

Drinking and driving don't mix - police

By Rod Lamb
Drinking and driving—many motorists do it. Each time we do, we take a risk. We risk our lives. We risk the lives of others. And we risk being picked up by the police.

With the holiday season upon us, many motorists are going to take a chance. We are going to enjoy ourselves at Christmas and New Year parties. We are going to insist we are capable of driving. And for some, that insistence is going to cost them their health.

Most automobile fatalities are alcohol-related.

That is a fact agrees Staff Sgt. Eric Bullock, commanding officer of the Milton detachment of Halton Regional Police.

The majority of fatalities which his men have had to investigate are alcohol-related.

He said the people responsible had either been drinking or were intoxicated. A veteran officer, he said accidents are worse in Milton.

"That's because the speed is greater," he said.

"In cities like Burlington and Oakville, drivers are going slower. They may be over the speed limit but the limit is usually only 30 miles an hour. Out here the speed limit is often 50 and frequently people who are involved in accidents, are well over that."

Many of us think we will never have an accident. "It can't happen to me," we say as we roar off.

But it can. And it does. Accidents are the worst which can happen. They kill and maim and cause untold grief and hardship.

But a more common hazard

motorists will encounter is the police.

The tale is a common one. You have been drinking with friends. Originally you thought one drink would be all right but, given the time of the year, a couple won't hurt. Before you know it, you are on your way home.

Suddenly, you spot flashing lights in your rear view mirror.

A patrolling officer has been attracted by the way you were driving and pulled you over to check his suspicion.

If the smell of alcohol from your lips is blowing into his face, his hunch has been confirmed.

He is going to ask to see your driver's licence.

Then he is going to read you the demand to accompany him to the police station to give a sample of your breath.

Refusal to do so is an admission of guilt and you will be charged on the spot. You have no choice but to comply.

However, if you are really nice to the officer, he may allow you to park the car and walk home without anything being said.

The occasion is rare. But it does happen.

Bullock said a person who has been pulled over because he is suspected of drinking has everything to lose and nothing to gain by being polite and co-operative.

If he is rude, loud and defiant, he is giving himself a one-way ticket to the police station.

"It's the same if I walked into a store," said Bullock. "If I am rude and angry with the clerk, I'm not going to get anything."

Another thing the public should be aware when they are pulled over, is an officer isn't going to read them their rights.

He is simply going to read you the demand.

Bullock said people who become angry and insist on their rights are doing themselves a disservice.

"These fellows are professionals," he said of his officers. "They know what they are doing. It's their job."

He said he would be the first to say everyone has rights.

But when it comes to being pulled over by an officer of the law on a check for impaired driving, a person should realize his drinking has affected his driving to the point of attracting police attention.

You have been caught and that's all there is to it.

An officer will usually touch you to show that he has control over you.

If he suspects you may be armed or dangerous, he will search you and perhaps handcuff you.

Bullock said the practice has been not to handcuff people.

However, there are an increasing number of motorists who become angrier and angrier the longer they spend in custody. By the time they get to the station, they are willing to pick a fight.

Bullock said putting handcuffs on such people would be a simple means of deterring them from becoming physically antagonistic.

Once you have agreed to accompany an officer to the station, your troubles have just begun.

He will radio the station and arrange to have a tow-truck haul your car away—at your expense, of course.

At the station they will tell you that you can make one phone call.

That is the law. But you can't abuse it.

If you try talking longer than you should, the police will cut you off.

Bullock said most people who telephone their lawyers are advised to take the test. In many cases, the lawyer will ask to speak to the investigating officer.

Lawyers know what the score is when their clients phone them about impaired driving charges, Bullock said. Just talking tells them everything.

Two breathalyzer tests have to be done, 15 minutes apart.

Then, if you exceed the maximum, you will formally be charged: driving while your ability is impaired and driving with over 80 milligrams of alcohol in 100 millilitres of blood.

From then on you are a statistic, one of the more than 215 people who have been convicted by a machine for impaired driving in Halton Hills and Milton this year.

Generally, the police drop the former charge because it is too difficult to prove, but they proceed on the over 80 offence.

Once you plead guilty to this, you will be fined not more than \$2,000 and not less than \$50 under the Criminal Code of Canada.

Your licence will be suspended for three months under the Highway Traffic Act. This is doubled to six months if you have been in an accident as a result of your drinking.

A licence suspension and court conviction gives you a criminal record.

If you are caught a second time, the fine and suspension are doubled and a third oc-

urrence will mean everything is tripled. A fourth time will probably send you to jail.

Bullock said the fines and penalties are variable, depending on the circumstances.

He said there are no hard and fast rules. The court assesses the fine after each case.

However, the damage has been done and you have no choice but to go away—sadder, but hopefully, wiser. Don't expect a lawyer to save you. Once you have blown over 80, you are convicted.

Unless the law has made a mistake, all a lawyer can do is to delay the inevitable.

Bullock said it is better for a person to accept what he has done and get it over as quickly as possible.

You do not have to be driving to be charged.

The legal wording is "care and control of a motor vehicle."

An impaired person can be asleep in the car with the keys in his pocket and can still be convicted because he is capable of waking up, putting the key into the ignition and driving off, Bullock said.

One person who was convicted of being over 80, was caught pouring gas into a car. The reason was because he was filling the car with the intent of driving it.

Bullock said the police only have to prove that you had been in care and control of a vehicle some time within the previous two hours from the time you were stopped.

They have two hours to take a sample of your breath from that time.

Don't think you can beat an impaired driving charge by claiming you didn't understand what the police wanted. Such testimony is a sure sign you were impaired.

Only one of the breathalyzer tests has to be over the limit to convict you. However, it is more than just the machine which deter-

mines whether the officer will charge you.

He will assess your physical characteristics such as eye and hand co-ordination, speech and the look of your eyes as well as driving evidence.

Officers like to be sure they have sufficient evidence which will stand up in court.

Bullock said he has seen cases which had powerful supporting evidence, fail to convict while others with little evidence, convict.

It depends, he said.

"This doesn't mean you have a chance to beat the charge. Most who are charged, are convicted."

It is advisable not to drive to court because your licence will be taken from you at that time. Driving while your licence is under suspension

will earn you more penalties. All of this should convince you it is better to swallow your pride and take a taxi than risk being apprehended.

NEW LIGHTS
New traffic lights went into action last week at the intersection of Highway 25 and

Five (Campbellville) Side-road. The corner is heavily used by trucks from nearby quarries and pits.

As the advertisements from the Ministry of Health say, "You are your own liquor control board."

CORRECTION NOTICE
Please note the following correction in regards to the Santa Claus Parade Thank You Notice which appeared in The Canadian Champion December 6, 1978.

FREDRICK'S THE MAN'S SHOP
was listed as **FREDRICK'S THE MAN'S WORLD**

We apologize for any inconvenience caused.

The Canadian Champion



DRINKING AND DRIVING DON'T MIX! To avoid becoming a statistic over the Christmas and New Year celebrations, take a cab. Don't let this happen to you and ruin your holidays.

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