



Community
Focused.
Saving Lives.



Shattered Lives

Impaired Driving Tragedies through Family Perspectives

DEDICATION

This publication is dedicated to all victims of drunk and/or drugged driving crashes.

INTRODUCTION

“Drunk and drugged drivers threaten the lives of roadway users of every age, gender, ethnicity and economic status every single day throughout New York State. Vehicular crimes victims are random and innocent. The driver had all the choices. The victims did not. They also do not have the choice to take matters into their own hands after a family member is injured or killed. Instead, society requires victims to stand back and let the criminal justice system redress their pain, suffering and loss of life. Our laws do not always provide these victims justice and do not do enough to deter impaired drivers before they kill. The stories in these pages are a painful reminder that we owe these victims more. We can, and must, do better.”

~ Maureen McCormick, Vehicular Crimes Prosecutor

Ms. McCormick is a Special Assistant District Attorney for Legislative Initiatives in the Suffolk County District Attorney’s Office and a 38-year career prosecutor. She founded the first Vehicular Crimes Bureaus in both New York City and Nassau County and created the award-winning “Choices and Consequences” Program, which has educated more than a million high school students in multiple counties about drunk, drugged and reckless driving. She is a member of the New York State Impaired Driving Advisory Council and helped draft legislation, including Leandra’s Law, Jack Shea’s Law and the Aggravated Vehicular Homicide and Assault statutes, among others. She is a contributing author of the New York State DWI Trial Manual and the Vehicular Homicide Manual.



Ms. McCormick has tried many high-profile vehicular crimes cases, including People v. Grey (convicting an off-duty NYPD officer for the drunk driving deaths of Maria Herrera, her baby born by emergency c section, her 4 year old son, Andy and her sister Delcia Pena); and People v. Heidgen (convicting a wrong way drunk driver in the deaths of wedding limousine driver Stanley Rabinowitz, flower girl Katie Flynn and the critical injuries of her family). She successfully argued two DWI depraved murder cases before the Court of Appeals and the Federal Second Circuit. She is the recipient of a number of awards including the William T. Smith Award for Legislation, the MADD Lifetime Achievement award, the NHTSA Public Service Award, the National Traffic Safety Award for Prosecutors and New York State Prosecutor of the Year. Most recently, she was honored to have an Excellence in Leadership award named for her by MADD (STOP-DWI New York, 2025).



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OUR MISSION

- Reduce the number of persons killed or injured in alcohol and other drug-related traffic crashes
- To promote DWI prevention as a public priority
- Coordinate local efforts in Law Enforcement, Prosecution, Probation, Rehabilitation, Public Information, Education, and Administration.

OUR MODEL

STOP-DWI New York has followed the “General Deterrence Model” in developing the foundation for our programs that are a statewide success. The General Deterrence Model is best described as a method to get people not to do something. The necessary prongs include:

- Prevention and Education (don’t drink and drive)
- Incapacitation (keep drinkers from driving)
- Reform (treat individuals to prevent future offenses)
- Deterrence (change behavior through fear or consequences)

The New York State STOP-DWI Program functions as a financially self-sustaining impaired driving highway safety program. STOP-DWI efforts are funded from fines and surcharges paid by convicted impaired drivers.

To contact a county STOP-DWI Coordinator, please visit

www.stopdwi.org

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Victim Impact Stories & Victim Memorials

Get to know the people and lives impacted by impaired driving crashes.

Depraved Indifference Murder

By Maureen McCormick

Vehicular Crimes Prosecutor

I am a prosecutor and a mom. I remember the moment I heard about the Nassau County (New York) crash that took the lives of seven-year-old Katie Flynn and fifty-nine-year-old Stanley Rabinowitz. I was working in the Brooklyn District Attorney's Office at the time. The news anchor described a horrible crash. At two a.m., twenty-four-year-old Martin Heidgen drove the wrong way for miles on the Meadowbrook Parkway - one of the highways that lead to Jones Beach on Long Island. Heidgen had a .28 blood alcohol concentration - three and one-half times the .08 limit for intoxication. We later learned Heidgen said he had been in "self-destruct mode", that he had argued with a girlfriend and "just had to go out and drive" after drinking a fifth of Scotch. We also learned he had been coming from a friend's house party - where he had been invited to stay.

Heidgen was going approximately sixty miles per hour when he smashed his pick-up truck head-on into a wedding limousine driven by Stanley Rabinowitz. The limousine was taking home the two flower girls, Katie and Grace Flynn, their parents, Neil and Jennifer Flynn and their grandparents, Chris and Denise Tangney. Jennifer Flynn's sister Lisa was the bride, and it had been a picture-perfect wedding at a north shore beach.

The crash was captured on video by a "drivecam" system in the limousine that recorded the roadway in front of the limousine. It showed the headlights of the pick-up truck coming toward the limousine. It showed Mr. Rabinowitz trying to steer out of the way. It showed the pick-up truck drive directly into the front of the limo. And it captured the deafening sound of the crash followed by the groans of surviving passengers. The final sound on the tape is Jennifer Flynn calling "Katie!".



Jennifer and five-year-old Grace had been sitting with their backs against the driver's compartment with Neil. The crash broke Neil's back, crushed Denise' pelvis and nearly severed Chris' leg. Chris was not expected to survive because he lost so much blood. Grace's spleen was cut and Jennifer inexplicably had a minor foot injury. Stanley Rabinowitz was crushed into the metal and glass of what used to be the limousine. Much later when the limousine was brought to the courthouse for the jury to see, Mr. Rabinowitz' eyeglasses were still embedded in the windshield.



Photo: © Newsday

Depraved Indifference Murder, Continued

But it is Katie's death that haunts everyone involved. Katie had been decapitated. Her mom, Jennifer, was the one who found her daughter's head under the mangled bodies of her parents and her husband. Jennifer carried her daughter's head from the limo and sat against the guiderail of the parkway cradling her daughter's remains for over an hour. She refused to leave until all her family was removed to hospitals. She said she put it off as long as possible because she knew when she let go of Katie, she would never see her again. That image of Jennifer Flynn made me cry then. It still makes me cry now.

As a prosecutor, I am part of a law enforcement team, working with the brave men and women of police agencies to hold criminal drivers responsible for their actions. In 2006, newly elected District Attorney Kathleen Rice brought me to Nassau County to start a Vehicular Crimes Bureau and try the Heidgen case with my new, talented colleague, Bob Hayden. Everyone knew the Depraved Murder charge would be difficult to prove.

The Heidgen trial was a media circus. The Court of Appeals had changed the meaning of depraved indifference while the case was pending. Now we had to prove beyond a reasonable doubt that Heidgen's behavior was not just objectively reckless on the most extreme levels; we also had to prove that he actively did not care who lived or died at the time he was driving. The local press continually asked the question: "But is it murder?".

I worried we would not be able to get the jury to see past the defense attacks. I worried I would not be able to do the closing argument without crying. The image of Jennifer Flynn with her daughter was always in the forefront of my mind. The testimony of each of the family members was heartbreakingly. Hardened police officers and first responders were obviously still traumatized by what they had seen that night. Everyone in the courtroom cried – except Heidgen.

DID YOU KNOW

**Impairment
behind ANY
motorized
vehicle starts
with the first
drink!**

After six weeks of

Depraved Indifference Murder, Continued

testimony and five days of deliberations the jury convicted Martin Heidgen of depraved indifference murder. Any other result would have been an injustice but a conviction for the lesser manslaughter charge was a real possibility. Through it all, the families were stronger and more courageous than I could ever imagine being. Prosecutors have a moral and ethical obligation to be fair to defendants, but we also fight for victims. As corny as it sounds, we fight for justice within the laws we are given - and then fight to change those laws when they are so obviously wrong. We worry about letting our victims' families down.

After the trial, these brave families allowed their private pain to be displayed publicly for the purpose of bringing change. Their efforts resulted in the passage of the B felony of Aggravated Vehicular Homicide - incarceration up to twenty-five-years for specific types of vehicular deaths. It was the first time a B felony could be used in a vehicular homicide. Thank you to the Flynn, Tangney and Rabinowitz families. We continue to battle with the legislature for more common-sense change; most recently fighting to close the drugged driving loopholes.

Unfortunately, the laws have changed differently. The criminal record of a driver for driving while impaired by alcohol, DWI, drugged driving offenses and most vehicular homicides and assaults will be automatically sealed from public view under the "Clean Slate Act" signed into law in November of 2023. There is also a push to allow more and more opportunities for convicted defendants to have their sentences reduced beyond parole – which already requires families to endure the agony of participating in the parole review process every two years once a defendant becomes parole eligible. (Generally, after one-third of the possible sentence is served). In addition to the myriad of state and federal appeals already available to the defendant, defense advocates are also proposing the "Second Chance Act" that would allow defendants to petition the court to lower their sentences by asserting the sentence is excessive, or "greater than necessary to achieve the purposes of sentencing" even though the sentence is within the time allowed by the statute. Evolution is essential but I fear victims' voices and concerns are being disregarded.

Heidgen appealed his convictions through the Appellate Division to New York's highest court, the Court of Appeals. The families suffered again through the multiple appeals, each with the possibility of the conviction being overturned. I argued the appeals and am grateful that the murder conviction was upheld each time. But unbelievably, fifteen years after the trial ended, a federal appeal was also granted and I argued the case before the Second Circuit in November of 2021. Fortunately, the conviction was again upheld but since then, Heidgen was paroled in his first year of eligibility. It truly never ends for these families.

Prosecuting Vehicular Crimes is not like prosecuting other intentional crimes. They involve "regular guy or girl" defendants – people like the jurors. But most importantly, they involve random, innocent victims whose only crime was being in the wrong place at the wrong time. Every case highlights how the thoughtless, selfish acts of a drunk, drugged or reckless driver can bring utter destruction. And the reality is that no conviction will change the suffering. The arrogance and stupidity, the preventable pain and loss of life, makes me angry and sad.



"If you drive drunk or high, ask yourself: could you live with yourself if you destroyed families like this? It's the risk you take every time you get behind the wheel impaired."

Kate Flynn

*Impact Statement for court from Jennifer Flynn,
Kate's Mother*

I loathe standing before you today knowing that I am expected to sum up the impact of the crash in a statement. It cannot be done. But I stand before you because no one should live like I do. I am here for Grace, Eamon, Colm, for my family, friends and neighbors and for the thousands of people that have been extraordinarily kind to us. It is courage that brings me here and not revenge, because it is the right thing to do.



We, as a society, have allowed drunk driving to continue. Kate did not die from Cancer, Cystic Fibrosis or some other terrible disease which compels us to send money to a foundation, praying that scientists will find a cure. We donate all we can afford, we raise funds, we pray and we hope someone will come up with a cure. Everyone agrees that these scourges need to be eradicated. Drunk driving exists because we allow it to. With drunk driving we can just write a check and hope for the best. It requires us to look at how we have been tolerating drunk driving with insufficient jail time, inadequate charges, and ridiculous self-improvement classes.

Why do we accept laws that are written in such a way that law enforcement must prove someone's state of mind? I had the blood, the confession, the witnesses, the video tape and the unrepentant sociopath driver and people actually said to me that if he wasn't convicted of murder, at least he'll get manslaughter and some jail time. Why would I accept that? Why do we accept that?

Kate was murdered, needlessly, by a deliberate act. Drunk driving exists because we allow it to. Drunk driving could be dramatically reduced tomorrow if we changed our mindset and punished drunk drivers. It is easy to give a little jail time. It is easy to stick someone in a program, but it does not work. I wish I could spend Thursday nights in a class somewhere. Pay a fine. I wish I could spend ten years in jail. Buy ten years' worth of calendars, crossing off each day until I got my life back. My tomorrow will never get better...ever.

Drunk driving continues because people are not afraid not to. Punishments are not that big a deal. They are not severe enough, because society does not view it as the crime it should.

Which brings me to the trial. Why do we accept it when the *New York Times* writes that this was a drunk driving "bungle." Bungle is the word they actually used. Bungle. Bungle is the term you should use if you drop a bag of chips or, at worst, roll through a stop sign. Kate's head was severed from her body. The entire front end of the limo was embedded in Stanley Rabinowitz. To clean it up and water it down, so that it is more palatable for the papers, the news, the jury and the defendant is wrong.

Setting aside how insulting that is to Kate, Mr. Rabinowitz and our families, it is a disservice to drivers everywhere not to discuss the crash as it actually happened. If it were not constantly

watered down, maybe we would punish drunk driving appropriately. Maybe if you knew that crash didn't end on impact. If you knew how things unfolded after impact, people could form an informed opinion of drunk driving.

Kate Flynn, Continued

"Two dead, three others maimed in a car accident," as the defense would like to paint this, does not even come close to describing the carnage that night. The defendant has rights, and I am a believer in the system, but his rights do not supersede mine. And if decisions are made, they should be based on all the facts; and it didn't end on impact and it should count.

Who cleans it up for me? Who cleans it up for the court officer and the police officers who don't even know us and were still visibly affected during their testimony by the horrors July 2nd, a year and a half later? Or the emergency medical technicians and police officers that were not permitted to testify because it would be prejudicial – who cleans us out of their nightmares? It should count for sentencing today and people should know, so that changes might be made in society's tolerance and acceptance of this crime.

I should not be dismissed as a grieving mother. What happened to my family and me should be known and should be given the weight it deserves. I sat with Kate on the Meadowbrook Parkway and calmly and knowingly told Officer Collins, the officer that was stationed to sit with me, that my life was over.

There was nothing exaggerated or dramatized in that statement. Because he drove seventy miles an hour and mowed us down with a head-on crash, I was left to pick up my most beautiful, loving, first-born, seven-year-old daughter's head off the floor of a limousine.

"To sit on the ground holding her and to watch helplessly those I love so much in such pain. To see my father's leg cut off and his body mangled, my husband moaning in pain and screaming for Kate, the unnatural and scary positioning of my mother, the blood and bodily remains strewn on the seats and my helpless, scared, hurt five-year-old daughter crying in the corner. It sounds flat on paper or even stated out loud, but living it cannot be described."

Driving with Kate to the hospital, crying, as I know I was getting closer and closer, knowing it was the end and kissing her goodbye. Having minutes to get it together, as I was rolled into an empty corridor to wait as they opened the back entrance to the emergency room where I could meet Grace. How scary it was to see my baby on a gurney not knowing how we would make it through the night or any day thereafter. Saying goodbye to my father as he was transferred to a hospital better equipped to treat his horrendous injuries. Letting him know how much I loved him and how peaceful Kate looked in her sleep and that she couldn't have felt any pain.

Calling Neil's mother with the devastating news about Kate and having nothing to say about Neil's condition. How frightening it was to be at the hospital without him.

How scared I was for his survival, physically and mentally. Pleading into friends' answering machines to pick up the phone, so they could get to South Nassau Hospital before the State Troopers I was told were sent to tell him his daughter was dead. All the second-hand information I was getting about his condition, doubting he was well enough to hear about Kate.

We watched the clock minute by minute, waiting for seven a.m., so that my mother could start the first of her many surgeries, still not knowing if it was because she wasn't stable enough to be operated on or if the hospital was waiting for the surgical team.

At about seven a.m., the hospital staff realized that Grace was never examined. Knowing that she was bleeding internally and would need to be watched for several days in the Pediatric Intensive Care Unit. Not knowing how much she knew and how much we could tell her. We spent five days in the hospital. As we were discharged, Grace and I sat in a wheelchair being rolled out to the car when she saw a newspaper with Kate's picture on the cover. I had to tell her and the boys by myself when we got out.



Grace & Kate Flynn

mother's house together. But it would be three weeks before he was released and we needed to get home

It was two weeks before the doctor would release my parents and my husband, transferring them to a rehabilitation facility and permitting them to go by ambulance to Kate's wake and funeral. I visited three hospitals a day, comforted by one-year-old, three-year-old, and five-year-old and planned a Wake and Funeral Mass alone. That should count, that should be weighed. Two dead, others injured is an unfair, incomplete depiction of that crash.

After the Mass, Neil and I went back to the rehab facility. I had just had a Funeral Mass for my perfect, spectacular child and Neil still could not come home with us. Because of his injuries, he slept in a recliner while I slept in his hospital bed, the two of us holding hands for as long as we had the strength to keep them outstretched.

Our house was being renovated by my father and the six of us had been staying at my parent's house. Now we had no house to go home to, no one to build it, broken bodies and spirits. Friends, neighbors and strangers came together like an Amish barn-raising to build us a place where we would try our best to live. We spent four months living in one room, myself, and the kids on the bed, Neil in the recliner and Kate in a small cardboard box on a shelf in the closet next to my t-shirts.

Kate Flynn, Continued

DID YOU KNOW

Driving while hungover can be as dangerous as impaired driving.

Neil
spent all
day
crying

Kate Flynn, Continued

and drinking and all night staring at the television. For the first few months, I never spoke in the mornings, because I couldn't believe I had to live another day without her. For the next few months, I didn't speak in the evenings because I couldn't believe I lived the whole day without her. My father came home four weeks after the crash and my mother, five and a half weeks after the crash, all of us living in one home, wailing from the pain, both mental and physical. It was helpful because we needed each other and horrible because it was too hard to be with people you loved in that much pain and not be able to help each other.

We moved back home the weekend of her birthday. On what should have been Kate's eighth birthday, we brought Kate's ashes to the beach, sprinkling her in the ocean, a place that once brought her so much joy.

The past year and a half required more surgeries for all of us. The mental and physical pain we live with cannot and should not be referred to and cleaned up as "also injured." I don't want to describe what my life is like, but would it make a difference if you knew how he ended all of our lives because he could, because he wanted to? Would it change the way we view and punish this crime? The papers clean it up, the trial cleaned it up. I put my makeup on and stayed busy with my children, but if you knew that I was half the person I used to be, would it make a difference? It should.

I spell, count or pray to keep my mind from going to where it is difficult to come back from. The crash and living without her effects every television show I watch, every book I read, every conversation I have, every activity I engage in and all the relationships I have. Food, drugs, alcohol, and exercise do not provide respite. I gasp for air as I walk through the aisles of Waldbaum's. I get so overwhelmed with grief or gratitude when I meet the people who were so kind to us, that I can't speak. I fumble over my words and am reduced to tears in seconds. I try to be the best mother, wife, daughter, and friend that I can. But I am half the woman I was.

I am most happy when I am with my children. Yet being with them makes me want her more. I had four kids in six years. We

didn't have a chance to grow into individuals yet. We were one unit, each a piece making up one personality. Her absence is palpable.

Kate Flynn, Continued

My marriage has suffered. I have loved my husband since I was seventeen, but it is excruciatingly difficult to be with someone in that much pain and to feel and to feel the same way and not be able to do anything about it. I am quiet, disconnected and withdrawn. There is no conversation that follows what happened to us. There is no subject worth talking about. So I don't. My friends and family mourn the loss of Kate and us. And we are trying – I spend time with relatives and wake up with a rash. I go to a birthday party or holiday and wake up with an infection. I sat through the trial coughing and sneezing. Living with the stress makes me physically ill. I have suffered from infections, headaches, back pain, and cuts and colds that take an inordinate amount of time to heal. I can't sleep. I am incredibly sad. I wonder what we are doing here, and hope Heaven is everything I want it to be.



Jennifer, Neil, Grace & Kate Flynn

We are good, strong people, a loving family, with close friends living in an embracing community and every day is a struggle, a 'can't get the door open to get air on my face fast enough' struggle. If people knew all of this, would it make a difference in the way that we punish drunk drivers? Would it force a remedy for the inadequacy of the current system? It doesn't end with two dead, others injured, it is not that neat. Although time will make us more resilient as we learn to live this new life, it will never be good. How we lived to get there should count for the sentencing and be known, so changes can be made.

Living without Kate is more difficult than I can or care to convey, but the manner in which she was stolen leaves me breathless. One man chose to end her life. The murder charge, correctly chosen because it fits the crime, was submitted under Denis Dillon, the previous District Attorney. The current District Attorney prosecuted the case.

By reporting, the defense's claim that this charge was brought by Kathleen Rice for political motivation without adding that it was actually her predecessor who brought the charge is wrong. The case is not about political agendas. It is not about Kathleen Rice. It is about Katherine Marie Flynn. It is about Stanley Rabinowitz. The charge of depraved indifference murder was chosen because it fits the crime committed.

His reptilian attorneys misled the jury and the public with complaints that the charge was tantamount to intentional murder when he was only charged with depraved indifference murder. Where is the follow up statement that challenges him on his blatant lies? How can we ever have a necessary dialogue if the public thinks we are crazy, grieving parents and that this is a political witch hunt?

If *Newsday* is going to print articles with three defense attorneys or liberal law professors who state we will never win, where are the three retired prosecutors that counter balance that pathetically

wrong drivel? I am not saying you have to give the victims preferential treatment, but be fair. How does it serve the public if we are just left to believe that this is a battle that can't be won?

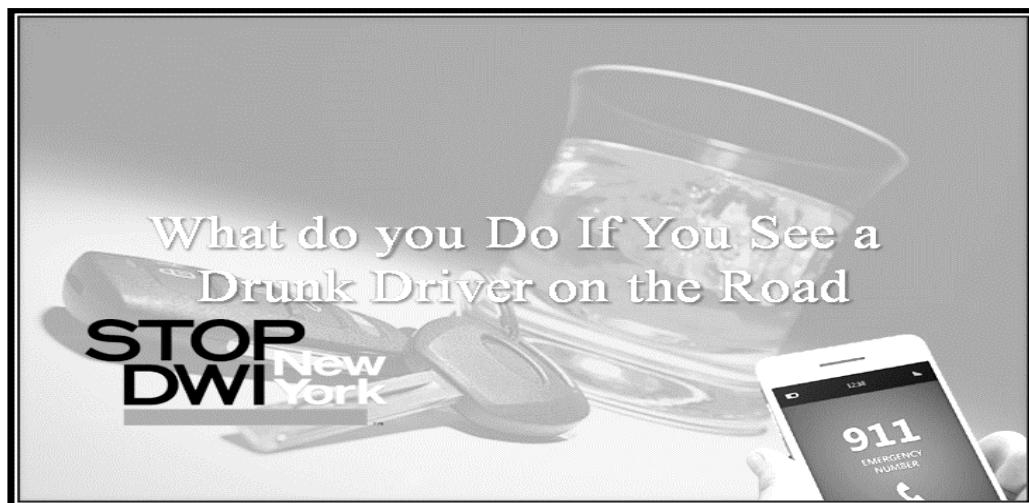
Our crash fits the new appellate ruling perfectly. But who else will have the videotape, the number of witnesses, the sympathetic victims? Why are we writing laws in such a way that it makes prosecuting these cases so difficult? Why do we tolerate it? And why is it not discussed in detail? We gave the media the perfect vehicle to put this dialogue out there. We all drive on the same roads. The focus should be on changing the system.

His foul, disgusting defense attorneys have lied about how remorseful this murderer is. We know he isn't sorry, because he tried to have his blood thrown out. He tried to beat the DNA test. He allowed a defense strategy based on blatantly false distances and speeds. He showed not a scintilla of remorse throughout the entire trial. We know he is not sorry from the letters he wrote from prison. We know court officers that take him to and from the court room. We know from the corrections officers that take him to the law library where he researches his appeal. He never grieves, he is not sad, he never mentions us. He is only concerned with himself. The remorse would not make him less guilty, but it would make him more human.

I request that he receive the maximum sentence available. He drove such an incredibly long distance the wrong way. It is the entire length of our boardwalk. To go that far and pass all those people. To never brake or turn, when on his side of the road, before the overpass, are wide areas of grass on both sides. He aimed his truck right at us and plowed into us at a crushingly high speed.

He stole her life. He ended ours. I request that he be sentenced to twenty-five-years to life. It is not out of revenge. I take no pleasure in knowing he'll be serving that length of time. I will not be soliciting convicts to have him beaten weekly. I almost never think of him, because he is in jail and that is the way it is supposed to be. He should serve twenty-five-years to life, because it is the correct punishment for the crimes he committed. Life is worth that. Kate's life, Stanley Rabinowitz' life and our lives.

Thank you for taking the time to read through the binder. I hope you considered it long and hard. Thank you for your fairness throughout the trial and for the opportunity to be heard today.



Judy Kelemen

Senator William T. and Dorothy Smith, Big Flats, NY

Judy was an instructor at SUNY Cortland in the department of Speech and Audiology. Her enthusiasm and love of teaching was unbounded. She was thoughtful, dedicated and concerned.

Judy and her husband Charles (an instructor at Ithaca College) were returning from a meeting at Ithaca, driving separate cars because of their schedules. It was about 9pm on a clear March evening when the drunken driver started up Ithaca hill. This was after an afternoon and evening of hard drinking with his father and brother. He missed Charles by inches but not so with Judy. He hit her head on in a devastating crash. Her husband hurried back to find Judy was already dead.



Afterward the killer could not even remember driving the car. He asked for a second chance. Yet he gave Judy no chance at all.

Judy's father, William T. Smith was a New York State Senator in office at the time. Working with other legislators, he began expediting the arduous process of tightening up the law governing driving while intoxicated.

In the summer of 1981, State Senator William T. Smith introduced the STOP-DWI legislation, which was considered during the 1981-1982 regular session of the New York State Legislature. This legislation was the result of years of advocacy by Senator Smith, following the death of his daughter by an impaired driver in 1973 (New York STOP-DWI Coordinators Association, 2002). The STOP-DWI Law was enacted in November 1981, and county programs were first implemented in 1982.

The mission of New York's STOP-DWI program is to empower and coordinate local efforts to reduce alcohol and other drug-related traffic crashes within the context of a comprehensive and financially self-sustaining statewide alcohol and highway safety program (New York State STOP-DWI Coordinators Association, 2002). The program's goal is to achieve these reductions through the creation and funding of programs relating to enforcement, prosecution, probation, rehabilitation, public information, education, and administration.

The following is an excerpt written by two of Judy's students: "Judy Kelemen was not all things to all people. She was the same to all: honest, candid, loving, tender. There was nothing artificial about her. She leveled with all of us. If at the moment, the truths she uttered brought a frown, the next moment, a smile. From the open door of her office, of her classroom, of her heart and mind flowed the continued concern of a woman who seemed as if she had been born to care".

Judy, our blithe spirit, is gone and we are left with our tears.

Katie Almeter, Emily Collins, Rachel Nargiso

Alcohol abuse caused a fatal car crash one early morning weekend at Colgate University. Three friends lost their lives. They were bright, talented, and full of promise. Their hopes and dreams were dashed in an instant.



Katie Almeter



Emily Collins



Rachel Nargiso

Statement from Betsy Almeter

Have you ever tried to imagine what your life would be like if you lost part of yourself? An eye, an ear, a right hand, a left leg? On November 11, 2000, I lost part of myself...my beautiful, talented, vivacious, loving daughter Katie was taken from me by a senseless act of violence. Recently I reread some of the cards Katie had written to me in the past few years. Here are some of her comments to me:

- Mom, you are very special to me. I love you! You're always there for me-thanks for everything!!
- I want to be just like you when I'm older. I really admire you.
- You gave me the greatest gift: wings for my dreams. Thank you.
- I look forward to our relationship growing and maturing.

And upon her graduation from high school, she wrote to her father and me:

Dear Mom and Dad,

At this very moment in my life, I am forced to reflect back on all of my life's memories and lessons. As my classmates and I prepare to go out into the real world, I notice the many of them are scared and seem unprepared. Yes, I too am scared, but you have given me the best thing in the world. You have filled my balloons with the strongest "helium" ever. You have given me love, trust, compassion. You have taught me how to be myself, stand up for what is right and not be afraid of many things at all... Thank you for a great graduation party. It was a great close to my high school career and a wonderful opening to the rest of my life.

I love you always,

Kate

DID YOU KNOW

**It takes roughly
1 ½ - 2 hours for
each standard
drink to be
processed
through your
body.**

**Standard drink
is equivalent to:**

**12 oz. of beer
with 5% alcohol**

**5 oz. wine with
12% alcohol**

**A shot or 1.5
ounces of liquor
distilled spirits
80-proof liquor**

But “the
rest of
her life”
was a

Katie Almeter, Continued

mere four months. She had so many hopes and dreams, as did I for her. She was an elite athlete and had the potential to be an All-American and possibly an Olympic hopeful. She wanted to work with people, and she was blessed with many gifts in that area. Katie loved the water and talked often of how she would finish college, become a professional with a high-paying job, and have several homes, one of which would be on a lake or an ocean. The house would be big enough that her Dad and I could come and stay with her for months at a time. Katie hoped for a husband and children, and I, for grandchildren. Katie was my best friend and I grieve for her daily.

Will Rob Koester, the drunk driver who killed my daughter and her friends, ever begin to understand the magnitude of what his actions have cost me and my family, and the families of the others who were killed? Does anyone who has been drinking and then gets behind the wheel of a car foresee the heartache they may cause? “Friends don’t let friends drive drunk”. “If you drink, don’t drive, if you drive, don’t drink.” They’re easy to remember, those cliché’s – take them to heart so that you won’t break someone’s heart.

Statement from Kelly L. Collins-Colosi

Think back to November 11, 2000. I bet most people can’t recall what they were doing that rainy November day. I can. That was the day I got the call that forever changed my world. It was 10:30 a.m. when the phone rang. It was my mother. “Get home quickly,” she said, “Your sister has been in an accident.” Then the phone was dead. I immediately called my parents back and asked, “What’s going on?” My father responded, “Your sister was in an accident. We can’t find her and Katie (the girl my sister had been visiting) is DEAD.” My father’s words echoed as I made the hour trip to my house, wondering what had happened to my little sister. As I walked in the door, the frantic search for my sister was continuing. It was at 11:50 a.m. that the call came in: my sister had been killed at 1:45 a.m. on the Colgate University Campus, along with her best friends Katie and Rachel. The three of them – college freshmen, best friends since grade school, reunited for the first time in their college careers – had

gone out on a Friday night in Hamilton. Walking back to Katie's dorm through the rain and cold, they accepted a ride from three guys in a maroon Jeep Cherokee.

Before they could even find out they were in a car with a drunk driver, he slammed on the gas, shot up Oak Hill on the Colgate Campus, and slammed into a tree. Instantly, my beautiful sister was killed. That was the day the pain began. It has never ended.

Em was eighteen and a freshman at Hobart and William Smith College in Geneva, New York. She was going to school for business, with dreams of becoming a fashion buyer for a large retail store. She was beautiful, intelligent, caring, charismatic, and most of all, she was my sister.

One of my earliest childhood memories is of visiting my mother the day Em was born. That day I received my most important title: "big sister." That day my life changed, because I now had the responsibility of taking care of my little sister. When Em and I were young, we used to lie in bed at night and plan what fun the next day would bring, and wonder how we would have time to fit it all in. I never imagined that I would have to plan a day without Em. We were supposed to grow old together.

In our last conversation, Em talked about how happy she was at college. She ended by saying, "I am glad to have a sister like you." Then we said goodbye. Little did I know it would be our last goodbye in this lifetime. In her special way, she left me, letting me know that she loved me and always would.

The impact that Em's death has had on me is immeasurable. My best friend, my confidant, my role model, and the person I always turned to for help and to laugh with, the person I was supposed to grow old with, is gone. I have a hole in my heart to live without her will impact every second of every minute of every day of the rest of my life.

One drunk driver took away my yesterdays and my dream of tomorrow, and for that I cannot forgive him. There will never be a day in my life that I will not think of Em and I pray that there will never be a moment in the drunk driver's life that he will forget the beautiful life he stole from me.

Do you know of someone in need of alcohol and/or drug treatment?

Reach out to New York State Office of Addiction Services and Supports for the nearest facility to you:

www.oasas.ny.gov

Statement from Sarah Nargiso

I remember those hectic winter mornings in Norwich, New York, before school. My older sister would yell to me from her room, "Sarah, go out and start my car for me and scrape the ice off the windshield!" I would yell back, "Rachel, it's your car!" "Do you want to get to school on time?" she would ask. "Ugh! You're so annoying!" I would say as I walked outside in the freezing cold of winter, to scrape the ice off the windows and heat up the car. I never thought I would actually miss hearing her give me orders. Now, I would give anything to hear the sound of her voice.

On November 11, 2000, a drunk driver killed my only sister and her two best friends. All three were college freshmen. Rachel and her best friend, Emily were visiting Katie at Colgate University. They went downtown to celebrate their reunion. When it was time for them to head back to the dorm, the weather had turned cold and rainy. They were at the foot of the campus when a fellow student offered them a ride. They got in the car, not knowing the driver was drunk. No more than thirty seconds later, the driver recklessly stepped on the gas, and hit a tree. Rachel, Emily, Katie, and one other student were killed; the driver survived. The next day, my mother and I, not knowing of the accident, went to Colgate to meet the girls for an early lunch. We waited at the Colgate Inn, but they never showed. My mother and I started calling people trying to find them, but nobody would give us information. Later, we were told of the accident by the hotel management, I couldn't, I didn't want to believe it! It didn't seem real. I kept thinking that there was some mistake!

There wasn't. My big sister, and two girls that were like sisters to me, were gone forever. I was in shock.

My feelings then were as strong as the way all of America felt on September 11, 2001, when the World Trade Centers were attacked. It still seems impossible to express my true feelings and emotions in words.

The death of my sister has had a powerful impact on my life. It has not only changed my values, but the recognition of what is really important in my life. I am no longer bothered by petty problems. After losing something that is extremely meaningful to you, even though it is hard, it is important to move on in life. America had to move on after September 11, just like I had to move on after my sister's death. Although the incredible feeling of sadness and loss will never go away, dwelling on the loss won't change anything. The only way to survive is to move on and appreciate every moment. Just as, in the wake of 9/11, most Americans no longer take their freedoms for granted, I no longer take life for granted.

After my sister died, I didn't think that my life would ever go on. However, I have come to feel that her death has taught me more than her life. My whole attitude about what I do and my life has changed. By moving on, I have been able to use my sister's death to teach others, and make a positive difference with others. Even though a person is not physically here, by making people aware, and remembering them, you can keep them alive forever. Having my sister killed is probably the worst thing that I will ever experience. Paradoxically, I feel that it has changed and shaped me into a better person.

Rachel Nargiso

Matthew Angelillo

Statement from mother, Marianne Angelillo

Mother of Matthew, Marc, Alex and Lindsay

Author of Sharing My Stones

*Speaker Advocate Governor's Traffic Safety Committee &
Students against Drunk Driving (SADD)*



Still 17

It has been 20 years since we lost our beautiful seventeen-year-old beloved, vivacious, intelligent son Matthew.

Matthew tragically lost his life as a passenger in the front seat of a sports car. The driver was under the influence as they chose to test the speed of the car. They went over one hundred miles per hour and lost control in an intersection in Skaneateles, New York. Matthew was the only one to lose his life on impact.

I was totally shocked to hear that my son Matthew made such a terrible decision to fight for a seat in a sports car with a drunk friend. Matthew was usually a designated driver and operated his own vehicle safely. He would never drink and drive. I had to ask him in heaven, "what were you thinking?" The only answer I heard back from him was "I'm sorry mom I wasn't thinking. I was drinking."

Since this fateful Father's Day 2004, I made a vow to myself and others that his life and death would always have meaning. There had to be purpose to this painful loss. I realized that perhaps I was chosen to be Matt's voice. By sharing my sorrowful stones of loss for the past twenty years, I was able to impact many future decisions of others. I have shared with countless high school students, college students, and various impact panels with adults. My motto for twenty years always remains the same, "when you drink, you don't think." All the rules and good character traits

you have learned all your life go out the window when you are under the influence. This includes not just the driver but all passengers in a vehicle. Would Matthew have fought for this seat with a drunk friend if he himself had his wisdom about him?

This suffering is a lifelong burden. Parents, siblings, families carry it forever. It still seems surreal at times. We miss this young man every day. The hole is always there despite the fact we have filled it with three new daughters-in-law and seven grandchildren. They are getting to know about Matt through photos and stories. Recently, my granddaughters and I went to Matt's grave to put flowers on it. My



little granddaughters were sad. Uncle Matt will always be missed. These losses are generational. They should never happen. If just one decision was different that night, our son would still be here. I know after twenty years I can rest assured I have tried to do everything I could to make Matt's death and life purposeful. I've moved from being a victim to being chosen. My message to teens always includes Godly wisdom. Wisdom is essential to live a good life. Wisdom helps us make the right choices every day. I pray Matthew continues to make a difference to all who hear his story.

Matthew Angelillo, Continued

"This suffering is a lifelong burden. Parents, siblings, families carry it forever. It still seems surreal at times. We miss this young man every day."

EFFECTS OF BLOOD ALCOHOL CONCENTRATION (BAC)

BAC	LEVEL OF IMPAIRMENT
.00	ONLY SAFE LEVEL! No impairment from alcohol.
.01 - .03	IMPAIRMENT AND INCREASING RISK OF CRASH BEGINS – Reflexes, vision, judgement, and concentration start to become affected.
.04 - .07	GREATER INCREASE IN RISK OF CRASH – Greater effects to reflexes, vision, judgement, and concentration. Effects are increased when combined with fatigue, illness, stress, other drugs, or poor driving conditions.
.08 - .11	EVEN GREATER INCREASE IN RISK OF CRASH – Illegal in every state; risk of crash is 6-10 times greater than at .00 BAC, and level of impairment is greatly increased.
.12 - .15	VERY HIGH RISK OF CRASH – Motor skills, mental functions, and vision are severely impaired.
.16+	EXTREME RISK OF CRASH – Possible unconsciousness at .25-.35 BAC; death may occur

Sandy LaPlante

On June 22, 2014, my boyfriend and I were out doing what we love to do and that's ride our motorcycle.



It was a beautiful sunny day and we rode two hundred miles that day heading up to the Hill towns. We stopped and had lunch in Middleburg, proceeding on down Route 145 and hit a flea market. Then we stopped at the Blackthorne Resort to visit some friends. It started to get late so we decided to head home. We stopped at the local grocery store to pick up a few things. I got off the bike and I took my sunglasses off threw them in the tour pack in the back of the bike and proceeded into the store to pick up a couple things. I came back out and I put on my jacket because it was starting to get chilly and jumped back on the motorcycle to head home. I realized that I forgot to put my sunglasses back on so I tapped Buck on the back and asked him to pull over so I could get my glasses. He said it's too dangerous to pull over here. And said "We're almost home so just put your head down on my back", and it was probably the best thing I could've done because I wasn't about to see what was gonna happen next.

The next thing I remember is waking up on the ground headfirst in a ditch. I knew something was wrong, but not really sure exactly what it was.

My leg was literally severed at the scene, only held on with a tiny piece of skin. The sole of my foot was up behind my ear. Next thing I remember is one of my daughter's friends lived right where it happened, I asked her to please call my daughter Kelly because she lived right up the street. I remember her coming down and telling me "Mom everything's going to be OK."

DID YOU KNOW

There is no quick way to sober up. It takes time for your body to process the alcohol in the system.

The next thing I remember is looking up and seeing a man smoking a cigarette. I apparently was in shock because I wasn't crying, and I was in no pain, but I was furious because I recognize this man. This man was not only the man that almost took my life, but, He was my stepsister's husband's nephew, somebody I've known since he was sixteen years old. He was forty when he hit us. Remember. He was always into hard-core drugs and alcohol and always in trouble.

Sandy LaPlante, Continued

This was his third offense. His father was an Albany cop and pretty much got him out of anything he ever got himself into when it came to trouble other than three DWIs, mine being the last one.

The next thing I remember at the scene was my ex-husband and girlfriend happened to be driving through shortly after it happened and spotted Buck on the ground. He got out of the vehicle and came over to me and said "Sand you're gonna be OK". At that point I said no I think I'm gonna die. My mouth got very dry. I knew something was wrong and I started to panic.

What happened is the EMTs had moved me and the blood just started pouring out of me. I had lost so much blood that I felt like I was going to pass out. The EMT noticed that I was starting to panic and said to me. "Sandy, it's OK it's just broke". In the back of my mind, I literally thought my leg

was broken, and I started to calm down. The last thing I remember before they loaded me onto the helicopter was hearing the EMT saying three times pull her out we're losing her. They literally lost me three times before I even made it on the helicopter to get to Albany Med.

The scene at the crash showed my bones and my femur scattered all over the road. I had lost an enormous amount of blood.



I remember when I was laying there on the ground that something was wrong, but not quite sure what it was and the only thing that was going through my mind was, what are my two daughters and my granddaughter going to do without me.

Once I made it into the hospital, the doctors knew there was no way of saving the leg and never thought they were going to be able to save my life, but fortunately, I'm here today.

I was in a coma for three days, when I woke up my daughters were by my side along with a nurse and they told me I lost my leg.

The doctors told me after that I must have been very strong willed to survive what I went through.

The careless actions of this offender resulted in not only the loss of my leg, but the loss of my inner happiness, my independence, and caused me physical and emotional pain that will never subside. Daily tasks that used to be simple and enjoyable are now a struggle.

Sandy LaPlante, Continued



The offender was only sentenced to 2 1/3 to 7 years, and only having to serve four years. Out of that four years, he only served eighteen months of hard jail time in Gowanda where they send all DWI. After that, they transferred him to a facility in Hudson, New York, which was very close to where his parents lived so he was able to have them come visit. They also put him in what they call a work release program where

they drove him back-and-forth to work Monday to Friday and even as a third time offender he was allowed to leave the jail and go anywhere in a fifty mile radius on his own on Saturdays. This to me was not justice!

The offender is out of jail, living a life like nothing ever happened. This just isn't fair.

"I did not deserve this lifelong and life-changing injury that was inflicted upon me by the offender. I suffer twenty four - seven with never ending phantom pain and having to rely on a prosthetic to be able to walk."

Life has changed drastically for me on so many levels. Every time I leave the house to go somewhere I have to think about things that may once have never crossed my mind like handicap accessibility. Will I have to walk a long distance? Do I need a wheelchair and can I go by myself? I've had to adapt to the fact that there are things I can no longer do or I once loved.

I have to work much harder to find solutions to accomplish goals, but I keep pushing forward just one more obstacle, one more hurdle. I have a very tough time with a constant phantom pain and how much my life changed, but I just keep pushing forward.

Danielle Stento

Statement from mother, Diane Stento

When our daughter, Danielle, said, "Thanks for making my homecoming so special, Mom," on October 22, 1989, after a weekend home for the University of Buffalo, little did we know that would be the last homecoming for Danielle as we knew her. A mere two weeks later, on November 4, 1989, we received the phone call every parent dreads. The caller asked if we had a daughter named Danielle; when I answered "yes," he told me that he was a nurse at Erie County Medical Center and that a car had hit my daughter. He said that she was unconscious, but still breathing on her own. He recommended that we get there as soon as possible. When he asked if we had any family in the Buffalo area, I knew in my heart that this was very serious.



Danielle did survive. She communicates to me now that she hung on because she loved us (her mom, dad, and sisters Gina, Nicole, and Rosemary). I'm sure there were times it would have been much easier for her to let go. Through months of coma, Danielle was locked in a body that no longer worked. She only had the ability, through her eyes, to communicate – "I'm in here, don't give up on me." Countless sleepless nights were spent wondering: Will she wake up? Will she walk? Will she speak? Will she remember us? Welcome to the world of TBI (Traumatic Brain Injury) – a very common occurrence in vehicular accidents.

One year to the day after her injury, Danielle laughed for the very first time, finally showing us some of the emotion that had been locked inside her. You can imagine our ecstasy at this sign of progress. Despite her condition, Danielle's love of family and friends was very evident.

The flip side of our happiness is our struggle. I could never live if Danielle ever knew how much we hurt or how tired we get. I would never want her to feel our burdens – she has her own to bear. Imagine for a moment living the life that Danielle and her family have been sentenced to.

Imagine the torment of watching your beloved daughter struggle with pneumonia, infections, surgeries, muscle contraction, and pain – and not be able to tell you where she hurts. Imagine contending with the reaction of friends as they struggle – not always successfully – to accept Danielle as she is now. As the result of permanent damage to her brain stem, Danielle can never be who she was. Her injury leaves her with many of the same struggles as one who has been afflicted with cerebral palsy. She will need twenty-four-hour care for the rest of her life. After the crash, I forgave the intoxicated driver, imagining how she has suffered with guilt over her destruction of my daughter's life. The defendant weighed less than a hundred pounds. But at the trial, I realized she had no remorse. I was filled with rage. Danielle saw this and asked me what was wrong. I said nothing. Danielle could tell. She asked me again. I told her of my seething hatred.

DID YOU KNOW

**New York DWI
Laws prohibit
persons charged
with driving
while intoxicated
from pleading
guilty to a non-
alcohol related
offense except
under very
narrow
evidentiary
circumstances.**

Danielle said, “Forgive her.”

One incident in particular has stayed with me. Ten months after Danielle's injury, on a beautiful September day, I walked Danielle in her wheelchair to the local grocery store to purchase strained baby food. It was a happy day! I had been told that Danielle would never be able to eat – that she would be restricted to a feeding tube the rest of her life – but I was finally able to prove otherwise. As Danielle and I were choosing the food, I noticed the store was filled with college students, obviously shopping to fill their bare cupboards – it was the first day back for the 1990 fall semester. My happy time suddenly turned into a nightmare with the realization that Danielle, too, should be shopping – this would have been her first year of graduate school. I could not get out of the store fast enough, choking back the tears, never wanting to let Danielle know what I was feeling. SILENT SUFFERING!

The silent suffering that we continue to endure comes from watching people her age get married, have children, have fun, travel, and pursue careers. She will never experience the joy of becoming a mother, and we will never experience the joy of being grandparents to her children – the chain has been broken.

2024 update: The miracle is Danielle is still alive 35 years later and the gift is that I, her mom, can still take care of her at home. She needs twenty-four-hour care and because of her permanent brain stem damage is unable to do anything for herself – the simple things we take for granted – eating, drinking, walking, and talking. These past twenty-five years have involved many hospital stays, surgeries and sleepless nights. One of the challenges in her care is always trying to figure out what can be



bothering her, as she cannot tell us. Most recently, Danielle suffered incredible pain for seven months before a doctor figured out its source and was able to treat her.

Watching a loved one suffer with no relief is the absolute worst experience you can face in life.

After many years of our family involvement with Broome County STOP-DWI, hopefully to make a difference – our family along with Danielle was inspired to give back what was given to us while Danielle was hospitalized – a home away from home. The Danielle House was opened in 2002. Our mission: “In the spirit of helping others in need, the Danielle House offers a temporary, safe and homelike atmosphere for patients’ families and loved ones, and for outpatients seeking respite during a medical crisis, during treatment phases of medical care, or medical related services. Our goal is to provide love, support, comfort, and affordable accommodations for those who find themselves in the Triple Cities area of Southwestern New York in need of a place to stay.”

Danielle is a frequent visitor at the home where guests are just awed by her presence. She brings comfort to those carrying a heavy burden – as she carries one every day. We were never able to travel or do things that people our age did. Danielle’s condition was too delicate to leave her with anyone... Now there will never be that time with my husband as he is forever gone. New grief recaptures old grief. And this is yet another mountain to climb. The climbing however becomes near next to impossible. My care for her is life consuming. I am not complaining. I am just stating a fact. I live everyday with the fear that if something should happen to me who can take care of her.

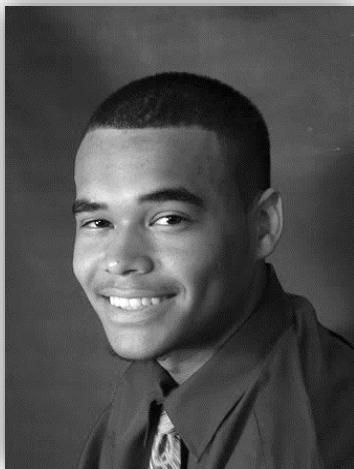
Please if you have read our story just know this could happen to you or someone you love. How can you help this insanity? DO NOT DRINK AND DRIVE or DO DRUGS AND DRIVE or TEXT and DRIVE. It could all have the same outcome of lifelong pain and suffering.

For more information about the Danielle House visit:

www.DanielleHouse.org

Henry A. Rivera and Pedro Hernandez

It was an emotional night at a Wegmans Store in Irondequoit. The store at Hudson and Titus hosted a vigil for two co-workers who died in a car crash in May of 2007.



Henry A. Rivera



Pedro Hernandez

Pedro Hernandez, 20, and Henry Rivera, 18, were not only colleagues at Wegmans, but they were also students. Hernandez attended MCC, while Rivera was a senior at East Ridge High School.

Both died in a crash on Route 590 in Brighton. Hernandez and Rivera and another friend who survived the crash were coming home from the movies when the crash happened. New York State Police said the 37-year-old driver, was going the wrong way on Route 590 when he crashed into their car. He was charged with vehicular manslaughter. Police also said his ability was impaired by drugs.

One hundred people turned out for the vigil at the Wegmans parking lot at Hudson and Titus. The vigil at Wegmans helped the people who miss Rivera and Hernandez honor their memories.

“Remembering is keeping the smile, the laughter, the song of Pedro and Henry alive in our hearts,” said Lawrence Tracy, of St. Michael’s Church.

Henry Rivera’s mother Migdalia Rivera said, “I miss my son’s hugs and kiss every morning and every night. Henry was my life.”

The pain caused by the tragic loss of the two men runs deep. Memories left in the hearts of those who knew them, runs deeper.

“My son Henry was one of the best friends I ever had. He was probably the best big brother a brother could have. He was the best son a mother could have,” said Rivera’s father, Henry Rivera Sr.

“One thing I promised my big brother before he passed was I promise I will make him proud. I don’t see this as a goodbye, but a see you later,” said Juan Carlos-Torres, Hernandez’s brother.

“Henry Rivera never made it to his high school graduation. His parents said he is their greatest teacher.”

"I know he is with God and looking down on us saying, mom, don't worry, I'm in a better place. You're just missing my physical being," said Rivera's mother, Migdalia Rivera.

Henry Rivera and Pedro Hernandez, Continued

2024 update: from Henry's father, Henry Rivera Sr.

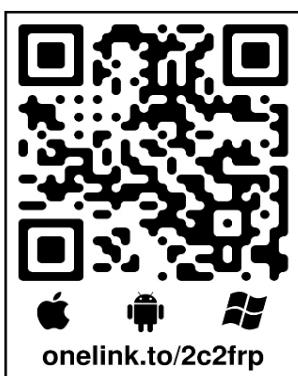
It's been seventeen years since we have lost our beloved son Henry Alexander Rivera. ❤️ As people of faith, I first must say thanks to our lord Jesus for bringing us this far.

It's been a bit of a quagmire, a situation that is hard to escape because there is no easy solution, but the lord has put people in our path, that have been in our same path, unfortunately but, these people have embraced us with love and kindness, we are forever thankful for their presence in our lives. We have cried together and even managed to laugh together. This is something I thought I would never do again. When speaking in different towns, in getting the word out to those that have been sentenced by the court, to a victim impact panel, in hopes to change the action of a person, and their action, with drinking and driving.

I always say, if I could get one person to change their habits, then our son's life would not be in vain. I thank God, because this has come to pass, I have had a few coworkers and friends come up to me, after my speaking, that they have been arrested for DWI, and have had to attend these speeches but after hearing my speaking, they have reached out to me, and stated, they have changed their ways! Thank God.

It always breaks our hearts, when we hear on the news about fatalities, because someone chose to be under the influence of drugs or alcohol and have killed someone's loved ones. And now with the legalizing marijuana, I feel like the lawmakers have put their hands up and giving up the good fight, just like they did during prohibition! As for me and my family, we will keep fighting the good fight, God help us.

Download the “Have a Plan” Mobile App



The New York State Governor's Traffic Safety Committee and the NYS STOP-DWI Foundation developed the Have A Plan mobile app. This app provides you with a timely and convenient resource that enables you to locate and call a taxi service, program a designated-driver list, educate yourself on Blood Alcohol Content levels as well as information on DWI laws and penalties or even report a suspected impaired driver. Available for Apple and Android smart phones.

Be Responsible: Have a Plan

Frances Pallozzi

Catherine M. Pallozzi, daughter of Frances Pallozzi

"Drugged Driving" was a term I had not heard until that date. Mom and her friends were preparing for a 5K walk with the Volksporters walking group outside a church. They were killed by a driver, who had taken a cocktail of prescription drugs for Parkinson's disease, including Xanax, Wellbutrin, Seroquel and others, prior to dropping off her son for summer camp. Her SUV veered from the road and traveled approximately 200 feet across the church parking lot. She struck and killed my mom, Carol Lansing and Rosemarie Hume as her vehicle came to a stop against the church bell tower. The speed at first impact was 46 mph. She made no attempt to brake.



"The driver did not leave the house that morning with the intent to kill three women but her poor decision, to drive while on a cocktail of prescription drugs, resulted in three incredible women being ripped from their husbands and families."

My family was left picking up pieces of our lives and establishing a 'new normal'; I hate that phrase. Prior to 8:46 a.m. on Wednesday, August 10, 2011, our lives were wonderful and blessed in many ways. Mom was the nucleus of our family and the center of our celebrations. The void in our 'new normal' lives is cavernous. Years later, three families are still picking up the pieces. Husbands who adored their wives continue to mourn and grieve the loss of their childhood sweethearts. Fourteen children miss their mothers. The grandchildren still ask why this happened.

Why are lives taken at the hands of those under the influence of illicit or prescription drugs? Our tragedy could have been avoided by a driver making the right choice and using better judgment.

Samantha Lynn Reynolds

Tracy Reynolds, Mother of Samantha

My daughter, Samantha Lynn Reynolds, was fourteen years old when her life was taken by a drunk driver. She had spunk and sass and was eager for the future in high school. She attended Soule Road Middle School in Liverpool, NY and participated in many sports. She was a very athletic girl who loved lacrosse, diving, cheerleading and gymnastics.

Samantha was a very emotional teenager with normal teenage issues ... what clothes to wear... where she was going to be after school... and drama, drama, drama. I called her my "drama queen" sometimes, but she was always my "Scooby Doo." She was just starting to come out of her shell and just starting to spread her wings. She was looking forward to her first trip to Florida and of course her first time at Disney World for spring break.

Samantha treasured her friends. She was always with them when she wasn't in school or with her family. Her friends would say she was the life of the crowd and was always making people laugh. She had a sense of humor; she was kind, giving and very loveable. She made the bad days seem good.

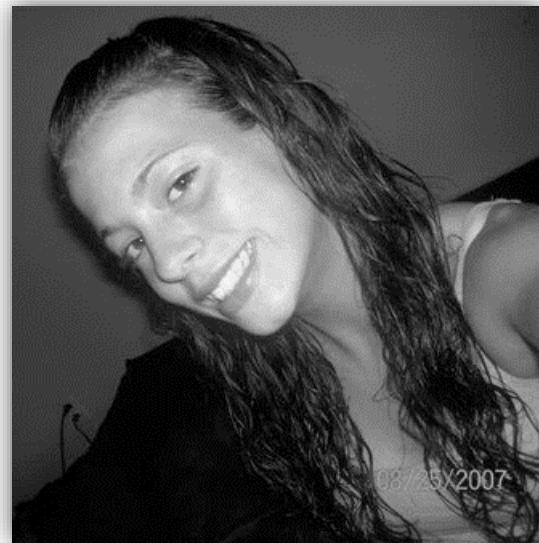
Samantha loved her family. Family Sunday dinners were always her favorite. She loved going to North Carolina, camping in the Adirondacks, and visiting theme parks. Samantha and her sister, Renee, and brother, Anthony, did almost everything together. Her favorite holidays were Fourth of July, Halloween and Christmas. She even attended Sunday school.

Samantha loved taking pictures of herself, hoping one day to be a model.

All of this was taken from us on April 12, 2008 when a drunk driver made a solid CHOICE to get behind the wheel of a vehicle under the influence of alcohol. On a stretch of I-95 in Clarendon County, South Carolina, he sideswiped two vehicles, picked up speed, and then sideswiped my family's van.

My daughter, Samantha Lynn Reynolds, was ejected and died at the scene. My son had a lacerated liver with shattered glass in his face and required fifty stitches to his knee. My other daughter, Renee, had bleeding on her brain and a sprained ankle. My kids' stepmother was crushed from head to toe and received critical injuries. Their father and two other passengers had minor injuries. THEN the driver slammed head-on into another New York family's van. The Griffins were also traveling to Florida on their spring vacation.

A local newspaper reported that my daughter was pronounced dead at the scene and that thirteen people, including the drunk driver, were injured in the crash.



DID YOU KNOW

Cannabis can impair judgment, reaction times and motor coordination.

Bottom line: cannabis impairs your ability to drive safely.

When I received the phone

Samantha Lynn Reynolds, Continued

call around 5 a.m. that morning, I NEVER NEVER thought I would have been having that conversation. I was told on the phone that Sam had not made it, and that I had to drive 750 miles from Onondaga County to pick up the rest of the family and bring them back home.

Once I arrived at Palmetto Hospital in South Carolina, I was directed to the MICU unit where I found my son, Anthony Roscoe, and my children's stepmother, Brenda Mauro. It is still very difficult for me to deal with the reality of trying to comfort my son who had just witnessed his sister's death. I could not make it better or make it go away.

Renee, my other daughter, was on a completely different floor than the rest of the family. Renee's room was around the corner from a passenger in the other van, Ashley Griffin. Ashley, also age fourteen, had a lacerated liver, a fractured eye socket and other injuries.

I remember that while I was down in the South Carolina to pick up the rest of the family, I received a call from a modeling agency in Florida looking to interview Samantha to model for them.

This one horrifying day changed the lives of so many. Many others who were traveling that day stopped and got out of their vehicles to try to help. The Griffin family and our family have since met at the cemetery where Samantha was laid to rest.

Samantha was loved by so many. I did not realize how many lives she touched until the days we spent having to say goodbye.

Since the crash, our home and family have been destroyed. As her mom, I am very lost. My home is quiet with no more friends to come over and hang out and call me 'Mom.' I am left with only pictures and memories of what once was. Her room is now closed off and left untouched. Every now and then, we go in there to reminisce about her life and try to make sense of all that has happened.

"Living without Samantha is, and always will be, the hardest thing I've ever had to do. Even years later, I cry every night. Her

crash site is now my vacation spot where I monitor a cross I placed there in her memory. I visit Samantha's gravesite often."

Samantha Lynn Reynolds, Continued

My life is not the same, nor will it ever be. I could go on for days and days about my suffering if it would help. My struggles are forever. They cannot be erased or forgotten about, and there is no moving on. My life, and the lives of countless others, were forever altered that day.

I struggle with how to make sense or how to give my daughter's death meaning... Lord knows, I would give my life just to hear her voice or see her smile. But as I know this will never happen, I try to figure out how I can bring awareness and justice to all those drivers who force families like ours to deal with this kind of tragedy.

Cost of Driving While Intoxicated (DWI) Conviction

- ✓ Towing & Storage Fees
- ✓ Defense Attorney
- ✓ Bail Fee
- ✓ DWI/DWAI Court Fine
- ✓ Court Surcharge for Crime Victims Assistance Fund
- ✓ Court Surcharge for DWI/DWAI
- ✓ Chemical Dependency Evaluation with Counselor
- ✓ DWI Victim Impact Panel/Program
- ✓ Probation Supervision Fees
- ✓ Conditional License (if eligible)
- ✓ DMV Impaired Driver Program
- ✓ DMV Civil Penalty
- ✓ DMV License Reinstatement Fee
- ✓ Ignition Interlock Costs
- ✓ Driver Responsibility Assessment Fee (annual for three years)
- ✓ Auto Insurance (additional cost per year)



Costs may run minimally \$5,000+

These costs do not include vehicle repair/replacement costs, injuries to the driver or passengers, medical costs, civil liability/lawsuits, property damages, lost wages, or burial costs.



Victim Impact Stories & Victim Memorials

Submit a Victim Impact Statement to STOP-DWI New York

People of all ages, family members, friends, and people in every community have, in one way or another, been impacted by impaired driving crashes. In every case, lives will never remain the same. However, many are left remembering the person as they were. Other times, survivors are left with a sense of loss, grief, and pain. Experts encourage survivors to express those feelings. Or look for ways to channel regretful feelings that may harbor anger and resentment, into a positive way that educates others. That education may deter future impaired driving offenders and potentially save lives.

Expressing those feelings could be therapeutic. While it does not fill the gap of missing that family member, friend, or person in the community, it could offer a temporary sense of relief in sharing how the incident has affected you. For all of those reasons, NYS STOP-DWI has developed a way for survivors of impaired driving crashes to share their personal stories.

Visit www.stopdwi.org/share-your-victim-impact-story/ complete the online form or scan the QR code to learn more to share your story and help save a life.



Preparing your story (adapted from MADD):

- Write simply and descriptively (based on your comfort level). Your goal is to help readers feel your loss and understand how this tragedy has affected your family.
- Write in short sentences and paragraphs.
- Ask someone to read your statement before submitting the final version.
- Focus on what the vehicle crime means to you and/or your loved ones physically, emotionally, financially, and spiritually.
- Consider how this crime had changed you and/or your loved ones & write from the heart about your pain and trauma.

Things to avoid:

- Do not vent your anger toward the court, the sentence or the offender. The goal is to express your hurt and your pain.
- Avoid copying another person's Victim Impact Statement. Someone else's story is not your story.

The hope is to bring you solace, that your story deters others so they make smarter choices, and to saves lives.

If you or someone you know has been affected by an impaired driving incident here in New York State, your story could touch others and potentially save a life. Share your story today!

www.stopdwi.org

Cannabis & Driving in New York

Legalized cannabis does NOT mean safe behind the wheel. Driving high is illegal and dangerous. Driving while intoxicated with cannabis is a criminal offense in New York. The term DWAI/Drug is used in New York State when a motor vehicle operator drives under the influence of drugs other than alcohol. Both DWI and DWAI/Drug in New York carry similar punishments, but there is no set threshold that must be detected in a person's system to warrant a DWAI/Drug prosecution.

Q&A

(Cannabis NY, 2025)

Can I drive with cannabis in my car?	Yes, it is legal for an adult, 21-years and older, to possess cannabis in a vehicle. Cannabis should <u>always be securely stored in a closed container such as the trunk of a locked glovebox.</u>
How much cannabis can I legally carry in my car?	Adults, 21-years and older, can have up to three ounces of cannabis and up to 24 grams of concentrated cannabis like vaporization oil or edibles.
Is it legal to have open cannabis and/or cannabis-related paraphernalia in the passenger cabin of the vehicle?	No. Like alcohol, it is illegal to have an open container of any form of cannabis in the passenger area of a car while on the road at a place where the public has access. Cannabis should <u>always be securely stored in a closed container such as the trunk or a locked glovebox.</u>
If I am driving, can a passenger in my car smoke cannabis?	No. Smoking cannabis in a vehicle, even as a passenger, is illegal.
Is there a legal limit for cannabis impairment while operating a vehicle?	No. No matter the level of consumption, law enforcement officers may base their determinations on observed impairment.
I am a certified patient in the Medical Cannabis Program.	Yes. Medical Cannabis Program members are subject to the same impaired driving laws.
Can I still be arrested for driving impaired?	
What are the fines and penalties for impaired driving?	In New York State, the penalties for an alcohol- or drug-related violation include the loss of driving privileges, fines, and a possible jail term.



capsules/tablets, tinctures, lozenges, or films. If you are not sure if you are high or impaired, stay put, and do not take the chance of harming yourself or others.

Make a plan before you consume cannabis.

Medications and Prescription Drugs

Drugs, whether illicit or prescription or herbal supplements, have a wide range of effects on your brain and body.

Unfortunately, along with the munchies, pain-relief, or euphoria, other side effects include obstructing the most basic skills needed to safely operate a vehicle: blurred vision; confusion; inability to concentrate; muscle weakness; dizziness; drowsiness; medication interaction with other medications.

Do NOT assume that all over-the-counter (OTC) drugs are safe. Many OTC drugs can cause a higher level of impairment than illicit drugs. A medical professional is your best source of information concerning the potentially impairing effects of a drug.

Read the warning label on your prescription bottle. Do not even consider driving if the prescription states not to operate heavy machinery (which includes motor vehicles). Talk to your doctor or pharmacist if you are unsure if you should drive.

Mixing multiple drugs, or drugs and alcohol is a receipt for disaster. Drugs that act in conflicting ways can have a greater effect than a single drug, amplifying a driver's level of impairment.
(Governor's Traffic Safety Committee, 2025)

Penalties in New York State for DWAI include payment of fines, driving license suspension, and a possible jail sentence. The penalties vary according to the offense type and the individual's past record of similar offenses (NYS Department of Motor Vehicles, 2025).

Cannabis affects everyone differently, making it difficult to estimate the effects or predict when the effects will wear off. Before getting behind the wheel, remember to consider the cannabis product's onset and duration of effects. Effects of cannabis vary from person to person. It may take up to TWO HOURS after consuming and wait at least two hours before consuming more to feel the effects of edibles. Edibles are anything consumed orally or under the tongue, which may include gummies, baked goods, drinks,



Drug Impairment on the Body and Driving Abilities

Substance	Possible Effect(s)
Cannabis	<ul style="list-style-type: none"> ▪ Impairs perception of time and distance ▪ Delays judgment and response ▪ Reduces concentration ▪ Impaired memory ▪ Impairment may last up to 8 hours after last consumption
Stimulants <ul style="list-style-type: none"> ▪ Cocaine ▪ Methamphetamine ▪ Amphetamines ▪ Molly, etc. 	<ul style="list-style-type: none"> ▪ Incites speed and aggression ▪ Provokes high-risk choices (i.e. speeding, reckless driving, etc.) ▪ Leads to restlessness, anxiety, irritability ▪ Grinding Teeth
Depressants and Prescription Depressants <ul style="list-style-type: none"> ▪ Valium ▪ Xanax ▪ Ambien 	<ul style="list-style-type: none"> ▪ Disorientation ▪ Drunk-like behavior ▪ Slow-sluggish reactions and uncoordinated motor skills ▪ Drowsiness ▪ Slows brain activity
Hallucinogens <ul style="list-style-type: none"> ▪ LSD ▪ Psilocybin, etc. 	<ul style="list-style-type: none"> ▪ Dazed appearance ▪ Impaired perception of time and distance ▪ Uncoordinated
Dissociative Anesthetics <ul style="list-style-type: none"> ▪ PCP ▪ DXM, etc. 	<ul style="list-style-type: none"> ▪ Disoriented ▪ Early HGN Onset ▪ Slow, slurred speech ▪ Confusion
Narcotic Analgesics <ul style="list-style-type: none"> ▪ Heroin ▪ Methadone, etc. 	<ul style="list-style-type: none"> ▪ Constricted pupils ▪ Drowsiness ▪ Depressed reflexes ▪ Droopy eyelids
Inhalants <ul style="list-style-type: none"> ▪ Volatile solvents ▪ Anesthetic gases ▪ Aerosols, etc. 	<ul style="list-style-type: none"> ▪ Confusion ▪ Bloodshot eyes ▪ Disoriented ▪ Muscle weakness

New York State Laws, Rules & Regulations

This publication serves only to highlight some DWI/DWAI laws. This is not a substitute for thorough legal research.

For full legal advice & information, contact an attorney.

New York State Vehicle & Traffic Law (NYS VAT Section 1192, 2025)

Section 1192: No person shall operate a motor vehicle while the person's ability to operate such motor vehicle is impaired...

§1192-2 Driving while Intoxicated (DWI) – No person shall operate a motor vehicle with a Blood Alcohol Concentration of .08 or higher.

§1192-2a (a) Aggravated driving while intoxicated (AGG-DWI) – No person shall operate a motor vehicle while such person has a Blood Alcohol Concentration .18 or higher

§1192-2a (b) Leandra's Law - Child Passenger Protection Act Aggravated Driving while Intoxicated (AGG-DWI) with a child 15 years of age or less as a passenger. No person shall operate a motor vehicle in violation of subdivision two, three, four or four-a of this section while a child who is fifteen years of age or less is a passenger in such motor vehicle.

§1192-3 Driving while Intoxicated (DWI) – No person shall operate a motor vehicle while in an intoxicated condition.

§1192-4 Driving while Ability Impaired by Drugs (DWAI) – No person shall operate a motor vehicle while the person's ability to operate such a motor vehicle is impaired by the use of drug.

§1192-4a Driving while Ability Impaired by Drugs or of Alcohol (DWAI-Combination) – No person shall operate a motor vehicle while the person's ability to operate such a motor vehicle is impaired by the combined influence of drugs or of alcohol and any drug or drugs.

§1192-5 & §1192-6

Commercial Motor Vehicles

No person shall operate a commercial motor vehicle while such person has a Blood Alcohol Concentration .04 or higher.

§1192-a Zero Tolerance No person under the age of twenty-one shall operate a motor vehicle after having consumed alcohol.



DID YOU KNOW

You can be arrested for driving impaired while operating a boat.

You can be arrested for driving impaired while operating an ATV/UTV.

You can be arrested for driving impaired while operating a snowmobile.

You can be arrested for driving impaired while operating a motorcycle.

New York State impaired driving laws covers all motorized vehicles.

Navigation Law (Findlaw, 2025)

NAV §49-a (2) (a) Operating boat while ability impaired by alcohol or drugs

NAV §49-a (2) (b) Operating boat with .08 of 1% or more Blood Alcohol Concentration

NAV §49-a (2) (c) Operating boat with .04 of 1% or more Blood Alcohol Concentration

NAV §49-a (2) (d) Operating boat while intoxicated

NAV §49-a (2) (e) Operating while ability is impaired by drugs

NAV §49-a (2) (e-1) Operate a Vessel while under the influence of alcohol or drugs 16 years of age or older with passengers 15 years of age or younger aboard.

Snowmobiles (NYS PAR Section 25.24, 2025)

Parks, Recreation, Historic Preservation Laws cover Snowmobiling Impaired Driving §25.24-1

All Terrain Vehicles (ATV) (NYS VAT Article 48-C)

VAT: Article 48-C §2404 (h) Rules for Operation of All Terrain Vehicles: No person shall operate an ATV on public lands, other than highways, or on private property of another while in the intoxicated condition or under the influence of narcotics or drugs.

Boating “Tiffany Heitkamp’s Law” This law requires that a court sentencing an individual charged with Boating while Intoxicated (BWI) or Ability Impaired (BWAI) carrying a 30-day sentence must consider any prior DWIs or DWAs by the same individual within a 5-year period. When sentencing for a BWAI carrying a 180-day sentence, the court must consider prior DWIs or DWAs within a 10-year period. This change requires a sentencing judge to impose a higher sentence on those who repeatedly get behind the wheel in an intoxicated state, regardless of whether it is a car or a boat.

Vince’s Law (Named after Vincent Russo)

This law raises the penalty levels for offenders who commit three or more DWI-related offenses within 15 years, with a maximum determinate prison sentence of up to 7 years in state prison and a fine of up to \$10,000.

PENALTIES FOR ALCOHOL/DRUG RELATED VIOLATIONS

DRIVING WHILE INTOXICATED, PER SE (VTL §1192.2) or
 DRIVING WHILE INTOXICATED (VTL §1192.3) or
 DRIVING WHILE ABILITY IMPAIRED BY A DRUG (VTL §1192.4)

CONVICTION	FINE ONLY*	MAXIMUM JAIL	LICENSE ACTION** AND REQUIREMENTS
1 ST Offense (misdemeanor)	\$500 - \$1,000	1 year	DWI Minimum 6 month revocation DWAI-drug 6 month suspension Ignition Interlock (not §1192.4)
2 ND Offense (class E felony) Within 10 years	\$1,000 - \$5,000	4 years	Revoked for at least 1 year Ignition Interlock (not §1192.4)

3 RD Offense (class D felony) Within 10 years	\$2,000 - \$10,000	7 years	Revoked for at least 1 year Ignition Interlock (not §1192.4)
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DRIVING WHILE IMPAIRED BY COMBINED ALCOHOL AND DRUGS (VTL §1192.4a) DWAI-Combination

CONVICTION	FINE ONLY*	MAXIMUM JAIL	LICENSE ACTION** AND REQUIREMENTS
1 ST Offense (misdemeanor)	\$500 - \$1,000	1 year	Revoked for at least 6 months
2 ND Offense (class E felony) Within 10 years	\$1,000 - \$5,000	4 years Min. 5 days jail or 30 days comm. service	Revoked for at least 1 year
3 RD Offense (class D felony) Within 10 years	\$2,000 - \$10,000	7 years	Revoked for at least 1 year

AGGRAVATED DRIVING WHILE INTOXICATED (VTL §1192.2a(a)) AGG-DWI (0.18 and higher Blood Alcohol Content [BAC])

CONVICTION	FINE ONLY*	MAXIMUM JAIL	LICENSE ACTION** AND REQUIREMENTS
1 ST Offense (misdemeanor)	\$1,000 - \$2,500	1 year	Revoked for at least 1 year Ignition Interlock
2 ND Offense (class E felony) Within 10 years	\$1,000 - \$5,000	4 years	Revoked for at least 18 months Ignition Interlock
3 RD Offense (class D felony) Within 10 years	\$2,000 - \$10,000	7 years	Revoked for at least 18 months Ignition Interlock

AGGRAVATED DRIVING WHILE INTOXICATED WITH A CHILD (VTL §1192.2a(b)) DWI w/child (0.08 and higher BAC [or combination w/drugs] with passenger 15 or younger) Leandra's Law			
CONVICTION	FINE ONLY*	MAXIMUM JAIL	LICENSE ACTION** AND REQUIREMENTS
1 ST Offense (misdemeanor)	\$1,000 - \$2,500	1 year	Revoked for at least 1 year Ignition Interlock
2 ND Offense (class E felony) Within 10 years	\$1,000 - \$5,000	4 years	Revoked for at least 18 months Ignition Interlock
DRIVING WHILE ABILITY IMPAIRED (VTL §1192.1) DWAI (more than 0.05 up to 0.07 BAC)			
CONVICTION	FINE ONLY*	MAXIMUM JAIL	LICENSE ACTION** AND REQUIREMENTS
1 ST Offense (misdemeanor)	\$1,000 - \$2,500	1 year	Revoked for at least 1 year Ignition Interlock
2 ND Offense (class E felony) Within 10 years	\$1,000 - \$5,000	4 years	Revoked for at least 18 months Ignition Interlock
ZERO TOLERANCE LAW (VTL §1192-a) Driver less than 21 years (0.02 – 0.07 BAC)			
CONVICTION	FINE ONLY*	MAXIMUM JAIL	LICENSE ACTION** AND REQUIREMENTS
1 ST Offense (misdemeanor)	\$1,000 - \$2,500	1 year	Revoked for at least 1 year Ignition Interlock
2 ND Offense (class E felony) Within 10 years	\$1,000 - \$5,000	4 years	Revoked for at least 18 months Ignition Interlock
CHEMICAL TEST REFUSAL – Civil Penalties (VTL §1194)			
CIVIL PENALTY		LICENSE ACTION** AND REQUIREMENTS	
1 ST Offense	\$500	Revoked for 1 year	
2 ND Offense (within 5 years)	\$750	Revoked for 18 months	
Zero Tolerance	\$300	Revoked for 1 year	
Zero Tolerance 2 ND Offense	\$750	Revoked for 1 year	

* Conviction fine only – this does not include mandatory surcharge or crime victims' assistance fee. (\$260 for traffic infractions, \$400 for misdemeanors and \$520 for felonies)

**The Department of Motor Vehicles determines when your license can be returned. Its return of reinstatement, based on state law or regulations, is not automatic. You must reapply for your license and may have to pass a test. Three or more alcohol or drug-related convictions or refusals within 10 years can result in permanent revocation with a waiver request permitted after at least 5 years. License penalties for under 21 and CDL are different.

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The sincerest thank you goes to the strong and courageous people who were willing to share their painful stories with the reader in hopes to prevent future tragedies relating to impaired driving.

~ Michele James, 2025 editor



Have a sober plan.

Always have a plan to get home safely. Make sure your transportation plans include an alcohol-and-drug-free way to get home. Find a designated driver. Use public transportation, Call a cab. Call family, friend or neighbor.