

Drunken driving: .08 bill is a start but still needs work

BYLINE: M. CHARLES BAKST

DATE: 04-11-2000

PUBLICATION: Providence Journal Company

EDITION: All

SECTION: NEWS

PAGE: A-09

I applaud the House Judiciary Committee for finally okaying a bill, albeit watered down, to fight drunken driving by lowering the blood alcohol limit from .10 to .08.

But the full House should toughen it. Would that Judiciary members had the same courage as members of the Senate. If so, they would have defied the restaurant and liquor industries and some lawyer-legislators and cleared a stronger version, to make it a crime to be a first-time drunken motorist between .08 and .10. The House Judiciary bill would make it a civil violation unless a crash brought serious injuries or death.

Rep. Peter Ginaitt, sponsor, wanted all .08 offenses to be crimes but had to compromise. Still, he's pleased to get this far, especially in that the bill would toughen existing drunken-driving penalties.

We should toughen existing penalties. But when we broaden the laws to take in .08 drinker/drivers we should give all of them more than a slap too. True, the most dangerous motorists far exceed .08, or even .10. But a good .08 bill would reinforce the idea we mean to crack down on all drunken driving.

I'm tempted to say I'm tired of this debate. But I have no right to be tired. The folks with the right to be tired and who deserve kudos for their involvement are the parents of young people killed by drunken drivers. The parents helped mount an emotional, skilled campaign to force Judiciary to recognize the potent symbolism of .08 legislation. DOT honcho Bill Ankner told me, as Judiciary last Thursday was set to okay the scaled-down bill when once it seemed no bill would pass "We wouldn't be here without the parents."

In a State House corridor I spoke with Meg DeCubellis, a 38-year-old clothes designer who lost her 13-year-old daughter, Katie, to a drunken driver last fall. On Wednesday, she'd been in Superior Court testifying, with her husband, Narragansett Municipal Judge John DeCubellis, at the sentencing.

She was not happy with the watered-down bill but called it a beginning and vowed, "We'll be back to fight for what we really need."

She said it had been a "little overwhelming" testifying at the State House in recent weeks, and in court. But she said these things pale in comparison with having to get up each morning and face the loss of her daughter. "To come in here and do this," she said, "is something I have to do."

She saw a purpose in Katie's death, or at least a responsibility emerging from it. When it happened, she said, her sister, Laurie Liddell, told her, "Think about it, Meg. You and John know a lot of people in this state, just from your backgrounds and from what you've done in your jobs." The sister noted that there were other ways drowning, say by which Katie could have died, but they might not have called for public action. "This is a situation," Laurie said, "that's been put in your hands."

DeCubellis told me she often visits Katie's grave and tells her about the .08 quest: "We talk about it, that we're fighting."

She said, "A lot of the strength that we get for doing whatever we need to do comes from her."

There is another daughter, Eliza, and a son, Kyle. In court, the DeCubellis gave the judge a drawing that Eliza, who is 4, made of the family. Meg told me, "She draws constantly of heaven and her sister in heaven and asks about heaven. She's very into talking about Katie, whereas my son is a boy, 11 years old, quiet, not really into wanting to feel the pain."

It always seemed to me that House Judiciary did not want to feel the pain of losses like this one. That apparently is now changing, but not as much as it should.

I look at Meg DeCubellis and Richard Morsilli and Suzanne Gorham, two of the other parents there last week, parents who know the horror drunken drivers cause and who have had the courage to come forward to share their stories. How refreshing it would be to see the whole House treat their cause with the full seriousness it deserves.

M. Charles Bakst, The Journal's political columnist, can be reached by E-mail at mbakst@projocom

[PHOTO/GRAPHIC:

Title: NOTITLE

Filename: PIC-NOFILE,NONAME]