

A Mother Takes on Drowsy Drivers

“He killed my daughter and only paid a \$200 fine.”

By Gwen Moran

It's a mistake, thought Carole McDonnell when the verdict was read. Her heart sank as the words “not guilty” rang through the New Jersey courtroom. After two trials Michael Coleman—the 48-year-old man who fell asleep at the wheel, crossed three lanes of traffic, and smashed head-on into her daughter Maggie's car, killing her—would only be slapped on the wrist with a small fine.

“It took me a while to understand that it was real,” recalls Carole, 66. “I kept thinking, *Oh, you mean guilty.*”

The final verdict came more than three and a half years after the tragedy in July 1997. Maggie, an energetic young college student, had canceled her plans at the beach to fill a shift at the restaurant where she worked. The college sophomore, studying to be a social worker, “lit up a room when she walked into it,” recalls Carole.

As Maggie drove east, Coleman was headed west after a 30-hour stretch of long-distance driving and drug use, swerving in and out of lanes. Suddenly, his Dodge Caravan veered sharply toward the oncoming traffic, hitting Maggie's small Hyundai and forcing it off the road, according to Lieutenant David Kunkel of the Clementon, New Jersey, Police Department.

Carole was shopping with her granddaughter that day,

but remembers coming home to see her neighbor in the driveway, looking somber. He gently led her inside, resisting her fervent questioning. Once inside, he said, “We've lost Maggie.” Her husband Jim was already at the hospital.

Five days later, after Maggie's funeral, Carole gathered her strength and went to visit Kunkel to see what could be done. By October he had assembled enough evidence to charge Coleman with vehicular homicide. Although there were trace amounts of alcohol and cocaine in his system, Kunkel says that it was not enough for Coleman to have been considered under the influence.

During his testimony, Coleman admitted that he hadn't

Carole McDonnell speaks at Victims Rights Week in Mercer County, New Jersey, on behalf of her daughter Maggie (below), who was killed by a drowsy driver.



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slept in the 30 hours preceding the accident and had fallen asleep at the wheel. “When I interviewed him at the hospital, he said he was sorry and if he had to do it all over again, he would have gotten some sleep,” Kunkel recalls.

However, Coleman’s attorney argued that there was no law specifically against drowsy driving in the state of New Jersey—or anywhere else for that matter. The jury in his first trial ended up deadlocked, but the jury in his second trial agreed with his defense. The price Coleman paid for killing Maggie was just \$200.

The next day Carole got a call from Kunkel. “He asked how I was doing, and I told him, ‘I can’t accept it. What can I do?’ He said, ‘You have to change the law.’” Carole turned her devastation into determination, transforming herself into a persistent woman fighting to preserve Maggie’s memory.

More than 100 million people (half of American drivers) have driven while drowsy, according to a poll conducted by the National Sleep Foundation (NSF). Even worse, says the National Highway Transportation Safety Administration, every year falling asleep at the wheel causes 100,000 automobile crashes, 40,000 injuries and 1,550 fatalities among drivers traveling alone between 12 A.M. and 6 A.M. These figures don’t reflect the true numbers because they don’t include crashes during daytime hours, with multiple vehicles or drivers with passengers. “Too little sleep means that your reaction time is slowed, your decisions are bad, you’re a wreck waiting to happen,” says Mark Rosekind, Ph.D., a former fatigue specialist with NASA and president of Alertness Solutions, a Cupertino, California, company that develops alertness products and services.

It’s not something you can control either, according to Allan Pack, M.D., Ph.D., director of the Center for Sleep and Respiratory Neurobiology at the University of Pennsylvania

Medical Center. “The pressure for sleep is very intense. You start drifting in and out of sleep, so you get instability and the brain may suddenly push you into micro-sleeps, where you sleep for five, ten or fifteen seconds.”

At Kunkel’s suggestion Carole started with a local assemblyman. Soon an area newspaper published a story about Maggie, generating more public interest in the topic.

“I’ve seen people who wanted to make a change but didn’t know how to make the transition from being angry to being productive,” says Darrel Drobnich, NSF senior director of government and transportation affairs, who worked with Carole during her fight. “This is not just a woman who was vindictive, she wanted to make sure that something positive came out of her daughter’s death.”

However, this mom on a mission, who had never done any kind of public speaking and did not even own a computer, was beginning to learn the complex inner workings of creating legislation. Her next step was to testify before the New Jersey State Assembly’s Judicial Committee, the first of many testimonies.

“When I walked into the room, my knees were shaking,” she recalls. “But by the time I was finished telling my story, they were very taken aback, sitting with their mouths hanging open. Some had tears in their eyes.”

as Carole’s quiet strength resonated through the room, the committee decided to approve a bill named “Maggie’s Law,” and present it before the General Assembly. However, it was only the first step of a three-step process, including approval from the senate and governor. The legislative calendar stalled the bill’s momentum, and it had to be re-introduced the next year. This meant more testimony and more patience as the bill made its way through New Jersey’s legislative procedures once again.

On August 5, 2003, more than six years after the death of her daughter, Carole watched with a mixture of relief, sadness and quiet satisfaction as Governor James E. McGreevey signed Maggie’s Law. The first in the nation to directly address driving while fatigued, the law states that drivers who have been awake for 24 hours or more and cause a

fatal crash are subject to up to 10 years in prison and as much as \$150,000 in fines.

Today Carole is a leading spokesperson on drowsy driving. She has served on New Jersey’s Governor’s Task Force Against Traffic Fatalities and has consulted with Louisiana, Massachusetts and England about introducing Maggie’s Law. Congress is also considering a national version that focuses on education about the dangers of drowsy driving.

Throughout the process, some lessons have crystallized for Carole. “I’ve learned that one person can make a difference. I took on the whole state of New Jersey, just picking up the phone, talking and writing letters,” she explains. “I couldn’t have laid down on my pillow at night knowing that this man had killed my daughter and I didn’t do anything about it.” **FC**

You’re Nodding Off... Now What?

Even if you have slept in the last 24 hours, you may be too drowsy to drive. Are you yawning a lot, weaving or hitting the “rumble strips” on the side of the road? Here’s what works and what doesn’t:

Rolling down the windows or blaring the radio: These can work, but only for about 10 to 15 minutes, according to Dr. Rosekind. They may give you just enough time to get to your destination, if you’re close to it, or to pull off the road for a nap.

Caffeine: Caffeine can be extremely effective in waking you up, but can take 15 to 30 minutes to kick in. Effects can last three to four hours, but, Dr. Rosekind says, the average person needs 100 to 200 milligrams. Considering that an 8-oz caffeinated soda has between 22 and 45 milligrams and the average 8-oz cup of drip coffee has approximately 85 milligrams, make sure you drink enough for it to work. Caffeine pills offer similar results, but in more concentrated and controlled dosages.

Naps: A quick snooze can help you make it home safely. Dr. Rosekind says that naps of as little as 20 minutes can vastly increase your alertness and ability to drive, citing a NASA study in which subjects slept for 26 minutes, and their performance went up 34 percent and alertness increased 54 percent.