

Ken Cortner

D. U. I. R. R.

4631 MARK WAINPUCE
STOCKTON, CALIFORNIA 95207

PHONE 477-8631
(209)

September 7, 1989

Mayor Randy Snider
Lodi City Council Members
Lodi City Hall
221 West Pine St.
Lodi, CA 95240

Dear Mayor Snider and Lodi City Council:

RE: DRIVING UNDER THE INFLUENCE REPORTER'S REWARD

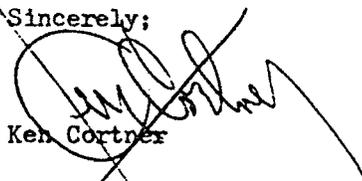
The enclosed testimonials, letters, newspaper reports, etc., describe the highly successful D.C.I.R.R. system of reducing drunk driving crashes, injuries and deaths.

The material is provided prior to a presentation planned to the Lodi City Council on October 4, 1989.

Chiefs of all of the law enforcement agencies in San Joaquin County have now become aware of the D.U.I.R.R. program and express their intention to co-operate in its success here.

Hopefully the D.U.I.R.R. program will receive the Council's enthusiastic endorsement.

Sincerely;


Ken Cortner

Encl: Per above.

Ken Cortne

Director, San Joaquin County
D.U.I.R.R.

4631 MARK TWAIN PLACE
STOCKTON, CALIFORNIA 95207

PHONE 477-6631

July 5, 1989

D.U.I.R.R. , Driving Under the Influence Reporter's Reward (pronounced DO-ER) has proven effective in 3 counties in reducing alcohol related crashes, injuries and death. In the counties of Calaveras, Amador and Tuolumne, 28 people died last year in alcohol related crashes. To date (July 1st) this year, at the same rate we could **expect** 14 people to have died, or even more than that because of population increase. However, there has only been 4 alcohol related motor vehicle deaths over the past 6 months. The saving of those 10 lives can be largely credited to the DO-ER program and the publicity that makes it work.

It is believed that when people who may have previously been drinking and driving understand that drivers all about them are seeking a \$100.00 reward for securing their arrest merely with a phone call, they either call someone to give them a ride, obtain another driver, or just stay off the road. The dramatic increase in cellular phones in automobiles greatly enhances the arrest ratio. The driver with a cellular phone, could, it might be expected, continue surveillance until an officer showed up.

We would rather scare the drunk off the road than scrape him off the road, --- and that is where publicity comes in.

D.U.I.R.R. needs contributions to pay the \$100.00 reward money. This is a citizens program, -- all voluntary, no paid salaries, no tax funds involved. A contribution to D.U.I.R.R. is actually buying your own safety and that of your family and friends and is tax deductible. Reward payments are entirely anonymous and in cash.

**D.U.I.R.R.
PAYS
\$100.00
CASH REWARD**

ATTENTION:

ANY PERSON WHOSE REPORT OF A DRUNK DRIVER IN AMADOR OR CALAVERAS COUNTIES RESULTS IN AN ARREST IS ELIGIBLE TO RECEIVE A \$100 REWARD! YOU MAY REMAIN ANONYMOUS BY RECEIVING A SECRET NUMBER - CALL THE HIGHWAY PATROL, THE POLICE DEPARTMENT, OR SHERIFF'S OFFICE AT 9-1-1.

**IF YOU DRINK
DON'T DRIVE!**

The Life
of The Party
is Death
on The Road



Please
don't drink
and drive.

Angry father turns DUI tragedy into triumph

By AMY NILSON



Union Democrat photo by Amy Nilson

MUNCHING A BATTLE against drunk drivers are (from left) Steve Fairchild, Sheldon Bissell and Don Lindon.

Five years ago, Sheldon Bissell's 18-year-old son and two of his friends were killed by a drunk driver on a dark road in San Andreas.

Since then, the Calaveras County contractor has tried to channel feelings of anger and helplessness from the tragedy into action.

And it's worked.

"When something like that happens, you feel like bombing the bars," he said. Instead, with \$1,000 of his own money, Bissell single-handedly started a reward program in Calaveras County for informants who turn in drunk drivers.

In July, the program expanded into Amador County, and as of today, it includes Tuolumne County.

Bissell's non-profit, all-volunteer organization, called DUIRR (Driving Under the Influence Reporters Reward) — pronounced "doer" — will pay \$100 to anyone who calls 911 with information that leads to a drunk driving arrest. Callers are issued

a secret number, then can later call the sheriff's office regular number to see if the tip resulted in a drunk driving arrest. If it did, they use the number to claim the reward.

The program has proved effective, Bissell told supervisors yesterday. He was there to ask for their endorsement, which he easily won.

In Calaveras County, accidents involving drunk drivers dropped by 38 percent and arrests initially increased to all-time highs. As the program continued, arrests leveled off, which Bissell sees as proof that fewer drinkers are risking getting behind the wheel.

In Amador, deaths related to drunk driving have been cut from 16 or 17 per year to eight.

"I've been absolutely astounded by it," Calaveras resident

Steve Fairchild told the board. "Preliminary figures indicate ... a life is saved for every \$150 paid out. That's a heck of a good deal."

Fairchild, one of many friends Bissell recruited to help in Calaveras County, said the program seems to work on a paranoia principle. Drinkers start to fear that anyone who sees they are too drunk to drive might be tempted to turn them in for the \$100.

"Everything seems to boil down to money," Bissell said. But because it cuts down on the number of drunk drivers on the road, he has no problem with that.

And, in fact, as the Calaveras County chapter has gained recognition, fewer and fewer informants are collecting their rewards,

DUIRR has already raised \$1,000 for Tuolumne County, which it figures will pay for about a year's worth of rewards. If the program works as well as it has elsewhere, Bissell said he will be back in about a year to ask for some county support.

In the meantime, Bissell said donations are welcome and so are volunteers. Anyone interested in helping set up the Tuolumne County chapter can contact Bissell (754-5020) or Don Lindon (754-5463).

Donations, used only for rewards, can be sent to the DUIRR of Tuolumne account at Sonora's Bank of America.

Claim Walter, wife of Supervisor Charles Walter, was the first in line. After speaking in support of the program, she donated \$100 at yesterday's presentation.

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

P.O. Box 368

San Andreas, CA 95249

(9) 754-3541



October 2, 1984

Mr. Sheldon Bissell
P.O. Box 135
Mountain Ranch, CA 95246

Dear Sheldon:

I am writing to express my appreciation to you for your concern over the tragic problem of drunk drivers. I am especially pleased that you are not only concerned but are doing something positive to combat the situation.

During the first nine months of this year local officers of the CHP have arrested an all-time high of 140 drivers for DUI. This is significant increase over previous years. For example, during the same nine-month period in 1981 we made only 04 DUI arrests; in 1982, 101 arrests; and 97 in 1983. Of even greater importance, however, is the corresponding decline in DUI related accidents this year (79 compared to 122 last year).

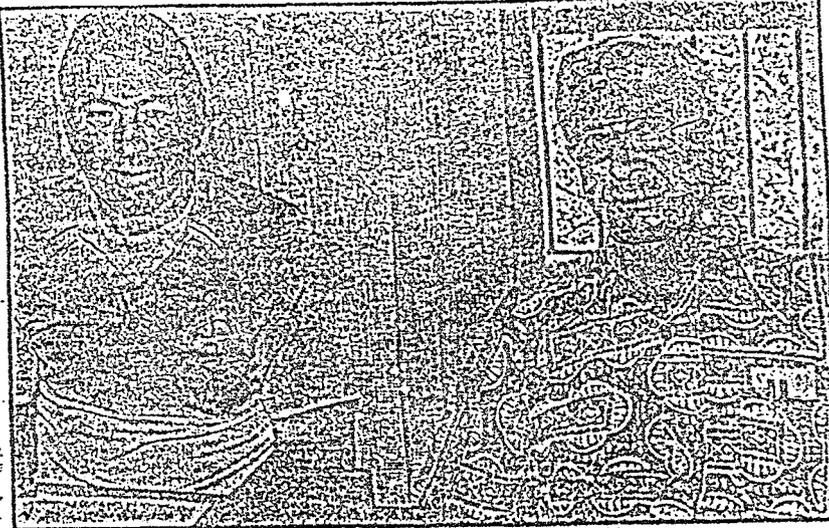
I believe there is a direct correlation between the increased awareness of the hazards of driving while intoxicated and the increased arrests. This is evidenced by the increased number of calls and reports by motorists alerting our officers to suspected drunk drivers. Consequently, many of our DUI arrests result from such tips.

Your innovative program which offers a reward of \$100.00 to those who report a suspected drunk driver, and which results in an arrest, has undoubtedly contributed greatly to our success. I heartily commend YOU for your effort and wish you much success in your endeavor to raise additional funds.

Very truly yours,

A handwritten signature in cursive script that reads "Fred".

F. V. GARRISON Lieutenant
Commander
San Andreas Area



Payment of a \$100 cash award for reporting a drunk driver, where an arrest results, is the focus of D.U.I.R.R.—Driving Under the Influence Reporter's Reward. Sheldon Bissell, left, spearheaded the project in Calaveras County more than four years ago and with Ed Baker of Pioneer, met Monday with local directors to kick off the program in Amador County.

DUI Report Can Bring Reward

JACKSON — Personal tragedy spawned Sheldon Bissell's strong commitment to a program aimed at getting drunk drivers off the road.

The death of his 18-year-old son a few years ago in a triple-fatal accident in which a drunk driver also lost his life spurred Bissell, who lives in Mountain Ranch, to spearhead D.U.I.R.R.—Driving Under the Influence Reporter's Reward.

In operation for 4-1/2 years in Calaveras County, the program is being activated in Amador County this week with the blessing of sheriff Robert Campbell and three police chiefs and the assistance of Ed Baker of Pioneer.

To each person whose report of a suspected drunk driver in Amador County results in an arrest, a \$100 cash reward will be paid by D.U.I.R.R. Bissell announced here Monday following the first meeting of local directors.

In Calaveras County, drunk driver arrests are up by half in response to such telephoned reports, Bissell says. Here's how it works:

You see a vehicle weaving, slowing and speeding or driving in what appears to be an erratic manner. Obtain the license number, description and location of the car, number of occupants and direction of travel.

Call 911 and say you want to report a drunk driver. Ask for your secret number under D.U.I.R.R. Call the sheriff's office the next day--223-6500--to see if an arrest was made.

The officer at the scene

makes the decision on the arrest. If there was no arrest, no reward is given. The entire process protects anonymity when you use your secret number.

"If you just assume the driver may be drunk, call anyway. It is better to call than not report it at all," Bissell emphasizes. "It could be someone who is tired and dozing.

The driver wakes up fast when stopped by an officer."

Amador County sheriff Robert Campbell said Monday he was pleased to welcome D.U.I.R.R. and hoped to see it active here by Friday.

"It is such a good idea. Each drunk driver is a potential killer. I think it is great that private citizens are interested enough to try to get a drunk driver off the road."

Campbell said he had confirmed support for the project from lone police chief Ray Drehobl, Jackson police chief Richard Lockwood and Chief Bud Bugni of Sutter Creek.

While reports were slow in starting when the project was first established, Calaveras County now averages one or two D.U.I.R.R. calls daily, according to Bissell. About \$3,300 has been paid out in rewards to date, and Calaveras County receives \$40,000 a year in revenue from fines, he says.

"We started the program without much funding. Everything comes from donations, but the board of supervisors in Calaveras County has promised us \$1,500 in the next fiscal year budget," Bissell reports.

Service clubs and professional groups in Calaveras County have supported the project financially, and Bissell and Baker will be addressing organizations in Amador County to describe how the program of the incorporated, non-profit D.U.I.R.R. works.

An account has been opened at Wells Fargo Bank, 11 Main St., in Jackson to receive donations. Some funds have been contributed, Bissell said, "but we need more to begin really operating here."

"People are funny sometimes," Bissell said. "One man said he believed in freedom of choice, and if a drunk driver wanted to get out on the road and kill somebody, that was his right."

Most people, he added, are not that extreme in responding to fund requests.

The program has been commended by the sheriff's office and CHP officers in Calaveras County. For his part, Bissell received a CHP Certificate of Commendation in 1986. He was presented with a Citizen's Safety Award in 1987 by the Safety Center of California, the same recognition that went to Candy Lightner, founder of MADD (Mothers Against Drunk Driving).

Bissell and Baker will be going to Tuolumne County in August to introduce D.U.I.R.R. there. Bissell's ambition: "I'd like to see it statewide. The results are disputable, I guess, because how do you know if you have saved a life? At least, you can try."

D.U.I.R.R. Success Cited

SAN ANDREAS - The campaign of local residents against drunk drivers is having a dramatic effect.

Local California Highway Patrol Commander Fred Garrison has said that during the first nine months of this year, local CHP officers have arrested an all-time high 140 drivers for driving under the influence.

He cites increased public awareness of the hazards of driving while intoxicated and the increased arrests.

The Sheriff's Department has estimated arrests for drunk driving are "up percent." And a department spokesman

added, "Very few of the callers are calling because of the money."

He was referring to the Driving Under The Influence Reports Reward Fund. Through the program, residents are asked to call the Sheriff's Department or CHP to report drivers they suspect are intoxicated. If their tip leads to the arrest of that person, the caller can receive a \$100 reward.

The program was initiated at the beginning of 1984 and to show its encouragement for the crack-down on drunk drivers, The Enterprise at that time began running the names of those arrested for D.U.I. and the dis-

position of D.U.I. cases in the court.

D.U.I.R.R. was begun by local families touched by the tragedy of drunk driving; many have lost loved ones in traffic accidents attributed to drunk drivers.

Garrison notes the 1984 D.U.I. arrests represent a significant increase over previous years. During the same nine-month period in 1981, 84 D.U.I. arrests were made; in 1982, 101 arrests; and in 1983, 97 arrests.

He notes, "Of even greater importance, is the corresponding decline in D.U.I. related accidents this year - 79, compared to 122 last year.

... -AMADOR COUNTY

Drunk driving accidents down

Sutter Hill - The California Highway Patrol has announced that 21-cohol-related vehicle accidents are down in Amador County by 50 percent.

According to Lt. Dean Patterson of the Amador Office of the CHP, the number of accidents in the county has nose-dived between July and October of this year to 14, compared to the same four months in 1987 when 28 accidents were directly linked to driving under the influence.

Patterson says the drop could be attributed to several factors, including the beginning of the Driving Under the Influence Reports Reward (DUIRR) program in

July, as well as the publication in the Mother Lode Monitor of the names of those people arrested for drunk driving. Patterson says other factors include stiffer court penalties for driving under the influence, more stringent enforcement by CHP and local law enforcement agencies, increased public awareness of the dangers involved in drinking and driving, and increased responsibility on the part of drivers.

Patterson also pointed out that economic factors and the level of unemployment may affect the number of drunk driving accidents.

CALAVERAS COUNTY

Supervisors support DUI reward program

San Andreas

The board of supervisors has passed a resolution in support of the Driving Under The Influence Report Reward (DUIRR) program

In the resolution the supervisors formally recognize the program as a citizens crime prevention program and encourage local citizens to support the program by reporting those suspected of driving under the influence.

The DUIRR program was started in 1982 by Sheldon Bissell after his son was killed by a drunk driver. Since then, over \$2,300 has been paid out in rewards to those reporting suspected DUIs.

Copies of the resolution have been sent to Governor George Deukmejian, Senator John Garamendi and Assemblyman Norm Waters.

The DUIRR fund pays \$100 cash to anyone whose report of a drunk driver results in an arrest. Those reporting may remain anonymous by receiving a secret number. Call 9-1-1 to report suspected drunk drivers.

Also involved in the DUIRR program are Roberta and Ossie Kenyon and Don Lindenau.

YOU have a price on your head if you drive under the influence of drugs or alcohol!

Remember that DUIRR Program pays \$100 CASH to anyone who reports a DUI driver

Get the license number, auto description and call 911 (this is an emergency) Ask for secret number if you want the reward, (your name is not required).

Call the Sheriffs Business Office Monday through Friday to see if an arrest was made and you can be rewarded with \$100 cash.

Driving Under the Influence Reporters Reward, Incorporated Amador, Calaveras and Tuolumne Counties. **IT WORKS!**

Arrested

Cited for drunken driving: — James Michael Balden, 26, of Sonora, booked at 5:15 a.m. yesterday after arrest on Poplar St.

— Kimberly Renee Bolton, 26, of Sonora, booked at 3 a.m. Saturday after arrest on Phoenix Lake Rd. at Hess Ave.

Jail

Inmate pop. this morning	96
Rated jail capacity	66
Bookings past 72 hours:	
Assault with a deadly weapon	1
Assault against a peace officer	1
Drunken driving	2
Drunk in public	9
Warrant, drunken driving	1
Failure to reimburse welfare	1
Vandalism	1
Revoked probation	1
Failure to pay fine	1
Vehicle infraction	1
Warrants, vehicle infractions	1
Total	20

Drunk driver reporting to start in county

Jackson—Fed up with drunk drivers and the accidents and death they cause? Now, thanks to law enforcement agencies in Amador County, there is a way for the average person to help get drunk drivers off the county's streets and roadways while remaining totally anonymous. Those who help can even receive a \$100 reward for their efforts to boot.

Amador County Sheriff Bob Campbell and Jackson Police Chief Rich Lockwood have announced the beginning of the Driving Under the Influence Reporter's Reward (DUIRR) Program in Amador County effective Fri., July 15. DUIRR (pronounced "do-er") is a public-involvement program that has been in operation in Calaveras County for several years. Calaveras County law enforcement officials have praised the program's results at getting drunk drivers off the roadways and for helping to reduce the incidence of drunk driving.

Campbell says that under the DUIRR program in Amador County, all an individual has to do if he sees a drunk driver or suspects someone of driving under the influence is to call 9-1-1. The caller should be prepared to give the emergency dispatcher the vehicle's license number and a description of the car. Providing extra information as to which direction the car was last seen headed would also be helpful.

The caller should tell the dispatcher he is calling under the DUIRR program and ask for a secret number. The dispatcher will record the information and give out the secret number as requested. You will not have to provide your name or other personal information.

The following day, the caller should phone the sheriff's office at 223-6500 during regular office hours to see whether an arrest resulted from the information he provided. If an arrest was made, the caller—still anonymous—can go to Wells Fargo Bank in Jackson, approach any teller's window, give the teller the secret number he was given by the 9-1-1 dispatcher and mention the DUIRR program.

Campbell pointed out that even California Highway Patrol bookings come through the sheriff's office, so a call to 223-6500 will determine whether an arrest was made, no matter which jurisdiction makes the arrest.

Lockwood added that people "should not think of participation in this program as bounty hunting, but rather as receiving a reward for getting involved." He added, "If a person has a doubt as to whether or not the driver he has spotted is driving under the influence, he should go ahead and make the report. Let the officers decide whether or not the driver is drunk or on drugs. No harm will be done and you may have stopped another needless accident."

Sheldon Bissell, the Calaveras County resident who launched DUIRR in late 1983 in Calaveras County, stated the program results in the arrest of between 80 and 90 drunk drivers a year in Calaveras.

He added that many of those reporting suspected drunk drivers never claim the reward money. Bissell adds that apparently those people merely want to reduce the threat to their families posed by drunk drivers.

Lockwood and Campbell pointed out that donations to the DUIRR fund are needed and can be made to Wells Fargo Bank, 11 Main Street, Jackson, CA 95642. Such donations are tax deductible. Lockwood stressed that "every \$5 or \$10 donation will help keep the program working."

Campbell said that all law enforcement jurisdictions in the county have been contacted and are in full support of the DUIRR program.

Says DUIRR program hurts bar business

Dear Editor:

Regarding the DUIRR program: Amador County, as far as taverns and restaurants are concerned, is already a depressed area considering the instability of the lumber mill at Martell with approximately 100 people laid off and lower wages for some hired back. The first thing to suffer under these conditions is the entertainment business, i.e., taverns and restaurants.

As a matter of fact, taverns and restaurants nationwide have a far greater failure rate than most businesses.

This DUIRR program will force an unfair and undue hardship on an already troubled industry.

against taverns and restaurants.

This program will not hurt liquor stores or any market or other place that sells liquor because people buy their liquor there and take it elsewhere to consume. It will only hurt where people drink in a public place, thus exposing themselves to being turned in.

I say undue because the great majority of people in our industry make every effort to control drunk driving. The majority of businesses in our area paid to send owners and bartenders to a seminar put on by Budweiser Brewing Co.

This seminar taught them how to recognize when a person may have had too much to drink, how to cut him off, and other ways to keep him from driving. I don't know of a professional server who would knowingly send a drunk on the highway. We have too much to lose. We are constantly watched by local law enforcement agencies in addition to the state Alcohol Beverage Control Board. If any tavern owner consistently abused his license in that manner, he would be subject to losing it and his business, too.

I see a number of potential problems with this program. It is wide open for abuse and a couple of instances occurred in Calaveras County. A disgruntled lady stationed herself across the highway from a particular tavern and turned in every

weekends.

Another instance involves a bartender who purposefully over-poured customers and then reported them for the bounty money. Some people will turn in their own mother for ill-gotten gains.

A veteran CHP officer told me if you consume two drinks, there is no way you can pass a breathalyzer test. This test is the choice of most people stopped for DUI. I'm sure a great many of us have driven after having two drinks.

You only have to use your imagination to tell how far these abuses can go.

A far greater cancer on society is dope. You don't have to have a driver's license for it to kill you.

Picture this, a doper's stash is running low due to a lack of funds, all he has to do is watch a person have some drinks and, Bingo, overnight his problem is solved.

We do not need DUIRR; we already have laws on the books people can use without showing greed and selfishness, it's called "citizen's arrest." Any citizen can turn in a suspected drunk driver and have them arrested. This program was started simply for the sake of having a program; it is redundant.

To quote Sheldon Bissell from the paper, "Many don't claim the reward," simply proves my point, why have a reward? Citizen involvement need not be paid for.

Suppose a man in my bar has a heart attack. I call 9-1-1 and can't get through because someone has tied up the line to get a lousy hundred bucks. This emergency line should not be used to earn money.

Just the fact they will pay a bounty on arrest tells me they have tried, judged, and found a person guilty before he has ever had a day in court. Why not wait until conviction before...

Calaveras DUIRR program may expand to Amador County

Mountain Ranch—Sheldon Bissell would like to expand his DUIRR (pronounced do-er) program into Amador County. DUIRR is the Driving Under the Influence . . . Reporters . . . Reward program that pays \$100 for every drunken driver that is reported, arrested, and taken off the roads.

Bissell, from Mountain Ranch, began the program in 1983 after his 18-year-old son Elliott and two of his friends were killed by a drunken driver. The driver also died.

"Elliott was a carpenter like me and we had been building houses together," Bissell says. "After he was killed, I didn't know what to do."

On Dec. 16, 1983, Bissell took \$1,000 of his own money to First Interstate Bank in San Andreas and opened up the DUIRR account. Bissell says DUIRR has been recognized by the Calaveras County Board of Supervisors as a crime fighting program and says he would like the Amador County Board of Supervisors to adopt the program.

"It makes money for the county," Bissell says. "The county gets about 65 percent of the fine money from drunken drivers and the fines run around \$900."

Under the DUIRR program, someone who spots a drunken driver on the road in Calaveras County dials 9-1-1 and tries to give a full or partial license plate number, a description of the vehicle, the last location of the vehicle, and the direction of travel.

"You then ask the dispatcher for a secret number which is between one and 10,000 because you're not eligible for the award without a secret number. A



Sheldon Bissell, founder of DUIRR, has received a number of awards for his fight against drunken drivers, including the Citizen's Safety Award.

business number to ask if that number resulted in an arrest. If so, then you're eligible for \$100."

"You go to the First Interstate Bank in San Andreas to collect the money, although a lot of people don't take it because they just want the driver off the road."

Bissell's bank account is kept in the black through private donations of everything from \$5 to \$200 (the money is tax deductible). The program may also soon receive \$1,500 from the Calaveras supervisors. Bissell says one Rail Road Flat woman donated \$200 recently because she had sat through the trial of a drunken driver. Many of those drivers, says Bissell, are repeat offenders.

Bissell says DUIRR helps to catch about 50 to 60 drunken

commendation from the Calaveras County CHP and Sheriff's Office, and in March he received the Citizen's Safety Award from the Safety Center Inc. of California.

Bissell says while law enforcement in Calaveras County was not receptive to DUIRR at first, they now support it wholeheartedly and Bissell can point to an increase in drunken driving arrests and a decrease in alcohol-related accidents since the program began.

Bissell says he hopes to bring DUIRR to Amador County this year and is already looking for an accountant, a bank, fund raisers, directors and speakers.

DRUNK DRIVING IS NOT AN ACCIDENT
WE CAN'T SAY IT ENOUGH!

Friday, February 27, 1987

Lode bounty program ups the booty

By KATHY GEISZLER
The Stockton Record

SAN ANDREAS — The man who began Calaveras County's bounty hunter program against drunken drivers has added a new twist: 100 lottery tickets for every arrest.

"A drunk driver never knows how much he's worth," said Sheldon Bissell, founder of Driving Under the Influence Reporters Reward. He began the program in 1983 after his son, Elliott, was killed along with three others in a car accident involving a drunken driver.

People are urged to telephone 911 to report drivers they sus-

(Please see BOUNTY, Page A-16)

\$100.00 REWARD

D.U.I.R.R. pays \$100.00 cash reward to any person whose report of a drunk driver in Amador/Calaveras County results in an arrest. You can remain anonymous by receiving a secret number. Call the Highway Patrol, Police Dept. or Sheriff's Office at 911.

P.O. Box 1169, Pine Grove, Ca 95665

HOW TO RECOGNIZE & REPORT D.U.I.

When you see a vehicle weaving, slowing and speeding or driving in an erratic manner, obtain the license number or as much of it as you can, give a description, location and direction of travel and call 911. Say "I want to report a drunk driver and want a secret number under the D.U.I.R.R. program." If you want the money don't forget the number Call Monday thru Friday. If an arrest was made you will be rewarded with \$100.00 dollars.

ounty

(Continued from Page A-1)

are under the influence of alcohol drugs on Calaveras County roads. A tip may be placed anonymously. If a tip leads to an arrest, a \$100 re-

ward is paid out to the reporting person. Beginning at midnight, March 1 to midnight March 31, Bissell's group will give tipsters the choice of \$100 cash or the lottery tickets.

Law enforcement officers say the program has curbed drunken driving

in the county. In 1985, drunken drivers caused 122 accidents. There were 89 accidents involving alcohol or drugs in 1986.

The 30-member non-profit corporation, the only such program in the state, accepts cash donations at P.O. Box 1543, San Andreas CA 95249.



OFFICE OF THE DISTRICT ATTORNEY

COUNTY OF CALAVERAS, STATE OF CALIFORNIA

March 17, 1989

JOHN E. MARTIN
District Attorney

CRIMINAL DIVISION
(209) 751-6330
CHILD SUPPORT
(209) 751-6528

Mr. Sheldon Bissel
D.U.I.R.R. PROGRAM
P. O. Box 135
Mountain Ranch, California 95246

re: D.U.I.R.R.

Dear Mr. Bissel:

As we are all painfully aware, the criminal who presents the greatest risk of death and serious bodily injury to the citizens of Calaveras County is the intoxicated driver. Statistics show this to be the case nationwide as well.

The Calaveras County District Attorney's Office heartily supports the efforts of the D.U.I.R.R. Program in the apprehension of intoxicated drivers. Your program will be a valuable asset to any community in which it is instituted.

Very truly yours,

JOHN E. MARTIN
District Attorney

JEM/tr



GOVERNMENT CENTER
851 MOUNTAIN RANCH RD
SAN ANTONIO, CA 95246

CALAVERAS COUNTY
SHERIFF'S DEPARTMENT
FRED V. GARRISON, SHERIFF



BUS OFFICE (209) 754-6503
CIVIL DIV (209) 754-6478
JAIL (209) 754-6495
RECORDS (209) 754-6477

March 17, 1989

To Whom it May Concern:

Calaveras County has had the unique opportunity to witness a truly innovative effort to curb the growing menace of drunk drivers.

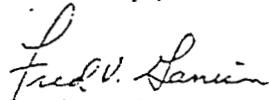
Several years ago, Sheldon Bissell of Mountain Ranch, Calaveras County, suffered the loss of his son because of a drunk driver. This tragic death prompted him to attempt to do something to prevent others from experiencing similar fates. He finally came up with the idea that the number of drunk drivers could be substantially decreased by encouraging more people to report suspected drunk drivers to law enforcement, even if they had to be paid to do it.

As the local commander of the local California Highway Patrol unit at the time, I met with Mr. Bissell many times during the period he was involved in putting together his D.U.I.R.R. program. It was my privilege to offer him encouragement, suggestions, and support during that time.

It is my personal belief that the D.U.I.R.R. program has been most effective in Calaveras County and has certainly encouraged some to report drinking drivers who probably would not have, had it not been for the financial incentive.

I strongly support the D.U.I.R.R. program and unhesitatingly recommend it for consideration by other localities experiencing problems with drinking drivers.

Sincerely,


Fred V. Garrison
Sheriff

FVG:lj
cc

OFFICE OF THE

SHERIFF-CORONER • ROBERT T. CAMPBELL, Sheriff-Coroner

LOCATION: 700 COURT STREET, JACKSON, CALIF • PHONE (209) 223-6500
MAIL: 108 COURT STREET • JACKSON, CA 95642-2379



August 1, 1989

Mr. Ken Cortner
4631 Mark Twain Place
Stockton, Ca. 95207

Dear Mr. Cortner

I am glad to hear you are attempting to get the D.U.I.R.R. program started in the Stockton area. The program is very worth while and a good aid to law enforcement. There is not a good way to measure how many lives have **been** saved since we initiated the program, other than the number of calls we have in our log book.

Before the D.U.I.R.R. program started in Amador County, concerned citizens would call D.U.I.'s from time to time. Since entering the program I have allowed D.U.I.R.R. callers to use 9-1-1 due to the light use in this county. I did receive some opposition from the local Bar and Restaurant Owners Association. They did not like the reward/bounty system of reporting D.U.I.'s, and the use of 9-1-1 for reporting possible drinking drivers. I feel a D.U.I. has as much potential as a person that points a loaded gun at someone,

I might mention, the Sheriff's dispatchers receive and dispatch all calls for the three city police departments in the county after normal business hours. We also receive 9-1-1 calls from all the prefixes in the county and dispatch all police and medical calls. CH? and fire calls are forwarded to their respective dispatchers.

The D.U.I.R.R. log book we keep, shows we have received 143 calls since 7-1-88, 12 arrest, and approximately 7 rewards paid.

If I can be of any further assistance, feel free to call.

Sincerely

ROBERT T. CAMPBELL/
SHERIFF/CORONER

Supes vote funds for DUIRR program

Jackson—The Amador County Board of Supervisors has assured the immediate survival of the Driving Under the Influence Reporter's Reward (DUIRR) program and is searching for continuing financing for the program. By unanimous action, the board voted \$800 to fund the program, and two board members offered additional money from their supervisorial discretionary funds.

Action was taken at the Tues., Aug. 8, supervisors' meeting after Ed Baker, county DUIRR director, told the supervisors the program's reward fund contained less than \$100. He requested \$1,500 to help fund the program.

The DUIRR program was created by Calaveras County resident Sheldon Bissell in 1987 after his son and three others were killed in an automobile accident caused by a drunk driver. "There

is hardly a family anywhere which has not been affected by the actions of drunk drivers," Bissell told the supervisors. "These are not accidents, they are planned crashes," he said. "People go into bars, get drunk, and then try to drive their autos. The crashes can be prevented only when drunk drivers are taken off the road," Bissell stated.

Under the DUIRR program, anyone seeing erratic driving behavior by a suspected drunk driver may call 9-1-1 and report the vehicle's license number and vehicle description and the current direction of travel of the car. When possible, a description of the driver and other pertinent information should be provided. The caller, who may remain anonymous, is given a secret number; if an arrest is made, the caller is eligible for a \$100

reward, Bissell told the supervisors.

Since the program began in Amador County in July 1988, 142 calls have been received, resulting in 12 arrests and more than \$8,000 in fines, Baker said. Often citizens make reports but choose not to collect the reward, he said. Rewards have been paid to seven callers, according to Baker.

Bissell said the program has saved lives and thousands of dollars in costs of transporting often non-paying, non-insured drunks to the hospital and in costs of "patching up the victims," Bissell

said. He credited the DUIRR program with helping to reduce deaths from 13, 13, and 14 respectively during 1985, 1986, and 1987 to eight deaths in 1988. He said other counties which have DUIPR programs have experienced similar results. "The law cannot be everywhere, but citizens can be," he said.

Don Stewart, owner of a Jackson bar, said he "vigorously" opposed the program. He objected to the rewards being paid upon arrest and not upon conviction. He objected to the supervisors

Cont. on Page 6A

Cont. from Page 3A

supporting a "private, non-sanctioned group" without voter approval. He presented petitions which he said contained 800 to 900 signatures of "patrons and others" who oppose the program.

DUIRR secretary Dorothy Cleveland of Sutter Creek said the program was saving lives. Opposition is from those in the liquor business or from those who drink and drive, she said. Sheriff Robert Campbell and Jackson police chief Rich Lockwood also praised the program and urged the supervisors to support it. The awareness that the public is watching the drunk driver has done more than law enforcement alone to cut down on drunk driv-

"No one objects to the Secret Witness Program, and DUIRR is merely an adjunct to it," said supervisor Steve Martin. "I would like to see a long-term method of financing the program," added supervisor Tim Davenport. He suggested heavier fines with a portion of the fines used to finance the program. "That way, people paying fines would support the program," Davenport said.

Supervisors Martin and Gale Cuneo said they would be willing to donate an additional \$300 each from their Revenue Sharing Recreational Supervisorial District fund toward the program.

The matter was referred to the finance committee and will again be considered by the supervisors on Tues. Aug. 20

ing, Lockwood said. "I think it is admirable that citizens are trying to do something," he added. He said there are safeguards in the program which help to prevent abuse.

Drivers cannot be arrested on the basis of a phone call, he said. The citizen provides the clue, but police officers must have probable cause for the arrest and must still prove the case in court on evidence the officer has personally gathered, according to the chief.

DUIRR

WE REMEMBER BECKY — SUPPORT D.U.I.R.R. —

Lodi students struggle to accept death of teacher

By Jan Ferris
The Stockton Record



TROUTNER

Elementary School spent much of Monday writing stories about Becky Troutner, the teacher they will never see again.

The sixth-graders wrote of the Oakland A's fan who would tune in for the game scores before writing of the woman who came to the classroom humming a popular song.

And they wrote of the gentle soul who adopted an injured kitten and paid its veterinarian bills,

only to give it away because her housing lease didn't allow pets.

Teacher. Friend. Inspiration, Becky Troutner, they wrote, was all those things.

Troutner, 26, died Saturday night when her car was struck by a van driven by an Altaville man, Daniel Sarver. He appears in court today on charges of drunken driving and vehicular manslaughter.

The Stockton-born Troutner, who was returning from a concert in Bear Valley on Saturday, had worked as a Lodi Unified School District teacher for three years, two at Henderson

School.

She received her bachelor's degree from the University of the Pacific, a master's from California State University, Sacramento, and was considering enrolling in a doctoral program next year, said Principal Linda Nook.

Her 28 students shared memories of Troutner — verbal and written — with Lodi Unified School District psychologists, counselors and each other on Monday.

Patience and humor were common refrains in the stories, which will be bound and presented

See DEATH, B-2

Murder charges filed

Second-degree murder charges are being filed against two Stockton men involved in a three-car accident that killed one man Sunday morning.

Lester Lee, 18, was charged Tuesday in connection with the death of Ryan Sutters, 20, said Stockton police Officer Kent Autrand.

police said.

Lee was in a third car that careened out of control and sheared off part of a power pole, officers reported.

Jenkins, who was in fair condition at

face second-degree released, Autrand

DEATH

Continued from B-1

to parents Paul and Carol Troutner at a 1 p.m. memorial service Wednesday at the Central United Methodist Church, 3700 Pacific Ave., Stockton.

"She was like a buddy," one student recalled. "When my bus was late, we talked about movies. Like, 'Nightmare on Elm Street — Part IV.' She said, 'It's really awful.

Troutner showed films each week to her class, all students in the district's gifted-education program. They usually carried a serious message.

they realized no such sequel existed, that Troutner was joking with them, student Brad Shreve recalled.

Shreve likened the news of Troutner's death to a bad April Fool's Day joke and said he, like many of his peers, have had a difficult time accepting it.

"We feel like she's gone on a trip," Shreve said. "She was just so young and energetic."

During a class outing led by Troutner to local Republican headquarters, students ate sunflower seeds and sang along with the radio, a decidedly "cool" activity, Shreve said.

The class was not all baseball and laughs, however. Many sixth

the students that they — not she — were missing out.

"It was for our own good to learn things," said student Ryan Huntley.

School psychologists and counselors said that students, in general, were able to talk openly about Troutner's death. This was a good sign, the counselors said.

At one point Monday, a few students pointed to a poem Troutner had posted on the classroom wall for students to memorize:

"Come to the edge, she said.

"We are afraid, they said.

"Come to the edge, she said.

"They came.

"She pushed them.

"And they flew."

LODI

NEWS

Drunk-driving working with

Fri., July 7, 1989 — Lodi (Ca.) News-Sentinel — 3

incentives or 'bounty'

By FRAN BOTT

San Joaquin News Service

STOCKTON — Ken Cortner of Stockton does not like to call the drunken driver reporting program that he promotes a "bounty" system.

He likes to think of the \$100 reward attached to it as an incentive, instead.

"We'd rather scare a drunk driver off the road than scrape a drunk driver off the road," Cortner said of the purpose of the Drinking Under The Influence Reporting Reward (DUIRR) program. Already established in Amador, Calaveras and Tuolumne counties, DUIRR supporters are looking to San Joaquin County as their next phase.

"If this program is effective in this county," Cortner said, "we think it will go statewide." Since the three counties where the DUIRR system is in place are less populated than this area, Cortner sees the county as a kind of test area.

Working like local Crimestoppers programs, DUIRR uses anonymous tips called into a law enforcement agency to locate suspected drunken drivers. When people call in information on a driver, they must ask for a confidential number they will use for identification. They can then call the next day to see if an arrest was made. If so, they can collect \$100.

The DUIRR program was started in Calaveras County more than four years ago by Sheldon Bissell,

of Mountain Ranch. His son, Elliott, was killed when a drunken driver rammed the back of the car in which he was riding. Three of his son's friends were also killed in the crash.

Cortner said he met Bissell and decided he wanted to help expand the program. He has spoken to local law enforcement officials, county supervisors and the Stockton City Council about DUIRR. Councilmembers there told Cortner that if the group of volunteers raised \$20,000 for a reward base, they would endorse it.

So far, the program has received only \$3,500, Cortner said.

Undaunted, he visits local banks, committees and

community organizations bringing with him a huge packet of information on DUIRR, but containing copies of newspaper articles on accidents involving drunken drivers.

"In Amador, Calaveras and Tuolumne counties last year, 28 people died in alcohol-related motor vehicle accidents," he said. "At that rate, there should have been 14 already this year. But in the past six months, there have been four."

"We credit the DUIRR program with saving those 10 lives."

For more information on the Driving Under The Influence Reporting Reward program, write to DUIRR, post office box 5555, Stockton, 95205.

DUI convictions, dispositions

Jackson—The Amador County Justice Court reports the following disposition of DUI arrests:

Clark, Dennis Ralph, 34, of Martinez was convicted of DUI with a blood-alcohol concentration of 0.18 resulting from an Oct. 2, 1988 DUI arrest by SCPD. Clark was fined \$801, placed on three years' informal probation, sentenced to two days in jail and two days on the county work program, and was ordered to enroll in a first offender alcohol program.

Clarke, Michael, 24, of Redwood City pleaded guilty to DUI with a blood-alcohol concentration of 0.24 resulting from a March 19 DUI arrest by the CHP. Clarke was fined \$801, placed on three years' informal probation, sentenced to two days in jail and two days on the county work program, and was ordered to enroll in a first offender alcohol program.

Hicks Jr., John, 34, of Amador City pleaded guilty to DUI with two prior DUI convictions with a blood-alcohol concentration of 0.18 resulting from a Feb. 17 DUI arrest by the CHP. Hicks was fined \$801, placed on three years' informal probation, sentenced to 120 days in jail and 133 days on the county work program, had his license suspended for 36 months, and was ordered to enroll in a 12-month alcohol-related counseling program.

Keller, Kristopher Alan, 29, of Jackson pleaded guilty to DUI

with one prior DUI conviction with a blood-alcohol concentration of 0.20 resulting from a March 10 DUI arrest by the CHP. Keller was fined \$801, placed on three years' informal probation, sentenced to two days in jail, had his license restricted for 12 months, and was ordered to enroll in a 12-month alcohol-related counseling program.

Langley, Dallas Stephen, 32, of Sanville pleaded guilty to DUI with a blood-alcohol concentration of 0.14 resulting from an April 9 DUI arrest by JPD. Langley was fined \$801, placed on three years' informal probation, sentenced to two days in jail and two days on the county work program, and was ordered to enroll in a first offender alcohol program.

Melendez, John Stephen, 32, of Jackson pleaded guilty to DUI with one prior DUI conviction with a blood-alcohol concentration of 0.22 resulting from a Feb. 17 DUI arrest by SCPD. Melendez was fined \$801, placed on three years' informal probation, sentenced to 120 days in jail and 120 days on the county work program, and had his license suspended for 36 months.

Olson II, Erwin Edwin, 25, of Pollock Pines pleaded guilty to alcohol-related reckless driving resulting from a Feb. 11 DUI arrest by JPD. Olson was fined \$280, and was placed on three years' informal probation.

Ours Jr., Karl Luke, 28, of program, and was ordered to enroll in a first offender alcohol program.

Rivera, David, 35, of Jackson pleaded guilty to non-alcohol related reckless driving with a blood-alcohol concentration of 0.10 resulting from a March 29 DUI arrest by the CHP. Rivera was fined \$280.

Skidmore, Billy LeRay, 40, of Lone pleaded guilty to DUI with one prior DUI conviction with a blood-alcohol concentration of 0.21 resulting from an April 16 DUI arrest by SCPD. Skidmore was fined \$801, placed on three years' informal probation, sentenced to 10 days on the county work program, and had his license restricted for 12 months.

Todd, James, 34, of Mountain Ranch pleaded guilty to alcohol-related reckless driving with a blood-alcohol concentration of

Volcano pleaded guilty to DUI with a blood-alcohol concentration of 0.20 resulting from an April 16 DUI arrest by ACSO. Ours was fined \$801, placed on three years' informal probation, had his license restricted, and was ordered to enroll in a first offender alcohol program.

Plank, Carl Jay, 59, of San Andreas pleaded guilty to DUI with one prior DUI conviction with a blood-alcohol concentration of 0.21 resulting from an April 1 DUI arrest by JPD. Plank was fined \$801, placed on three years' informal probation, sentenced to 10 days community service and had his license suspended for 18 months.

Cont. on Page 6

YOU HAVE A PRICE ON YOUR HEAD if you drink and drive. Remember, the **DUIRR** program pays \$100 cash to any person whose report of a drunk driver results in an arrest. You can remain anonymous by receiving a secret number. Call 9-1-1 in Amador, Calaveras, and Tuolumne counties. Paid for by the **DUIRR** (pronounced DO-ER) program.

DUIs

Cont. from Page 4

Pulskamp, Kevin, 19, of Lone pleaded guilty to DUI with a blood-alcohol concentration of 0.21 resulting from a March 25 DUI arrest by JPD. Pulskamp was fined \$801, sentenced to two days in jail and two days on the county work program, and was ordered to enroll in a first offender alcohol program.

Reynolds, Michael Alan, 35, of Folsom pleaded guilty to DUI with a blood-alcohol concentration of 0.20 resulting from an April 13 DUI arrest by the CHP. Reynolds was fined \$801, placed on three years' informal probation, sentenced to two days in jail

and was ordered to enroll in a first offender alcohol program.

Velasquez, Christopher, 20, of Fiddletown pleaded guilty to DUI with a blood-alcohol concentration of 0.15 resulting from a Feb. 20 DUI arrest by the CHP. Velasquez was fined \$801, placed on three years' informal probation, sentenced to 20 days on the county work program, had his license suspended for 12 months, and was ordered to enroll in a first offender alcohol program.

Ward, Daniel Jon, 28, of Pine Grove pleaded guilty to DUI with one prior DUI conviction with a blood-alcohol concentration of 0.14 resulting from an April 15 DUI arrest by SCPD. Ward was fined \$801, placed on three years' informal probation, sentenced to 10 days community service, had his license restricted for 12 months, and was ordered to enroll

DUIRR statistics released

Jackson—The Amador County Sheriff's Office reports it has received 81 calls to its 9-1-1 dispatch center by citizens reporting suspected drunk drivers since the July start of the Driving Under the Influence Reporters Reward (DUIRR) Program. Of the 81 DUIRR reports, eight motorists have actually been arrested for driving under the influence.

Ed Baker of the DUIRR Program says support for the program is spreading. He notes that Tuolumne County is now exploring the possibility of im-

plementing the program which pays a \$100 cash reward upon arrest of a drunk driver by law enforcement officials. Should Tuolumne adopt the program, it would be the third foothill county to do so. Baker says San Joaquin County is also reviewing the program.

Baker reminds residents that they may report a suspected drunk driver, by calling 9-1-1 and identifying themselves as a DUIRR reporter. Baker says, "Give the dispatcher the location of the vehicle and its license num-

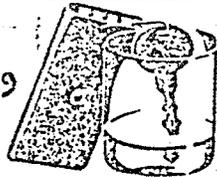
ber. The sheriff's office will dispatch someone to look for 'the car.'"

Baker says to be sure to ask for a secret DUIRR number if you want to receive the \$100 reward. Call the sheriff's office at 223-6500 on the next working day to claim your reward.

Baker also says the DUIRR Program is in need of contributions. To pledge money or to serve on the DUIRR board, call Baker at 296-4128.

Wednesday, January 4, 1989

If you drink,
don't drive.



Countywide

The Sheriff's Office records indicate the following arrests for DUI.

James Michael Wright, 35, of Bear Valley, was arrested Dec. 31, 1988 at 3:35 a.m. by Officer Moon of the California Highway Patrol. The arrest took place on Highway 4 and the Alpine County Line. Bail was set at \$500. Wright was cited and released at 7:30 a.m. He is due to appear in Justice Court on Jan. 23.

Thomas Lee Siebert, 31, of Twain Harte, was arrested Dec. 28, 1988 at 7:30 p.m. by Officer Giffin of the California Highway Patrol. The arrest took place on Highway 4 west of Telegraph Road. Bail was set at \$700. Siebert was cited and released Dec. 29 at 6:45 a.m. He is due to appear in Justice Court on Jan. 23.

The Calaveras Justice Court records indicate the following disposition of DUI cases.

Kevin James Tammarine, 28, of Altaville, who was arrested Aug. 28, 1988 by Officer Walters of the California Highway Patrol, entered a plea of *nolo contendere*

him on five years probation. As conditions of probation the Court set a fine of \$1,250, a jail term of 10 days, driver's license restricted for one year, only drive to and from work, plus the other usual conditions of probation. A blood alcohol chemical test was refused.

James Edgar Moos, 36, of Camp Connell, who was arrested June 25, 1988 by Officer Farris of the Angels Camp Police Department, entered a plea of guilty to reckless. Upon acceptance of the plea the Court suspended the imposition of sentence and placed him on 12 months probation. As conditions of probation the Court set a fine of \$425, payable at \$50 per month.

James Diego Juarez, 70, of San Andreas, who was arrested Sept. 9, 1988 by Officer Fukuda of the Angels Camp Police Department, entered a plea of guilty to having an open container in his vehicle. Upon acceptance of the plea the Court set a fine of \$190.

Wednesday, January 4, 1989

Dear Editor,

Thank you to all of the concerned people who took the time to sign our petition.

Again, we would like to remind people of the deadly section of Highway 49, known as "Blood Alley". This is a three mile stretch, which ranges from Angels Camp city limits, to Cosgrave Road.

There have been 104 reported accidents within this three mile section in the last 10 years. Five of these ended in fatalities. Unsafe speed, passing and/or driving on the wrong side of the road were contributing factors. Three of these resulted in head-on collisions. Of the five killed, four of them were not the "drivers at fault". Two of the five fatal accidents involved alcohol. Of the 104 accidents, 15 involved drugs and/or alcohol. Ten more had been drinking but were not "under the influence."

Consider this: of the 21 deaths on our highways in this county in 1987, two of them were within this lethal range of Highway 49.
Peggy Anderson & Barbara Martin

July 4, 1989
LETTERS

Drunk drivers: Turning 'em in

I fully support the Driving Under the Influence Reporting Reward program which is working very well in Amador, Colusa and Tuolumne counties. I attended the City Council meeting in Stockton when council members voted unanimously to lend their support to the program.

I don't say that people should not drink. I do say they should not drink and drive. They endanger their own lives as well as all others on the highways at the same time.

The bar owners in Stockton appear to be admitting they allow their customers to leave their bars in an intoxicated condition when they say this program will put them out of business. Wouldn't it be better to monitor their intake so they are able to return to their bars in the future?

Hopefully, this program will have an influence on people reporting anyone who appears to be driving drunk or drugged. They could even receive a \$100 reward if proper rules are followed. Money for the reward is provided by concerned citizens.

EDWIN BAKER
Pine Grove

Car crashes into tree 7/4/89

A 19-year-old Stockton woman suffered major injuries Thursday morning when the car in which she was riding crashed into a tree.

Norma Hernandez was taken to St. Joseph's Medical Center after the 10:50 a.m. accident on Highway 88 east of Alpine Road. She was listed in stable condition after surgery.

María Rodriguez, 43, of Stockton was driving about 80 mph when her station wagon crashed, according to the California Highway Patrol. Rodriguez was arrested on a felony drunken driving charge.

10 holiday deaths reported by CHP

LOS ANGELES — There were 10 roadway deaths in the first hours of the Fourth of July holiday weekend, along with 595 arrests of motorists for drunken driving, the California Highway Patrol said. The figures released by the CHP on Saturday showed nine people were killed in a the same holiday period last year while 651 were arrested for driving under the influence for the same 12 hours.

The
Stockton
Record

Sunday, July 2, 1989

Police seek volunteers

The Stockton Police Department is seeking volunteers for a board of directors to develop a program under which citizens can inform on suspected drunken drivers.

The program, called Driving Under the Influence Reporter's Program, was authorized recently by the City Council.

People calling to give a location, description and partial or full license number of a vehicle possibly operated by a drunken driver would be eligible for a \$100 reward if an arrest is made. All callers will be anonymous.

Anyone interested in serving on the board of directors should call Cathy Sloan, community service officer at the Police Department, 944-8208, no later than Thursday.

The
Stockton
Record

Tuesday, July 18, 1989

Man ordered to pay \$36,432

A drugged motorist who nearly killed an oncoming driver was spared a prison sentence Monday because it was the only way to obtain any restitution.

Instead, Ralph Edward DeHart, 21, of Modesto was granted five years' probation on condition he make \$36,432 restitution to victim Michael Borges Sr. of Modesto and serve a year in county jail.

Superior Court Judge Frank A. Crnnde suggested DeHart deserved a prison term but said parole authorities will not enforce the court's order of restitution.

After the sentencing, Borges and his wife, Peggy, won settlements totaling \$500,000 and dropped their civil lawsuit against DeHart. DeHart's insurance company gave them \$200,000 and they received \$300,000 through the under-insured motorist portion of their own insurance policy.

Dean F. Cooper, lawyer for the Borges, said Borges suffered such severe injuries, including a weakened heart, that he may never work again. The \$36,432 restitution represented his 1988 income.

A blood test after the Jan. 25 crash on Highway 132 showed DeHart was under the influence of cocaine and marijuana.

The
Stockton
Record

Sunday, July 16, 1989

Motorcyclist listed as stable

A Stockton man was in stable condition at San Joaquin General Hospital Saturday after his leg was amputated after he collided with a van while riding his motorcycle. The driver of the van was arrested on a felony drunken-driving charge.

Jimmy Rowe Lawson, 45, of Stockton, was riding his motorcycle west on Main Street about 9:50 p.m. Friday.

A Chevrolet van driven by Georgiana Thomas, 55, of Stockton, was eastbound on the street and turned left in front of him at Cardinal Avenue, said a spokeswoman for the California Highway Patrol. The vehicles collided.

Lawson was taken to San Joaquin General Hospital, where he had to have a leg amputated. He was also arrested on a misdemeanor drunken-driving charge.

DRUNKEN DRIVERS

Stockton Municipal Court drunken-driving convictions:

Maria Armandariz, of Stockton — Three years' probation, two days in jail, \$1,018 fine, alcohol program.

Roberto Castellanos, of Stockton — Three years' probation, two days in jail, \$1,018 fine, alcohol program.

Pamela Duran, of Stockton — Third conviction, five years' probation, 180 days in jail, \$1,018 fine, second offender drunken-driver program, driver's license suspended for three years.

Frank Smith Gonzalez, of Stockton — Three years' probation, four days in jail, \$1,018 fine, alcohol program.

Keith Anthony Nixon, of Stockton — Three years' probation, two days in jail, alcohol program.

Robert Azevedo Ramos, of Stockton — Three years' probation, five days in jail, \$1,018 fine, alcohol program.

Juan Ignacio Rozote, of Linden — Three years' probation, two days in jail, \$1,018 fine, alcohol program.

Sammy Urbina, of Stockton — Third conviction, five years' probation, 150 days in jail, \$1,018 fine, alcohol program, driver's license suspended for three years.

William Marcus Wallace, of Stockton — Five years' probation, 180 days in jail, \$1,018 fine, driver's license suspended for three years.



Editorial

A contingent of bar and saloon owners and restaurateurs descended on the board of supervisors last week protesting the implementation of the Driving Under the Influence Reporter's Reward (DUIRR) program (pronounced "do-er")--the program that offers a \$100 reward for the arrest of anyone caught driving under the influence.

The bar owners were protesting just how effective the program has been in just a little over a week: It's hurting business-as-usual, as well it should.

The owners say their profits are down. They say that since the word is out about DUIRR, their patrons are scared. They say their regulars, instead of stopping and having five or six beers before driving home (yes, they did say "five or six"), are now only having one or two for the road. The barkeeps say patrons fear they will be reported by someone after a \$100 "bounty."

If that's what it takes to keep drunks off our roadways, why didn't we do this years ago?

The bar owners are also complaining about the "brown shirts" who may use the program to usurp individual freedoms. The "brown shirts" argument is a red herring. Driving is a privilege--a revocable privilege--not a right. A driver has the privilege to drive only until such time as his driving privileges interfere with anyone else's Constitutional and God-given rights to physical safety and well-being.

We are sympathetic to the business losses being experienced by the owners, but we are more sympathetic to the victims of drunk drivers. The smart saloon owner will turn the DUIRR program to his own advantage, both public relations-wise and financially. Instead of spouting self-serving arguments

and bellyaching about the loss of business, the smart owner can publicize that "Joe's Bar and Grill" supports DUIRR and wants to stop drunk driving. He will guarantee that drinkers can come to his establishment, have a good time, and a ride home will be guaranteed. No interruption in business; no drunk drivers. The costs will be small and the profits enormous.

Sheriff Robert Campbell stands firm in his commitment to the DUIRR program and the use of 9-1-1 for reporting drivers under the influence. Our city police chiefs fully support the program, too. We should all let them know that we support them and want the program to continue.

Don't let a vocal minority destroy the wishes of the majority. Let our law enforcement officials know you support the DUIRR program and want it to continue just the way it is. Support the DUIRR program yourself with a tax-deductible contribution to help with the program (which you can make c/o the Monitor). Use the DUIRR program: Call 9-1-1 and report a suspected drunk driver when you witness erratic driving behavior. Remember the admonition of Edmund Burke, "All it takes for evil to triumph is for good men to do nothing."

Don't let a few special-interest people take away a program which, by their own admission, is working--and working well.

It is time for all of us to stand firm in the face of the drunk driving scourge that drains the whiskey bottle, spills over onto our streets and roadways--and kills and maims our friends and loved ones. A little lost business is a small price to pay for stopping the madness.

Urges support of the DUIRR program

Dear Editor,

I support the DUIRR program in Amador County because it increases the chances of drunk drivers being taken off the highways and kept off. Perhaps this program will make those who choose to drive while intoxicated pay attention to the law that says it is illegal to drive under the influence of alcohol.

For those who oppose this program, I have a few comments:

- Breaking the law is breaking the law, even if you don't get caught. Chances of "getting caught" increase with this program.

- Breaking the law is breaking the law, even if others are doing worse--such as drug abuse, and minors drinking alcohol.

- Wrong is wrong, even if it is commonly considered acceptable.

- There is never a right way to do wrong.

- Don't condemn this program. The lives saved by the DUIRR program could be your own or those of your loved ones. Will it take their deaths to make you support such an effort?

Embarrassment

Dear Editor,

I wish to express my feelings concerning your "Don't drink and drive" column in the weekly newspaper. What I want to say is that I think the embarrassment that people feel when they see their name in this section of the paper is nothing to the pain they inflict upon the helpless people they maim and kill on our small rural roads. Keep up the good work! Maybe it will sink in!

Sincerely yours,

V. Hargell, San Andreas

11/23/83

Suggests method to confound DUIRR program

Dear Editor,

In response to the article in the Dec. 14 Monitor announcing an increase in the reward offered by the DUIRR program for turning in a drunk driver--and giving away lottery tickets for the same--I would like to make a statement.

As a bar and restaurant owner in the county, I support the driving-under-the-influence laws and feel they need to be enforced. I feel that our CHP officers and other local law enforcement officials have enough to do other than chase around after so-called "criminals," who have probably been turned in by their friends or enemies.

For all those who oppose this tattle-tale law, I would like to offer the following suggestion:

Every day that you know you are not going to be on the road, call the authorities and report yourself. Give a description of your vehicle, and the license number, and then be sober as a judge when they come knocking at your door.

If everyone cries "wolf" enough, we could overburden the system and render this practice ineffective. Let's let law enforcement officers do the job they were trained to do, and put the bounty hunters out of business. An officer is only supposed to pull

someone over when there is probable cause--not because some "concerned citizen" snitched on him.

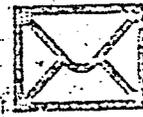
Drive safely over the holidays because you want to, not because someone is going to turn you in.

Thomas A. Newcomer
Owner, Ham's Station

A note of caution: It is illegal to make false reports to law enforcement agencies, whether using 9-1-1 or not. The 9-1-1 system is an emergency system and Sheriff Robert Campbell, in the past, has arrested individuals for mis-using the system. The Monitor does not endorse Mr. Newcomer's suggestion of over-loading an emergency system designed to protect the public.

Also, California case law permits law enforcement agencies to stop vehicles even without probable cause. In our county, police officers do not stop vehicles without probable cause as a matter of policy, which this newspaper also supports. However, no police officer is going to make an arrest of a citizen unless he himself is convinced that the citizen has broken a law, no matter how many DUIRR calls a dispatcher may receive. — Ed.

Letters to the Editor



Jan. 25, 1989 • Mother Lode Monitor • Page 7A

Questions Newcomer's sobriety at time of letter-writing

Dear Editor,

One must wonder if Thomas A. Newcomer, owner of the bar called Ham's Station, may have been inebriated when he wrote to the editor expressing his opposition to the Driving Under the Influence Reporters Reward (DUIRR) program (Dec. 28 Monitor).

What person in his right mind would file false reports with law enforcement agencies, as he suggests? Someone needs to inform this man that what he refers to as a "tattle-tale law" is not a law by any stretch of the imagination, but a citizens' program that offers a reward for assisting in the arrest of a drunk driver who may kill or maim me and my family, or possibly even Mr. Newcomer's own family or friends. After stating that he is supportive of anti-drinking and driving laws and their enforcement, he goes on to put the test to what he has just said.

One can rightly presume that drinking on the premises at a watering hole like Ham's Station produces some DUI drivers on Hwy. 88 in that area of the high country, if for no other reason than there are few local residents and customers must come and go by car. Considering the mayhem and murder committed by cars operated by drunks, why does a location like that of Ham's Station have a permit for on-premises drinking? There seems to be good reason for the revocation of licenses for locations along stretches of highway like this.

The DUIRR program, among the other effects it produces, nudges the bar-keep to see to it that his

over-loaded customers do not drive their cars away from his place, but this man seems to have totally missed that aspect--and he has thumbed his nose at good sense. Unless he changes his attitude and begins to recognize his responsibility to his customers and the people who travel up and down Hwy. 88, that stretch of road, which is certainly hazardous, should be watched closely by law enforcement, as well as the rest of us.

An appeal is made to Mr. Newcomer to get his head together and try to be a sensible man qualified to operate such a business. If anyone reading this thinks I am coming on a little strong, let that person attend a candlelight vigil in remembrance of loved one who has died under the wheels of car driven by a person who has been drinking. Let such a person express himself to Sheldon Bissell whose 18-year-old son, along with his son's girl friend, burned to death when a drunk driver rammed their car. Perhaps such a person will come to understand why Sheldon and many others continue to fund the reward kitty known as DUIRR. Perhaps, after discussing the murder of his son by a drinking driver, Sheldon's purpose for establishing DUIRR will be understood.

Let people who drink and then drive understand that we will certainly turn you in if we see you on the roads. Only a few of those who call 9-1-1 to report a drunk drive actually pick up the reward--but that incentive does exist.

Ken Cortner
Mountain Ranch

for



Appalled at bar owners' opposition to DUIRR

Bar owners

Dear Editor,
It was with incredulity that I listened to Don Stewart at a recent meeting of the board of supervisors, representing some local bar and restaurant owners, and protesting the DUIRR program now in effect in Amador County.

The DUIRR program is achieving its purpose--forcing those who drink and drive to be accountable for their behavior. As a direct result, some people are ordering fewer alcoholic drinks, presumably so they won't risk being arrested for driving under the influence. This means driving on our streets and highways will be safer. That's great!

I was also appalled because seeing people use better judgment is precisely what the individuals protesting the DUIRR program are upset about. One can understand their having an economic interest in patrons ordering more, rather than fewer, alcoholic beverages. However, in listening to their arguments, the self-serving nature of their protest quickly became evident. This was particularly true when one tavern owner suggested (in all seriousness) that the supporters of the DUIRR program should be available at all hours to drive obviously intoxicated individuals home. The claim was made that bar owners themselves have done this many times as a service to their patrons. It is a mystery to me why these people think someone else should be inconvenienced--at their own expense, no less--just so a persona who has demonstrated utter irresponsibility can get home. It is this kind of myopic attitude on the part of DUIRR protesters that causes one to be appalled. The program is of enormous social benefit to our community. It should not be compromised to allow certain individuals to profit at the expense of the community.

A further irony is Mr. Stewart's comment about our county being a "depressed area" economically. Certainly, if this is the case, one would consider the spending of already scarce financial resources for alcoholic beverages to be foolish, indeed. After all, money spent in the taverns would be better used putting food on the family table.

I certainly applaud and encourage Sheriff Bob Campbell and the other local law enforcement agencies for their endorsement of the DUIRR program. It is a valuable and worthwhile effort on the part of private citizens to help resolve a serious problem on our streets and highways.
Elise Hoover
Pine Grove

The opinions on this page are those of the author and do not necessarily reflect those of the staff and management of the Mother Lode Monitor.

Response to Stewart's "citizen's arrest" idea

Dear Editor,
In response to Mr. Stewart's letter of Aug. 3 regarding the DUIRR program:

The claim that the DUIRR program would hurt business is tantamount to an admission by bar owners that they over-serve their patrons. Owners of taverns and restaurants who serve liquor in a responsible manner have nothing to fear, only those who serve patrons to the point of intoxication and then allow them to drive away in this condition.

I don't quite understand how Mr. Stewart expects the average citizen to make a citizen's arrest of a drunk driver. Few of us have cars equipped with flashing red lights or sirens, and--supposing we were successful in persuading the driver of a weaving vehicle to pull over--then what? Shall we presume that this driver would happily cooperate by submitting to a field sobriety test or breathalyzer test demanded by a private citizen?

The grounds for making a citizen's arrest are much more limited than those for arrest by a peace officer who may make an arrest whenever he has "reasonable cause." In the absence of clear proof, how many of us would be willing to take a chance on being sued for false imprisonment? Assuming we do make an arrest, are we supposed to put the drunk in the back seat with the kids while we drive him to the nearest police station?

Let us continue to allow trained peace officers to make arrests of drunk drivers.

Yes, Mr. Stewart, "some people will turn in their own mother..."--myself included--but not for the "bounty," as you put it. My mother is not a drinker but, if she were, and if turning her in would prevent her from killing or maiming herself and other innocent people, then I most certainly would do so.
John Lafferty
Lone

The Herald (Monterey) on drunken drivers:
Making drunken drivers pay for the damage and horror they create on the road is an idea that can be criticized only because it is so long in coming.

Starting on New Year's Day, all those convicted in California of driving under the influence of alcohol or other impairing substances and who cause accidents face additional penalties. They will have to pay up to \$1,000 to the California Highway Patrol for costs in responding to the scene.

Drunken driving is unlike most crimes in that few people who commit it set out to do so. It cuts across all economic, social and geographic lines and is a crime that almost anyone who drinks alcoholic beverages can commit...

The new CHP assessments should make some people sober up before heading out on the road. Those who don't heed the law at least may pay for it in the wallet.

Ken Cortner

DIRECTOR, D.U.I.R.R.
SAN JOAQUIN COUNTY

4631 MARK TWAIN PLACE
STOCKTON, CALIFORNIA 95207

PHONE 477-6631
(209)

February 3, 1989

Mr. Stan Atkinson
KCRA-TV CHANNEL 3
3 Televisin Circle
Sacramento, CA 95825

Dear Stan:

Thank you for giving consideration to a change in terminology when reporting a drunk driving crash. We think it improper to call them "accidents". Would it not be better to say, collision, tragedy, injury, fatality, death, mayhem, or even murder? We are now seeing some convictions for murder and it is predicted that there will be a great increase in these.

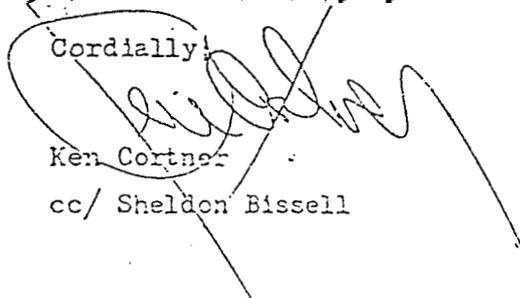
Enclosed material should give you an Idea of the DRUNK UNDER INFLUENCE REPORTERS REWARD program which is under operation in Calaveras and Amador counties and about to be launched in both Tuolumne and San Joaquin counties. DUIRR is expected to go state-wide if it works as well in San Joaquin as it has in the mountain counties.

We are not ready for publicity in San Joaquin county just yet. All of the law enforcement agencies have been alerted here and have pledged co-operation. We have yet to raise the money for the reward that will be offered to get the program started in San Joaquin.

Publicity at the right time, will, of course, be imperative to success. This is not a county on drunk drivers. Rather, when given plenty of publicity people become very aware that there is incentive for a phone call to the police to pick them up. As a consequence those who have been drinking get someone to give them a ride and bar-tenders seem to take new interest in assisting customers in calling someone.

Your support is very important to the DUIRR program, Stan. If there are any questions, please call me (above) or Sheldon Bissell at (SO?) 754-3020

Cordially,


Ken Cortner

cc/ Sheldon Bissell

Death-car suspect had past arrests

Convicted 3 times for drunk driving starting in 1982

By HUGH WRIGHT
The Stockton Record

The alleged, drunken driver charged with murder in a traffic accident that killed a 12-year-old Stockton girl had three prior drunken driving convictions and kept driving despite suspension of his license, records show.

Kenneth D. Sutton, 20, of 426 S. Rendon Ave., is in County Jail with bail on charges of murder, manslaughter, felony drunken driving with injury, reckless driving and driving without a license. Sutton, who suffered only face cuts, is expected to be arraigned Tuesday afternoon in Stockton Municipal Court.

Deputy District Attorney Michael D. Bowers said he authorized a murder booking because of Sutton's "atrocious" driving record and because his alleged drinking, speed in dense fog and manner of driving demonstrated "a willful, wanton disregard for human life."

"It's almost like the individual was bent on killing either himself or others," he said.

If a murder complaint is lodged after a review, it would be the first in a drunken driving case in San Joaquin County. It would be second-degree murder, punishable by 15 years to life in prison.

Bowers said evidence indicated Sutton's vehicle was traveling at least 60 mph and that the brakes were not touched before it plowed into a car driven by Veronica Cagulada, 15, of Banta, fatally injuring Cagulada's sister, Victoria Cagulada,

(Please see DRIVER, Page A-8)

Driver DRUNK

(Continued from Page A-1)

12, of Stockton. He also said three other motorists had to take evasive action to avoid collisions with Sutton's vehicle.

Sutton's record includes drunken driving convictions in August 1982, March 1984 and May 1984, Bowers said. It also shows convictions for reckless driving in December 1983, drag racing in March 1984, basic speed law violation in April 1984 and license suspension for negligent vehicle operation in February 1984.

Bowers said Sutton's license was suspended again because of probation violations in January, June and July this year. He said records showed Sutton was arrested for driving with a suspended license once in October 1984 and twice in March 1985.

The father of two youths injured in the accident said Sunday that he thought it was "extreme" to have a murder charge filed, but the president of the San Joaquin County Chapter of Mothers Against Drunken Drivers was pleased.

"I was shocked," said Ted Horn, whose son Teddy Horn Jr., 13, and daughter Gina Marie Horn, 17, were hurt in the accident. "I don't like what happened but it (the charge) seems a little extreme."

Cave Smith of Tracy, president of the San Joaquin County Chapter of MADD, said it was about time local authorities filed a murder charge in such a case.

Murder charges have been filed in other counties, notably in Sonoma County, where Stockton Police Officer Terry Elledge, 33, was killed by an alleged drunken driver July 13. That case is pending.

"I'm pleased to see it's finally happening," Smith said.

A passenger in Sutton's car, Terry Byrd, 20, of Colt Drive in Stockton, remained in critical but stable condition in St. Joseph's Hospital Sunday.

Horn said his daughter, who was released after treatment at St. Joseph's, suffered a broken ankle, a swollen hip and a cut over an eye. His son, who remained in St. Joseph's in satisfactory condition, suffered injuries to his liver and spleen and had bruises on his lungs.

He said his daughter told him the

fog was so thick that they did not see the other car until it was about 5 feet away. He said his children, the girl who was killed and her sister, Veronica, had been bowling at Pacific Bowl and stopped at Wendy's restaurant, 7407 Pacific Ave., for ice cream afterward.

The accident occurred about 1:23 a.m. when they left Wendy's, with Veronica driving, and tried to make a U-turn at Edan Avenue to proceed north on Pacific toward Hammer Lane. They were struck broadside as they began the turn.

Bowers said evidence of the high speed of Sutton's vehicle, combined with the reported 100-foot visibility at the time, gave the occupants of the other car 1½ seconds warning.

The rosary will be recited for Victoria Cagulada at 6 o'clock this evening in DeYoung Memorial Chapel. Where funeral services will be held at 1030 a.m. Tuesday.

Besides her sister she is survived by her mother, Gwendolyn Castro, and father, Leonardo Cagulada, of Stockton; her grandparents, Tony and Ida Castro of Tracy, and five uncles. She was born in Stockton and attended Needham School.

Drunk driver sent to prison

Stockton man gets 12 years in couple's death

The Stockton Record

A Stockton man with repeated drunken-driving convictions was sentenced Tuesday to 12 years in state prison for causing a fiery collision that killed a Lockeford couple.

David James Ruiz, 27, received the sentence for the May 16 deaths of Wallace Axtell, 58, and Pheda Axtell, 52. Ruiz, initially charged with second-degree murder, pleaded no contest to vehicular manslaughter.

Superior Court Judge John F. Cruikshank Jr. pronounced sentence.

Ruiz was seriously injured in the collision at Jack Tone Road and Baker Lane and his brother, Matthew, 23, a passenger in his car, suffered moderate injuries.

Ruiz's Audi struck the Axtells' vehicle broadside at nearly 80 mph, and the Axtells burned to death in the flaming wreckage of their Ford Mustangs, according to a probation officer's presentencing report.

Later testing showed Ruiz's blood alcohol level at the time was .24, nearly 1½ times the legal limit for presumed intoxication. He admitted to a probation officer that he began drinking beer at 6 p.m. and could not remember the 11:15 p.m. collision or even driving at all.

Ruiz has five prior drunken-driving convictions and has had his driver's license revoked four times.

At the time of the crash, Ruiz was on probation on a drunken driving conviction from Solano County and was driving without a valid license.

INTERPRISE

Volume XXV, No. 13 ■ Wednesday, December 7, 1988 ■ 4 Sections, 42 Pages

Traffic accidents kill two

Countywide

Two young men were killed in traffic accidents in the county over the weekend.

A San Andreas man, Gary Dale Rice, 23, was killed about 2:05 a.m. Dec. 2 when his motorcycle was run over by a pickup truck on Pope Street in San Andreas.

The next morning, James Oliver Rasmussen, 22, of Arnold, was killed instantly when the vehicle in which he was riding ran off the road and hit a tree.

William David McCutchen, 41, of Arnold, was arrested for felony drunk driving and manslaughter in the death of Rice.

According to the CHP, McCutchen was following Rice's motorcycle eastbound on Pope Street when Rice apparently slowed down or braked the cycle.

McCutchen failed to react and hit the bike, which became tangled in the undercarriage of his vehicle, dragging Rice some 86 feet. Rice suffered massive head injuries and was pronounced dead at Mark Twain Hospital.

Rasmussen was the passenger in a vehicle driven by Gary Allen Deaver, 23, formerly of Angels Camp and now serving with the military in Georgia.

According to the CHP, Deaver ran off the edge of the roadway at about 3:15 a.m. Dec. 3 as he traveled eastbound on Highway 4, east of Utica Power House Road.

The vehicle struck a tree and Rasmussen was killed instantly. Deaver was arrested for felony drunk driving and manslaughter.

Jail ordered in traffic fatality

By HUGH WRIGHT
The Stockton Record

A 22-year-old cosmetologist has been given a 90-day County Jail sentence and five years' probation for an accident on Eight Mile Road that killed a 72-year-old Stockton man.

Terrie Lynn Borth, described by a county probation officer as remorseful, pleaded no contest to a felony charge of drunken driving with injury and received the sentence from Superior Court Judge Stephen G. Demetras on Tuesday.

The Feb. 22 accident killed Sonny Marzan, 72, and injured his wife, Marie, 29, and their son Dennis, 3½. Borth's and Marzan's vehicles collided head-on on Eight Mile about a quarter-mile west of Lower Sacramento Road.

In exchange for Borth's plea, the prosecution dropped charges of vehicular man-

slaughter and driving on the wrong side of the road.

Deputy District Attorney Clark Sueyres said Borth legally could have been convicted of only one charge, manslaughter or drunken driving, because they covered the same facts. He said a jury probably would have acquitted her of the manslaughter charge, since there was a question about whether she was driving on the wrong side of the road, and the sentence would have been similar for either offense.

The county probation officer who prepared a presentencing report for Demetras's review noted Borth had no prior criminal or traffic violations and pointed to a series of deaths in her family. These included her father's death in a traffic accident and her grandparents, Albert and Mary Borth, were slain in December 1984 in their

ranch-style home between Thornton and Woodbridge.

Borth is remorseful about the accident and said she wished she had died instead of Marzan, the probation officer said. The officer recommended a five-day jail term but Demetras said because of the fatality, Borth would have to serve more time.

She told the probation officer she drank a 12-ounce wine cooler after getting off work shortly after 9 p.m. and was driving to her boyfriend's house in Lodi when the accident occurred.

Borth's blood-alcohol level was tested at .09, less than the .10 the law recognizes as legal intoxication. Demetras said experts disagreed on whether her alcohol level was higher during the accident and had dropped by the time a blood sample was taken, or was lower than .09 at the time of the accident.

B-2 Saturday, February 28, 1987

The Stockton Record

Drunken driver, 21, sentenced to 6 years for killing girl, 12

By HUGH WRIGHT
The Stockton Record

Calling it a tragedy for all concerned, a judge Friday sentenced a young Stockton man to six years in prison for a drunken driving accident that killed a 12 year old.

The defendant, Kenneth Sutton, 21, is the first drunken driver in San Joaquin County to be convicted of second-degree murder. He pleaded no contest on Jan. 8 to the second-degree murder charge in addition to a charge of felony drunken driving.

Superior Court Judge Stephen C. Demetras said no amount of prison time would make up for the death of Victoria Cagulada. She was killed early Dec. 14, 1985, when Sutton's speeding car rammed her sister's car in dense

fog at Pacific and Edan avenues.

Demetras ordered Sutton to serve his time in the California Youth Authority because of his age.

Both the prosecutor and defense attorney called the sentence appropriate, but the victim's father, Leonard Cagulada, was disappointed.

"I'm not really satisfied with the sentence, but what can we do?" he said. "Putting him in the Youth Authority, that's not really fair."

Prosecutor Michael D. Bowers, who plea bargained the sentence, said it was appropriate in view of Sutton's youth and lack of criminal record.

"He doesn't have what you call a criminal background except for driving conduct. He is not a dope

addict or a burglar or a thief." Bowers said. Sutton had two prior drunken driving convictions.

Deputy Public Defender Antonio B. Porras agreed the sentence was appropriate.

"I think it was a fair disposition for the case in light of his age and his record, and what happened to the victims in the case," Porras said.

Sutton was driving with a suspended license and had a blood-alcohol level of 0.22, more than twice the 0.10 level considered legally intoxicated, when the accident occurred.

Cagulada's sister, Veronica, 18, who was driving their car, was injured along with passengers Gina Marie Horn, 17, and Teddy Horn Jr., 13. Sutton and his passenger, Terry Byrd, 20, also were hurt

Letter to the

Witness

Dear Editor,

Last night while driving home to my hometown from Sacramento I was forced to witness a saddening and infuriating act.

After passing through Angels Camp on Highway 49, we came on a Cadillac El Dorado weaving steadily from side to side. The driver was clearly under the influence of alcohol or some other mind altering drug. His left tires crossed the centerline several times and in an attempt to straighten up the dark blue car, he steered his right tires into the shoulder frequently.

We stayed behind him and refused to pass even when it normally would have been safe. He was unable to maintain a consistent speed and frequently went from 25 to 60 mph back for no apparent reason. I was unaware of us being behind him and made no effort to pull over to correct his faulty driving.

After he miraculously negotiated the turns leading to Tuttletown, he again speeded up.

An extremely large solid white cat ran out from the bushes and in front of his car. He never even touched his brakes! He never made an attempt to swerve or stop! As his car crossed we saw the poor animal lying on the highway. We stopped immediately hoping there was enough life left in the cat to take it to a vet, but it was too late. He had murdered the animal and never noticed.

After moving the cat away from the street, we resumed our trek. The 1974 El Dorado was no where in sight. He had stayed on the highway near Sonora and we went on to Ravenna Road.

So that driver I would like to say: You, driving a 1974 dark blue Cadillac El Dorado, southbound on Highway 49, approximately 7:30 p.m. Sunday night killed a defenseless animal. It could have been a child but it wasn't. Are you cold-hearted enough to not have cared or were you so drunk you didn't notice? Would you have noticed if it was a person? Did the person riding with you notice, either?

To the owner of the cat I must say: If your animal got out of your house accidentally, I feel terribly sorry for you. How heart breaking to have such a beautiful cat murdered by a careless drunk.

If you always let your animals run loose like that, then it was inevitable that it would be someday hit by a car. You took a chance and you lost a pet. Letting an animal have "its freedom" was a poor decision and you deserve no sympathy.

Jeanne Castleman, Jamestown

DRUNK DRIVERS ARE KILLING PEOPLE

Vehicle accidents reported by CHP

3/1/89

Sutter Hill—A Plymouth man was arrested by the California Highway Patrol (CHP) and charged with driving under the influence on Thurs. Feb. 23. According to the CHP report, Larry D. Timm, 39, of Plymouth was traveling southbound on Latrobe Road near Old Plymouth-Sacramento Road at approximately 230 a.m. when he lost control of his vehicle, ran off the road, and crashed through a fence. Neither Timm nor his unidentified passenger was injured in the accident. Timm was booked into Amador County Jail.

In a separate single-car accident which occurred on Fiddletown Road east of Shenandoah Road, the CHP reports Chris Velasquez of Fiddletown sustained major head injuries and was flown by helicopter to Sacramento Medical Center. According to the report, Velasquez lost control of his vehicle, struck an embankment and rolled over. Darrick Baird of Plymouth, a passenger in the Velasquez vehicle, was treated at Amador Hospital and later released.

Velasquez was cited for driving under the influence.

accident which occurred on Hwy 49 south of Middle Bar Road at approximately 6:30 p.m. Mon., Feb. 20. According to the CHP report, Barbara Blazer, 55, of Mokelumne Hill drove her vehicle across the center line and crashed head-on into a vehicle driven by Jill Martin, 40, of Citrus Heights. Martin and Blazer sustained minor injuries as did Mishon Martin, 17, of Citrus Heights, a passenger in the Martin vehicle. Blazer was cited for driving left of center.

In an unrelated accident which occurred on Hwy. 88 at approximately 1:45 p.m. Mon., Feb. 20, the CHP reports Jesus G. Monroy, 29, of Coalinga was driving a combo tractor-trailer loaded with hay when his vehicle lost its load in the curve at Mt. Zion Road. The hay spilled onto another vehicle driven by William E. Francis of Pine Grove who was driving in the on-coming lane. Neither Francis nor his passenger, Timothy Francis, 13, of Pine Grove was injured in the accident. Monroy was cited for a spilled load, and Francis was cited for failure to provide proof of insurance.

THESE ARE NOT

DRUNK DRIVERS



Wednesday July 29, 1987

Separate car accidents kill 2 women

By CARLOS RAMOS
The Stockton Record

Two women, one from Stockton, died Tuesday from injuries suffered in separate car accidents Monday evening, police said.

Lisa Dianne Gini, 26, of the 3500 block of Quail Lakes Drive, died of massive head injuries after a suspected drunken driver ran a red traffic signal, striking her car, and ejecting her 60 feet. Officers said Gini was driving an 1982 Honda Civic east on Swain Road when she was struck broadside while crossing the Pershing Avenue intersection about 11 p.m.

Gini was taken to Dameron Hospital

where she was listed as brain dead before taken off a life-support system at 2 a.m.

Arrested on drunken driving and vehicular manslaughter charges was Hanif Mohamed, 26, of the 1000 block of Rosemarie Lane. Mohamed was booked into San Joaquin County Jail after he was treated for minor injuries at St. Joseph's Hospital.

Witnesses told police that Mohamed was driving about 45 mph when he ran a red traffic light southbound on Pershing Avenue. The posted speed limit on Pershing Avenue is 35 mph.

The impact threw Gini's car 70 feet,

slamming it into the fence of a nearby day care center and ejecting her and passenger from the driver-side door. Neither rider was wearing a seatbelt, police said. Gini's passenger, Ahma Murad, 22, of the 2000 block of Rosemarie Lane, was treated and released from St. Joseph's Hospital.

In the second traffic fatality, Kathleen Schaeht, 33, of Lyden, Wash., died of head injuries about 3:30 p.m. Tuesday at St. Joseph's Hospital.

Police said Schaeht drove through red light at El Dorado Street and March Lane about 9 p.m. Monday. Schaeht slammed into a car driven by Alicia Rosas, 21, of Stockton. Rosas was not injured, police said.

2/23/88 STATE

Governor warns about drinking

SACRAMENTO — Gov. George Deukmejian, in a holiday message, warned adults and teens Saturday about tough California laws aimed at drunken or drugged drivers.

The Republican governor said the holiday season too often "becomes a time of horror and tragedy because of the deadly combination of drinking and driving." He noted that 200 people died and more than 5,000 were injured last December in alcohol-related traffic accidents in California.



DEUKMEJIAN

Drunken drivers pay more after Jan. 1 (1989)

People convicted of drunken driving in California can expect to pay more in many cases after Jan. 1.

The California Highway Patrol will be able to charge a drunken driving offender who causes an accident up to \$1,000 to reimburse the patrol for its costs in responding to the accident.

Operation of the program on a trial basis in 18 of the CHP's 98 area offices since 1986 has resulted in billing of \$562,500, with \$222,000 of that amount recovered so far.

None of the offices involved in the trial program is in the Stockton area.

Those convicted of driving under the influence of alcohol or other impairing substances already pay more than \$1,500 on average, said CHP Commissioner James Smith.

B-2 Sunday, August 21, 1988

ALMANAC

Stockton police

2 who report driver beaten

The Stockton Record

FRENCH CAMP — Two Salida people suffered head injuries Saturday night when they stopped in French Camp to report an erratic driver on Highway 99 and were beaten by the people in the other car.

The victims, Evelyn McConaghy, 27, and Marvin J. Buchholz, 28, were treated at San Joaquin General Hospital and released. They told deputies they were beaten repeatedly in the head and arms by two men armed with a tire iron.

Arrested on two counts of assault with a deadly weapon were Ramon Reynosa, 23, and Michael Reynosa, 13, both of Stockton.

Auto-accident deaths of 2 Escalon High seniors stir anger

By Edwin Garcia
The Stockton Record

5/19/89

The lesson hit home and hit hard for the 120 seniors at Escalon High School on Wednesday.

Less than 12 hours after hearing compelling testimony against drunken driving during a "Sober Graduation" second-period assembly, two popular seniors

died in a car crash that authorities say may have involved drinking.

Joseph Iver Mangnuson, 18, and Matthew Alan Focha, 19, both of Escalon, were killed about 8:30 p.m. Wednesday when the Ford Thunderbird in which they were riding struck a pickup truck head-on on Mariposa Road near Escalon-Bellota Road. The California High-

way Patrol estimated Mangnuson was driving faster than 100 mph.

"It made a lot of seniors mad," said Crystal Webb, who graduates June 9 on the football field where Mangnuson and Focha starred.

"It made an impression on a lot of people," said senior Gail Westall. See ESCALON, B-4

ESCALON

Continued from B-1

The student body treasurer who had been Focha's classmate since kindergarten. "It's almost like losing brothers, because you've known them for so long."

Mangnuson and Focha, according to friends, were typical seniors, popular for their involvement in athletics and their good looks. Their deaths will long be remembered, especially as graduation nears.

"A lot of people I talked to, Matt and Joe's friends even; they have other plans than their original ones: to cut out the driving after partying" on graduation night, Webb said.

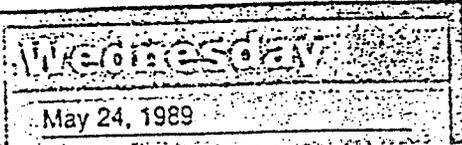
"The seniors aren't the only people who go out and get drunk. ... This affects everybody," said Marci Reynolds, a junior. "I really think that it makes a lot of people think about what happens."

A San Joaquin County Coroner's report said Mangnuson entered the curve on Mariposa Road on the wrong side and smashed into a pickup driven by Miguel Guzman of Stockton. Guzman was in serious condition Thursday night at Memorial Medical Center in Modesto.

The CHP, the agency which sponsored the "Sober Graduation" rally, is investigating the accident as alcohol-related. The coroner expects to have toxicology results in two weeks that will include blood-alcohol content.

Most Escalon High seniors will be riding three buses to Disneyland today for their annual class trip. They will be returning earlier than expected, on Saturday morning, to attend the funerals.

Wednesday's fatalities were the second and third for this year's senior class. Last November Lonnie Saenz, 17, died from an overdose of whiskey.



Manteca strikes out

Manteca liquor outlets made their pitch — and the Manteca police struck out.

Police have dropped a widely used program of having underage decoys attempt to buy liquor without showing proof of age. Police acted in response to angry protests from merchants who faced fines or suspension of their liquor licenses if they sold to the minors.

Now merchants only will be asked to report minors trying to buy alcoholic beverages.

It's a lousy decision.

Manteca, like most communities, has a serious problem with liquor sales, to underage drinkers. The Police Department's own statistics suggest just how serious:

The decoys were hitting Manteca's liquor outlets with a major league average, scoring 22 of the 70 times they tried.

The idea of providing some backup — having liquor outlets report minors who are thrown out trying to score — makes sense.

Benching a .314 hitter doesn't.

Alcohol level illegal in third of '88 traffic deaths

Friday, April 28, 1989

By Sam Quiñones
The Stockton Record

Nearly one-third of the people who died in traffic accidents in San Joaquin County last year had illegal amounts of alcohol in their systems, according to an annual report from the county coroner.

In 1988, 151 people died from traffic accidents, the highest total in the past five years.

Of those victims, 111 were tested for blood-alcohol content and 44 had a level above .10 percent, the state's legal maximum, for intoxication.

Seven other people tested positive for alcohol, but fell below the legal limit.

Among the 64 drivers killed last year, almost one-third had illegal blood-alco-

hol levels, according to the report.

The coroner's office investigates all violent, sudden or unusual deaths.

In addition, it must look into deaths that occur where no physician is in attendance, all suicides, deaths in prisons or state hospitals and the deaths of unidentified people, among others.

Last year, the office investigated 1,372 deaths — about 37 percent of the total 3,747 deaths in the county.

The office determined 357 of the deaths it investigated were natural.

Accidental deaths accounted for 277 of those, including the vehicle fatalities.

Reflecting the drug epidemic sweeping the county, 45 of the 126 non-vehicular

accidental deaths were from overdoses of legal and illegal drugs.

Drowning and asphyxiation accounted for 33 deaths, or 26 percent of the accidental death total.

Twenty-three people died because of falls — a surprising 18 percent of non-vehicular accidental deaths.

In the county, 71 homicides were reported, with Stockton accounting for 44 of them.

That was a five-year high for the county, according to the report.

Guns overwhelmingly were the weapons used most frequently in killings — 43 victims were shot to death.

Suicides went down from 71 in 1987 to 49 last year.

Blood alcohol levels

■ The coroner's office took blood samples from 111 of the 151 people who died in 1988 on public roads in San Joaquin County.

■ Alcohol was present in the blood in 51 of those people.

■ Blood alcohol levels for 44 of those people were above the .10 percent level deemed to be the legal intoxication limit for driving.

■ Twenty-seven of the 64 drivers tested had blood alcohol amounts exceeding the legal limit.

■ Ten of the 15 passengers killed had blood alcohol levels above .10 percent.

Judge pleads guilty

MANTECA — Stanislaus County Superior Court Judge Donald B. Cantwell, charged with misdemeanor drunken driving, has pleaded guilty to a lesser charge of reckless driving involving alcohol.

The California Highway Patrol stopped Cantwell for driving 85 miles an hour and weaving on Highway 99 near Manteca last year.

Cantwell's blood-alcohol content was .10, the exact level at which a person is considered too drunk to drive under California law. However, San Joaquin County Deputy District Attorney Steve Miller said he agreed to a plea bargain because there is a 10 percent margin of error in drunk tests.

Cantwell was placed on three years' probation and fined \$600 Wednesday by Tuolumne County Justice Court Judge Eleanor Provost, who heard the case after Manteca Judge Don I. Asher disqualified himself.

APRIL 28, 1989



MANTECA
JUDGE CANTWELL

PLEA
BARGAINS
DRUNK
DRIVING
ARREST

Hayward

April 14, 1989

Senate approves lowering level at which motorist is deemed drunk

The Associated Press

SACRAMENTO — In a move that could result in more drunken-driving convictions, the state Senate voted Thursday to lower the alcohol level at which a motorist is presumed to be intoxicated.

The upper house, by a 24-3 vote, approved a bill by Sen. Bill Leonard, R-Redlands, that would create a presumption that a person was driving under the influence if tests showed that his or her blood-alcohol concentration

was .08 percent or more.

Under current law the level of presumption is .10 percent or more, but Leonard contends that standard is inadequate because people are under the influence to some extent at .08 percent.

But Sen. Bill Lockyer, D-Hayward, said there was conflicting scientific evidence about whether the .08 percent standard is justified.

He also said that lowering the presumption level would further clog an overburdened court system.

Judge's plea bargain an outrage

We have lost all remaining faith in our court system:

Stanislaus County Superior Court Judge Donald B. Cantwell was allowed to plead guilty to a charge of reckless driving instead of drunk driving, in effect, plea bargaining his way out of what should be a serious charge.

A number of things come immediately to our minds.

First and foremost, this man is a judge who handles cases like the one he has experienced. What kind of objectivity can a judge have in handing down sentences, when his attitude is clouded by his own illegal behavior?

We are completely outraged at the ineffectual handling of Cantwell's drunk-driving case. The blatant disregard for the seriousness of this crime is obvious.

The compelling questions are:

How can this man effectively judge cases in the best interests

SPEAKING OUT

of society, when he slips through the chinks in the armor he has sworn to uphold?

How can a judge, in good conscience, arbitrate cases, when he is committing the very crimes he is condemning?

Furthermore, we are stunned by the justice who heard this case. Tuolumne County Justice Court Judge Eleanor Provost ordered a district attorney to allow the defendant to plead to a lesser offense. Since when do justices order district attorneys to allow lesser charges? The implications of this frighten us.

The last and also the most troubling aspect is Cantwell's response to the question whether he had learned anything from the experience. His reply, "I don't know. I haven't had a chance to reflect on it at this point." We can-

not begin to express our anger and rage at his response. How is it possible that a man with such an indifference to his crime represents the justice system?

Our feelings are, of course, deeply intensified by the loss of our sister and daughter to a drunk driver in November of 1987. We felt abused by the system, as we watched in horror while it plea bargained a three-time convicted drunk driver.

Once again we are stunned by the apathy of the courts towards this horrible crime. Although he luckily didn't kill or maim someone, it was just-chance that he didn't. Cantwell's statement is a clear manifestation of this apathy. Dear citizens, are you going to let this pass? Let us not become so immersed in our own apathy that our efforts for justice are unmitigated.

EDWARD A. PHIPPEN II
SUSAN B. PHIPPEN
Modesto

3 years for drunken driving

Raymond W. Richards, 37, of Modesto was sentenced Wednesday to three years in prison for drunken driving with six prior convictions. Richards pleaded no contest to the charge. Legislation enacted in January provides for felony prosecution of people convicted of drunken driving with three or more prior convictions in seven years. Formerly, drunken driving not involving an accident was a misdemeanor. On May 3, Richards' car was stopped in the area of Yosemite and Santa Cruz avenues because of erratic driving. A test showed his blood-alcohol content was 0.21 percent, it is illegal in California to drive with a blood-alcohol content of 0.1 percent or higher. Stanislaus County Superior Court Judge Norman S. Reid also fined Richards \$1,050.

Saturday, July 1, 1989

Modesto man pleads not guilty to drunken driving in fatal crash

The Stockton Record

MANTECA — A Modesto man pleaded not guilty Friday to felony drunken-driving charges in connection with the death of a Tracy couple and the injury of their three daughters.

Raynaldo Perez, 33, pleaded not guilty to eight counts, including two counts of felony vehicular manslaughter, in Manteca Municipal Court. He could be sentenced to 10 years in prison.

David and Laurie Petricka, 24

and 26, died after Perez's car allegedly ran into theirs.

Judge Don I. Asher agreed Friday to reduce Perez's bail from \$25,000 to \$15,000 at the request of Perez's lawyer, Percy Martinez of Modesto.

Perez, a state prison correctional officer with three drunken-driving convictions, allegedly ran a stop sign Saturday and ran into the Petricka car at the intersection of West Ripon and South Union roads near Mantec.

Unlicensing errant drivers



Record photo

Municipal Court Judge Rolleen McIlwrath displays three of the license plates she has confiscated.

Judge collects license plates

Her 'wall of shame' another deterrent to illegal driving

By HUGH WRIGHT
The Stockton Record

Judge Rolleen K. McIlwrath has found a way to deter people from driving with suspended or revoked licenses: She takes their vehicle license plates.

The Stockton Municipal Court judge keeps the plates along a wall in her chambers. At the moment, she has 15 automobile plates and two motorcycle plates.

"I call it my wall of shame," she joked.

McIlwrath said motorists must clear their record of tickets and fines

to get their plates back, and in the six months she's been doing it only one person has reclaimed a plate.

The judge insists the plate be the rear plate — the one with the registration sticker — so that the errant motorists cannot drive without attracting the attention of police.

Most of the plates' owners got caught driving with a license suspended for drunken driving, but a few involved people whose licenses were jerked for having eight or nine tickets.

Surrendering a plate is a condition of probation when people are

sentenced or a condition of no-bail release in cases where charges still are pending. McIlwrath insists on getting the plate immediately.

In one recent case, she took a man's motorcycle and Corvette license plates as a condition of no-bail release. He got caught driving his Corvette and she put him in jail, requiring him to post 56,000 bail to get out.

A police officer saw the Conette and noticed it had no rear plate.

"At least I know it does work," McIlwrath said. "It triggers a response from law enforcement when they see a vehicle without a back license plate."

Tracy Press

Thursday, June 22, 1989

Organizing DUI tip-cash plan

It may come to SJ County

By SAM RICHARDS
Press Staff Writer

Crime Stoppers programs throughout the United States, including Tracy Crime Stoppers, have been successful in soliciting telephone tips about criminal activity with the promise of cash in exchange for accurate information.

Supporters of a program called Driving Under the Influence Reporter's Reward, or DUIRR (pronounced "do-er"), are looking to start a similar program in San Joaquin County that would pay \$100 to any person who reports a drunken driver who is subsequently arrested on DUI charges.

The DUIRR program was started in early 1985 in Calaveras County and since has been adopted in Amador and Tuolumne counties. It's organizer is Sheldon Bissell, a Mountain Ranch devel-

of his son's friends, was killed in an accident involving a drunken driver.

The idea is that people who see drunken drivers on the road would call law enforcement authorities to report these drivers, identifying themselves with a number. The person calls again several days later, identifying themselves with their assigned numbers and ask whether an arrest was made. If there was an arrest, the person is paid \$100 anonymously, usually through a bank.

Ken Cortner, director of DUIRR in San Joaquin County, said members of his group spoke at Monday's Stockton City Council meeting in the hope of generating support of their program, which hopefully would translate into funding and sharing of the county's 9-1-1 lines.

DUI: Cash for arrests considered

(Continued from page A1)

Thursday, June 22, 1989

Cortner said these calls would qualify for 9-1-1 service because drunken drivers are seen legally as a threat to life and safety.

The program gave out 17 rewards in Calaveras County in 1988, Cortner said. And an unidentified spokeswoman for the Calaveras County Sheriff's Office said 124 other calls made to DUIRR (over 9-1-1 lines) reported drunken drivers, but made no effort to collect reward money.

"But they still usually call back to see if the person has been arrested," the sheriff's spokeswoman said. "A lot of people just want to see the jerk off the road."

Law enforcement officials in San Joaquin County have had a lukewarm response to the idea so far. The program's goal is administrative, but county officials question

whether a program that has had success in counties where there was a minimum of red tape with which to deal will be equally successful in a county with persons under the jurisdiction of six police departments, a sheriff's department and the California Highway Patrol.

"This is not Calaveras or Tuolumne County," said Ken Milligan of the CHP's Tracy office. "Trying to investigate it throughout this entire county is a lot different."

The main problem, Milligan said, is that there probably would be conflicts. If, for example, a Tracy resident contributed \$500 to the DUIRR county program, then learned that 76 percent of the rewards paid went to Stockton residents for arrests made there.

"Each one of the entities will want their own little program," Milligan said. "For it to work, it has to be a countywide program. These are what I hope would be details."

"It's going to be a little more difficult here (in San Joaquin County)," Cortner acknowledged. "But what we'll probably do is break it down by individual judicial districts."

Tracy, for example, would fall under a theoretical Manteca-Ripon-Escalante-Tracy Judicial District DUIRR program. But Cortner — a Stockton book

salesman whose daughter's eldest co-worker was killed in February by a drunken driver — said he hoped most persons interested enough to contribute money toward the reward fund would be happy to see drunken drivers pulled off the road anywhere within the county, and not just in their locale.

The DUIRR program is popular with law enforcement officers in Calaveras County, and Milligan said if the program could be made to work in San Joaquin County it would be a welcome addition. He set in on a DUIRR organizational meeting in Stockton eight months ago and approved of the concept.

"This is a way to get even more of the public involved," Milligan said. "We get a lot of calls from the motoring public, and a lot of them turn into arrests."

The advent of the cellular car phone, and motorists being able to lead patrol officers directly to drivers suspected of being drunk behind the wheel, has helped increase drunken driving arrests, Milligan said.

There is no set timetable to have a DUIRR operation in San Joaquin County, Cortner said. And even if some officials have are skeptical of seeing it start up, Cortner said he welcomes public discussion about it.

"The more dialogue, the more people will understand the program," Cortner said.

Stockton Record

Covering the California Heartland

A Gannett Newspaper

June 13, 1989

Drunken drivers, beware

By Paul Feist
The Stockton Record

Take note, drunken drivers — the Stockton City Council has plans to put a bounty on you.

City Council members on Monday voted unanimously to set up a drunken-driving hotline that will pay \$100 to tipsters whose information results in a drunken-driving arrest.

The program first started in Calaveras County in 1984 at the suggestion of Sheldon Bissell, a Mountain Ranch man who lost a son to a drunken driver. Calaveras County Sheriff Fred V. Garrison said he believes the program has helped reduce drunken-driving deaths.

With the Driving Under the Influence Reporting Reward program, anyone who sees a suspected drunken driver will call a special number and give the car's description and direction of travel to a police

See TIP, A-8

TIP

Continued from A-1
dispatcher.

The dispatcher will give each caller a secret number. After a few days, the caller can call back to see if the tip resulted in an arrest. If it had, the caller will be eligible for a \$100 reward.

The program will start up as soon as the group sponsoring it raises \$20,000 for reward money for the first year.

That didn't appear to be a problem. Dianne Gina, a Stockton resident whose 26-year-old daughter was killed by a drunken driver, pledged \$2,500 before the council even voted to establish the hotline.

Other donations came during a

break in the City Council meeting.

"I'm overjoyed. I can't believe it. It's far more than I thought was going to happen," Bissell said.

Supporters of the program were expecting that their proposal would be referred to a City Council committee. They said they were surprised that the council gave the plan its immediate endorsement.

Sieve Fairchild, president of the Calaveras County Chamber of Commerce, said the program has been very effective in Calaveras, Amador and Tuolumne counties. Fairchild estimated that the program has paid out \$120 for every life saved. Reduced medical bills could save the taxpayers millions of dollars in San Joaquin County alone, he said.

Supporters of the program said they want to expand it statewide

and nationwide.

"It isn't the \$100 reward that does the job," Fairchild said. "It's the paranoia implanted in the drunk driver, or the potential drunk driver. The idea is to scare them off the road, not scrape them off the road."

Stockton Police Chief P.F. "Jack" Calkins said he supported the reward hotline but opposed the proponents requested that tipsters be allowed to use the emergency 9-1-1 number.

"I support this wholeheartedly," said Councilman Jack Clayton, a former California Highway Patrol officer who retired because of injury. "My law enforcement career was ended, because of a drunk driver."

Tuesday, August 8, 1989

Man gets prison term in fatal accident

A two-year prison sentence was imposed Monday as the result of a vehicle accident two years ago that took the life of a 2-year-old Escalon girl.

Stanley Cronin had been found guilty by a Superior Court jury of vehicular manslaughter and driving under the influence of alcohol. He was sentenced by Superior Court Judge Michael Garrigan.

Cronin was driving a car that hit a cement embankment and rolled over several times on River Road in Ripon, killing Stephanie Williams and injuring the toddler's mother.

COMMENTARY FROM OUR READERS

Driving under the influence:

Stanislaus County Superior Court Judge Donald B. Cantwell, 54, pleaded guilty in Manteca Municipal Court to "wet reckless" driving after the charge was reduced from drunken driving. The judge had been arrested Sept. 16, 1988, by the California Highway Patrol for doing 85 mph and weaving all over Highway 99 in the Manteca area.

Reducing the charge allowed the judge to avoid a public trial, where his blood test and urine tests (both showing he was legally drunk) and "other competent evidence" would have been heard.

He also will avoid an increased surcharge on his auto insurance.

He will skip going to meetings of Alco-

holics Anonymous and driving school.

The judge will avoid the unpleasantness of doing jail time with other drunks and criminals who certainly would have enjoyed the presence of such an upstanding citizen and legal officer for a cellmate.

The district attorney's office negotiated and bargained with its legal "brother" of the court for seven months. Then his fellow judge, Don Asher, stepped down from the case just before it came to a hearing, citing a possible conflict. Stanislaus County Justice Court Justice Eleanor Provost subsequently ordered the district attorney to allow Cantwell to plead to the lesser offense of "wet and reckless."

SPEAKING OUT

Is the public — whom these officers of the court are supposed to represent and protect — entitled to raise objections, protest and question the appearance of impropriety or even conspiracy?

Darn right, we are.

We need some real answers. We thought our new district attorney was going to be tough on drinking drivers — but that is not the case in Tracy or elsewhere in this county.

One factor cited in this case was a blood alcohol level of .10, which is the

The Stockton Record

Friday, May 19, 1989 A-11

Close the legal loopholes

lower level of presumption of being drunk. Frequently, the courts do not push such cases, noting a possible margin of error, as stated in this case.

This margin of error would be changed if the supporters of Senate Bill 405 have their way. Under this bill, the presumed blood level for alcohol intoxication/drunkenness would be lowered to .08. The American Medical Association recommends it. Several states already have done so. Most countries in Europe have a .08 standard. Some even use .05.

Persons who share this concern should write to their state senator now, stating support for this bill, SB 408, and thereby helping to reduce the "margin of error" in such cases in the future.

The high cost of building a divider on the Route 120 Bypass around Manteca would not be as urgent if the drivers who caused many of the head-on fatal crashes hadn't been driving under the influence at the time of the collisions.

When we read daily that judges, sheriffs, former district attorneys, helicopter pilots, sports stars, railroad engineers, oil tanker skippers and medical personnel drink and drive — then enough is too much.

If you have had enough, then write a letter; join MADD and do something. Don't just wait until someone near and dear to you becomes a statistic.

BRADFORD H. BRYANT

Tracy

Make new laws, enforce old ones to get drunk drivers off street

DEAR ANN LANDERS: I am enclosing a newspaper clipping from the Greensboro News and Record. This 52-year-old man in Raleigh, N.C., has 33 drunk driving convictions and five more charges pending (four of which he received in one month). And he is still driving!

What I want to know is why is this man free? He obviously needs help for his drinking problem. What steams me is that the Wake County district attorney says, "Maybe it's time we look at the law and considered some sort of revision to protect the public. Maybe public safety outweighs the individual's right to be free while his case is being litigated."

MAYBE? To quote a line that I have heard you use, "Somebody has macaroni where his brains belong." A person with that kind of record doesn't deserve to be out on bail under any circumstance. This



Ann Landers

man is as much a menace to society as someone walking around with a loaded gun. It's a miracle that he hasn't killed or injured anyone.

It's time that the lawmakers in this country woke up to reality. Ann, with your ability to reach a wide audience, maybe you can wake them up.

If you print this letter, you may use my name but not my address. I find this situ-

ation shocking. — Sandra Buskey in N.C.

DEAR SANDRA: Wake them up? Surely you jest! I've been hitting this subject so hard for so long that anyone who hasn't read it isn't asleep, he's unconscious.

Not only do we need better laws to protect us against drunk drivers, we also need to enforce the laws we have. If enough people keep yelling, we can make a difference.

DEAR ANN LANDERS: I have always worn underwear under my nightgown. No bra, just panties. My husband (30 years married) says this is "strange."

I suspect that I am not the only woman in the world who does this. Would you be willing to poll your readers to find out how many other females wear underwear to bed? — Covered in Marshalltown,

Iowa

DEAR MARSHALL: No more polls, thank you. It's going to take me and my staff at least a year to recover from the sex-after-marriage survey. (More than 141,000 people responded!)

You are not the only woman in the world who wears panties to bed. Most women who do this feel more secure and perhaps less exposed by the scanty coverage a nightgown provides. I see nothing strange about it.

DEAR ANN LANDERS: A few months ago my husband was unable to see clearly and could not tolerate anything brighter than a night light. He stayed in the basement during the day and ventured out only at night. He was in constant pain and could sleep only a few hours at a time.

An infection caused his cornea to per-

orate, and an emergency transplant was performed. His life changed dramatically. Although his vision isn't perfect, it's a great deal better than it was, and there is no more pain or sensitivity to light.

On behalf of my husband and our seven children, we want to thank the parents who donated their child's corneas. May God bless them for being so generous.

And, Ann, please keep encouraging people to make organ donations. They are the most meaningful of all gifts. — Grateful in New York

DEAR N.Y.: You can be sure I will. To obtain donor information write to The Living Bank, Box 6725, Houston, Texas 77265. (Enclose a long, self-addressed, stamped envelope.) It is truly the gift that never stops giving.

L.A. Times, Creators syndicates.

Friday, January 27, 1989

The Herald (Monterey) on drunken drivers:
Making drunken drivers pay for the damage and horror they create on the road is an idea that can be criticized only because it is so long in coming.

Starting on New Year's Day, all those convicted in California of driving under the influence of alcohol or other impairing substances and who cause accidents face additional penalties. They will have to pay up to \$1,000 to the California Highway Patrol for costs in responding to the scene.

Drunken driving is unlike most crimes in that few people who commit it set out to do so. It cuts across all economic, social and geographic lines and is a crime that almost anyone who drinks alcoholic beverages can commit....

The new CHP assessments should make some people sober up before heading out on the road. Those who don't heed the law at least may pay for it in the wallet.

1/4 of Bakersfield minimarts selling alcohol to minors

The Associated Press

In 26 stores.

BAKERSFIELD — Police said one-quarter of the city's convenience stores targeted in an undercover operation sold alcohol to minors.

Police Sgt. Ed Bowen said 18- and 19-year-old police Explorer volunteers entered 104 convenience stores and markets on three different weekends and were able to buy beer

"I was surprised that it was that high," said Bowen, who directed the program. "But these people have no excuse. They have no leg to stand on."

When a clerk sold beer to one of the volunteers, an undercover reserve officer stepped forward and arrested the sellers. Clerks were given tickets, told to appear in court then released back to work.

Alcohol level illegal in third of '88 traffic deaths

Friday, April 28, 1989

By Sam Quinones
The Stockton Record

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Suicides went down from 71 in 1987 to 49 last year.

Blood alcohol levels

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APRIL 28, 1989



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The Associated Press

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was .08 percent or more.

Under current law the level of presumption is .10 percent or more, but Leonard contends that standard is inadequate because people are under the influence to some extent at .08 percent.

But Sen. Bill Lockyer, D-Hayward, said there was conflicting scientific evidence about whether the .08 percent standard is justified.

He also said that lowering the presumption level would further clog an overburdened court system.

Call for crackdown on teenage drinkers

Jackson—Community officials and other concerned individuals, at a meeting held Thurs., June 1, called for tough action on the part of law enforcement officials and the judicial system to stem the rising tide of teenage drinking.

Those in attendance said they believe high school teens in Amador County are not taking seriously the problem of drinking and driving. According to Terry Santoro, advisor to the Friday Night Live program many parents aren't either. "There are 900 adults on probation in this county for drinking and driving offenses," she said. "A lot of parents are getting upset at what they see as an effort to keep their kids from having a good time." What those parents forget, Santoro says, is that the combination of alcohol and juveniles is clearly illegal.

Most who attended the meeting said the threat of a suspended license and the loss of participation in school athletic programs are two of the most effective means of dealing with the teen drinking problem.

A statement was signed by 19 of the participants encouraging local education, law enforcement

and judicial system officials to adopt a more hard-line approach to the problem and recommended "formal processing" of juveniles involved with alcohol. If pursued, formal processing results in license suspension or delay of issuance on the first offense and subsequent offenses. It was also suggested at the meeting that school athletic program officials scrutinize their athletes more carefully to determine if they are using alcohol.

Still, license suspension was viewed as the more powerful incentive.

Because the majority of first offenses involving juveniles do not result in license forfeiture, most of those at the meeting said many public officials in the juvenile justice process are too lenient and that most teenagers know this. The teens, therefore, are not as cautious about drinking and driving since they know they will get a second chance.

Floy Salyer, presides of the Amador County school board and one of the signers of the statement, said, "The kids know they

Cont. on Page 8

Crackdown

Cont. from Page 3

can get away with it. If they thought they were going to lose their license, they would think twice about using alcohol."

Gary Davis, county probation officer, says "only one or maybe two out of 10" juvenile cases they handle results in a second offense. "And that one or two," he says, "are typically repeat offenders." Davis thinks the system works fairly well and doesn't necessarily

agree that all first-time juvenile offenders should receive formal processing.

According to a survey conducted by Stan Redkey's psychology class at Amador High, as many as 80 percent of the high school students at Amador and Argonaut high schools have drunk on at least one occasion, and almost 25 percent have consumed alcohol on 20 or more occasions. "I believe these statistics are pretty accurate," Redkey says. "They tell us that students want to drink."

Friday, January 27, 1989

1/4 of Bakersfield minimarts selling alcohol to minors

The Associated Press

BAKERSFIELD — Police said one-quarter of the city's convenience stores targeted in an undercover operation sold alcohol to minors.

Police Sgt. Ed Bowen said 18- and 19-year-old police Explorer volunteers entered 104 convenience stores and markets on three different weekends and were able to buy beer

in 26 stores.'

"I was surprised that it was that high," said Bowen, who directed the program. "But these people have no excuse. They have no leg to stand on."

When a clerk sold beer to one of the volunteers, an undercover reserve officer stepped forward and arrested the sellers. Clerks were given tickets, told to appear in court then released back to work.



The Herald (Monterey) on drunken drivers:

Making drunken drivers pay for the damage and horror they create on the road is an idea that can be criticized only because it is so long in coming.

Starting on New Year's Day, all those convicted in California of driving under the influence of alcohol or other impairing substances and who cause accidents face additional penalties. They will have to pay up to \$1,000 to the California Highway Patrol for costs in responding to the scene.

Drunken driving is unlike most crimes in that few people who commit it set out to do so. It cuts across all economic, social and geographic lines and is a crime that almost anyone who drinks alcoholic beverages can commit....

The new CH? assessments should make some people sober up before heading out on the road. Those who don't heed the law at least may pay for it in the wallet.



Alcohol and Drugs--Youthful

Offenders

You have probably heard the young man on television say, "No thanks [to alcohol and drugs], I want to drive." This message was given to bring attention to a new law that went into effect in California on Jan. 1 and is contained in Vehicle Code Section 13202.5.

This new law states that, for each conviction of a person between the ages of 13 and 21 for certain offenses, the court shall suspend the person's driving privilege for one year. If the person does not yet have a driver's license, the privilege of obtaining one is postponed by one year. For each successive offense, the court will suspend the driving privilege or delay the eligibility for an additional year.

Offenses covered by the law are:

- Driving under the influence.
- Public intoxication.
- Vehicular manslaughter.
- Violations involving controlled substances or alcohol.
- Violations involving dangerous drugs.
- Purchase, offering false ID to purchase, or possession of alcohol by a minor.

Now, why would the California Legislature require the courts to suspend a youthful offender's driving privileges for offenses that are not even related to driving? The reasons are stated as follows:

- It is unlawful to use, purchase, possess, or distribute controlled substances unless expressly permitted to do so by law.
- It is unlawful for any driver to be under the influence of drugs or alcohol.
- Individuals who abuse drugs or alcohol demonstrate a dangerous disregard for the safe, legal operation of motor vehicles. The risk is particularly acute for persons under the age of 21.
- The increased potential for teenage deaths in vehicle col-

lisions, non-driving accidents, Homicides, and suicides, while being under the influence of drugs or alcohol, requires special attention to reduce the statewide youthful fatality rate and to control unlawful and unsafe driving practices.

The legislature, therefore, has enacted this measure to reduce the incidence of young drivers on the highways and roads of this state who, because of their use of alcohol or other illegal drugs, pose a danger to the health and safety of other drivers by the following methods:

- To prevent use of motor vehicles by drivers under the age

of 21 years by suspending their driving privileges for one year from the date of conviction.

- To make the one-year suspension of driving privileges a mandatory requirement for any person under the age of 21 years who has been convicted of possessing or using alcohol or other illegal drugs.

To delay by one year the ability to apply for a driver's license if the potential driver is 13 years of age or older and is convicted of possession or use of alcohol or other illegal drugs.

Do you want to drive? Don't do alcohol or drugs. Period.

by Judge Don Howard

[The law referenced here by Judge Howard is applicable to each conviction, meaning, a minor who has four offenses involving alcohol or drugs will have his driving privilege delayed for four years. Ed.]

Thursday, June 1, 1969 •

Crash victims were drunk

Two Escalon High School seniors, who died in a car accident while traveling in excess of 100 mph two weeks ago, were legally drunk, toxicology reports show.

Joseph Iver Mangnuson, 18, of Escalon, had been driving with a 0.09 blood-alcohol level when 0.05 is considered legally drunk for a minor, said San Joaquin County Sheriff's Deputy Jack Nayer of the coroner's division.

The passenger, Alan Focha, 19, of Escalon, had a blood-alcohol level of 0.19, Nayer said.

The students were killed when the Ford Thunderbird they were riding in struck a pickup truck head-on on Mariposa Road near Escalon-Bellota Road on May 17.

The accident occurred less than 12 hours after the senior class heard compelling testimony against drunken driving at the annual "Sober Graduation" assembly.

Chambers
of
Judge Anthony P. Lucaccini

MUNICIPAL COURT
STOCKTON JUDICIAL DISTRICT
COURTHOUSE
STOCKTON, CALIFORNIA 95202
TELEPHONE 944-3272

July 11, 1989

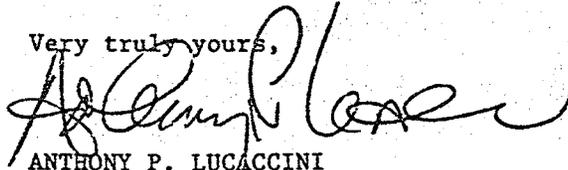
Mr. Ken Cortner
4631 Mark Twain Place
Stockton, CA 95207

Dear Mr. Cortner:

I have received the correspondence that you left with me and I will be presenting this information at our next scheduled judges meeting. Obviously, all of us at the Stockton Municipal Court are most concerned about the problems associated with drunk driving and are willing to take any legal steps to help resolve this most serious crisis.

I applaud the efforts of your organization and will do everything I can to attempt to reduce the carnage on our roadways.

Very truly yours,



ANTHONY P. LUCACCINI
JUDGE OF THE MUNICIPAL COURT

APL:ldc

Ken Cortner

Director, San Joaquin County
D.U.I.R.R.

4631 MARK TWAIN PLACE
STOCKTON, CALIFORNIA 95207

PHONE 477-6631

July 21, 1989

Judge Anthony P. Lucaccini
Municipal court
Stockton Judicial District
Courthouse
Stockton, CA 95202

Dear Judge Lucaccini:

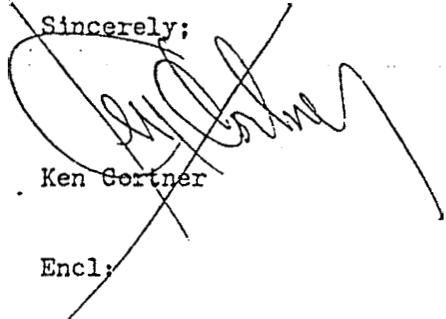
Your letter dated July 11, 1989 in response to my visit to your office and the packet of material that was left with you, is appreciated.

All of us working with "Driving Under the Influence Reporters Reward", (D.U.I.R.R.) in this area will be hoping for a report on the reception given to this program by the judges to whom you presented the material. If there are any comments or questions, please let me know, or check with Jack Calkins, Stockton Chief of Police.

In case you may have missed some of the newspaper stories carried recently in this area, I am enclosing a few copies.

Should your association of local judges care to have a D.U.I.R.R. representative address you briefly, let me suggest that Sheldon Bissell might be available.

Sincerely;


Ken Cortner

Encl:

How to spot a Drunk driver-- and what to do about it . . .

Want to help get drunk drivers off our roadways? Now you can.

The Driving Under the Influence Reporter's Reward (DUIRR) program (pronounced "do-er") offers any motorist or citizen a way to get involved in the war on drugs and drinking while remaining anonymous. All you have to do is call 9-1-1 and report a suspected drunk driver.

But how do you know what to look for? What traits or actions on the part of a driver can tip you off to suspected driving under the influence (DUI)?

Twenty-one-year veteran California Highway Patrol (CHP) officer Roger Devaney, 47, an expert in recognizing drug-impaired and drunk-driving behavior, offers the following advice on spotting possible drunk drivers.

He says, in many cases the erratic driver is a DUI driver and that you should actually look for a combination of driver behavior patterns.

A driver under the influence will either be a weaver or a line-hugger. The "weaver" weaves from side to side in his traffic lane, going over either the center or right-hand lines while trying to travel in a straight line.

The "hugger" will pick one line, either the center line or--more frequently--the right-hand line and will "hug" it as a guide for going straight. The hugger will wander back and forth over the hugged line, many times going off the roadway onto the shoulder. A jerking motion of the car--trying to bring it back in line--is symptomatic of both the weaver and the hugger.

There are also two types of DUI drivers when it comes to

speed. Some drivers are feeling great, have their radio on and life is looking rosy: They tend to speed. The other is feeling no pain, knows he is drunk, and drives slowly--either to attempt to control his car, or deceive the CHP into believing he isn't driving under the influence. Both the speeder and the slow driver generally weave.

A DUI driver, when turning his vehicle, will either make the turn too wide or cut it too short.

Time of day can also be a tip-off. Most drunk driving occurs between 7 p.m. and 3 a.m., and on Saturdays and Sundays, although drunk drivers can take to the roadways anytime of the day or night.

Devaney cautions that you have to look at all the factors. Sometimes people weave because they are just tired after a long day. Illness or inattentiveness can cause erratic driving behavior and, he adds, "Some people are just terrible drivers." However, erratic driving is probably the best hint that someone is driving under the influence, whether it's alcohol or drugs.

In any event, someone suspected of DUI should be reported to 9-1-1. Let the CHP or sheriff's deputies make that determination. Devaney says many people who aren't driving under the influence and are weaving or driving erratically appreciate being stopped. It gets their attention and they then pay closer attention to their driving, plus they know law enforcement people are watching for drunk drivers.

Once you determine the driver of a car is probably DUI, what in-

formation should you be prepared to give the 9-1-1 dispatcher?

Devaney says he wants to have a description of the car and where the car is when you report it. Tell the dispatcher which road the driver is on and which direction he's going and approximately where the driver is at the time you make the report. Be prepared to give a physical location such as "near Buckhorn" or "on Hwy 49 headed north near Drytown."

Report the color, make if possible, 2nd style of the vehicle. Is it a convertible--top up or down? Is it a station wagon? How many people are in the car? Tell the dispatcher the license number if you have it, but don't get too close to a drunk driver just to get a license number.

All these things help law enforcement officers spot the vehicle so that a vehicle stop and driver-assessment can be made.

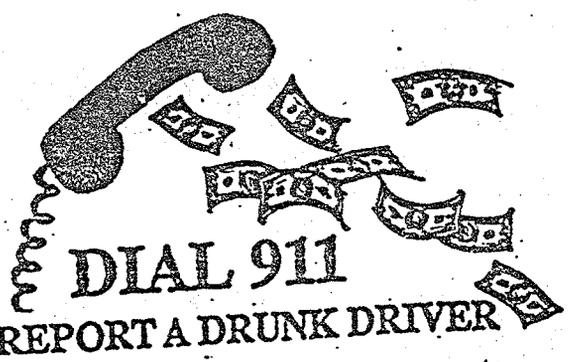
Remember to dial 9-1-1. It gets your report to the officers in the field immediately. All phone booths in the county are designed to let you dial 9-1-1 without having to dig around in your pockets or purse for coins to pay for the call.

If you want to receive a reward of \$100 if the driver is arrested, ask the dispatcher for a DUIRR (do-er) number. Call the sheriff's office during regular business hours at 223-6500 to see if the driver was arrested. If an arrest was made, you qualify for the reward. And you may remain anonymous.

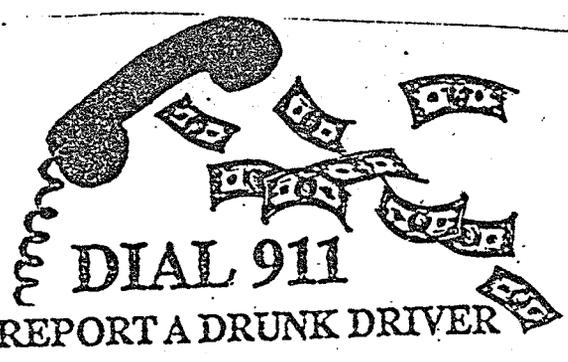
Devaney adds, "What we need out there are extra eyes." And when you report a possible DUI driver, not only are you the extra physical eyes needed by the police, but your assistance can help all of us see an end to the carnage created by drunk driving on our streets and highways.



DIAL 911
TO REPORT A DRUNK DRIVER



DIAL 911
TO REPORT A DRUNK DRIVER



DIAL 911
TO REPORT A DRUNK DRIVER



DIAL 911
TO REPORT A DRUNK DRIVER

D. U. I. R. R. Inc. of Napa, P. O. Box  Napa, CA 94558
Phone (707) 253-8502

ASSOCIATION OF
CITY CLERKS
P.O. Box 445
Lodi, CA 95240

Lodi City Council
Lodi, CA 95240

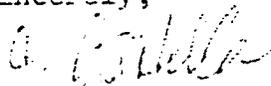
Members of the Council:

We would like to thank the Council for its unanimous endorsement of the D.U.I.R.R. Program at its October 4, 1989, meeting.

The Driving Under the Influence Reporters Reward (D.U.I.R.R.) Program in Lodi is in its formation stages with a goal to begin operation in mid-November or early December. The Lodi Police Department has been very cooperative and feels the program can only help in its fight to take drunk drivers off the road.

Your pledges are sincerely appreciated, and donations like yours are what will make this program happen. Thank you all again.

Sincerely,



Charles Gardella
Chairman