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Reggie Shaw's sad message: 'Never text and drive'

By Candice Mattson -- USU's Hard News Cafe
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Reggie Shaw wore a dark blue jail uniform as he tearfully addressed the camera from behind the glass. "You know, you leave for work every morning. People do it every day. Never ever do you leave with the intention to hurt someone, ever," he said. But what Shaw did that morning changed the lives of many people. He discusses the accident in a video produced by Zero Fatalities, a mutual project of various states addressing problems that are killing people on the nation's roads.

Shaw, who was 19 at the time of the accident, was headed eastward to Logan on Valley View Highway. Behind him was John Kaiserman, driving a pick-up truck pulling a trailer, and in the oncoming lane was a Saturn with two men inside:

Eric Frandsen

The Utah Legislature passed legislation this year making texting or sending e-mails from a cell phone while driving illegal. This new law went into effect on Tuesday. (Cache Valley Daily Photo/Eric Frandsen)

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James A. Furfaro, 38, and Keith P. Odell, 50. Shaw, who had been sending and receiving text messages while driving, drifted over the center line and clipped the side of the oncoming Saturn, spinning the car directly into the path of the truck behind Shaw. The truck and car collided, spilling off the side of the road into a ditch. Furfaro and Odell, the men in the Saturn, were killed on impact.

"When I left that morning, it was definitely not my intention to hurt or harm anyone," Shaw says in the video. "And I took two lives."

Bart Rindlisbacher, a Utah Highway Patrol trooper, was the investigating officer at the scene. Rindlisbacher says in the video that as he left the accident transporting Shaw to a nearby hospital, he noticed Shaw was sending and receiving text messages. This prompted the trooper to investigate Shaw's texting records. The long journey to establishing Utah's texting law began.

Utah House Bill 209 was signed into law March 26 and became law on July 1. The law prohibits a driver from using a cell phone for text messaging or electronic mail communication while operating a vehicle. If caught, the driver faces a class C misdemeanor, up to three months in jail and up to a \$750 fine. Kill someone, and the driver can face up to 15 years in prison.

It was partly because of Rindlisbacher's intuition that this law came to pass. According to The New York Times, a few months later investigators subpoenaed Shaw's cell phone records and found the proof that they needed: Shaw had been texting his girlfriend while on the road to work.

Soon after the law went into effect in Utah, Cache Valley saw yet another death because of texting behind the wheel. Nineteen-year-old Jacob Brent Hawkes ran a red light north of Logan and collided with a truck turning left. Hawkes died a few hours after the accident and officials found an unfinished text message on his phone.

As a result of these accidents and the new law, have opinions about texting and driving changed? Is the law effective?

"I think it's a good law and has some good potential to prevent lives from being lost, but I don't see how it can be enforced," said Ali Kunz, a 21-year-old student at BYU-Idaho. Kunz, originally raised in Bern, Idaho, moved to Smithfield four years ago with her family.

When asked if she texts, Kunz replied, "I used to when I had a phone that had actual buttons. I have a touch screen now and have to look at my phone when I text because I can't feel the buttons." This

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made it easier for her to watch the road and make it possible to text and drive at the same time.

Konstantinos Leoussis, a 20-year-old Utah State University student from New York, agrees.

"I do not text while I drive," he said. "I think it's a great thing to ban texting while driving. I have seen firsthand how texting can impede one's ability to drive. I have a friend who texts while he drives every day that I see him. I have tried to call him out on it, but he has no desire to stop."

Katie Cammack, a 24-year-old student at Salt Lake Community College, agrees that texting is dangerous. "I can't say I've never done it," she said. "But it's not something I usually do."

Cammack said she knows people who text behind the wheel and they don't think it affects their driving.

Studies suggest otherwise. According to the Zero Fatalities video, studies conducted at the University of Utah show that texting while driving is comparable to driving with a blood alcohol level twice the legal limit.

David Strayer, professor of psychology at the University of Utah, says in the video that people who are texting or even talking on their cell phone suffer from something called inattention blindness. It is called this because the driver is preoccupied with either talking or texting and doesn't see what is happening in the road.

"About 80 percent of accidents on our highway are due to some form of driver distraction where your mind is taken off the road for some period of time, and given that we have upwards of 40,000 fatalities on the highway every year, it's a significant problem," he said in the Zero Fatalities video.

According to Logan police Capt. Jeff Curtis, 15 drivers have been cited and two warned in Logan since the law's enactment. The difference between giving someone a ticket and a warning, he explained, depends on the circumstance.

"It's something where you have to watch them for an extended period of time, and if it's just a short text it's kind of difficult to actually convict them on it," he said. "We want to make certain that what they're doing is texting and that they're distracted to that level of impairment that (texting) causes before we give them a citation."

KSL reported that close to 70 percent of adults admit they send and read text messages while driving. The same poll also discovered that for teenagers, texting while driving is the biggest distraction. While Curtis could not identify the age of the drivers who received the 15 citations, he noted that 12 of the 15 occurred on Main Street in Logan.

"They're doing it on the busiest street in the city," he said.

Curtis said if a police officer pulls someone over for texting, the officer can have access to the driver's cell phone records. Most officers, he noted, will try to see the driver texting themselves just because it's easier to prove if the officer sees it.

After a citation, the driver must go to an arraignment and enter a plea, Curtis said. If a not-guilty plea is entered, a trial is scheduled. Police must prove their side of the case, that the person was texting. But even with stiff fines and the well-publicized danger of texting at the wheel, some people think they can do it safely.

"Yes, I text while I'm driving," said Amy Skaug, a 30-year-old mother of three from Hyrum. "I'm careful. I try to do it just at red lights." Skaug said she hadn't heard of the recent law or the wrecks involving texting and driving at the wheel.

Kunz thinks that people still text at the wheel because they think nothing bad will happen to them. It is a belief that is common.

While Derek Cracroft, 26, of North Logan, agrees that a texting law is a good idea, he admits that he still texts occasionally. "I usually wait for a red light, but there are times when I haven't," he said. Cracroft says he doesn't feel like he's safer than anyone else, but he thinks there are some texts that must be answered right away.

"It's not something I should do, and I know that," he said.

In response to the recent wrecks, Curtis said the state, the police department and the county attorney's office have embarked on a campaign to inform the public of the dangers.

"There are ads all over the place," Curtis said. "The biggest blitz is the Zero Fatalities blitz, which is everywhere. Every source of media that there is has had 'no fatalities.' And that's the biggest thing that

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they're dwelling on right now, texting while driving."

Even Shaw has been part of an effort to inform the public. As part of his sentencing, Shaw was forced to do 100 hours of community service which included presenting his story at public schools. He was also ordered to spend 30 days in jail. Because there was no anti-texting law at the time, Shaw was charged with two counts of negligent homicide. Now that the law has been enacted, Shaw will be the last person to receive such a light sentence.

Curtis advises people not to use their cell phones at all while driving. He said if a call or text message is urgent, pull off on the side of the road to take care of it.

No text message is that important, he said.

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