Inside this issue:

President's Letter 1
Drunk Driving’s Biggest Foe: Doris Aiken at 90 2-3
Log Bay Day Tragedy 4-5
For Profit DWI Attorneys: What We Can Do? 5-6
The Creation of the NYS Stop DWI Program 7

RIDLEY to the Rescue

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a CITIZEN'S PROJECT TO REMOVE INTOXICATED DRIVERS
P.O. Box 520, Schenectady, New York 12301

...and Help RIDley curb DUI/DWI.

RID USA, Inc.
National Newsletter

FOLLOWING YOUR HEART PASSING ON THE TORCH

I was 51 when I started RID. I didn’t realize it at the time that this modest action would be the genesis of the calling in my life. I was just following my heart in drawing attention to a system that was routinely failing the victims of drunken drivers.

In 1978, there was no blue print on how to go about changing a culture where drunken driving crashes were viewed as an accident, not a crime. The public’s attitude was so heavily ingrained in its ethos; drunken driving was not considered a big deal. Also, there was a well-kept secret as to why public safety remained at such risk. Decades of carnage inflicted by drunken drivers on so many victims, yet these offenders were always protected by lawmakers, many of whom were lawyers that benefited financially by retaining the status quo of allowing drunken drivers to plea bargain out of alcohol offenses and retain their driver’s license.

Changing this apathetic, crony, corrupt system seemed to be an impossible task.

Four years before I started RID, I was involved in Democratic politics on the local level in Schenectady, NY. The party leader asked me to run for the Assembly seat in my district against a popular Republican incumbent, who had held that seat for many years. The main thing I had going in my favor was the Watergate scandal had just forced President Richard Nixon to resign which tainted Republicans going into the Fall elections.

But the bigger issue in my case was that the leader of the Democratic Committee who suggested I throw my hat in the ring, knew that it would be impossible for me to represent my district even if I got more votes than my Republican opponent.

The reason unbeknownst to me at the time was that I had only lived in the area for two years. To be eligible to run for office, you had to live in the district for at least four years. Of course, he failed to disclose this requirement. He just saw me as someone to fill their need of having a challenger run in the general election, even though he knew there was absolutely no chance of me winning. Despite all that, I made the most of this opportunity.

Running for office was a great experience. I don’t regret doing it. I have great memories from campaigning in that election. Being the sacrificial lamb turned out to be a valuable and worth-while experience. It was great preparation for running RID. I threw myself into a hurricane and rolled with the punches. I learned how to craft my message, how to handle the media and interact with the public. I was following my heart, doing something that I believed would make a difference in people’s lives.

Doing well and doing good aren’t the same thing. Doing well is more related to achieving financial success in your area of work. Doing good is about making a difference in people’s lives, especially when that path requires taking on powerful opponents whose goal is to do everything they can to ensure your failure.

I hope that Millennials and the preceding generation take note of the difference between doing good and doing well. One of the things I am most proud of was my decision not to accept any funding from the alcohol industry. By doing so, this choice led to my being banished by the national media for many years. RID paid a hefty price but I felt this issue was about having integrity and taking a stand on principle. Over the years, RID has attracted a lot of new members, who viewed RID’s policy on alcohol as an example of putting a high premium on doing good.

In May, the RID board voted to promote my son, William as Vice President. I will continue to pen the President’s letter for the newsletter and remain on the RID board. But my new role will be more of an advisory task.

William Aiken and Doris Aiken
Photos courtesy of Joe Prosperino

In my role I will provide them with a solid foundation for RID to continue it’s success moving forward. They have absorbed the necessary experience needed to continue RID’s mission in a manner that remains true to our goal of making a difference in keeping our roads and highways safer for everyone.

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When someone dies a preventable death, there is no obligation for loved ones to become activists, aiming to stop similar deaths. It is enough to merely grieve for a tragic loss. But some people turn their grief into action, devoting countless hours to educating the public and creating change. One such person in Doris Aiken, who turned 90 on July 31, 2016 and is now in her 39th year of activism to prevent drunk driving. Most amazingly, perhaps, is that Aiken barely knew the two teenagers whose deaths would change her life. I am honored to have met her when researching my book on the history of drunk driving, One for the Road.

Aiken was making dinner for her family on December 5, 1977 when she noticed a headline in the local Schenectady, New York newspaper. A drunk driver, with a blood alcohol level more than twice the legal limit and an open can of beer between his knees, had killed two local teenagers that Aiken knew distantly. As a journalist who hosted a television program that addressed pressing social issues, Aiken knew a good story. But when she began digging, what she discovered astounded her. The local district attorney chuckled when she asked him whether the driver would receive severe punishment. “No, we don’t take away licenses or put people in jail,” he said. “This is an accident,” the D.A. added. “He didn’t mean to do it and probably feels very bad about it.” He advised Aiken not to get involved.

By even reaching the D.A., Aiken had done better than the mother of the two victims. He would not, Aiken later wrote, even return the bereaved woman’s phone calls.

What followed over the next months and years was pure grassroots activism. With the backing of her Unitarian church, Aiken organized a small meeting of interested citizens. This group would eventually become Remove Intoxicated Drivers (RID), America’s first anti-drunk driving organization, in 1978.

Once the word started getting out about RID, stories similar to the Schenectady crash came pouring in. A North Carolina couple wrote that their son had been killed by a drunk driver, who had been allowed to plead down to only one month of a suspended license. “This does prove,” they wrote, “that death by motor vehicle is excusable.”

Other activists across the country were also becoming furious at the lack of justice for the victims of drunk driving. In Maryland, Cindy Lamb’s car was hit by a drunk driver with three previous driving-while-intoxicated (DWI) arrests who had just imbibed two pints of whiskey. Lamb’s five month-old daughter Laura was permanently paralyzed. In California, a police officer told Candy Lightner, whose 13-year-old daughter Cari had been killed by a drunk driver with four previous DWI arrests, that the man would surely not go to prison. “That’s the way the system works,” he explained. Lamb and Lighter would go on to become prominent figures with Mothers Against Drunk Driving (MADD), which became the largest and best-known anti-drunk driving organization.

By 1983, RID had 130 chapters in 30 states. But it was in New York that it had its major impact. Thanks to persistent lobbying and a series of vigils in memory of the dead, RID got the state legislature to pass new laws that prevented plea bargaining, immediately setting the tone for plea bargaining. RID also helped to oust judges who were repeatedly lenient to drunk drivers.

Aiken and her colleagues also paid close attention to the issue of victims’ rights, an important theme during the Reagan-era 1980s, and one that underscored the emotional concerns of survivors. RID informed victims and family members involved in drunk driving crashes how to obtain the accident report, hire a lawyer, obtain the record of the offending driver and, if interested, to make “impact” statements at trial.

Continued on Page 3
Continued from Page 5

For-Profit DWI Attorneys: What We Can Do

Possible Topics
• Explain who you are/why you are writing this letter
• What bothered you about their ad (in my case, it was making their potential client into a victim having no responsibility for their actions)
• Suggest how the commercial can be changed to promote personal responsibility and deterrence
• Instill that drinking and driving (or other drug use) is a choice
• Provide facts or statistics about the frequency or consequence of impaired driving
• Address public safety
• Address that the attorney is not helping his or her client because:
   a. Preventing treatment for the client/offender for alcoholism and or other drug addiction
   b. Addiction from alcohol or other drugs often lead to problems with employment, family, the law, and health consequences

Other Venues
If you are careful about the name of the attorney you can send a Letter to the Editor. Or use your loved one’s Anniversary crash date and send a media packet suggesting how the media, attorneys and the public can increase DWI awareness and reduce senseless injuries and deaths. This can include:
• Request that the media stop using the word “accident” (an accident is something that can’t be prevented) but rather use words like alcohol-related crash or other drug-related crash or incident. Would a reporter advise the audience that there was a jet plane accident, or jet plane crash? Words have meaning.
• DWI attorneys should address the responsibility of not drinking or other drug driving and driving.
• Share facts (reporters often do not have the time to research) and remind the reporter, the attorney, and the public that impaired driving crashes are totally preventable.

Special Thanks to Doris Aiken
Thanks to Doris and Bill, for standing up, raising the consciousness of America’s and saving the lives of those families that will never have to go through the pain. Thanks to Doris Aiken, who taught us how to be advocates.

The following is the letter that I sent to “the DWI Guy”:

I am writing to share my experience, knowledge, and awareness regarding DWI. After hearing a few of your commercials on WGY, I believe, as a former STOP-DWI Coordinator and someone whose uncle died in a DWI crash I have a knowledge base and an increased awareness.

Your commercial that includes that your would-be client didn’t know how they got there (arrested and in jail) can give the drinking driver a pass on his/her responsibility and make them victims of society. They got there by their behavior. If they did not drink and drove they would not be arrested and in jail. If you had spoken about making a mistake or a bad choice, which would be acknowledging that drinking and driving is a choice and they can refrain from doing both together.

I believe that this is a very important distinction. I believe that you are not doing anything for public safety, as well as for the drinking driver. In 2012, the NYS recidivism rate is 20.7%. Whether someone gets arrested for impaired driving numbers, are cited from driving 80 times impaired before being arrested to driving 27,000 miles before getting arrested. Most people who are arrested for DWI it is not the first time drinking and driving. Although your would-be client did not hurt himself/herself or anyone else this time, what if he/she does it next time? If the drinking driver has a problem with alcohol, if he/she is made to feel responsible for their choices, they may get counseling, long term treatment, or become a regular at AA meetings. This could prevent injury or death and future serious consequences for all involved.

Recidivists often have health related issues eventually, have job related issues, and or family problems. I believe by acknowledging their behavior as a choice and not making them a”victim”of the system, they have a better chance to get treatment if they need it, and or change their choices. Thereby giving them a better quality of life and well as improving public safety.

Thank you in advance for considering my thoughts

Renee Barchita

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Continued from Page 2

Drunk Driving’s Biggest Foe: Doris Aiken At 90

So what successes have RID, MADD and government agencies such as the National Traffic Highway Safety Administration achieved? Many. Over the past 30 years, the legal blood alcohol level was lowered to 0.08%, the drinking age was raised to 21 and the public has been deluged with educational messages about designated drivers and how “friends don’t let friends drive drunk.” Deaths from drunk driving-related crashes, over 25,000 in 1968, now total roughly 10,000 annually.

So why is Doris Aiken still fighting the good fight? These days, she is primarily a consultant. Her children, Jane and William Aiken, run RID, which has about 1,200 active members, spanning all 50 states. The three meet in the same kitchen in which Doris Aiken first read the headline about the two Schenectady teenagers killed in 1977. They then hash out which topics to discuss in the RID newsletter, such as the use of ignition interlocks for drivers convicted of DWI, the pros and cons of various public information campaigns and how defense lawyers (still) try to get their DWI clients off the hook. The Aikens are particularly proud that RID has never accepted any money from the alcohol industry.

Fittingly, Doris’ “President’s Letter” in the spring 2016 newsletter tells the story of Cody Veverka and Alicia Tamboia, two recent victims of a drunk driver, and how RID is trying to get them justice.

When Doris Aiken published her autobiography in 2002, she called it My Life As A Pit Bull. It’s great that she still is one.

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UBER FAILS IN UPSTATE NEW YORK, SPURS NEEDED REGULATION

By William Aiken Jr.

Remove Intoxicated Drivers has been supportive of Uber (an app driven car ride service) since 2012. Uber and another app car ride service, Lyft, had legislation in the New York State Assembly and Senate to permit these two companies to operate in Upstate New York. Unfortunately, the bills didn’t pass. However, another bill to have the Capital District Transportation Authority regulate the taxi industry did pass and was signed by Governor Andrew Cuomo into law.

RID has long encouraged additional options for those who want to go and have a few drinks. Many people don’t plan ahead for this kind of celebrating. By the time they realize they are too intoxicated to drive, the alcohol impairs their judgment and often they make the wrong decision. With Uber and Lyft, the passenger can easily make arrangements to be picked up later at a certain time that evening.

The opposition to Uber and Lyft was formidable. Although Uber and Lyft legally operate in New York City, they have been shut out of doing business in the Capital District. Insurance was a central issue in the failure of the bill’s passage.

The Assembly version of the legislation would require ride-hailing service drivers to carry a $1.5 million insurance policy whenever they drive, while the Senate version of the bill, which was moved out of committee Wednesday, requires a $1 million policy for when the car is transporting passengers and coverage of $50,000 per person and $100,000 per incident when not in service.

Having the CDTA regulate the taxi industry in the Capital Region is long overdue as there is little recourse for passengers who have received poor service. Regulation will provide a framework to improve taxi service while holding companies accountable to a standard that would lay out the guidelines for operation.

The CDTA could also offer their own app for customers to download. Uber and Lyft brought attention to the issue and the CDTA bill never would have come to fruition without their attempt to crack the Capital District market. The free market should decide whether Uber and Lyft succeed here. Their product has been well-tested and it will take time to work out the kinks of the CDTA’s regulations.

It’s hard to believe that taxi companies have been able to operate without any oversight. Just read some of the online reviews of passengers to understand the depth of their frustrations. Other guidelines would include: a formal system to lodge complaints, a follow up survey for the passenger to evaluate the service provided and what attire would be required of the driver.

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The group could be seen in court at their arraignment Friday holding their heads down to try to avoid pictures.

The Sheriff’s office arrested West, Christine Tiger, Matthew Marry, Morland Keyes and Cara Mia Canale on Friday, WTEN-TV reported.

“There were lots of excuses but to me, none of them were plausible or honest.”

“All five of them, in concert, decided to run and decided to lie about it,” Warren County Sheriff Bud York said at a news conference.

Investigators said West, 24, and four other people on his boat didn’t even stop and continued driving the boat to dock it at a nearby motel.

A powerboat operated by Alexander West, who is believed to have attended the annual Log Bay Day boat party earlier in the day, drove clear over a boat carrying Charlotte McCue, according to the Warren County Sheriff’s Office. McCue, who was visiting her grandparents with her family, was pronounced dead after the 9:30 p.m. crash. Her mother suffered injuries, but five other family members escaped harm.

“The Log Bay Day where boaters and their friends celebrate with heavy drinking in Lake George has drawn scrutiny and outrage after an 8 year old girl was killed and her mother injured in a boating accident after the event. An on-line petition to shut down Log Bay Day quickly exceeded its 1,000 goal.

Log Bay Day started in 1998 on the last day of July and has grown over the years to attract thousands of participants who enjoy a day of swimming and drinking. In addition to the tragedy suffered by a family visiting from California, 26 arrests were made at the event, including 5 people who were involved in the boating tragedy that killed 8 year Charlotte McCue.

A short time after writing and mailing my letter, I heard a new radio ad by “The DWI Guy”. The ad’s tone was different. The words indicating the mystery of not knowing why you were arrested was eliminated. His commercial was more responsible than before. My version of the ad would still be different, but it was a better ad than before.

Suggestions on Writing to a DWI Attorney

When I write to these attorneys, I try to keep the letter factual, avoid anger and seem reasonable. My goal is to be so knowledgeable and even address the importance and benefits of prosecution for his client, in the belief that by doing so, it would be hard to blow off the letter as “just an angry or grieving DWI Victim” and to be taken seriously. By providing all sides of the reasons to change their minds my goal is to promote better results, even though I often feel like asking the attorney how would they feel if their loved one was injured or killed by the same impaired driver they had by getting the case plea bargained?