotional pain. Victims must endure the frustration of a criminal trial along with the drunk driver and, if testifying, be subjected to harsh cross examination. In other words, the drunk driver's lawyer may make them feel they were to be blamed for the crash. The offender does not have to testify, and usually does not (MADD, Pennsylvania State, 1992).

**Is this fair? Defend your answer.**



Read the following article.

### OVERCOMING THE ODDS

#### Party of Three: When It's For Real, It's No Party

by Tamara Tuttle

Rick, Kelley and John Ames lost their parents to a drunk driver just like the Salinger kids did on *Party of Five*. But unlike their fictional counterparts, they have no tidy TV resolutions to their all-too-real tragedy. "Mom and Dad were just five minutes away from home when this car jumped the median strip and swerved into traffic going the wrong way," relates the eldest Ames, 22-year-old Rick. They were blind sided, hit head-on and killed instantly."



Rick and Kelley's mother and stepfather (John's dad and stepmom) were killed on March 29, 1995. Rick and his brother John, who was 10 at the time, were first to hear the devastating news -- later that night, they had to break it to their 27-year-old sister, Kelley, who had been at Disneyland with friends. "We pulled into the driveway and Rick walked out -- I knew something was wrong because he looked so torn up. Then he told me..." Kelley pauses and sucks in a deep breath. "I fell down and started screaming in the middle of the street."

Kelley freaked out -- a reaction she probably has in common with the surviving family members of the estimated 16,500 people who were killed in alcohol-related accidents last year. That means one person died every 32 minutes because of someone else's carelessness in 1995. "I try not to think about that woman," says Kelley of her parents' killer. "It just hurts so bad. I still cry every day."

But dealing with death involves more than getting over the shock. Try to imagine the bizarreness of friends and family members staring at you, concerned with everything you do and whispering about you constantly. You go to school and people are pointing at you in the hallways. Everybody knows. You feel sick because the worst thing that could ever happen to you just did. And no TV show can truly portray what it's like. "I had no sleep for a week, I didn't eat and I smoked cigarettes like a chimney," explains Rick. "You don't realize it can happen to you until it hits home, until someone close to you is killed."

Those first weeks following the crash were the toughest, and both Rick and Kelley say it's hard to remember things because they were dealing with the daily routines of school and work in a blurry haze. "It was difficult," Rick admits. "Initially, we didn't feel capable of taking care of John by ourselves because we were young and still coping with it all." So for the first couple of months, relatives took turns staying with the three kids. But it soon became obvious that babysitting was unnecessary. With Rick in his 20's and Kelley now 18 and a legal adult, they decided to do it on their own -- together.

"I had a little boost in morale from all the family support," says Rick. "I also realized I wanted to do this because John's my brother." John currently spends three weeks out of the month with Kelley and Rick and the fourth week with his godparents. Kelley and Rick admit that, tough as it's been for them, John's been hit the hardest. The youngster is currently in therapy, and Kelley says: "We were never a 'huggy' family before, but now I make sure to give John a hug every day."

"When Kelley and John are out, the house feels so empty," says Rick. "But my biggest concern is paying the monthly bills." The Ames' had to move out of their family home because they couldn't afford it (they now rent a smaller house) and money is certainly tight. Rick works full-time as an apprentice electrician and goes to school at night. Kelley is a full-time student at Cal State Hayward and works at a restaurant part-time to help with expenses. In addition to work and school schedules, they take turns watching over their little brother.

"I'm his brother, but now I'm supposed to act like his parent -- you know, sit him down and make him do his homework," says Rick.

And what happened to the drunk driver who killed their parents? Nothing. Not yet, anyway. It's been more than a year and the case is still in court. According to Mothers Against Drunk Driving (MADD) statistics, California's laws are comparatively lax when it comes to dealing with drunk drivers -- even when two people are murdered. "So far, she's served a week in jail -- that's how long it took her to make bail." says Rick with a bitter tone. "So where's our justice? Nowhere."

They may not have justice, but the Ames kids try to stay positive as they learn to live without their parents. "I've had to grow up really fast," says Kelley. "But my mom always taught us to look out for each other. Friends come and go, but family is forever." (Sassy Magazine, May 1996)

Answer these questions:

1. **What emotions and reactions did Rick, Kelley and John experience?**
  
  
  
  
  
  
  
  
  
  
2. **What sacrifices were made by the children after the death of their parents?**

## PERSONAL SAFETY

All drunk driving crashes could have been prevented. They were someone's fault and would not have occurred if better decisions had been made. They were not "accidents"! Coping skills are very important in the decision making process. (Answer the questions below.)

1. How were you taught to handle stress in your life?
2. Did you learn in your family of origin to see a crisis as a challenge or catastrophe?
3. Did you see alcohol as a means of coping with problems?
4. Were you taught to take responsibility for your actions or was each crisis blamed on someone else?

# REMEMBER...DRUNK DRIVING IS AN EQUAL OPPORTUNITY CRIME

There are alternatives to drinking and driving:

1. Stay home
2. Stay overnight if at a friends
3. Call a cab
4. Call a friend/family member
5. Designate a driver before you leave
6. If your under 21, it's ILLEGAL for you to drink

GUEST SPEAKER NOTES



MADD © OVC © CA