



children without a choice

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MADD acts
as the voice
for America's
youngest
passengers,
protecting
them from
the dangers of
riding with a
drunk driver

Although she was only 11, Kirsten Hancock* was skilled at recognizing when her mother was drunk. So, it didn't take her long to figure out at the start of the weekend of court-ordered visitation that her mom had been drinking—heavily.

"She took us out to dinner," Kirsten says, referring to herself and her sisters Natalie*, 9, and Abbey*, 6. "She got in a big fight with a cashier and I could tell then that she was drunk. She got really mad when she was drunk."

With no choice but to get in the car with their intoxicated mother, Kirsten, Natalie and Abbey climbed into the back seat.

By 1 a.m., Kirsten's sisters slept, nestled up against her while Kirsten kept close watch on her mom and the road. "We started going really fast. I said, 'Mom, don't you think you're driving too fast?' I said it again—louder—and looked over the seat. She was passed out."

Then, black.

Tragedy strikes

Stirred to consciousness by the sounds of moaning, Kirsten did a quick assessment. Their car had careened into the woods. "I asked Natalie if she was OK. She said yes. I asked Abbey, but there was no answer," Kirsten says. "I don't remember anything else until I woke up in the hospital."

There, she learned Abbey was dead—the innocent victim of her mom's seventh DUI.

Aching for her baby sister, filled with resentment toward her mother and recovering from the brain trauma she sustained in the crash, Kirsten battled with perhaps the worst feeling of all—guilt.

In fact, now barely 13, she still tortures herself with a conversation she and Natalie had that night.

"We had stopped at a corner store and Natalie told me to call the cops on Mom. I told her, 'Don't worry about it. Nothing is going to happen.'"

Kirsten also lives with the memory of Abbey dying by her side. At first it was easier to block Abbey from her memory—to pretend she had never been born. Now, she grasps for the details that remind her Abbey lived.

"She was so smart, helping her kindergarten classmates learn how to spell. And at home, she



*Names have been changed.

really was the smarty-pants of the family—and prissy. Yes, she was way too prissy to be 6,” Kirsten says, laughing.

But the tears mercilessly return.

“I miss her so much. Now I realize she’s gone and she’s not coming back ever. I’m trying so hard to remember her,” she says, choking over the words. “But it’s getting harder.”

Physically, Kirsten’s teeth are chipped and she still fights headaches from the crash. Socially, she introduces her dad’s second wife as her mom, hiding the fact that her real mom is in prison. And developmentally, her paradoxical behavior swings from being a skilled violinist and avid reader to cutting class just for kicks.

For Kirsten, her mom’s choice to drink and drive not only killed her baby sister. It has tainted her whole world.

All too common

Unfortunately, stories like Kirsten’s are common. The Centers for Disease Control and Prevention reports that nearly one-quarter of all child passenger deaths between 1997 and 2002 involved alcohol.

Translated, that means 2,335 Abbeys died at the hands of alcohol-impaired drivers.

“We looked at who these children are riding with. Seven

out of 10 times they were riding *with* the alcohol-impaired driver,” says Ruth Shults, Ph.D., a CDC senior epidemiologist who examined fatality data for the six-year study period.

For all child passenger deaths, including those

not involving impaired drivers, child passenger restraint use decreased as both the child’s age and the BAC of the child’s driver increased. Of 1,451 child passengers with known restraint information who died while riding with drinking drivers, only 466 were restrained at the time of the crash.

Shults says her research made one point clear: Alcohol-impaired drivers who transport children need special attention. MADD agrees.

To find solutions to this problem of child endangerment, MADD twice convened a panel of traffic safety and policy experts, law enforcement and legal officials, and victim advocates. The result of their collaboration is a report for state law enforcement agencies, Governors’ Highway Safety Offices, court personnel and child protective agencies.

Titled “Every Child Deserves a Designated Driver,” the report recommends key measures to protect children from riding with impaired drivers.

A dad’s grief

An expert on child passenger safety, Lt. Carl McDonald of the Wyoming Highway Patrol worked with Shults on the 15-member MADD panel. He initiated a program for Wyoming elementary schools designed to teach children the importance of proper seat belt use.

But the reason he served on the panel was more personal.

McDonald’s only child, 5-year-old Carlie, was killed when her intoxicated mother slammed into a semi truck on Jan. 1, 1988. Driving with a blood alcohol content (BAC) of .22 percent, McDonald’s ex-wife had neglected to strap Carlie into her booster seat in the back.

Though belted into the front seat, Carlie was pushed to the floorboard when the semi severed her safety belt. She lived long enough to look up at her mom and say one word—“No.”

Meanwhile, one of McDonald’s own patrol officers had to give his boss the news. Utterly devastated, McDonald kept replaying Carlie’s last words to him over the phone that morning: “I love you, Dad. I’ll see you tomorrow.”

Six years’ worth of tomorrows later, Carlie’s words ring hollow. No longer a “10-foot-tall, bullet-proof dad,” McDonald, on his best days, has to put one foot in front of the other, keep breathing, and brace himself for the cruel barbs handed to him by everyday situations.

Recently while grocery shopping, for example, McDonald heard the store manager broadcast a “Code Adam,” the store’s code for a lost child. The law enforcement officer in McDonald manned a door. The father in him crumpled.

“After that child was found, I thought of my child who is gone forever. I grabbed my cart, went to an empty aisle and sobbed. When my breathing returned to normal, I looked up and I was staring at a box of Life® cereal. The grief can be just crippling. And it gets me from all kinds of angles,” McDonald says.

A wake-up call

McDonald always feared his wife would drink and drive with Carlie in the car. In fact, he insisted on a stipulation in their divorce documents prohibiting either parent from even drinking in Carlie’s presence.

Bruce Hancock, the father of Kirsten, Natalie and Abbey, says he was trying to protect his girls when he called the police to his home numerous times for suspicion that his ex-wife was intoxicated when picking up the girls for visitation. “The police just asked me to stop calling,” he says.

Carl and Bruce are not alone. MADD Victim Advocates all over the country have received calls from distraught parents in similar situations—an estimated 17,000 calls to local chapters last year alone.

Parents fear the legal and financial ramifications of refusing visitation rights to an ex-spouse. Yet, they also fear releasing their children to the care of an intoxicated driver. Law enforcement and child protective services (CPS) are often little help.

“In most states, if a loved one calls CPS and says, ‘My ex-spouse is driving impaired when they pick up my child,’ most child agencies are not even going to take the call. But they will take the call if an ex-spouse hits the child,” says Debbie Weir, MADD’s national director of victim services.

“Just as if you took your fist and hit a child, driving impaired while a child is in the car is child abuse,” Weir says. Eric Patterson* concurs.



Every Child Deserves a Designated Driver

The steps outlined in “Every Child Deserves a Designated Driver,” a MADD report on child endangerment, will give lawmakers, judges and child advocates the tools to help protect children from being transported by alcohol-impaired drivers.

Among the report’s recommendations:

- The establishment of 16 as a uniform age to define a “child.”
- The definition of DUI/DWI Child Endangerment as child abuse, requiring investigation by the proper state child protective agency.
- Higher penalties for DUI/DWI Child Endangerment offenders, including license revocation/suspension; mandatory alcohol/drug assessment and treatment; installation of alcohol ignition interlock devices; and the establishment of a second offense as a felony.
- The establishment of a more stringent illegal blood alcohol level for second offenders—.05 instead of .08 percent.
- A condition that no child under 16 will be transported by a defendant charged with DUI/DWI child endangerment offenses without an ignition interlock device.
- A mandatory clause in every child custody and visitation decree that prohibits parents from drinking and driving with children in the vehicle. If violated, the clause would carry penalties up to termination of parental rights and/or incarceration.

“Some children die of causes we don’t know how to prevent, but these alcohol-related child passenger deaths are occurring at the rate of one a day—and they are preventable.”

—Ruth Shults, Ph.D., a CDC senior epidemiologist

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Ten years ago, Eric's 6-year-old son, improperly seat-belted into the car, died from head trauma and a broken neck just eight minutes from his mother's house.

Eric was driving. And he was drunk.

"The first person I see in the mirror every morning is the man who killed my son. It never gets any easier and his face doesn't change," Eric says.

Now out of prison and an outspoken activist against drunk driving, he admits he committed child abuse the day he compromised his son's safety with his decision to drink and drive.

"I was supposed to be the one making intelligent decisions for my son. Instead, I chose to be altered and drive with my son," he says. "Absolutely that is a form of child abuse."

Emotional turmoil

Child abuse endangers a child's physical safety, but it also creates emotional upheaval. Children fear getting into the car with someone who is impaired, yet they have little choice. They are not at fault for alcohol-related crashes, yet they often face shame. Their worlds are affected from top to bottom, from bumper to bumper.

"It changes everything," says Christina Dorn, a 20-year-old sophomore at the University of Central Florida, Orlando.

Christina's intoxicated mother drove off the road in 1993, killing a 19-year-old man walking to a gas station. Christina was in the fourth grade at the time.

Now in the process of launching a UMADD chapter at the University of Central Florida, Orlando, she looks back on a childhood marked by secrets and seclusion. "When you're in junior high, how do you tell your friends that your mom is a murderer? I could not confide in my friends at all," she says.

So, she put up a façade. "As long as I was active, had good grades, a cute face and a cute boyfriend, no one really questioned what was going on," she says.

She also faced isolation, a product of her mom's court-ordered house arrest. "If my friends wanted me to meet them at the mall, my mom could not take me. I was held hostage to her punishment," Christina says.

She wondered what it would take to get her mom to stop drinking and driving. "As a kid I thought, 'Maybe if I had died, my mom would have stopped.' Looking back on that thought

process now, that sucks. No kid should have to think that way," she says.

Christina remembers a specific incident that happened when she was in eighth grade—four years after the fatal alcohol-related crash.

"My mom picked me and a friend up—she had obviously been drinking. When you're raised with your mom drinking and driving, you convince yourself that's normal. But this time I was embarrassed because I had a friend with me," Christina says. "We just wanted to get where we were going in one piece."

Perhaps hardest of all, she carried a heavy burden of guilt for 10 years. In fact, near the 10-year anniversary of the fatal crash, she wrote the victim's parents a letter of apology, showing the remorse her mother never had.

Time to get tougher

Judge William F. Todd Jr., Judge of the State Court of Rockdale County, Ga., who served on the Child Endangerment panel, routinely adjudicates alcohol-related child endangerment cases.

"Just the other day I sentenced a woman who was driving with her child at 3 a.m. with an extremely high BAC of .24 percent. She was well-dressed and articulate—not at all what you would think a DUI driver would look like. She said she was at someone's house and was 'just trying to get home.'"

Todd predicts the "Every Child Deserves a Designated Driver" report will be a wake-up call to law enforcement officials, legislators and judges.

"This form of child endangerment is a serious issue," he says, lauding the report for recommending stiff penalties for offenders. Among them: License revocation/suspension, substance abuse treatment, and the required installation of an alcohol ignition interlock device, which forces a driver to breathe into a tube for a blood alcohol reading before the ignition will work.

Todd routinely requires the installation of such devices as a bond condition for defendants charged with a DUI while transporting children. "These court cases can sometimes be postponed for as long as a year or two years," Todd says. "If a case goes on that long, what happens to the child in the meantime?"

The report also calls for child endangerment DUI/DWI offenders to be held to a more stringent blood alcohol standard—.05 percent instead of .08 percent—and for second offenses to be a felony.

"In Georgia right now, you have to be a third-time child endangerment offender for it to be a felony. You would think one time would be too many—especially with regard to children," Todd says.

"Every Child Deserves a Designated Driver" also addresses the problems encountered by divorced parents confronted with ex-spouses who drink and drive.



It makes the case for divorce clauses that prohibit drinking and driving with minor children—and penalties for such behavior that include supervised visitation, termination of parental rights or incarceration.

Children deserve better

If the "Every Child Deserves a Designated Driver" report recommendations are implemented—state by state and courtroom by courtroom—they will prevent kids like Kirsten from torturing themselves. They will prevent dads like Carl McDonald from breaking down in grocery stores. They will help women like Christina Dorn avoid the shame that was never theirs to bear.

Within each state, the legislature determines the structure of child endangerment laws. While 35 states currently have statutes that create special sanctions for driving impaired while transporting children, 15 do not. And, in states that do, law enforcement and legal provisions vary widely.

According to statistics, of the drivers who transported a child who died from 1985 to 1996, drinking drivers were more than twice as likely to have had a previous alcohol-related license suspension. They were more than six times as likely to have had a DUI/DWI conviction. This means many children have died on the second, third or fourth offense.

We can do better. "Every Child Deserves a Designated Driver" will help us do that.

"Some children die of causes we don't know how to prevent," says the CDC's Shults. "But these alcohol-related child passenger deaths are occurring at the rate of one a day—and they are preventable," she says.

"The MADD report outlines good steps we need to take. Now we need to take them," she says. "Children deserve that much from us."