

A little courtesy would be nice for the parents

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When John and Meg DeCubellis and Richard Morsilli went to the Rhode Island State House this month, they took with them the worst thing that had ever happened in their lives. And they thought their personal tragedies would at least command the attention of the lawmakers.

But as they found when they took seats in a hearing room before the House Judiciary Committee, on March 8, even the death of their children at the hands of drunken drivers wasn't enough to overcome what seemed a heard-it-all-before-let's-get-this-over-with indifference on the part of the committee members.

One of the first things they noticed was that a whole bunch of committee members hadn't even bothered to show up for the hearing, which was on proposed legislation to lower the blood-alcohol level for drunken driving from .10 to .08.

John DeCubellis, a lawyer from Narragansett whose 13-year-old daughter, Katie, was killed Oct. 29, says he was especially bothered when he learned that Rep. Robert Flaherty, the committee chairman, who had scheduled the hearing, opted for a Big East basketball game instead.

After the 412-hour hearing - during which they saw some committee members simply get up and leave while testimony was going on the DeCubellis and Morsilli left satisfied that they had said what they wanted to say, but bothered by all the indications that the defeat of the bill was a done deal.

Morsilli, whose son, Todd, was killed 17 years ago near the family home, in East Greenwich, was making his second attempt to convince the committee that lowering the blood-alcohol level makes sense in terms of saving lives. He says he decided to testify again this year after learning that his son's picture is to be part of a federally financed billboard campaign against drunken driving.

He saw other parents he recognized from last year.

"One father said to the committee, 'What am I doing here again why didn't you pass this last year?'" says Morsilli.

The issue of lowering the blood-alcohol standard for drunken driving brings people passionately involved in a cause face to face with people who have to juggle that cause with a tricky mix of other things such as the heavy lobbying of the "hospitality industry," the fall elections, and the question of whether the lowering of the standard would really have a significant impact on drunken driving, or simply hurt the bar and restaurant business.

Morsilli and the DeCubellis say it is a simple proposition: the lower level will make people think a little more before having that one extra drink. It might not affect the hard-core drunk, but it might prevent the social drinker from getting silly and driving with dulled senses. If it saves just one life, they argue, then it is worthwhile.

Those who stand up for the hospitality industry and all those thirsty tourist dollars argue that the lower standard unfairly targets the social drinker and hurts a valuable part of the state economy.

What John DeCubellis would like to see, if nothing else, is the bill clearing the Judiciary Committee and going to the full House of Representatives, where all the members would have to go on record. But he knows how things work. He is a former prosecutor who tried drunken-driving cases. He is a former municipal-court judge, and a lawyer who has defended people on drunken-driving charges. He knows a lot of people and talks to a lot of people. He knows that the committee is often the buffer that its members will take the hit for killing a popularly supported bill and spare the rest of their colleagues the heat.

But when the Judiciary Committee does finally vote on the bill, the DeCubellis and Morsilli hope there is enough notice to put a little something together.

"I'd like to bring a busload of kids up there when they vote on it," says Morsilli.

One thing they noticed at the hearing along with the rudeness and arrogance of many of the committee members was that when children testified, people paid attention. The parents of the victims seem to have become too familiar, too predictable, too easy to pass off; but when the young friends of those killed by drunken drivers testify about what the deaths have done to them, the DeCubellis and Morsilli have seen an increased attentiveness on the part of the committee members.

So the parents think the future of the .08 campaign might have to rest more and more with children and their uncluttered testimony. Sadly, parents and their stories of loss and grief don't seem enough.

But no matter what happens with the bill this year and the chances for passage are not good there is no excuse for the House Judiciary Committee to hold a hearing on such a sensitive issue and treat it like some minor inconvenience. Small courtesies are not too much to expect when citizens bring that much personal pain to a hearing.

"Here's someone telling them the worst thing that's happened in their lives," says Meg DeCubellis, "and they don't even sit and listen."

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