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HEADLINE: WHEN PARENTS DRIVE, CHP SAYS, CARE CAN BE CASUALTY;
SAFETY: PRECAUTIONS, SUCH AS USE OF CHILD SEATS AND AVOIDANCE OF AIR BAGS, OFTEN ARE
IGNORED, STATE ANALYSIS SHOWS.

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BODY:

Osvaldo Rios was driving on the Long Beach Freeway with his 1-year-old daughter, Jessica, when he lost control of his Mercury Cougar and slammed into a big rig. Jessica, wearing a lap belt in the back seat but not strapped into a required child safety seat, died of head injuries when her side of the car took the brunt of the impact. The father told police he had removed the safety seat to make room for more passengers.

Parents worry about their kids' talking to strangers. They worry about the influence of violent movies, Marilyn Manson and the Internet. They worry about youth violence and crime. Then many of them get behind the wheel and put their children's lives at risk.

About 160 children died in motor vehicle crashes in California last year, and three-fourths were victims of safety lapses, negligence and outright recklessness by the drivers--often their own parents--of the cars in which they were riding, according to a computer analysis of California Highway Patrol records.

An examination of statewide crash reports, from neighborhood streets to interstates, found that mothers and fathers frequently failed to take the basic precautions with their most precious cargo.

They did not buckle them in or, for small children, use child restraint seats. They let them ride in front seats, sometimes facing signs reading: "WARNING! Children Can Be KILLED or INJURED by Passenger Air Bag." They drove too fast, ran red lights and broke other traffic laws with youngsters in their cars.

Adult drivers walk away unhurt from many crashes while children suffer fatal or serious injuries. In a typical case last year, a 2-month-old girl was riding on her father's lap when her mother fell asleep while driving and crashed on Interstate 5 in Camp Pendleton. The baby was thrown out of a Jeep Wrangler to her death. The parents survived.

"Somehow, we've got to better educate parents," said CHP Commissioner Dwight "Spike" Helmick. "They may walk out of a little fender bender, but that little baby being thrown around that car sustains a lot more injury. It's just

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carelessness, and it outrages me."

Prosecution of Careless Parents

Some police officers are urging a dramatic measure to compel the attention of feckless parents: filing criminal charges against mothers and fathers whose behavior contributes to a child's death. Many prosecutors have hesitated to pursue any but the most extreme cases, such as parents who drive drunk with children.

Safety officials say stronger laws may also be needed. They point to Kentucky, which operates a hotline for reporting the license plates of cars carrying unsecured children. Offending drivers are sent letters advising: "Please take the time to have your child safely restrained in your vehicle--someone else thought that your child's life was worth their time."

A few states--California is not one--prohibit children from riding in the front seat of a car equipped with air bags if a rear seat is available. Experts say the back seat is the safest place for children, whether or not cars have air bags.

California, with its strict seat-belt law and aggressive enforcement, ranks among the 10 states with the lowest child passenger death rate. Traffic fatalities have declined even as the state has seen its registered vehicles increase to 27.5 million and licensed drivers grow to 20.7 million.

Bucking the trend, deaths of vehicle occupants 14 and younger in California increased to 160 last year after three consecutive years of decline. There are signs of resumed progress this year, however: Fifty-four child occupants died during the first six months, down from 75 for the same period in 1998.

Still, traffic safety officials see a disturbing trend. While deaths of vehicle occupants 15 and older dropped 35% in California from 1990 to 1998, the decline for children under 15 was just 8%. Nationally, motor vehicle crashes remain the leading killer of children 1 and older, reports the federal Centers for Disease Control and Prevention.

"Children rely on adults to protect them, not to harm them," said Dr. Ricardo Martinez, former head of the National Highway Traffic Safety Administration. "These crash injuries are not just accidents; they are predictable and preventable."

51 Killed in Single-Vehicle Crashes

Among the findings of The Times' examination of reports of all child occupant fatalities in California for 1998:

* Of the 160 children who died, 122 were riding with drivers--usually parents--who engaged in some form of unsafe behavior. Fifty-one children died in single-vehicle crashes. Speeding, dangerous lane changes and inattention were often cited as factors.

* In 81 fatalities, children were not buckled in as required by law. In three dozen cases, drivers buckled themselves but not their child passengers.

* Of the 46 victims under 4, three-fourths were not strapped into required child-safety seats properly or at all. In Ontario, Calif., a mother carrying a 4-month-old on her lap in the passenger seat was involved in a collision that threw her into the dashboard, crushing her son to death.

* Of 35 children who died in alcohol-related crashes, 25 were riding with drivers who had been drinking. In a head-on collision that killed two children, ages 3 and 11, near Oroville, a beer can was found wedged between the thighs of the driver, who died along with the children's mother.

* Parents ignored the federal government's recommendation that children 12 and younger ride in the back seat. Twenty-eight children 12 and under died while riding in the front seat, including three children who died of air bag

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injuries in low-speed crashes. In October 1995, after eight children were killed by passenger-side air bags in the front seat, the National Highway Traffic Safety Administration began strongly warning parents to put kids in the back seat. It underscored the message by requiring car makers to affix a bold air-bag warning label to the sun visors of every new car. Along with technological fixes, such as lower-power air bags, the campaign has succeeded in reducing air bag deaths among children, from a peak of 26 in 1997 to seven in 1999 through the end of October.

Middle of Back Seat Is Safest

On the whole, the back seat is a safer place for any passenger to ride because 60% of fatal crashes are head-on. Statistics show that the middle of the back seat is the safest place for a child, preferably with an approved child safety seat or a shoulder belt that fits properly.

* In seven cases, parents owned child safety seats but did not bother to use them. In five of the cases, the seats were still in the car.

Some parents made mistakes that parents make every day--perhaps rushing and forgetting to buckle up a child or letting a nagging child ride up front near the air bag, figuring it would be safe for a short trip to the store.

A recent national survey by the Air Bag & Seat Belt Safety Campaign, whose supporters include car makers and insurance companies, found that 13% of respondents admitted that they don't always secure their child passengers.

"The problem is that most people don't think they're going to get involved in a wreck," said Maury Hannigan, a former CHP commissioner.

Jerome Treggs was one of these. On a trip through the Central Valley, Treggs stored a child safety seat in the trunk of his car to make room for four passengers in the back seat. He let his granddaughter Breaira, 2, share a lap belt with stepdaughter MarKeila, 5. The girls were thrown 60 feet to their deaths when Treggs dozed off at the wheel of his Chevrolet Malibu.

"It's not like we weren't good parents," said Treggs, a 51-year-old Compton accountant. "It was an accident."

California authorities have sometimes pressed criminal charges against drivers whose behavior contributed to the deaths of children.

In a highly publicized case in 1996, a Los Angeles County judge sentenced a Canyon Country mother to 18 months in jail after a jury found her negligent for speeding and failing to properly secure her son, who died in a crash. "Your innocent 3-month-old son had the right to expect you to protect him," the judge told Lesia Smith-Pappas, who twice before had been cited for seat belt violations.

But prosecutors sometimes choose not to pursue charges. They say juries often sympathize with a parent who has lost a child. Some parents whose children died in crashes, such as Rios, the father of the girl killed on the Long Beach Freeway, said they were too grief-stricken to be interviewed.

Irvine police recommended charging Cecilia Chung after her 4-year-old son, Joshua, was killed by an air bag last year. The boy was riding--unbuckled, according to police--in the front seat of a 1996 Nissan Quest van when it rear-ended another vehicle. Police said the mother was driving too fast on a wet road.

"A life was lost through negligence," said Doug Coffing, senior investigator with the Irvine Police Department. But the district attorney declined to prosecute, saying only that there was "no substantial likelihood of conviction."

Chung is "absolutely heartbroken," said her attorney, Donald H. Steier. "The loss of her child has totally destroyed her life. She visits her son's grave almost every week. It's every parent's worst nightmare."

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Some prosecutors say it is important to file charges against parents, even if they do not lead to harsh penalties.

"If we can save one other child's life by making parents aware of what happened to someone else, then I think we've served a valuable public function," said Creg Datig, supervising deputy district attorney in Riverside County.

Los Angeles County prosecutors filed vehicular manslaughter charges against Rosa A. Chavez, who was accused of running a red light in a Pasadena crash last year that killed her 7-year-old son, Noe Gonzalez. Chavez pleaded no contest and was fined \$ 100.

'She'll be living in her own private jail cell for the rest of her life," said Dan Murphy, supervising deputy district attorney in Pasadena.

Prosecutions vary based on a parent's driving record and whether drugs or alcohol are involved. "In some cases, we have parents who aren't even acting like parents," Murphy said.

In Los Angeles County, prosecutors last year filed charges against 431 drunken drivers with child passengers.

Even caring parents--the same ones who make sure their children eat right and don't watch too much television--commit safety lapses.

Two Ejected From Camper Shell

Cynthia Maust was such a parent, recalled her former husband, Jeffrey Maust. The 39-year-old mother had just picked up her three children from school and was taking them to the park in a 1992 GM Sonoma pickup when she missed a stop sign and collided with a full-size pickup in Lancaster.

Her 8-year-old twin daughters, Melissa and Nicole, were riding in a camper shell in the back of the pickup. Both were ejected and thrown about 60 feet. Melissa died instantly. Jeffrey Maust said the coroner told him that her head struck the camper shell as she was being ejected from the back of the truck.

Cynthia Maust also died. The other children survived. Nicole, who was knocked unconscious and spent a week in a hospital, told her father after the crash: "Daddy, Melissa's gone. She went to heaven. Dad, I don't want to go to heaven."

"It's something that happens to everyone else--that's the kind of mentality most people have," Maust said.

Kingsley Jones remembers every detail of Nov. 23, 1998, the day his 10-year-old son was killed. He had just dropped off an older son at school and was driving on Highway 60 in Moreno Valley, taking Christian to the California School for the Deaf a few miles away. Christian was hard of hearing because he had meningitis as a baby.

Morning traffic was typically congested as Jones approached Interstate 215. Christian, seated in the back seat of a 1995 Plymouth Voyager van, wanted to climb up to the front seat after his older brother was dropped off. Sure, his dad said, so long as he fastened his seat belt.

Jones said that he took his eyes off the road and leaned toward Christian to get the boy's attention. The next thing he knew, Jones said, the car in front of him had stopped and he rear-ended it. Then came the loud bang of both air bags deploying.

"In a fifth of a second, my life was changed," the father said.

Jones, citing litigation, would not discuss his decision to let Christian sit in the front seat. Prosecutors said they did not file charges because the crash was an accident.

Traffic safety experts say that more needs to be done to remind parents of their responsibility, including better

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education.

"The majority of people don't know the physics of crash forces," said Heather Paul, executive director of National SAFE Kids, a public health education campaign funded by corporations, including car makers. For example, safety experts say, an unbelted occupant in a 30 mph car crash hits the windshield or other interior surface with the same impact as a fall from a three-story building.

In California, every passenger must buckle up, and police have the authority to ticket drivers solely for seat belt violations. Children under 4 or under 40 pounds must be secured in child safety seats.

Still, more than 400 children killed in California over the last five years were not properly secured, according to CHP reports. Experts say that the responsibility for the safety of children falls on parents.

"Most people would not leave poison under the kitchen sink or let their children play in the street," said CHP spokesman Steve Kohler. "What we need to do is make that same connection with safety belts and all the other careless things that parents do when they're driving."

Times researcher Janet Lundblad and staff writers Ray Herndon and Tom Gorman contributed to this report.

GRAPHIC: PHOTO: Melissa Maust, riding in a pickup's camper shell, was ejected and killed.

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