

UNITED STATES OF AMERICA  
NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*  
In the matter of: \*  
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ROUNDTABLE DISCUSSION: \*  
ACT TO END DEADLY DISTRACTIONS \*  
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\* \* \* \* \*

NTSB Board Room  
429 L'Enfant Plaza, S.W.  
Washington, D.C. 20594

Wednesday,  
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APPEARANCES:

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Safety Board (NTSB)  
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JANET BROOKING, DRIVE SMART Virginia  
ROBERT GORDON, Property Casualty Insurers Association  
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ELIZABETH BAKER, Ph.D., National Highway Traffic Safety  
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KATHERINE VAN DEN BOGERT, National Safety Council  
MARTHA HILL, State Farm  
CATHERINE CHASE, Advocates for Highway and Auto Safety  
PHIL WILSON, Columbia Gas of Virginia  
BRIAN FIELKOW, Jetco Delivery  
MARY ANN RAYMENT, Transportation Safety Institute/OST-R  
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RUSSELL HURD, Abingdon, Maryland  
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P R O C E E D I N G S

(9:00 a.m.)

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2  
3 CHAIRMAN SUMWALT: Good morning, everyone. I'm  
4 Robert Sumwalt and I'm with the National Transportation Safety  
5 Board, and it is absolutely my pleasure to welcome you to the  
6 second Distracted Driving Roundtable, which we've titled "Act to  
7 End Deadly Distractions."

8 Today is a collaborative effort between several  
9 organizations, and in the interest of not offending anyone by the  
10 order, I've decided to announce those organizations  
11 alphabetically. We'll start with Drive Start -- excuse me --  
12 DRIVE SMART Virginia, National Safety Council, National  
13 Transportation Safety Board, and StopDistractions.org. With that,  
14 I'd like to thank each of these groups for their support and  
15 everything that they've done to make this happen. I understand  
16 that the National Safety Council last night had a dinner, so on  
17 behalf of everyone, thank you for that.

18 But I'd also like to thank our panelists. I think we've got  
19 about 31 of you this morning. I would like to thank all of you  
20 for traveling here at your own expense, so thank you all for being  
21 here. And I would like to welcome those who are watching from the  
22 board room as well as those who are watching live via our webcast.  
23 We've also got folks that our following us at the hashtag,  
24 hashtag@ -- or, excuse me, at -- let's start over again, since I'm  
25 -- hashtag@2endDD. So there it is right there. That says it a

1 lot better than I could. So there's our hashtag, and on the  
2 NTSB's Facebook, LinkedIn, Instagram, social media, and all kinds  
3 of other things that I have no idea how to use. So lots of people  
4 are following us through a lot of different medium and hopefully  
5 none of whom are doing that while they're driving. However you're  
6 here today, learning and sharing, welcome.

7 We'll be taking questions throughout the day, both live and  
8 online, and the address that you can submit questions online is  
9 right here, you can see it, [safetyadvocacy@ntsb.gov](mailto:safetyadvocacy@ntsb.gov). So we'll be  
10 showing that slide periodically through the day, but if you're not  
11 here in person, feel free to submit questions and we will be  
12 taking those through the day.

13 If you're here in the board room, we've got index cards and  
14 you're welcome to write your questions down and raise your hand,  
15 and our staff will be collecting those and bringing them to me  
16 during the day. Just please understand that for logistical  
17 purposes, only those gathered here in the actual panel, in the  
18 roundtable, will be the ones who are actively participating, but  
19 we certainly want the input and the questions from everyone.

20 I usually like to start out an event like this with a story,  
21 a story that puts a face on an issue, but many of you already have  
22 faces for this issue: Memories of friends, memories of family,  
23 memories before the crash, memories of all that you've done since  
24 then. You have these memories and you're here to act on what you  
25 know all too well, that these crashes don't have to happen. And

1 you've taken your personal tragedy and are turning tragedy into  
2 triumph. So thank you for that.

3 According to NHTSA -- of course, that's the National Highway  
4 Traffic Safety Administration -- in 2015, on average, about nine  
5 people each day were killed by distracted drivers. That's more  
6 than 49 fatalities a day on average, and on average, more than 40  
7 injuries every hour. Forty injuries an hour, ranging from ER  
8 visits to life-altering disabilities.

9 Now granted, not all distractions are related to cell phones  
10 or texting or talking on the phone, but many are and each and  
11 every one of those distractions are completely avoidable.

12 Through fights against other dangerous distracting -- we've  
13 learned a lot from other battles, things like drinking and  
14 driving, impaired driving, seatbelt usage, and now this battle.  
15 We're learning that it's usually a three-legged stool as to how we  
16 can fight those things and do better. Education and awareness,  
17 that's one leg of the stool. The rights and policies, the laws  
18 and the policies, that's another leg of the stool. And finally,  
19 we have to have high visibility enforcement of those laws. And we  
20 know that if you have a three-legged stool, if you don't have each  
21 of those components in place, it doesn't work very well.

22 But we know from other things, like seatbelt usage, that in  
23 the early sixties we just had the awareness, not much changed.  
24 Then we had the laws and a good bit changed, and now the  
25 enforcement. Now we have seatbelt usage up over 90 percent

1 nationwide. So this is a tried and true approach and so today we  
2 will structure our panel around those three things.

3 Last night I was meeting in my office, going over things to  
4 prep for today, and somebody came up with the analogy of a light  
5 bulb, a book -- it happens to be a law book -- and a badge. And  
6 so that's really the analogy that I think we will use this  
7 morning.

8 As far as education and awareness, oftentimes it's -- as  
9 someone who used to teach, it's fascinating to see the light bulb  
10 turn on for somebody when they finally get it. And we've got to  
11 make sure the light bulb turns on with respect to awareness of  
12 this epidemic that we have on our nation's roadways. But that  
13 light bulb, in a lot of people, it flickers. It flickers off and  
14 on. And sometimes it burns out. And we know that because surveys  
15 and surveys, people admit that they know this is wrong behavior  
16 and yet they continue to do it.

17 And that's where the book comes in, the laws and policies.  
18 People look to the laws to know what is right, what is acceptable  
19 and unacceptable behavior. But we don't necessarily need laws.  
20 We can have corporate policies, company polices. And Brian  
21 Fielkow will be talking about what he's doing in his company, and  
22 others of you, as well. Doesn't have to be a law. But we need  
23 some guidance to draw that line between what's acceptable and  
24 what's unacceptable.

25 And the enforcement, the badge. I don't think anyone who's

1 texting and driving or talking on a cell phone truly believes that  
2 they are going to be in a car crash or that they are going to run  
3 over somebody. I don't think anyone believes that, otherwise they  
4 wouldn't do it. But people do worry about what happens if they  
5 disobey the law. If you drink and drive, you might get caught.  
6 If you speed, you might get caught. So there needs to be high  
7 visibility enforcement.

8 So that's what we will structure our roundtable around, is  
9 those three pillars.

10 The focus today will be on how we can be more effective  
11 advocates. In our first distractions roundtable 2 years ago, we  
12 focused on the science of distractions. We're not going to go  
13 back and re-plow that field. We know there's a lot of evidence,  
14 of literature that shows that that's wrong. Today we are focusing  
15 on gaining tools to be more effective advocates. And the  
16 strengths of today's discussion can indeed result in real change.

17 So we'll dive in on the first step by Janet or Jennifer by  
18 turning on the light bulb for the education and awareness topic,  
19 but we'll get to that in just a moment.

20 First, I want to talk about a few administrative  
21 announcements. In the event of an emergency, I want you to note  
22 where your exits are. There's an exit over -- under each of these  
23 jumbotrons, and there's an exit, the one in which you entered. So  
24 think about this. If there's an emergency, it's going to depend  
25 which exit you're going to want to use. These exits don't

1 immediately take you outside, they take you deeper into the  
2 building, into a hallway, and eventually it goes outside. So  
3 depending on the nature of the emergency, think about that, but  
4 these, of course, will take you outside.

5       There are telephones up there that you can dial 911, if  
6 needed. I just dialed the phone to check. I think we need a  
7 placard there to say this, but you'll have to dial 9 first to get  
8 an outside line, so it's 9-911. There's a defibrillator up there,  
9 as well. We do take safety seriously here, since that's part of  
10 our name, part of our values.

11       Lunch. As you know, we've got a lot of construction around  
12 here and so the escalator up and down can be a challenge; it's  
13 just a one way up and down, sort of strange. But lunch, of  
14 course, it can be upstairs.

15       And then finally, since we're talking about these things,  
16 which here's a message right here. Put them on silence, if you  
17 would, kindly.

18       So we'll do introductions when Jennifer is through, but for  
19 now, Jennifer, please take it away.

20       MS. SMITH: Thank you, Chairman Sumwalt. I would like to  
21 thank the Chairman and all of the NTSB for holding this event  
22 today for us. I'd like to thank the whole team who helped put  
23 this together. It truly was a collaborative effort.

24       First and foremost, I want to thank Janet Brooking of DRIVE  
25 SMART Virginia, here next to me. Once again, she's partnered with

1 us on many of these events, and their input and their dedication  
2 is unmatched to what I see in many of -- the work in this issue,  
3 and they also hold a great summit, the Distracted Driving Summit,  
4 coming in September. We can all look to more information.

5 And then also, I want to thank the National Safety Council  
6 for also their great resources and work on this issue and, then,  
7 again, for that dinner last night for all the families to get to  
8 know each other and to have that time.

9 And then, also, I would like to thank PCIAA Insurance for  
10 also giving us a generous contribution to help some of these  
11 families get here. They came from all over the country and it was  
12 a feat to get them all here.

13 I'm the executive director of StopDistractions.org. It's an  
14 organization consisting of families and the victims of distracted  
15 driving crashes. I am also the daughter of Linda Doyle, who was  
16 killed by a driver talking on a cell phone in September of 2008.

17 Distracted driving is a complex issue. We live in a fast-  
18 paced culture that has many addicted to technology and we pay a  
19 blind eye to the risks and the tragedies of distracted driving.  
20 The light comes on after the devastating event has taken place, a  
21 time victims and their families are overwhelmed with grief and  
22 unaware of what is next. But then they turn their grief into  
23 action.

24 Today we look at all of you, the families, the survivors.  
25 Along with our lost loved ones, we have paid the ultimate price in

1 these crashes, but I truly believe you are the experts. You give  
2 a face to the real-life consequences of distracted driving. It's  
3 not only about the research, it's not about the data, and it's not  
4 about the numbers, it's about us and the ones we love. Each  
5 family at this table and in the audience has experienced a tragedy  
6 that has changed every aspect of their lives and who they are.

7 After that tragedy comes an aftermath that others may not  
8 know about, and this discussion will give your family the  
9 opportunity to discuss those experiences, beginning with your work  
10 in educating the public, sharing the challenges and hurdles that  
11 we've had to overcome in attempts to change policy through  
12 legislation, which can be a challenge like no other, and then the  
13 enforcement of those laws.

14 We've assembled a panel today of families all across the  
15 nation, all with different causes of their crashes, all with  
16 different outcomes, and all with different paths since that  
17 distracted driver forever changed their lives. One thing we do  
18 have all in common is that we want to act to end distracted  
19 driving and save others from what happened to us.

20 Countless lives are affected every year by distracted  
21 driving, and I hope today we can get one step closer to ending  
22 these preventable tragedies on our roads. It's an epidemic, we  
23 all know that, and we're losing too many of our loved ones. We  
24 must act now and every day to end distracted driving, and so today  
25 it starts with us. I thank each of you for traveling all across

1 the nation to be here from the bottom of my heart, and I look  
2 forward to hearing from you all on what you've done in your local  
3 communities and what more we can do together as we act to end  
4 distracted driving.

5 Thank you.

6 CHAIRMAN SUMWALT: Jennifer, thank you very much.

7 I want to go around the room. One of my colleagues is here.  
8 Let's see if I can see. I'd like to recognize my colleague on the  
9 NTSB, the Honorable Bella Dinh-Zarr. Bella, thank you for being  
10 here. Bella has quite an impressive highway background, and I'm  
11 glad you can be here this morning.

12 So what I'd like to do is just go around and we will start --  
13 Brendan, we'd like to start with you. And Nicholas and I were  
14 talking about this yesterday, he said let's do, you know, 30-  
15 second introductions. And I'm like Nicholas, we've got 30 people  
16 here and if we did 30 seconds each, that's about 15 minutes of  
17 introduction. I want to know your story and we will hear your  
18 story through the day, but what I'd like to do so that we can get  
19 on to the real purpose of why we're here, let's just do the three-  
20 sentence introduction.

21 And as an example: I'm Robert Sumwalt. I work for the  
22 National Transportation Safety Board, and I'm here today because I  
23 believe distracted driving is an epidemic and it's on the NTSB's  
24 "Most Wanted" list.

25 So if you can, in three sentences, tell us who you are and

1 why you're here.

2 Brendan, thank you. Good morning.

3 MR. LYONS: Thank you for having me, sir. My name is Brendan  
4 Lyons. I am a former firefighter. I'm currently the executive  
5 director of LOOK! Save A Life. I'm also a trauma crash survivor  
6 and I believe every single one of these instances are 100 percent  
7 avoidable.

8 CHAIRMAN SUMWALT: Welcome. Thank you.

9 MS. LaVALLEE: Hi, I'm Amy LaVallee from Monticello,  
10 Minnesota, and I am here today because my 19-year-old son was  
11 killed by a distracted driver.

12 MS. SCHNEEMANN: Good morning. I'm Leona Schneemann. I'm  
13 from Montana. And my 17-year-old son was texting and driving and  
14 it ended his life.

15 CHAIRMAN SUMWALT: Emily.

16 MS. STEIN: Hi, I'm Emily Stein. I'm from Boston,  
17 Massachusetts. I'm president of Safe Roads Alliance, and I'm here  
18 because my dad was killed by a distracted driver.

19 CHAIRMAN SUMWALT: Thank you.

20 MS. SALTER: My name is Suzanne Salter and I'm from  
21 Louisiana. And we lost our daughter to a distracted driver, and  
22 she was the mother of three beautiful grandchildren I have.

23 CHAIRMAN SUMWALT: Thank you.

24 Joel, good morning.

25 MR. FELDMAN: Good morning. Thank you for having me. I'm

1 Joel Feldman and I'm from the Philadelphia area and the president  
2 of EndDistractedDriving.org. And I'm here because my 21-year-old  
3 daughter, Casey, as a pedestrian, was killed by a distracted  
4 driver.

5 CHAIRMAN SUMWALT: Jacob.

6 MR. SMITH: Hello. My name is Jacob Smith. I am originally  
7 from Texas and reside in Colorado. I am a car crash survivor and  
8 I'm here because I believe in the power that youth have in road  
9 safety.

10 CHAIRMAN SUMWALT: Phil.

11 MR. WILSON: Good morning. My name is Phil Wilson. I'm vice  
12 president and general manager for Columbia Gas Virginia. I'm  
13 pleased to be here today. I'd like to share a little bit about  
14 our safety culture, our philosophy on mobilized use with our  
15 technicians in the field.

16 CHAIRMAN SUMWALT: Thank you.

17 Elizabeth, welcome back.

18 DR. BAKER: Thank you. Good morning. I'm Beth Baker. I'm  
19 the Regional Administrator for Region 3 in Baltimore from the  
20 National Highway Traffic Safety Administration, and I'm here to  
21 try to contribute and let you know what NHTSA is doing to help  
22 erase this scourge from our roadways. Thank you.

23 MR. GORDON: I'm Robert Gordon with PCI. We represent the  
24 home, auto, and business insurance industry, and we're supporting  
25 this important conference because our roads are becoming

1 increasingly dangerous and it's a top priority for us to limit  
2 distracted driving. And I'm just tearing up, hearing all the sad  
3 stories over here.

4 MR. FIELKOW: Hi, I'm Brian Fielkow. I'm from Houston. My  
5 company is Jetco Delivery. We're a regional trucking company. We  
6 operate about 125 trucks in that area. I'm here because I want to  
7 talk -- first, I want to learn and then I want to maybe talk a  
8 little bit how companies of any size can contribute to the  
9 solution by maybe things other than just rules and regulations and  
10 focusing on behavior. I have some ideas that I'm really excited  
11 to share, hopefully that we can all talk about and learn from.

12 CHAIRMAN SUMWALT: Brian, thank you and welcome.

13 MR. FIELKOW: Thank you.

14 MS. VAN DEN BOGERT: Hi, my name is Katherine van den Bogert.  
15 I'm from the National Safety Council. I am the program manager  
16 for Survivor Advocates and Volunteers, and I'm here today to talk  
17 a little bit later in the afternoon about what it takes to be a  
18 good advocate, which you all know you are all very good advocates,  
19 but nonetheless, we can always get better; and also, what tools  
20 and trainings that we can provide to you to help do that.

21 CHAIRMAN SUMWALT: Again, Katherine, thank you for being here  
22 and thank you so much for the support of the National Safety  
23 Council.

24 MS. BROOKING: I'm Janet Brooking and I'm the executive  
25 director of DRIVE SMART Virginia. We are a traffic safety

1 nonprofit, a 501(c)(3), and distracted driving is a top priority  
2 for us. I am here to share with you what we are doing in Virginia  
3 that we believe is making a difference and also to learn. So I'm  
4 very much here to listen and to learn.

5 CHAIRMAN SUMWALT: Janet, thank you. And again personally  
6 thank you for DRIVE SMART Virginia's support and cooperation --  
7 what's the word I'm looking for -- collaboration on this event.  
8 Thank you.

9 And we know Jennifer, so thank you for StopDistractions.org,  
10 thank you for partnering with us on this. Thank you.

11 MS. HILL: Good morning, everybody. I'm Martha Hill. I live  
12 in Little Rock, Arkansas. I'm an attorney at Mitchell Williams,  
13 and I have the pleasure of representing State Farm, which is part  
14 of a safety coalition in Arkansas, and I'm here to talk about that  
15 second leg of the stool, which is legislation, and to accompany  
16 me, Michele Paden, who's sitting next to me.

17 CHAIRMAN SUMWALT: Thank you.

18 MS. PADEN: Hi, my name is Michele Paden and I'm the  
19 president of FADD, Families Against Distracted Driving. And  
20 someone I love and know is a victim of distracted driving; that's  
21 my nephew, Grant, and he'll be coming in later. He's actually  
22 living life as a quadriplegic due to his friend texting and  
23 driving.

24 CHAIRMAN SUMWALT: Thank you.

25 MS. RAYMENT: Good morning. I'm Mary Ann Rayment. I'm with

1 the Transportation Safety Institute, which provides security and  
2 safety training to highway safety advocates, officers, and highway  
3 safety offices throughout the nation and the territories on behalf  
4 of the United States Department of Transportation.

5 CHAIRMAN SUMWALT: Thanks. So you're TSI; you're in Oklahoma  
6 City, are you?

7 MS. RAYMENT: Yes, sir, I am in Oklahoma City.

8 CHAIRMAN SUMWALT: Great, thank you.

9 Heather.

10 MS. MUNSTERMAN: My name is Heather Munsterman from Manassas,  
11 Virginia. I'm a recently retired police officer and I was injured  
12 in the line of duty by a distracted driver.

13 CHAIRMAN SUMWALT: Welcome, Heather.

14 MS. RUSSELL: Good morning. I'm Shelley Russell from  
15 Oklahoma. My only child, Trooper Nicholas Dees, was working at an  
16 accident and he was killed by a man on his 189th text.

17 CHAIRMAN SUMWALT: Nina.

18 MS. TODD: Hello. I'm Nina Todd. I'm from Iowa and I'm a  
19 victim of a distracted driver, and I also lost my 4- and 5-year-  
20 old due to the 18-year-old texting and driving.

21 MR. SHAW: Good morning. I'm Reggie Shaw. I'm from Utah and  
22 I'm grateful to be here. I just want to be part of the solution.  
23 I was involved in an accident when I was 19 that I caused from  
24 texting while driving, and I just want to become a better advocate  
25 to help people. That's it.

1 MS. THOMPSON: Hello. My name is Larissa Redmond Thompson.  
2 I'm the executive director of the Collegiate Life Investment  
3 Foundation, and I am here because a distracted driver crossed five  
4 lanes and killed my fiancé at the time in Memphis, Tennessee in  
5 2012.

6 MS. CARNEY: Hello, my name is Laura Carney. I'm a  
7 journalist. I work with *Good Housekeeping* and *Redbook* and *Woman's*  
8 *Day*. I'm also a survivor advocate with the National Safety  
9 Council and Distracted Driving Safe Roads Alliance, a few  
10 different organizations, because my father was killed in 2003 by a  
11 teenager driving, on her cell phone.

12 DR. WOOLDRIDGE: Good morning. My name is  
13 Dr. Toron Wooldridge and I'm from Houston, Texas, and the reason  
14 I'm here is that my two sisters, Jade and Brianna Robinson, were  
15 killed last year when their -- the driver of their car looked at  
16 her GPS device and veered in front of an 18-wheeler, killing three  
17 passengers in the car.

18 MS. MUCCI: Hi, I'm Giana Mucci. I'm from Los Angeles,  
19 California. I work for Yahoo. My mom was killed 2 years ago by a  
20 distracted driver, and the woman who killed her only got a \$250  
21 fine.

22 MR. HURD: Good morning. My name is Russell Hurd and I live  
23 in Abingdon, Maryland. I'm here today, I lost my only daughter,  
24 Heather, in January 2008 when a tractor-trailer driver was  
25 texting.

1 CHAIRMAN SUMWALT: Thank you, all. I'm speechless. And  
2 there's a lot of motivation right here in this room to change the  
3 way that we do business in this country with respect to driving  
4 and distractions, and we have to act to end deadly distractions.  
5 So thank you, all.

6 We have a saying at the NTSB: "From tragedy we draw  
7 knowledge to improve the safety for us all." And so one of the  
8 things we will talk about is how do we improve that knowledge to  
9 improve safety for us all? That will be the first panel.

10 Let me introduce the NTSB staff who is here who will be  
11 helping and contributing, as well.

12 Kenny Bragg.

13 MR. BRAGG: Good morning. My name is Kenny Bragg. I'm a  
14 senior investigator in the Office of Highway Safety. Prior to  
15 coming to the Board, I was a traffic homicide investigator for 15  
16 years and I've had about 230 fatal crashes that I've investigated.

17 MR. DALTON: Good morning. I'm Sean Dalton. I'm Special  
18 Assistant to the Acting Chairman and just here to help facilitate  
19 the roundtable however I can.

20 CHAIRMAN SUMWALT: Thank you. Thank you, Sean.

21 We'll go back here, start over here. And who are these nice  
22 folks back here?

23 MR. STRICKLAND: Thank you, Acting Chairman. My name is Erik  
24 Strickland. I'm within Safety Advocacy and I'll be here handling  
25 the Twitters and your emails, so send them to

1 safetyadvocacy@ntsb.gov, and helping out any way that I can.

2 MS. SHAW: Hi, I'm Stephanie Shaw. I'm also with NTSB Safety  
3 Advocacy and helping with the social media activity today.

4 MS. WALTON: Good morning, my name is Leah Walton. I'm with  
5 the Safety Advocacy Team and I will be taking photographs  
6 throughout the day and supporting the social media.

7 MR. HUGHES: My name is Michael Hughes and I work in the  
8 Office of the Acting Chairman.

9 MR. WORRELL: Nicholas Worrell, Office of Safety Advocacy.

10 CHAIRMAN SUMWALT: Nick, I've thanked our other three  
11 partners in this. Nick, you've really pulled this together but it  
12 has not been a solo effort. It's been with the folks here; it's  
13 been the folks that aren't even here that are upstairs making  
14 graphics for this and everything else. So -- thank you, Kenney --  
15 so it really has been a team effort. So a great effort.

16 Let's jump right in with the first panel, talking about  
17 education and awareness. And the way we'll do it, we will -- each  
18 panel will start out with one or two or three people to sort of  
19 tee it up and then we'll go around and if you've got something to  
20 say, we would certainly love for you to raise your hand and then  
21 we'll -- it's really an open session where we want to hear from  
22 everybody.

23 So joining us to introduce this topic of Awareness --  
24 Education and Awareness, to kick it off will be Janet Brooking  
25 from DRIVE SMART Virginia and Robert Gordon, Senior Vice

1 President, Property Casualty Insurers Association of America.

2 So with that in mind, Janet -- so you're, of course, DRIVE  
3 SMART Virginia. So you apparently have found it effective to  
4 focus just on one state, I guess. Why are you focusing on one  
5 state and not a more global, if you will, initiative?

6 MS. BROOKING: Well, that's a very good question. We  
7 actually -- we are looking at having more of a national presence.  
8 I think that that's absolutely critical. What works for us now is  
9 being Virginia-centric. We, as a 501(c)(3), receive a lot of our  
10 funding from NHTSA and from our state highway safety office. And  
11 clearly, when you're dealing with the state highway safety office,  
12 those funds are intended to be spent in the state where they're  
13 generated.

14 So to answer your question, for us, right now, the model that  
15 we have really, really works. Our partnership with the highway  
16 safety office is extremely strong and very, very impactful and  
17 effective, but down the road, we do see a need for programs like  
18 ours in other states.

19 CHAIRMAN SUMWALT: So do you see -- is there an advantage,  
20 for example, for looking at it at a state level, at a statewide  
21 level, versus a larger level? I mean, what are the pros and cons  
22 of focusing just on one state versus the larger level? And we'd  
23 like to hear --

24 MS. BROOKING: Okay. So I think that, to answer your  
25 question, when you're state-centric, as we currently are, you have

1 more of a grassroots approach and you can understand the culture  
2 of that state. Virginia has many, many different faces, from  
3 Northern Virginia to our tidewater region, which is largely  
4 military, to our south side, which is a very rural, rural area.  
5 So if you're state-centric, then you can really drill down to  
6 those very specific needs of every community.

7 On the other side of things, if you have more of a national  
8 approach, then you can take a more holistic look at the problem  
9 and address it generally on a larger scale.

10 CHAIRMAN SUMWALT: Right. And thank you. And with your  
11 experience, what are you finding, what efforts are working on the  
12 statewide level, and what are areas that we can improve upon from  
13 an awareness, education and awareness perspective?

14 And Robert, I'm going to come to you next for a question.

15 MS. BROOKING: So I think in Virginia, again, speaking from  
16 my perspective, one of the most powerful things that we've done is  
17 cultivate a very strong relationship with our state highway safety  
18 office, number one. We also have cultivated strong relationships  
19 with corporate Virginia, with our corporations who do a great  
20 amount to deliver our message and try and help get the word out.

21 CHAIRMAN SUMWALT: Great. Talk a little bit about  
22 cultivating those relationships. I think that's really important.  
23 So talk about how you do that.

24 MS. BROOKING: Okay. You know, with their -- clearly, with  
25 their highway safety office or any of their other funders, one of

1 the most important things is to be accountable, to be transparent,  
2 and to just generally do what you say that you're going to do and  
3 leave no gray areas whatsoever. So that's the way we've managed  
4 to build those relationships with their funders, and we always  
5 overproduce, so to speak.

6 CHAIRMAN SUMWALT: So if somebody's from Louisiana, for  
7 example, and they want to form a coalition with their -- you say  
8 the state highway -- what's the, what is the vernacular that  
9 you're using?

10 MS. BROOKING: The highway safety office.

11 CHAIRMAN SUMWALT: The highway safety office. That resides  
12 within the Department of Public Service usually, or where does  
13 that live?

14 MS. BROOKING: It varies. And perhaps Dr. Baker could  
15 address that down the road. But in Virginia it is at our  
16 Department of Motor Vehicles. In some states it may be in the  
17 governor's office; it may be in the transportation office. I  
18 think it varies by state.

19 CHAIRMAN SUMWALT: Great. And you indicated that there's --  
20 that you've received -- or not NASA -- but NHTSA funding. And so  
21 in just a moment, Elizabeth, I'm going to ask you to talk about  
22 that. But you have found that apparently to be an effective  
23 partner, if you will, in helping funding?

24 MS. BROOKING: Absolutely. Absolutely. And also, in  
25 mentioning partners, we partner with the corporate community as

1 well as our high schools and colleges. So the importance of the  
2 corporate community is that they are -- they can deliver: They  
3 have a captive audience in their workplace; they can deliver a  
4 traffic safety message; they can adopt a traffic safety culture.  
5 Most people either work or are in school, so if we reach both  
6 schools and workplaces, we feel like we're reaching a large part  
7 of the driving public in Virginia.

8 CHAIRMAN SUMWALT: Right. So you might go to a company and  
9 say, hey, look, we really want to work with you to help raise  
10 awareness of the hazards of distracted driving, and do you have a  
11 toolkit that you might present them with? I know NSC does,  
12 National Safety Council does, and we can talk about that in a  
13 moment because they've done a lot. So tell us what you're doing  
14 there.

15 MS. BROOKING: Sure. So we actually have so many different  
16 programs that we offer. One of them, you're correct, we have  
17 toolkits that we've created with free posters, free brochures. We  
18 have an online store and everything is free, that people can --  
19 Virginia residents can order all of these materials, whether they  
20 want to put them in their workplace, their school, their church,  
21 their community center, their community event. And the toolkits  
22 might range from distracted driving to impaired driving to sharing  
23 the roads with bikes and peds. That's one thing that we do.

24 We have a distracted driving summit where we bring in top  
25 national experts to tackle the issue of distracted driving in

1 Virginia. That is an annual sellout of an event. So that's  
2 another thing we do.

3 We have a distracted driving simulator that State Farm funded  
4 that has been a huge success and we have reached probably 40,000  
5 students and workplace individuals, personally touched them in the  
6 past 2 or 3 years with that program. So those are just a few  
7 examples of what we know works for Virginia.

8 CHAIRMAN SUMWALT: Right. And if somebody wanted to see your  
9 toolkit, I'm sure it's on a website, so how might they find that?

10 MS. BROOKING: Sure. Our website address is  
11 drivesmartva.org. And you know, again, go look at our toolkits.  
12 I'm very proud of them, they're wonderful. And we have free  
13 materials. If you have a Virginia address, we can ship those to  
14 you. And any number of other things, you know, we've got some  
15 information on our laws, we've got best practices. So we have any  
16 number of things to help folks on that website.

17 CHAIRMAN SUMWALT: Great. In just a moment when we open it  
18 up to the floor, I mean, you may have questions directly for  
19 Janet, so I'm finding this fascinating to hear what you're doing.

20 So Robert, tell us what -- how have you noticed that the  
21 awareness efforts, how they might've changed over the years? Are  
22 we doing the same thing we did back in 2003, or what's -- what are  
23 we doing differently and how effective are we?

24 MR. GORDON: Well, we are doing things differently, but maybe  
25 not as effectively as we need to. And I want to provide a little

1 bit of perspective on this issue.

2 Historically, over many years, auto accident rates had slowly  
3 declined, auto accident severity had slowly increased, the two  
4 roughly offset and you had, on the insurance side, a certain  
5 amount of stability. But that's changed dramatically now, and  
6 both frequency and severity are spiking upwards, worsening; our  
7 roads are becoming increasingly dangerous, and insurers believe  
8 it's in large part due to distracted driving.

9 And I know the NTSB had a similar roundtable 2 years ago, but  
10 since that time accident rates and severity have gone through the  
11 roof. We've seen auto accident deaths increase 14 percent over  
12 the last 2 years; that's the biggest increase in half a century.  
13 Auto loss costs, combining frequency and severity, increased 14  
14 percent over that time. Last year, 4.6 million people were  
15 significantly injured; that's a 31 percent increase over the last  
16 7 years. And it's not just drivers getting injured. The number  
17 of pedestrians killed by cars increased 22 percent over the last 2  
18 years. The number of bicyclists killed by cars increased 12.2  
19 percent over just 1 year. So that suggests that our at-risk  
20 population is not just drivers, but those they share the road  
21 with.

22 Three out of four drivers admit to distracted driving, half  
23 admit to text or emails, but the reality is actually much worse  
24 now that we have some companies, insurtech companies are actually  
25 measuring what drivers do.

1 TrueMotion found that 92 percent of drivers use their dumb  
2 phones while driving; 71 percent use them for text messages. The  
3 top 10 apps include Google Chrome, Netflix, and YouTube. Drivers  
4 use their phones about 20 percent of their driving time and the  
5 accident risks increase anywhere from 2 to 20 times.

6 Another insurtech company, End Driver (ph.), found 88 percent  
7 of drivers using a not-so-smart phone and 20 percent of collisions  
8 are occurring during or right after those phone calls.

9 Distracted driving isn't the only contributor. We have  
10 higher speed limits, we have -- we've identified marijuana;  
11 impaired driving is an increasing threat. But the number one  
12 factor, by far, when we run it through our correlations, our  
13 statistical analysis, is urban congestion, and our insurers  
14 believe that is directly connected to distracted driving.

15 You get stuck in bad traffic, in D.C., especially, you start  
16 multitasking. In your conference 2 years ago, the participants  
17 pointed out that there is no such thing as multitasking, it just  
18 means you have people doing two things poorly at the same time,  
19 alternating back and forth.

20 Smartphone ownership has doubled over the last 5 years; it's  
21 not surprising the number of accidents have increased. But we  
22 believe that the distracted driving causes far more than the  
23 official statistics.

24 State laws are outdated, so we're having to go state by state  
25 to get the laws updated. We're doing education campaigns; we've

1 got social media. The media is very interested in this. It  
2 resonates with people when they hear your stories. And we have to  
3 do something and we're going to do everything we can working with  
4 policymakers to change the law and change the culture.

5 CHAIRMAN SUMWALT: Excellent download. Thank you very much.

6 Beth, I don't want to put you on the hot seat because this  
7 may be outside of your lane, but I did find it interesting, from  
8 Janet, that NHTSA does occasionally grant funds. So if someone  
9 were interested in pursuing that, what would be the pathway for  
10 that?

11 DR. BAKER: Yes, I can speak to that.

12 As Janet mentioned, every state in the country does receive  
13 highway safety funds from NHTSA and every state is required to  
14 have a state highway safety office. And those funds are available  
15 for organizations and the state to use to contribute to their  
16 highway safety efforts. And of course, there are strings  
17 attached; like any federal money, there are strings attached. But  
18 if an organization is interested -- it can be a public or a  
19 nonprofit organization -- they need to contact their state highway  
20 safety office. And probably the best way to do that, the  
21 Governors Highway Safety Association has a website that lists all  
22 the state highway safety offices and how to contact them, and  
23 that's [ghsa.org](http://ghsa.org). So that is the best way.

24 CHAIRMAN SUMWALT: Ghsa -- Governors Highway --

25 DR. BAKER: Dot org, right.

1 CHAIRMAN SUMWALT: -- Safety Association -- .org.

2 DR. BAKER: Right.

3 CHAIRMAN SUMWALT: Ghsa.org.

4 DR. BAKER: So you can contact your state highway safety  
5 office and they will go over the requirements for qualifying for  
6 the money.

7 CHAIRMAN SUMWALT: Excellent. Thank you. And great, so  
8 let's open it up.

9 Joel, you had a comment?

10 MR. FELDMAN: Yes. With Mr. Gordon reciting all those facts,  
11 I remember when I was here last time, we were sort of -- we were  
12 continuing to see the fatalities going down. Of course, we're in  
13 a very different position here today. And I remember 2 years ago  
14 sitting around the table thinking, gosh, I'm part of this great  
15 effort and we're reducing deaths. So I think I congratulated  
16 myself, I think, at some level, but I think today I think we have  
17 to take ownership of the fact that if we're in here doing this,  
18 we're not doing all that we could be doing and things that we're  
19 doing need to be changed.

20 So one of the things that I'm aware of, Jay Winsten from the  
21 Harvard School of Public Health, who was involved in the "Friends  
22 Don't Let Friends Drive Drunk" campaigns, he's doing some things,  
23 and I've talked to him about it and we started to do them. We're  
24 all afraid of the other driver on the road, the distracted driver.  
25 Now I might not be as successful as I'd like to get Member Sumwalt

1 to change his driving, but if I can capitalize on his fear of  
2 other drivers, then I can get him to say, well, how do you protect  
3 yourself when you're driving? Well, you be a defensive driver.  
4 How can you be a defensive driver if you're a distracted driver?  
5 So that's some of the things that are going on.

6 And I know Jacob knows this as well with youth, that students  
7 speaking up, bystander interventions -- how do we get students to  
8 speak up more, how do we get them to feel more comfortable saying,  
9 whether it's a student, a friend, or mom or dad, hey, put the  
10 phone down?

11 So I think those are things that we've been doing. And I'm  
12 frustrated, to be honest with you. I mean, maybe other people  
13 here are, too. I'm frustrated; I'm doing these things, I'm trying  
14 the best I can, I talk with researchers, I get their ideas, but I  
15 would like someone like the NSC, like NHTSA, some of those people,  
16 who it's your profession to do this thing, this is what you guys  
17 do, to help us out. I would like some more of that to come out of  
18 this conference.

19 CHAIRMAN SUMWALT: Thank you for your comment.

20 Brendan.

21 MR. LYONS: I'm going to save public policy and legislation,  
22 and I know we're kind of talking about this, but from the purpose  
23 of education, our organization, LOOK! Save A Life, has partnered  
24 with numerous public safety entities such as law enforcement and  
25 fire -- we're working on partnering with fire departments, getting

1 the message on vehicles. We've wrapped several law enforcement  
2 vehicles addressing distracted driving: "A moment's distraction,  
3 a lifetime of regret." We've got graphic details. And when you  
4 partner with these organizations such as law enforcement with a  
5 message of distracted driving enforcement, whether or not they're  
6 enforcing it, it resonates with the general public to put that  
7 phone down.

8 And I think, you know, we are -- there's been this question  
9 or this idea of trying to go big picture, whether nationally or  
10 even statewide. I highly encourage everybody in this room to  
11 focus even more locally on your towns, cities, and counties, and  
12 for the purposes of education, of course, beside just reaching out  
13 to high schools and giving presentations in local high schools,  
14 but purpose of education.

15 CHAIRMAN SUMWALT: That's a great perspective, and we're  
16 going to Larissa in just a moment, but have you all found it  
17 effective to just pick up the phone and call, for example, a local  
18 high school and say I want to come in and talk to your students or  
19 partner with your school? Has anyone tried that and has it been  
20 effective? So that is working? Not working? Okay. So we're  
21 getting varying results on that.

22 And so, Larissa, you raised your hand and you wanted to say  
23 something?

24 MS. REDMOND THOMPSON: Yes. So my question really was a two-  
25 part one. My first question, you kind of lead into it. Anybody

1 at the table, have you -- what has worked with your local high  
2 schools and colleges to say -- most of the time when I'm going  
3 into the room presenting the toolkit, presenting our platform, you  
4 know, they're like, well, what's in it for you? And it doesn't  
5 cost the students anything, it doesn't cost the school board, but  
6 we have a lot of pushback in that area. So that was my first  
7 question.

8         And then my second question: When we do a lot of our  
9 programming, like we do a program with the Collierville court  
10 system, where if the students have any type of ticket they have to  
11 go through our distracted driving training or class to get that  
12 ticket off their record. Most of the time their feedback on our  
13 survey is, we felt it was okay because our parents felt it was  
14 okay. And I feel that is a big gap in our -- in the awareness  
15 that we bring across the board, we really don't touch the parent  
16 driver. A lot of the times we focus on the teens or we focus on  
17 the corporations, but we don't touch the parents, and really teen  
18 drivers or young drivers emulate what they see and who they're  
19 taught.

20         So I wanted to pose the question, do you guys have any  
21 suggestions for really getting in with the high school and the  
22 colleges in your local communities, and have you had any success  
23 with reaching out to parents or with any programming? Thank you.

24         CHAIRMAN SUMWALT: That's a great point, that the kids  
25 emulate the behavior of their parents, and maybe getting them at

1 the high school level is not the right level, maybe it needs to be  
2 done earlier.

3 I remember a story. My daughter was 4. We had gone to  
4 Baskin Robbins. She was sitting carefully in her child seat in  
5 the rear, buckled in, and as I was drinking my milkshake from  
6 Baskin Robbins. This sweet little voice came from the back of the  
7 car and said, "Daddy, you're not supposed to drink and drive."

8 (Laughter.)

9 CHAIRMAN SUMWALT: And so -- she's right. But maybe it needs  
10 to be earlier so the kids can influence the parents, I mean,  
11 because they do pay attention to what they see on TV.

12 So Russell, you had a comment.

13 MR. HURD: Yeah, I really believe that education and  
14 awareness begins in the community. We have wonderful statewide  
15 groups and national groups that do a fantastic job in spreading  
16 that message. But the advocates that are in here that have jobs,  
17 everyday jobs, and are working in their communities, we need  
18 advice on how to proceed there. We've had some success going to  
19 the local school board and speaking at different middle schools,  
20 early learning centers, but that's really hit or miss. Larissa, I  
21 mean, it pretty much depends on curriculum. But I agree.

22 I have a story, as well. My daughter, who we lost, when she  
23 was in first grade, she was being educated on the dangers of  
24 cigarette smoking and at the time my wife was a smoker,  
25 unfortunately. She came home and said, "Mom, why do you do this?"

1 This is a dangerous thing." And she hounded my wife until she  
2 quit. We need to do something similar with distracted driving.  
3 We need to reach them at a much earlier age, I believe.

4 CHAIRMAN SUMWALT: So maybe there's a take-home right there.  
5 Maybe if we're waiting for the -- to hit them in high school,  
6 that's too late. So let me -- okay. So great, I'm so glad we're  
7 getting some hands and, Shelley, I wanted to get you, but I'll  
8 tell you what, let's -- can I ask, let's go to Janet and Jennifer  
9 and let's talk, so -- and anyone else.

10 How do we -- we're hearing mixed results. Some people are  
11 saying its effective, they're having luck getting into the  
12 schools, others are saying no, not so much so. So what have you  
13 all found to really work to get in and provide education, but it's  
14 not -- we have to make that education stick. The light bulb  
15 flickers; let's keep it on.

16 MS. BROOKING: So interestingly enough, just this last week I  
17 spoke to the driver -- all the driver education supervisors in  
18 Virginia had me in to their meeting. So that -- if you're looking  
19 at high schools, that's a really, really -- you know, to work  
20 through the state department of education or through the driver  
21 education network, or school resource officers are another great  
22 network, if you can get in on a statewide level with those folks.

23 We, a number of years ago, did a trucking project and we had  
24 huge outreach at truck stops throughout Virginia, and I cannot  
25 tell you how many times a truck driver told us I never buckled up,

1 but I do now because my daughter or my granddaughter told me to.  
2 So we know from that firsthand experience that that is absolutely  
3 impactful.

4 We don't have any program specific to elementary or middle  
5 schools right now, but we do have a coloring book, for example,  
6 that we give out at all of our outreach events and it's a very --  
7 it's a traffic safety coloring book and it's very popular. We  
8 also reach parents through our corporate events, intercommunity  
9 events. So while they are at work, we're still talking to them  
10 about the importance of making sure their children and teens are  
11 well -- are safe in the vehicle.

12 CHAIRMAN SUMWALT: Great. Thanks.

13 And did anyone else have to be -- great, wonderful. Others  
14 will comment on that specific topic.

15 Jennifer.

16 MS. SMITH: I mean, I also had a hard time getting into  
17 schools when I had first lost my mother. I mean, it was just we  
18 don't have time, you know, there's other things we need to do. So  
19 it can be challenging. But when you're having a hard time getting  
20 into a school or with the school board, consider going to law  
21 enforcement and partnering with them because many times they are  
22 already doing a program with the schools in the spring, maybe  
23 around prom. So see if there's other groups that do a road safety  
24 thing to get in there.

25 Another thing, I worked with the Shriners Hospital for

1 Children and the Ford Foundation doing a college-age pilot project  
2 because that was the age group -- no one talks to your 20 to 29-  
3 year-olds when they're in college and out of the home about safe  
4 driving. They're doing a million things. And to get into the  
5 different universities, we had to use many different ways. We  
6 went through the sororities and fraternities, they'd throw  
7 functions and do things. You can go, like, get an area around the  
8 food court and just hold types of things, if you have some type of  
9 simulator or something that could draw them in and just different  
10 ideas like that. I mean, you have to get creative. The student  
11 services. It's just about finding your way in, however you can  
12 get there.

13 CHAIRMAN SUMWALT: Katherine.

14 MS. VAN DEN BOGERT: Thank you. I'm going to complicate the  
15 issue a little bit more here by saying I think that, you know,  
16 there are a lot of different things we can get into the schools to  
17 talk about distraction. But really, I think what we all need to  
18 look at as advocates and professionals is, is that really having  
19 an impact?

20 CHAIRMAN SUMWALT: Exactly.

21 MS. VAN DEN BOGERT: Does that have an impact? Does that  
22 promote behavior change? And I think right now the whole  
23 distraction community is really looking at that as an issue and  
24 saying we know we have a lot of initiatives going on right now,  
25 but what are we really seeing that can make a difference, what can

1 really change behavior?

2 And a lot of it goes back to what Joel spoke to earlier to  
3 really looking and saying, hey, maybe we need to think a little  
4 bit outside of the box and not just think about distraction as  
5 punitive, telling people don't do it, don't do it. Maybe we need  
6 to really look at outside influences like the people who are  
7 driving the car with us to be a positive influence. Or again, I  
8 know Emily's doing some work on working with children, because I  
9 do think that there is an opportunity there to come at this at a  
10 different angle, a way we haven't done it before, to maybe be more  
11 effective.

12 CHAIRMAN SUMWALT: I'm so glad that you said that, because as  
13 Jennifer and Janet were speaking, I was reminded of something that  
14 I often say around here: "There's a difference between activity  
15 and advocacy." You can do a lot of things that make you feel like  
16 you're moving the needle, but the question is does it really move  
17 the needle? And that's the trick right there, is how do we have  
18 effective advocacy?

19 So boy, I tell you, we've got a lot of hands going on here.  
20 Robert, I'm going to go to you and then I'm going to come back  
21 over here because I think we're -- wow. You're doing exactly what  
22 I'm wanting you to do, so jump in, please.

23 MR. GORDON: So I think telling the stories is incredibly  
24 important, so I don't think anybody should minimize the work  
25 that's been done. But if you look back at the campaigns to get

1 people to wear seatbelts, at the campaigns to reduce drunk  
2 driving, at the campaigns to stop smoking, they were successful  
3 because they were multipart campaigns. It was not just a little  
4 education. But it's changing the laws which is critical.

5 So a lot of state laws only restrict cell phone usage,  
6 they're not updated for iPhone, you know, watching videos, so  
7 ironically you might not be able to use a phone but you can watch  
8 YouTube. A lot of states don't make distracted driving a primary  
9 offense so the police can't pull you over, even if they see you  
10 distracted. Penalties need to be changed, so as Giana said, you  
11 know, if it's just a \$250 ticket, that's not going to change  
12 things, and it needs to be enforced.

13 Education has to be sustained. You think about the smoking  
14 campaigns and the seatbelt campaigns, it was constant. It wasn't  
15 just someone coming into your school and someone coming to your  
16 school and seeing a movie and having courses on it.

17 It's also employees changing their policies and enforcing  
18 them. So there are some companies that are now moving to say no  
19 cell phones, but most of them aren't really enforcing it. People  
20 will internalize it more if the job says you can't do it, then you  
21 know you can't do it at home and your kids are hearing it in  
22 school and you know that you're going to have a much bigger fine.

23 And then ultimately, to Joel's point, it's going to be peer  
24 pressure and you got to get people speaking up. I started wearing  
25 a seatbelt when I was young because there was a very cute foreign

1 exchange student who wouldn't get in the car with me until I put  
2 on that seatbelt.

3 (Laughter.)

4 MR. GORDON: And I have worn a seatbelt ever since then.

5 That's the kind of cultural change we need, is for people to  
6 start speaking up, but you need to change the laws so that people  
7 can understand it, you need to change the employer policies, and  
8 you need a sustained education campaign if we really want to move  
9 the needle.

10 CHAIRMAN SUMWALT: Thank you for talking about ways we can  
11 change our advocacy, our activities into real advocacy.

12 Shelley, you raised your hand about 15 minutes ago, so we're  
13 just getting to you, but thank you for your patience.

14 MS. RUSSELL: Thank you. I've had real good success getting  
15 into schools in Oklahoma and they have been very impactful. And  
16 what I did is -- it took me about a year before I was able to do  
17 it, but I have a very powerful presentation. It's called "My Son  
18 Gone in Seconds." And when I started doing it, I thought I had to  
19 -- I could put statistics out there, but we all know the dangers.  
20 So what I do that has been very impactful is I introduce -- in  
21 between my statistics slide, I introduce my son, my only child, as  
22 a baby, and he grows up through these statistics. Also, at the  
23 end of the program, I show, to music, his -- when he went to the  
24 academy, when he was working, the funeral, the funeral procession,  
25 and the graveside.

1           And then I also made up a pledge form and asked the students,  
2 if they wanted it, they could take it; if not, they didn't have  
3 to. And they would sign it and date it and have a witness sign it  
4 and date it, and ask them if they wanted to take them home, they  
5 could take them home and get their parents, and hold each other  
6 accountable for -- put it on the refrigerator so you would see it  
7 on a daily basis.

8           And I gave them Nicholas's Facebook page and said if -- you  
9 know, if I have made an impact, please give me feedback. And  
10 every school I went to, I had students taking pictures with that  
11 pledge sheet with their parents or with friends and saying that  
12 they would put the phone down.

13           But I had to open up that wound every time I show the  
14 presentation, showing what I lost, and I had to make them feel  
15 what I lost. And I knew that at the end of my presentation, if I  
16 had a student crying, faculty crying, I had done my job. And so  
17 that's what works for me.

18           CHAIRMAN SUMWALT: Thank you. And you're finding that is  
19 working?

20           MS. RUSSELL: Yes, I am getting positive feedback on  
21 Facebook, on my page and Nicholas's page, that they are -- that I  
22 have impacted them and the light bulb came on.

23           CHAIRMAN SUMWALT: The light bulb came on, great. We want it  
24 to stay bright. Good.

25           Michele.

1 MS. PADEN: I, too, go into schools. I travel the state of  
2 Arkansas and go into schools, and sometimes it is hard to get an  
3 administrator to return your phone call. Never give up, because  
4 once you get there and once you do your program and you share your  
5 story, they thank you for being there.

6 Another thing that has been instrumental that I have found is  
7 engaging students, going through civic -- I mean, going through  
8 clubs at school: FFA, EAST program, the business department,  
9 whatever groups at school, meet with them.

10 I had some students come to me. They wanted to write  
11 legislators, they wanted to write the governor, concerned that the  
12 fines were not stiff enough. They even participated in a program  
13 with Arkansas Children's Hospital. I'm on the board at Arkansas  
14 Children's Hospital. They were bringing all this to their school  
15 and wanted to try to find ways to get their peers to stop texting  
16 and driving and they wanted to be an example, to be that leader  
17 among their peers.

18 So they just recently, the FFA group and the EAST group at  
19 Mountain Home High School in Mountain Home, Arkansas just recently  
20 participated with another school, a nearby school, Cotter, and  
21 they did a huge reenactment. It was three phases. There was an  
22 accident scene, there was a graveside service, there was a mock  
23 funeral, and then we had people from all within the community that  
24 did -- speaking on certain aspects that they deal with regarding  
25 distracted driving. These kids did an excellent job, and

1 empowering them and bringing that into the classroom and letting  
2 them learn, through distracted driving, there's ways that they can  
3 do that.

4 Another thing, at the end of the day, when I do programs,  
5 these students come up to me and they say I don't text and drive,  
6 but my parents text and drive and I am scared to death to ride in  
7 the car with my parent, and that totally breaks my heart. And  
8 they said that when I get onto them, they are very defensive and I  
9 get in trouble, usually get grounded, and I'm being disrespectful.  
10 I encourage them to put it in a life or death situation.

11 As adults, those are my hardest audiences that I ever speak  
12 in front of, and when you have a kid coming to you and getting  
13 onto you, any human being automatically becomes defensive and  
14 starts making excuses. So I tell those kids to put it in a life  
15 and death: "Hey mom, hey dad, I want you to be here when I  
16 graduate. I want you to be here to walk me down the aisle. Your  
17 life is precious, my life is precious, and I want to be here and I  
18 want you to be here to make lasting memories with me."

19 CHAIRMAN SUMWALT: Thank you for that.

20 So Katherine, I want to go back to you because you raised a  
21 point which I actually agree with, is the difference between -- my  
22 words, not yours -- the difference between activity and advocacy.  
23 I want to make sure that when we are doing something, it is truly  
24 -- it truly is moving the needle. Is there a way that we can  
25 measure the effectiveness of our outreach efforts?

1 MS. VAN DEN BOGERT: So I think we definitely can. So I know  
2 it sounds like maybe a cumbersome process, but you can always go  
3 back, and one good way is to actually survey, so survey people,  
4 and "Have you actually seen a change in your behavior; have you  
5 changed you behavior as a result of seeing this presentation?"

6 And I think in the case with doing presentations to the  
7 schools, for example, I think initially a lot of people will say  
8 oh, my gosh, I saw a presentation or I saw this or I saw that and  
9 I'm putting my phone away. And they'll maybe put their phone away  
10 for a couple days, but then maybe they tend to say, well, you know  
11 what, okay, I know I'm not supposed to do it, but let me just kind  
12 of pick it back up.

13 So not only initially looking at the behavior change, but  
14 also long term, really going back and saying -- maybe go back to  
15 those people in a few months, even if you need to and say, hey, we  
16 had this presentation and we had this discussion, are you still  
17 not using your phones; are you kids still putting your phones  
18 away? And really kind of push them to see if they've really,  
19 indeed, made that change.

20 CHAIRMAN SUMWALT: Does the National Safety Council have --  
21 and I know you all have a plethora of good things on your website.  
22 Do you have a survey like that, that could be used?

23 MS. VAN DEN BOGERT: Not that I'm aware of, but I am more  
24 than happy to work with all of the advocates and provide that  
25 tool. If you're looking for a tool to measure the effectiveness

1 of what you're doing, I'm happy to work on that and provide  
2 something. So that's absolutely something we could work on with  
3 the advocates.

4 CHAIRMAN SUMWALT: And I think the last panel -- you know, we  
5 said we're going to be talking about the three legs of the stool  
6 for each of the panels. Well, there's actually a fourth panel,  
7 and I believe that fourth panel is for you to sort of help us all  
8 learn how to be better advocates.

9 MS. VAN DEN BOGERT: Yes.

10 CHAIRMAN SUMWALT: Isn't that right? So great.

11 MS. VAN DEN BOGERT: That's correct, yes. I'll talk about  
12 that a little bit later, some of the things that you can do.

13 CHAIRMAN SUMWALT: Great. We've got so many people that want  
14 to talk and that's an important point. Let me raise -- let me  
15 throw out what I think might be a big point, in my mind.

16 So it's probably a lot easier for somebody like Janet or  
17 Jennifer that have established 501(c)(3) organizations to go out  
18 and call a school or to get federal funds or whatever, or to  
19 partner and be seen as a legitimate entity. But if I'm in Wyoming  
20 and my -- someone in my family was killed and I really want to  
21 help change the world, which I admire every one of you for doing  
22 that, but it's probably going to get a lot more credence if  
23 somebody with an established organization is calling versus  
24 somebody not.

25 So Jennifer, I mean, how do you -- and maybe that's what we

1 talk about in the fourth panel, when we talk about being better  
2 advocates, but do you all have any -- you know, there's power in  
3 numbers and if you're a lone wolf out somewhere, how effective can  
4 you be? You can be effective, and that's why they're here, but is  
5 that potentially a stumbling block?

6 MS. SMITH: Yes. It can be really difficult. Like I said,  
7 in the beginning when I first lost my mom, I was -- my own  
8 daughter's school did not want me to come and speak and share my  
9 story. It hadn't impacted them. They hadn't been touched. But  
10 that's where she said keep calling, go to the school. If you are  
11 local to them, where you should be starting in your communities,  
12 go to the school and talk to the administrators face to face.  
13 When you share your story personally, you just start to build that  
14 relationship. And it may not happen immediately. We do have to  
15 be conscious of the fact -- I mean, schools do have curriculums,  
16 they do have set schedules, and to do an entire school assembly  
17 can be challenging for them.

18 So even finding other ways in. I've been to health classes,  
19 you know, PE classes. You can find different ways in, but --

20 UNIDENTIFIED SPEAKER: Carpool line.

21 MS. SMITH: Yeah, the carpool line, she said. You know, you  
22 can find interesting ways to do it, but it's really just build the  
23 relationship and don't give up.

24 CHAIRMAN SUMWALT: I've been doing safety work for a long  
25 time and I think that our work does save lives. That's what gets

1 me out of bed every morning. I'm inspired by the saying that  
2 whoever saves one life, it is as if he has saved an entire world.  
3 So really, all you've got to do is keep one person from being in a  
4 crash. And if you do that, your work is fulfilled. And so just  
5 keep that in mind.

6 I don't mean to imply that you've got to be an organization  
7 that's got tax exempt status or whatever, but -- every one of you  
8 makes a difference and just keep that in mind, but I want to make  
9 sure that you are prepared to do your job better. I don't want  
10 anybody out just spinning your wheels.

11 So lots of activity here. Jacob's had his -- here's what  
12 we're going to do. We're going to go to Jacob, then we're going  
13 to go to Dr. Wooldridge, and then we'll play it from there.

14 Jacob.

15 MR. SMITH: So I first appreciate the comments as far as the  
16 engagement. I do think that that's one of the biggest things that  
17 -- this type of approach that we need to have, going into schools,  
18 going into churches, especially because we often just try to go  
19 and give information. But speaking to youth, you want them to get  
20 engaged in the issue and feel like that they are an advocate.  
21 Because currently right now, if they didn't have any experience in  
22 their families, then they just think of this as a normal problem  
23 and that they can be a part of it. So try to, when you go to the  
24 schools, try to get them to be involved and become an advocate,  
25 because there's so much more to do than just present information,

1 and that's what will engage them, I think, and I know that will  
2 engage them.

3 CHAIRMAN SUMWALT: Great. Thank you. Wonderful. You all  
4 are making my job easy. Your job is not to make my job easy, but  
5 I was worried that we didn't have enough questions to keep things  
6 going and you're doing the bulk of the lifting, which is exactly  
7 the way it should be, quite frankly.

8 We also want to hear from those in the audience. We've got  
9 note cards and if you would like, Amy Terrone is back, in the  
10 back, and she'll be glad to give you a note card if you don't have  
11 one, and we'd love to get your comments and weave them in, as  
12 well. So Amy, thank you for that.

13 So Toron.

14 DR. WOOLDRIDGE: Okay. So I'm actually an educator right  
15 now, so I work in a school system and, originally, when it  
16 transpired with my sisters, I didn't really want to talk; I did a  
17 couple of interviews. So I was actually contacted by Memorial  
18 Hermann in the Houston area, in their hospital system, and they're  
19 funded by TxDOT, and I actually had my first interaction with high  
20 school seniors and juniors. So when I talked to them, and I have  
21 a presentation that's somewhat similar to Shelley's, that it  
22 outlines my sisters so that they can see that they were teenagers  
23 like them, the kids were very receptive.

24 But being an educator, we have to always tie it to the  
25 curriculum. And when you go to those schools -- I'm an

1 administrator. If you build a relationship with those  
2 administrators, they're more susceptible to hearing what you have  
3 to say as long as it's within the guidelines of the district and  
4 it meets the district's mission. If you can create your platform  
5 to meet the district's needs and also push the agenda and educate  
6 the youth, and then have data that can be used to show the  
7 effectiveness of what you're pushing, you should have no problems  
8 in a school system.

9 CHAIRMAN SUMWALT: So how do they do that? How do they know  
10 what's going to work, how they can dovetail in what they're  
11 proposing? How would they know?

12 DR. WOOLDRIDGE: I know in Texas, we have what we call TEKS  
13 and those are the guidelines that the kids are educated on. So  
14 each program within a school has to have those TEKS aligned. So  
15 when you go in, I mean, the advocacy work, it meets the needs of  
16 the TEKS. You just have to make sure that you tie it to that when  
17 you go into the schools and you talk to them.

18 So it just happens when you have communication and  
19 conversations with those school personnel, and they'll have you --  
20 I mean, if you talk to the right department leader, I mean,  
21 they'll -- because they need individuals to come in and represent  
22 the community because it's a school-community partnership, and if  
23 you're representing the community coming in, they need the  
24 community to come in.

25 CHAIRMAN SUMWALT: So if I was interested in going in and

1 talking to a local school, and I picked up the phone and called  
2 the principal of that school, what would I need to be able to say?  
3 That I want to look at your curriculum to see how my message  
4 dovetails in with your curricula?

5 DR. WOOLDRIDGE: You would say, I'm calling because I had  
6 this event transpire, because you have to build that connection to  
7 see why you're calling them. And then you say, well, I know you  
8 have graduating seniors and based on the data in the state of  
9 Texas, blah-blah-blah, or whatever state you're living in, this is  
10 what's been happening, and I want to make sure that I can help  
11 your students to not make the same mistakes that have been making  
12 nationally. And when you talk to that principal, if you convey  
13 your message in that manner, that principal may say, well, I have  
14 this assembly, this or this. Well, can I just come in for maybe  
15 10 minutes and talk to maybe 15 students? And you may have to  
16 talk to maybe 15 students first and then 20, and then as you build  
17 a relationship with that campus, the group of students that you  
18 talk to may increase.

19 CHAIRMAN SUMWALT: Good point. Thank you.

20 Yes, ma'am.

21 MS. MUCCI: Well, I just wanted to say I do think adults are  
22 a very huge problem and I would like to see employers maybe hold  
23 their employees responsible, like Robert was saying. I know where  
24 I live, L.A., we have terrible traffic, we have long commutes.  
25 People use their commute time as a home office. They're reading

1 emails, they're replying to emails, and there's no -- no one's  
2 being held accountable for that. And I think if maybe the  
3 employers set some sort of policies that this isn't allowed, that  
4 might be great.

5 CHAIRMAN SUMWALT: Certainly. And we will talk about that --

6 MS. MUCCI: Okay.

7 CHAIRMAN SUMWALT: -- in the next panel. So thank you very  
8 much. We've got a --

9 Russell, we've heard from you, so let's see who we've got  
10 here. All right, we're going to go around to people we haven't  
11 heard from.

12 Leona.

13 MS. SCHNEEMANN: I would like to get information on what to  
14 do -- like in my state, Montana, we don't have the statistics that  
15 shows how many accidents and stuff there are due to distracted  
16 driving because we're in a rural area.

17 CHAIRMAN SUMWALT: So will that be what we will talk about in  
18 the fourth panel when we talk about how to be better advocates?

19 MS. VAN DEN BOGERT: We will. And I think, in general, what  
20 most people would respond to that is that really we know that  
21 there is a lack of good data out there when it comes to distracted  
22 driving, and a lot of it has to do with the crash reports. I  
23 don't want to spend a lot of time on it now because this is not  
24 our NSC event, but what I will do after the conference -- we  
25 actually just released a report yesterday, the National Safety

1 Council, entitled "Undercounted is Underinvested: How incomplete  
2 crash reports impact efforts to save lives," and this actually  
3 goes through some of the issues that a lot of the states are  
4 having when it comes to collecting good data to be able to report  
5 back actually what's happening with distracted driving.

6 So again, I can provide the information for that, but that is  
7 an issue for a lot of the states, not just Montana. I don't know  
8 if anyone else wants to comment on that.

9 CHAIRMAN SUMWALT: Katherine, will you talk more about that  
10 report or where people can find that in the fourth panel,  
11 or --

12 MS. VAN DEN BOGERT: Absolutely. I'll come back to it.

13 CHAIRMAN SUMWALT: All right, great. So Leona, we'll catch  
14 that later.

15 And Joel, we've heard from you, so let's go to Emily.

16 MS. STEIN: Thank you. So something that several of us have  
17 talked about is developing a curriculum for elementary age  
18 students. When you look at the smoking campaign, you look at the  
19 recycling campaign, it started with the kids and the kids then  
20 brought that home, just like Russell was saying, to their parents.  
21 And I think when you have the situation where kids are literally  
22 trapped in their car with their parents on their phone, and if  
23 they don't have their voice, that's their life at risk.

24 So we need to give children these tools to have a voice to  
25 speak up to parents, and I think by the time kids are older,

1 parents don't listen. You know, it's whether you don't drive so  
2 you don't know what it's like, or you're learning to drive and --  
3 you know, we're less receptive as parents when they're older. But  
4 for 4, 5, 6, 8-year-olds, parents will listen to their kids.

5 So I think we really do have to target this age group, and  
6 with whether it's coloring books, whether it's a conversation at  
7 the doctor's office, or the school is having an annual curriculum,  
8 I think -- you know, just last week I handed out a flier that went  
9 citywide in my city, targeting parents, which is saying this is  
10 something you need to be aware of. And Ruff Ruffman is a show  
11 that was produced. Deb Trombley did a great webinar and she  
12 brought this in, to say we have to use this nag power and let's  
13 get these catchy tunes inside parents' heads and kids' heads so  
14 kids start singing the song in the car. And there are tools out  
15 there that not only will show that kids are learning from their  
16 parents from a very young age, the parents are modeling and kids  
17 are watching, so --

18 CHAIRMAN SUMWALT: So it works both ways. The parents learn  
19 -- the kids learn from the parents, of course, but the parents can  
20 learn from the kids.

21 MS. STEIN: Right.

22 CHAIRMAN SUMWALT: Thank you.

23 Brian, we haven't heard from you.

24 MR. FIELKOW: Thank you. There were a couple comments made  
25 that just got me thinking a little bit. First, one person

1 indicated the conversations they had with truck drivers at truck  
2 stops when they were doing education, and another comment that's  
3 been made several times, how parents model behavior. So the  
4 efforts to get into the schools is obviously -- we need to keep  
5 that up, that's where a lot of the focus is.

6 But getting in to the employers -- you know, again, when  
7 somebody's not on the clock, when they're driving home, when  
8 they're on a personal errand or whatever, we can't control that as  
9 an employer. I'm going to talk a little bit later about what we  
10 can do as an employer, but there's a lot of times where, you know,  
11 we can't control that. But as an employer, we can provide the  
12 resources and the education. So getting in to employers, whether  
13 you're in a business like mine where you have professional truck  
14 drivers or whether you're not operating any fleet at all and  
15 you're just trying to make people smarter commuters, which again,  
16 you have no control over as an employer, having those programs  
17 inside the companies is great.

18 And one that I would model after is called Operation  
19 Lifesaver. And it got its start after a very tragic truck/train  
20 crash, and since then, the company, the trucking company that was  
21 involved -- and I think it's funded by the major railways now,  
22 they come in and they do a phenomenal presentation, not just for  
23 professional drivers but for all drivers, about how to navigate  
24 railways safely and what happens if you get stuck on a rail  
25 crossing. And it's both impactful from an emotional standpoint

1 and from an intellectual -- you know, it gets into your heart and  
2 your head.

3 And so what I'm just gathering today is what's the  
4 opportunity, in addition to the schools, to get in to the  
5 employers because the parents do model behavior, we do cast a big  
6 shadow as parents, and those kinds of educational programs coming  
7 in, you know, for a lunch and learn, again, whether you have a  
8 fleet or no fleet, it would be a phenomenal idea.

9 And you know, I don't know, Toron, if you've done this in  
10 Houston with companies, but -- or if you're focusing on schools,  
11 but to have somebody like you, to know about you as a resource, to  
12 be able to come into my company or any other companies in Houston  
13 and give that presentation, would be very powerful in addition to  
14 getting into the schools.

15 So I just think the idea that we've got to get the people,  
16 the parents, modeling the behavior better educated about this  
17 epidemic. And some of the conversations that we had at truck  
18 stops where, you know, drivers see some of the worst behavior on  
19 the road, I think taking this education idea and moving it into  
20 the companies to make us better commuters would really be  
21 impactful.

22 CHAIRMAN SUMWALT: Brian, thank you for that. We've heard  
23 from you. Who have we not heard from?

24 Heather.

25 MS. MUNSTERMAN: Leona, I know you had said that you can't

1 find any stats, and I don't know exactly what your laws are, but  
2 you might want to reach out to your police department. A lot of  
3 police departments have crime analysts or somebody in the admin  
4 department that's going to be able to tell you how many tickets  
5 were issued or how many tickets were issued for distracted driving  
6 or guide you in the right direction on who you might be able to  
7 contact to get somewhere, get some leeway, and what you can do to  
8 like try to get more information that way.

9 CHAIRMAN SUMWALT: So Heather, as a retired law enforcement  
10 official, is there a problem jurisdictions collect data  
11 differently, or is there now a standardized form that is used to  
12 always ask if there's evidence of distraction or cell phone use or  
13 whatever?

14 MS. MUNSTERMAN: Are you talking about when we make a stop?

15 CHAIRMAN SUMWALT: Yes, or a crash investigation, for -- a  
16 crash investigation.

17 MS. MUNSTERMAN: Yeah. I know every state is different. And  
18 we need to get that confession; it's too hard to prove.

19 CHAIRMAN SUMWALT: Right, right. Good. Thanks.

20 Who else have we not heard from?

21 Yes, ma'am. Nina.

22 MS. TODD: You guys have sat in here and talked about, like,  
23 multiple things about city things and stuff like that. I come  
24 from a rural community where it's mainly farming community, and we  
25 have to deal with people not only in vehicles like cars and

1 trucks, but we have semis, we have tractors, we have combines and  
2 everything like that, and people are constantly on their phones  
3 and everything, and in combines and not paying attention and  
4 pulling out in front of people. You pop over a hill, all of a  
5 sudden there's a combine right in front of you. And it's very  
6 hard to get to those kind of people that are in the farming  
7 community because you don't have corporations and stuff like that,  
8 that you can call and get -- you know, get to go in and talk with  
9 and everything like that.

10       And where I'm from, in southwest Iowa, one thing that we  
11 found that was very beneficial was when we go out and talk with  
12 the students, we also invite all the parents to come and have that  
13 same conversation. And we'll separate the two. We'll do the  
14 students in one area and then we'll have the parents in this  
15 complete separate area and speak with them. And one thing that  
16 I've kind of thought was like a big shocker for the parents,  
17 because they are like my hardest group to speak with, was  
18 presenting a picture of my children in a casket. And even though  
19 I don't care to see it, I always put it up right behind me because  
20 it makes them realize what can actually happen.

21       And I've put it up in front of students and everything like  
22 that. I think it's something like -- it's very beneficial. It  
23 kind of shocks them into realizing, oh, my gosh, that actually is  
24 real, that's something that has happened. And in the smaller  
25 communities, most of the people know me, so when I present that in

1 front of them, they're like -- it kind of shocks them into  
2 realizing what can happen.

3 But my biggest thing is just trying to make sure that we can  
4 get to these smaller communities, and knowing and understanding  
5 that the smaller communities don't function the same way as cities  
6 and we don't have the same programs, we don't have the same  
7 benefits and grants and everything like that, that we can just  
8 easily access. So we're trying to -- I want to know like how is  
9 it that these smaller communities are going to benefit in the long  
10 run?

11 CHAIRMAN SUMWALT: Great. Anybody else along here that we've  
12 not heard from?

13 (No response.)

14 CHAIRMAN SUMWALT: Okay. So a question from the audience.  
15 It's really a comment. "It was difficult for me to contact the  
16 schools in regards to speaking and telling my story. As a  
17 suggestion for those having trouble, try going to the school's  
18 PTA. I found the PTA to be quite helpful in assisting me in  
19 getting through to the schools. I was also able to speak with the  
20 parents at PTA meetings." So great comment. Thank you for that  
21 one.

22 We don't have any representative from manufacturers of  
23 wireless communication devices, but we'll -- I'll ask the folks  
24 that we initially opened up with, what's the role of the  
25 smartphone manufacturers and wireless carriers in the educational

1 awareness effort? And I know that AT&T is doing a lot in that  
2 respect. Janet, you're nodding your head, but -- and it's not our  
3 position to try and really tell what they're doing or defend what  
4 they're doing, but what is their role? Who wants to address that?

5 MS. BROOKING: I think that they play a critical role, and  
6 clearly AT&T has led the way. I know Jennifer heads up their  
7 speakers bureau. We've done a lot of work with them in Virginia  
8 when they bring their simulator into Virginia. They've helped us  
9 legislatively, so they've been supportive in that way. So I think  
10 that, you know, at least in Virginia, AT&T is the only cell phone  
11 provider that we hear from, so I think that there's great room for  
12 other companies to step up to the plate.

13 CHAIRMAN SUMWALT: Thank you. Before we move on, any other  
14 comments specifically on this aspect of the education and  
15 awareness?

16 So Amy.

17 MS. LaVALLEE: Yes. Well, what we've done is we've had very  
18 good luck getting into our schools. They've been very supportive.  
19 But what we started doing is actually bringing more awareness as a  
20 community and trying to get our community involved. And so we  
21 started a free event that we do, and this year it's grown a lot  
22 more because we advertise it through our Chamber of Commerce, so  
23 that's every business in our community, which is over 500  
24 businesses, and they have -- we've gotten a lot of sponsorships.  
25 This way my husband is also able to reach out to these businesses

1 and go in and speak. So he's setting up many presentations at  
2 these local businesses.

3 And then also, what we found is that some of these service  
4 organizations, like our Lions Club, our Rotary Club, they have  
5 challenged each other to take the pledge. And so now what's  
6 happened is our Lions Club has over 60-some members that have  
7 signed a pledge to not drive distracted and they challenged the  
8 Rotary Club to do it also. So that's a whole bunch more, you  
9 know, over 60-some people. And we challenged our city council  
10 members to do this.

11 And so they're all going to be, you know, watching over each  
12 other and making sure that they're not going to do that. It puts  
13 the pressure on everybody in the community to do that type of  
14 thing, and I just think that's great that they took that  
15 challenge.

16 CHAIRMAN SUMWALT: Thank you, Amy.  
17 Brendan.

18 MR. LYONS: As it applies to education, I've talked to high  
19 schools and I've also talked to first graders, and I pose a  
20 question to the first grade class, "What is distracted driving?"  
21 And of course, they're all telling me texting behind the wheel.  
22 And I said okay, well, as a first grader, is there anything that  
23 you can do about it? And one little girl's response totally hit  
24 the nail on the head, that most adults don't even conceptualize,  
25 is, she's like, "Mom, Dad, I love you. Can you put your phone

1 down? I want you to be safe." Period.

2 In high schools, I asked a high school class, "How many of  
3 you guys text and drive?" Well, nobody's willing to raise their  
4 hand and admit this. And I said, "Okay, how many of your parents  
5 text and drive?" And of course, the entire class raises their  
6 hand.

7 When it comes to empowering these students, Jennifer hit the  
8 nail on the head. This is all about partnerships and community  
9 relationships. And one of the partnerships that I've created is  
10 through David Hazan, who created a mobile app, it's called "Down  
11 for the Count." And what this app does is it incentivizes  
12 teenagers to stay off their cell phones through rewarding them  
13 with gift cards to Starbucks and Chipotle and things like that.  
14 And so there is quantifiable -- you asked a question on what is a  
15 quantifiable outcome of this, of the education, and the  
16 quantifiable thing is this app can tell you that hundreds of  
17 thousands of miles driven distracted free by utilizing this app.

18 Now when it comes to the enforcement aspect of this, a lot of  
19 the general public thinks, well, this is law enforcement trying to  
20 line their pockets with tickets. I can tell you, and I encourage  
21 you, when new ordinances -- adopt legislation or ordinances,  
22 encourage law enforcement to say, hey, utilize a 6-month period;  
23 rather than writing citations, actively pull people over and then  
24 give them educational pamphlets on why this is such an epidemic.

25 In a 9-month period -- I'm sorry, in a 3-month period, in 90

1 days, the town of Oro Valley issued 766 warnings. And they said  
2 since the ordinance's adoption, officers have reported having a  
3 harder time finding drivers with cell phones or other electronic  
4 devices. So this is as it applies to education.

5 CHAIRMAN SUMWALT: Thank you. I want to move on in a moment,  
6 but any other questions, any other comments? I guess we do have  
7 some, so we'll just start right here.

8 Suzanne.

9 MS. SALTER: Yes. I was contacted by a production company  
10 that asked me to do a distracted driver video for high schools. I  
11 don't really know how it's been working yet because it was just  
12 completed recently, but I'm hoping that that's one way that it can  
13 get the word into the schools.

14 CHAIRMAN SUMWALT: All right. So to do a video?

15 MS. SALTER: Yes.

16 CHAIRMAN SUMWALT: Okay. Any thoughts on how an advocate can  
17 do a video? Any thoughts on that?

18 Katherine.

19 MS. VAN DEN BOGERT: We have a lot of good materials that we  
20 provide and we're always welcome to provide a sort of templated  
21 presentation in PowerPoint, that I'm sure Janet knows, as well,  
22 for organizations or for individuals who say, hey, you know what,  
23 like you say, I need a PowerPoint or I need a video; I don't have  
24 the funds to do that. There are always organizations out there  
25 like us who can help you with that. So we're always open to say,

1 hey -- because we want you to get the word out, too. We want  
2 people to be safe. We don't want anyone else to die. So you  
3 should use some of those resources that are provided here and from  
4 other people who focus on distraction to, you know, to really use  
5 that and to make use of that.

6 CHAIRMAN SUMWALT: So again, that might be part of the  
7 tutorial that we have on Panel 4.

8 So let's talk about social media. What's effective, what are  
9 social -- what are effective social media ways that we can push  
10 the message? Again, maybe that's best talked about in the last  
11 panel here, but that was a question from the audience or from the  
12 Internet, I'm not sure exactly which. But yeah, Jennifer, you've  
13 got thoughts on that?

14 MS. SMITH: Well, I really actually kind of think Jacob would  
15 be a good person to ask because he's in that age group, he's in  
16 college, and I -- I mean, we were talking about this last night,  
17 with my daughter that, you know, reaching the teenagers and 20-  
18 somethings, our messages don't necessarily connect with them when  
19 they see things on social networking. And so how can we tailor  
20 our messages better to make that impact, to want to motivate your  
21 age to become an advocate instead of just seeing it, "oh, that's  
22 sad, I'll get off my phone for a week" and then they're right back  
23 on it?

24 CHAIRMAN SUMWALT: Well, that's a good point.  
25 Robert.

1 MR. GORDON: If I could. PCI has adopted a number of media  
2 tools. So we have infographics, we have videos, we've done social  
3 media campaigns, we've organized events on the Hill, in Congress,  
4 we've done things with state legislatures. So I'd encourage any  
5 of you who want to coordinate and access any of that information,  
6 some of it's on our website, and feel free to call us and we can  
7 provide you with more tools for your use.

8 CHAIRMAN SUMWALT: Thank you. And you say feel free to call.  
9 How do they get in touch with you? Is there a website for --

10 MR. GORDON: Yes, it's -- thank you very much. It's  
11 pciaa.net, that's again, p-c-i-a-a.net.

12 CHAIRMAN SUMWALT: All right. Thank you.

13 So since Jennifer said that Jacob would be good to talk about  
14 the social media, what are your comments on that?

15 MR. SMITH: Yeah. So definitely, I think that almost every  
16 one of you here in this room probably are posting on social media,  
17 Facebook, Twitter, Instagram, and we all know what each of those  
18 social media networks do. But as far as specifically reaching  
19 young people, we're constantly engaged by seeing those videos of  
20 those trauma stories and we're like, wow, you know, let's possibly  
21 share that.

22 But the biggest thing is understanding what social media  
23 plays in our life. I mean, either -- it either is productive as  
24 far as scheduling or different things like that, or it's either us  
25 personally investing our time in it and personally trying to make

1 ourselves known on social media. So, for instance, on Facebook  
2 I'm Jacob Smith. So how we can utilize that saying that we want  
3 to share our personal story and we want to share ourselves with  
4 traffic safety?

5 So Twitter, for instance, really try to engage them in  
6 sharing who they are. I mean, everyone wants to protect their  
7 social media because we've learned that that's our lives. We  
8 don't want to constantly re-tweet or share a post that has a ton  
9 of words that share about this law and this statistic. So think  
10 about how we can engage in their personal life and allow them to  
11 share who they are but also understand that this is an issue. I  
12 think that's the biggest thing I'm doing.

13 And then secondly, social media, like I said, it plays a huge  
14 role but it also can be dangerous, such as FaceTime, we're  
15 constantly using that. The Facebook Live, I see that as a huge  
16 thing. And so when you see someone using Facebook Live, you know,  
17 while they're driving, let them know that. And I know teenagers,  
18 we do that, as well. So that's an opportunity for you to use  
19 positive peer pressure and really change that culture on social  
20 media, because we're constantly addressing other issues such as  
21 hunger and many other things, so let's address traffic safety.

22 CHAIRMAN SUMWALT: Thank you. So a lot of people want to  
23 talk and, great, and so thank you very much. And I'm not trying  
24 to ignore you and we're trying to keep the conversations going.

25 What we're going to do is we will end up this panel at about

1 10 till 11. The schedule calls for 11. We'll finish at about 10  
2 till. So that gives us about 18 minutes.

3 So if you'd like to talk about what we can do, ways that you  
4 know that we can improve the effectiveness of education, please  
5 show me your hands.

6 So we've got nobody on this side. We'll start right here.  
7 Russell. Thank you. And we'll go right down the list.

8 MR. HURD: Yes. As far as reaching out to the schools,  
9 again, if you're finding it hard or running up against a brick  
10 wall to do that, especially in the more rural communities, you may  
11 try churches and asking for 10 minutes of their time on a service  
12 on Sunday, or actually the law enforcement aspect that Jennifer  
13 brought up earlier. A lot of those folks are very receptive to  
14 possibly ride-along campaigns where you're actually in the vehicle  
15 when someone may get pulled over, and in lieu of a citation, they  
16 will get a photo of your loved one and hear your story for a few  
17 minutes, and that's very impactful as well.

18 CHAIRMAN SUMWALT: Good. Thank you.

19 We're on this side, we'll come over here to this side. Joel.  
20 We'll kind of switch around so we're not favoring one side of the  
21 room over the other.

22 MR. FELDMAN: So with respect to employers, I found in doing  
23 business talks that the employers are incredibly genuinely  
24 concerned about their employees. They treat them like this is our  
25 family, this is my family, they want to positively affect them.

1 What I've done is I've strongly suggested to them -- I haven't  
2 turned down a business talk yet where they didn't couple it with a  
3 high school talk, but I said I'll come if you can line up a high  
4 school. And I think the benefit of that is the businesses have  
5 contacts within their communities, they can arrange these, they  
6 can often arrange media coverage for it, as well.

7 And then to go on to the survey issue, we did surveys, pre-  
8 and post-presentation surveys, that were developed by Children's  
9 Hospital of Philadelphia. They were paper because it was 5 years  
10 ago and they're expensive and they're unwieldy. We're actually  
11 right now in the middle of trying to come up with an online pre-  
12 and post-presentation survey, and we're bogged down in it and I  
13 would love somebody's help, whether it's from academia or the NSC  
14 or someone else to try to help us get that along.

15 And I think the last thing I would say is when I went to  
16 Children's Hospital and I told them what I was doing, they were  
17 very kind to me, but they said you always have to say to yourself  
18 after you do a talk or you do an intervention, "So what?" I said,  
19 "What do you mean?" "You need to measure it. You need to figure  
20 out if you're having an effect."

21 So what I'd love to come out of this, and maybe this is  
22 Katherine's job for later, is get links for everybody's  
23 presentations. I would love to see other people's presentations  
24 and I'm sure I can learn from them. Let's circulate links, let's  
25 see what we're doing, all doing. You know, Shelley's probably

1 doing something I never thought of. Toron's probably doing  
2 something I never thought of. I'd like to share those, and I'd  
3 like to come out of this at least with thinking that I have a  
4 better presentation that will affect more people and will save  
5 more lives. I mean, that's why we're here.

6 CHAIRMAN SUMWALT: Joel, thank you.

7 So Nina, you had a question about how to reach folks that are  
8 in the rural communities and somebody in the audience has written  
9 in, "In the rural communities partner with student organizations  
10 like Family, Career and Community Leaders of America, FCCLA; the  
11 FFA," of course, the Future Farmers of America. So, "They are  
12 very active in rural communities. FCCLA has traffic safety peer-  
13 to-peer education programs and you can partner with them to  
14 educate schools." So there's some thoughts there from our  
15 audience, so thank you very much for that.

16 Okay. Comments over here. Beth, we haven't heard from you  
17 in a while.

18 DR. BAKER: Yeah, let me just kind of address for a minute  
19 sort of the global issues down to the community level that we're  
20 looking at. I'm going to speak to something that Robert said and  
21 something that Russell said and something that Joel said.

22 From the national level we are doing -- we're conducting a  
23 lot of research on what we find works for traffic safety and  
24 distracted driving, as well. We're relatively new to this  
25 research, but we have done some. We do find that the three-legged

1 stool approach does work; however, we don't have good data, as  
2 Janet said, and we're working on that. It's difficult to capture  
3 on police reports because people don't admit to it, for one thing.

4 And we are working with law enforcement and we just released  
5 a study that showed the effectiveness of law enforcement in the  
6 Connecticut and, I think, Tennessee area, so that can be  
7 effective, as well as money that comes in to the states and the  
8 programs that they conduct.

9 But I do want to speak a little bit to the local level, and I  
10 know some of the people here, some of the families have expressed  
11 some frustration that they don't have a large enough or wide  
12 enough reach. And from our perspective, especially with this  
13 topic area, you know, one person can have a tremendous effect on a  
14 community, so I don't want any of the advocates to feel like  
15 they're not doing enough. What they're doing helps us in a huge  
16 way because what I think we have to do with distracted driving is  
17 similar to what we did with child passenger safety: We made it  
18 socially unacceptable not to put your child in a child safety  
19 seat, and we didn't do that by -- I mean, we did pass a lot of  
20 laws, but the laws provided guidance for parents more than they  
21 provided a hammer for law enforcement. So the laws can be  
22 helpful, as well.

23 But getting into your communities, telling your stories,  
24 making distracted driving socially acceptable [sic] is one of the  
25 very most important key things that you can do to help us to make

1 this issue rise to the top and make people realize that, you know,  
2 you get in a car, if your friend is texting, you say, "Hey, man,  
3 that's not cool. Stop it." You know, it doesn't have to be a  
4 huge contribution like something that happens at the national  
5 level. So don't ever sell yourself short on the effect that you  
6 can have in your communities and find every way that you can to  
7 reach out and tell your story.

8 CHAIRMAN SUMWALT: Thank you so much for that. That's such  
9 an important message, and I hope I didn't imply earlier that if  
10 you're not a nonprofit or something like that, that you can't make  
11 an effect, cannot make a difference. I mean, everybody does make  
12 a difference. So thank you for reaffirming that.

13 Are there resources specifically that NHTSA may have  
14 available? We've asked the National Safety Council and we've  
15 asked others, Robert. So what resources does NHTSA have to help  
16 with the education?

17 DR. BAKER: They can go to the NHTSA website, but we also  
18 have a website, [distraction.gov](http://distraction.gov), that you can go to, that anyone  
19 can go to, to get resources and ideas and all that NHTSA has on  
20 distraction to help them in their programs. And that's another  
21 thing, too. When people go out and do their talks to the schools,  
22 make sure you've done your research so when you get questions you  
23 can answer these questions and let people know exactly where  
24 things stand.

25 CHAIRMAN SUMWALT: Thank you so much for that.

1           Okay, we'll come over here. Yes, ma'am. Laura.

2           MS. CARNEY: Hi. I tend to be longwinded and I'll try to  
3 make this short. What I have found and, you know, I'm not -- I've  
4 only spoken in public a few times; I tend to be more of a writer  
5 in this cause -- is that it really depends on the age group that  
6 you're talking to. You know, all different ages are affected by  
7 different approaches.

8           I find the research on what happens to you cognitively is  
9 something that older adults and people who are more middle-aged  
10 tend to respond to because they're much more interested in their  
11 health and making sure they're healthy for their kids. And I  
12 think once they learn something happens to their brains while  
13 they're doing this, they're much more inclined to try to stop  
14 doing it. Kids, you know, we're talking about going to schools,  
15 telling kids what not to do, and I remember when I was very young,  
16 my dad used to say to my brother and me "I've never known a smart  
17 person who smokes" and, you know, I might've tried a few  
18 cigarettes in college, but I don't smoke because that stuck with  
19 me my whole life.

20           My dad, he was killed in 2003, and the last conversation I  
21 had with him, he said the Internet was a glorified phonebook. So  
22 I really can't imagine him ever being on a phone while driving,  
23 and that's just to say he was always very present and I think  
24 that's a huge thing for parents, think about how present you're  
25 being with your children.

1           But the main thing I want to discuss, though, AAA did a study  
2 recently where they surveyed different age groups and they said  
3 people in their twenties were the ones who are admitting to  
4 driving distracted the most. That's the age group I'm the most  
5 worried about because -- okay, so let's say 20 years from now we  
6 have autonomous vehicles, that would fix this problem in many  
7 ways. We're not there yet. Who do we think might be causing a  
8 lot of these crashes? Maybe people in their twenties, if they're  
9 admitting to that.

10           So what I've been trying to do is I have a project that I'm  
11 doing called "My Father's List." And essentially, my brother  
12 found a bucket list that my dad wrote when he was 29 and there's  
13 60 things on the list; he only got 5 of them accomplished when he  
14 was killed. So on the one hand, that emphasizes what that loss of  
15 a life means because you have aspirations and dreams and he wasn't  
16 able to finish all of them. So I think, in a way, that really  
17 makes it concrete for people what it means when someone is killed.

18           At the same time, I'm on social media, I'm on Instagram, I'm  
19 on Facebook, I'm on Twitter. A lot of people in their twenties  
20 love Instagram, they love following someone who's on a journey, on  
21 an adventure, so that's what I'm trying to do, I'm trying to make  
22 each list item that I do an adventure that people would be  
23 interested in just for the sake of a story. My hope is that I can  
24 slip in the message about distracted driving at the same time.

25           But essentially, I mean, I remember being 25 years old and my

1 dad was killed when I was 25. When I was 25, I didn't want to  
2 hear people telling me don't do this, don't do that. I kind of  
3 felt invincible. I felt like I know there are things in life I'm  
4 not supposed to do, but you know what, it doesn't apply to me, I'm  
5 young, I can do whatever I want. What I did respond to really  
6 positively was role models and I responded to the idea of what am  
7 I going to do with my life, what did this person do with their  
8 life?

9 So I guess I just want to talk about what does positivity do  
10 in this movement, what does talking about safe driving do, and  
11 what does -- you know, even a whole lifestyle approach. If you're  
12 present in your life and you're thinking about I have this list of  
13 things I want to get done, does your life become more valuable to  
14 you, are you more focused and present the way my father was? Are  
15 you less likely to feel like you really need to check Facebook,  
16 you really need to check Snapchat while you're driving because  
17 that makes you feel important? What if there's something else  
18 you're doing actively that makes you feel important so that you no  
19 longer rely on "how many likes did I get today?"

20 CHAIRMAN SUMWALT: Great comments. Thank you.

21 Nick, what I'm going to get some of your folks to do, I think  
22 it would be really good, at the end of each session, to just have  
23 some bullet points to recap, like we just heard the importance of  
24 mentoring. There's been a lot of good bullet points. So if you  
25 could just get somebody and just, you know, for the last 3 minutes

1 of each session we could say, you know, we heard this, we heard  
2 that, we heard this. I think that would be very powerful.

3 Let me ask you this. Someone in the audience asked about the  
4 simulations. I've done the simulation and about got sick when I  
5 did the -- down at DRIVE SMART a couple of years ago, put the  
6 goggles on and tried to drive the truck and -- while the truck  
7 wasn't moving; it's a simulator. But the teens out here in the  
8 audience want to know are there programs through which teens can  
9 participate in real-world simulations in order to effectively show  
10 them the consequences of distracted driving. "As a teen, I find  
11 my peers better engage with hands-on experiences."

12 Who's got thoughts for that? You know, I think was it AAA  
13 that provided the -- I'm sorry, AT&T, who provided the simulator  
14 for the DRIVE SMART event that you put on?

15 MS. BROOKING: So we actually did focus groups to determine  
16 how -- you know, to get teens to tell us how they felt that they  
17 could best learn and best change their behavior and they said  
18 interactive programming. So they wanted to see -- we have trikes  
19 that they ride and we have them put on the drunk goggles and go  
20 through a course, and that's one of the things that we do that's  
21 interactive.

22 Our simulator is a full-size Chevy Silverado pickup, so it's  
23 very real-world. The goggles are virtual reality goggles. It is  
24 a very impressive program. And again, I have to give State Farm  
25 credit for initially funding that project. But we take pre- and

1 post-surveys, and we know that 95 percent of all those teens --  
2 and we're looking at 30,000 teens now, I think, that have been  
3 through it -- that 95 percent of them say that they would  
4 recommend that their classmates go through it and they felt like  
5 they learned something.

6 CHAIRMAN SUMWALT: Great, great. Thank you very much.

7 Okay, so we've got just a few minutes. Larissa. And --  
8 please.

9 MS. REDMOND THOMPSON: Yes, I just had a quick answer for  
10 Joel, talking about the survey. So when I go to the schools, I do  
11 a pre- and post-survey, which you actually helped me with a couple  
12 years ago. And a student came up to me about a year ago, maybe 8  
13 months ago, and said, can you text me the survey? And I said but  
14 the paper's right here. She was like, but can you text it? And I  
15 said okay. So that registered in my head. So now we use  
16 SurveyMonkey, and SurveyMonkey is free, but once you get to a  
17 certain amount of responses, you have to pay. But I have found it  
18 to be the best \$300 annually that I've ever spent. You can  
19 customize it. It's a way for us to get their information, their  
20 schools added.

21 And one of the ways -- like I said, we do a program with the  
22 Collierville court system, so those are juvenile offenders who are  
23 coming from different schools in different areas around Shelby  
24 County. And one of the ways we got into one of the schools was by  
25 the student survey and going to the school to say, hey, I've

1 spoken to about 60 of your students through this Collierville  
2 court program, here are the surveys, here's the numbers; they want  
3 us in the school.

4 So SurveyMonkey has been very helpful. It allows you to  
5 Facebook the -- you know, blast it through social media, the  
6 specialized links. It allows you to personalize the colors, the  
7 questions. It allows you to send them a text or you can send them  
8 an email link. And so now, although we have paper pre- and post-  
9 surveys at all of the functions we do, I always provide, I always  
10 give the attendees the option to go through the survey link. And  
11 I do one per, either per program -- so for the Collierville court  
12 system I have a link especially for them or when I do a high  
13 school, the link is customizable to the high school. So it works  
14 really, really well.

15 And then my second point to what you brought up was  
16 collaboration. So you use a system called AVS method when you  
17 present, and that has registered well with some of our students  
18 that we talk to, but I would've never known that if Joel or  
19 EndDD.org didn't provide that presentation.

20 I think a lot of times, you know, in our efforts to bring  
21 awareness or be advocates, we don't want somebody to forget about  
22 our loved one, we don't want somebody to forget about our mom, our  
23 dad, our sister, our fiancé, and we sometimes are blinded by the  
24 loss of that loved one and we don't work together to the ultimate  
25 goal. We're all here because distracted driving has impacted our

1 life drastically.

2 And so I challenge all of us at this table and those  
3 listening who has been affected by distracted driving to kind of  
4 collaborate, because there are power in numbers and it's not just  
5 about Clifton or it's not just about Casey or Heather or whoever,  
6 it's about us working together to remember all of these people and  
7 prevent others from feeling what we felt in our effort. So I  
8 really want to challenge us to work together because that's where  
9 we make the biggest impact.

10 CHAIRMAN SUMWALT: Thank you very much. We're going to end  
11 in just a moment.

12 We got a comment from the audience saying the education  
13 process needs to start at or before the time that the habits and  
14 addiction to the devils begin, when we give the kids their first  
15 phone. So it needs to start or before that time and not after.  
16 And also, the need to educate -- we also need to educate parents  
17 and employers that technology solutions do exist that can prevent  
18 usage and to help change habits.

19 So this panel, we've had plenty to talk about. I stayed in  
20 my office late the last few nights, as Nicholas knows, trying to  
21 develop questions, sweating that we wouldn't have enough  
22 questions. You have eliminated that fear. So thank you. I'm  
23 sorry that we weren't able to get each of you, but the day is  
24 still young and we've got other panels.

25 Today, this morning, we've talked about what? The light

1 bulb. We want to keep that light on and not flickering off and  
2 on, and it's important to effect change that has the lasting  
3 behavior and not just for a day or two or three or four, like the  
4 diet that I went on or the exercise that I started. We want it to  
5 be lasting behavior.

6 So what we'll do, we'll take a break and we'll come back at  
7 11:15 and we'll start talking about the book. And so we'll see  
8 you at 11:15. Thank you very much.

9 (Off the record at 10:51)

10 (On the record at 11:20)

11 CHAIRMAN SUMWALT: Good morning. So we are back. And you  
12 know, let's summarize a few of the take-home points from the last  
13 session. Laura brought up the importance of role models and we  
14 cannot underestimate the impact that others -- that we can have on  
15 others. So just asking somebody to put down their phone while  
16 you're in the car with them and they're driving, that can make a  
17 difference in people's lives.

18 I had a life insurance agent call me a few months ago and he  
19 wanted to discuss my insurance policy and I said, Dave, are you on  
20 the phone? He said yeah. I said, tell you what, call me when you  
21 get to the office. He said no, I've got everything right here.  
22 I'm like, Dave, we're in the business -- I don't want you -- I  
23 don't want your company to have to be paying out on your insurance  
24 policy or someone else's. So just by -- our influence does  
25 matter. We can influence people in ways that would matter.

1           So key takeaway, collaboration. Get involved, get the  
2 parents involved. Work within your community: schools, churches,  
3 colleges. Tailor your messages, make it relevant, get the data.  
4 Go in there armed with the figures.

5           Measure your impact through surveys and feedback,  
6 electronically, if possible. I think we heard of SurveyMonkey, I  
7 believe, you mentioned, Larissa.

8           And don't give up. And I think Elizabeth said it very well,  
9 too, is that don't underestimate the influence of your efforts.  
10 Remember, whoever saved one life, it is as if he has saved an  
11 entire life, so that's all you got to do. You don't have to  
12 change the world, you don't have to solve world hunger, just save  
13 one person and that's all, that's all we can do. So thank you for  
14 your important efforts.

15           So we switch from the light bulb to the book. We're going to  
16 talk about policies and regulation, and policies, legislation, and  
17 this is a topic that I'm very interested in because I do believe  
18 that this is certainly an important leg of that three-legged  
19 stool. This session will focus on laws to discourage or eliminate  
20 distracted driving, company policies and maybe even personal  
21 policies or family policies.

22           So let's talk about that and we'll start with Jennifer, Nick  
23 -- through Nick, I asked you for these figures. Can you give us  
24 just a quick rundown of the scorecard of how many states currently  
25 have laws to prohibit texting?

1 MS. SMITH: There are 46 states with statewide texting laws  
2 and out of those 4 states that do not have statewide laws, 2 of  
3 them do have teen laws, but then there are 2 states with  
4 absolutely no laws regarding distracted driving.

5 CHAIRMAN SUMWALT: Thank you. And we know that there's a  
6 texting bill right now before the Texas legislature and it's in  
7 the Senate at this point. It passed the House and SB31 is in the  
8 Senate right now.

9 MS. SMITH: Correct.

10 CHAIRMAN SUMWALT: Okay. Do any states have any phones --  
11 outlawing any type of cell phone use, handheld or hands free?

12 MS. SMITH: No, they do not. There's 14 states with handheld  
13 cell phone bans and there was one community, Chapel Hill, North  
14 Carolina, was able to get -- and I think Joe is here today who  
15 helped work on that. They were able to get a total cell phone ban  
16 passed in their community, but it was then -- the courts overruled  
17 it.

18 CHAIRMAN SUMWALT: Great. Thanks. So we say that we all  
19 know that the science is showing that cell phone usage is not  
20 healthy for driving, and yet there are no laws that place an  
21 outright ban on it. And so we'll talk more about that.

22 Joining us to kick off this panel this morning, we've got  
23 Cathy Chase for Advocates for Highway Safety -- good morning,  
24 Cathy -- Brian Fielkow of Jetco Delivery, and Martha Hill. Thank  
25 you all for helping us to kick off this panel.

1           The reason I wanted Brian here is because, you know, we focus  
2 on the laws, but Brian is here because your trucking company, I  
3 guess, has between 125 to 150 trucks?

4           MR. FIELKOW: Yes.

5           CHAIRMAN SUMWALT: And they are -- they run from small box  
6 trucks, I guess, all the way up to things that you carry --

7           MR. FIELKOW: 150-, 175,000 pound single-piece units. So  
8 yeah, we cover the gamut.

9           CHAIRMAN SUMWALT: Great. And Brian really does walk the  
10 talk with safety, and so that's why I wanted you to be on the  
11 panel. So why don't we just -- that's an interest, that is an  
12 area that I'm interested in is -- we'll talk about the laws in  
13 just a moment. But why don't you talk about some of the things  
14 that you're doing at Jetco and how you're reinforcing that  
15 message.

16           MR. FIELKOW: Thank you, Robert. Thanks, thank you very much  
17 for the invitation to be here. And before I start, I just want to  
18 express my condolences to the number of people who have losses and  
19 have shared those losses and, as you said before, let's all learn  
20 from that. But, you know, that's really what this is about is --  
21 you know, we run a trucking company and our job is to get our --  
22 service our customers on time and safely. But, you know, before  
23 we get into policies or handbooks, distracted driving is really a  
24 personal matter. I mean, it's my family and it's your family.

25           I sent an email to our team a couple weeks ago with a

1 headline or a subject line saying "Son, do you know what you just  
2 did?" And those were the first words that the driver heard after  
3 being pulled out of his car, which killed several senior citizens  
4 in Texas. And while the cause isn't known yet, you know, those  
5 are the kinds of messages that we have to convey. It's really not  
6 about the \$100 fine, it really isn't. It's about your behaviors  
7 and your actions that could take a life. And you have to make  
8 that emotional appeal known. In other words, when you're running  
9 a business and you want to, as somebody said in the earlier panel,  
10 change the social norms, okay, it's not about the handbook, it's  
11 about getting into people's hearts before you get into their  
12 heads.

13         So, you know, for every tragedy that made the news, like the  
14 one in Texas, we know, everybody in this room intuitively knows  
15 that there's hundreds and thousands that don't make the news.  
16 Some are accidents, some are near misses. So I'm a big believer  
17 in that emotional appeal, visual branding, and getting the message  
18 out that way.

19         So when our drivers, all of our employees, leave the yard,  
20 the very last sign they see is "Follow the car in front of you as  
21 if your family and loved ones were in it." See, it's not about,  
22 you know, here's chapter 6 of the 500-page handbook. It's about  
23 that emotional appeal because that's what this is really all  
24 about, is that texting and driving and any sort of distractions  
25 could have that effect. It's the outcome.

1           You know, Robert, I've been fortunate in my career to have  
2 some fantastic mentors, and you and our good friend,  
3 Jim Schultz, who I know is watching, are two of those mentors.  
4 And one of the things that you've taught that I think applies both  
5 in the corporate world but also just to us as commuters, is you  
6 teach about the normalization of deviance. You teach about, you  
7 know, the biggest problem with shortcuts is that, quite frankly,  
8 they work until they stop working. So you can get away with  
9 texting and driving or using a handheld several times and that  
10 leads you to the false conclusion that it's safe. It's not,  
11 you're just lucky. And that day of reckoning is going to come.  
12 And that's what we got to focus on, is the potential severity of  
13 the outcome, not that the past hundred days, you know, you got  
14 lucky. And it doesn't work.

15           Now when we talk about company policies -- and I feel the  
16 same way about laws, so I think there's an overlap. But there are  
17 so many rules and so many regulations affecting any one of our  
18 businesses that I don't know that the next rule that we adopt is  
19 going to make a difference.

20           So what we have in our company is what we call the Life  
21 Critical Rules. You know, we've asked our frontline employees to  
22 identify those rules -- we call them the Serious Six -- that stand  
23 out above all others. It's not to say that the other rules aren't  
24 important, it's to say that these six are more important than  
25 others. And our frontline employees developed them and,

1 obviously, distracted driving and using the handheld phones is at  
2 the top of that list.

3       So what did we do there? Okay, besides coming up with these  
4 rules are more important than the others, and if you violate one  
5 of the Serious Six, you're really telling me that you don't want  
6 to work here, so there has to be consequences. I mean, you know,  
7 any employee, you, me, anybody else, can make an honest mistake  
8 and it may be a safety-related mistake. This is not an honest  
9 mistake; this is reckless behavior. That's what the Serious Six  
10 in our company are. And if you take a deliberate action and it  
11 involves reckless behavior, again, it's a signal that you don't  
12 want to work here. I'm not going to try and coach you on using  
13 common sense.

14       And so what we've done in our company, and this was said in  
15 the earlier panel, we've developed our own internal social norm  
16 that this isn't the right thing to do. And we've done that with  
17 harsh consequences. It's not just, you know, here's a write-up  
18 and you'll get 10 more write-ups, it's you're telling me that you  
19 don't want to work here. And so the consequences are the most  
20 severe.

21       On top of that, as we manage behavior, you know, because  
22 that's what this really is all about is, whether we're talking  
23 about social norms of commuters or social norms of my employees in  
24 a corporate environment, it's about managing behavior. It's about  
25 getting people to do the right thing when nobody's looking and,

1 quite frankly, that starts at the top. I mean, we've heard  
2 stories and stories about people with great programs, all the  
3 right sayings, and then leadership is acting completely different.

4 So leadership has to walk the walk. Leadership has to lead  
5 by example. We have to realize that in an environment that is as  
6 life-critical as this, we have to cast the shadow. And our  
7 employees are smart enough to know the difference between when  
8 we're giving something lip service, you know, here's the policy  
9 but I'm going to go text and drive but you all can't, and when  
10 we're going to lead the way and we're going to hold people  
11 accountable, when it's okay and it's expected for peers to hold  
12 one another accountable. "Hey, I saw you on that phone  
13 yesterday," you know, "don't do that again." Driver to driver,  
14 you know, employee to employee.

15 And I guess the final point that I want to make, Robert, is  
16 that, while the most obvious forms of distracted driving and what  
17 we've been talking about today are texting, you know, the use of a  
18 cell phone, we have to keep in mind that there are distractions --  
19 I mean, look, we're human, okay, and we come to our jobs with all  
20 sorts of personal distractions that are here when there are no  
21 electronics involved at all, and those distractions can take you  
22 off the road as much as a piece of hardware can.

23 So you have to have, and we do have in our company,  
24 flexibility where if there is a problem at home, an employee can  
25 call that time out -- in my case because we have professional

1 truck drivers, pull over, let dispatch know, hey, I'm pulling  
2 over, I'm taking care of a situation and I'll get back on the  
3 road. Because if you don't have that and if it's just produce,  
4 produce, produce and there's no flex for the human element, well,  
5 you're going to get people saying, okay, I have to produce, I've  
6 got to get there on time, but I've got to take care of home. So  
7 what are you going to do? You're going to do both. That's where  
8 the danger comes in. So you have to empower your employees to say  
9 if I've got something that important, I'm going to pull over, I'm  
10 going to let dispatch know, I'm going to take care of it and get  
11 back on the road. And so you've got to give people the method for  
12 dealing with the distractions because distractions are just part  
13 of being human and you got to let people know that it's okay to  
14 deal with them and here's how.

15 CHAIRMAN SUMWALT: Great. So what is the most important  
16 ingredient that's necessary to have a really effective distraction  
17 policy?

18 MR. FIELKOW: Well, again, having it leader-driven and  
19 employee-owned, Robert, I would say that. In other words, it's  
20 got to start at the top. If this isn't a priority for leadership,  
21 if they don't understand that it's -- number one, it's the right  
22 thing to do, okay, that's the most important. But there's also a  
23 strong business case for this, too. Leadership has to understand  
24 that. So they've got to live it and, again, if they don't, the  
25 ship is adrift.

1           But once leadership has made that commitment, which we have,  
2 then you have to get it owned by your front lines. And that's why  
3 I was talking before about the Serious Six, because our front  
4 lines developed it. They wrote the process, and when you write  
5 the process and you own the process, you tend to be more  
6 accountable for the process as opposed to just having it handed  
7 down in some payroll stuffer. So the most important formula  
8 really is leader-driven and employee-owned.

9           CHAIRMAN SUMWALT: I like that. We're developing values at  
10 the NTSB and so we want our -- we certainly want them to be  
11 leader-driven, and they are. I support that. But the key, what  
12 so many people don't do, is make them employee-owned. And you do  
13 that by getting them to be a part of the development process.

14           So what I find is that everybody has, you know -- well, a lot  
15 of people have these policies, and what separates the really good  
16 organizations from the rest of the world is that there's a lot of  
17 lip service involved. So you think that having the leader having  
18 that alignment throughout the entire organization, that's a key  
19 function.

20           So tell me this, you're not a nonprofit organization. I  
21 worked for an airline once and I called it a nonprofit  
22 organization, they didn't -- yeah, for years and years they lost  
23 money and filed bankruptcy twice, so anyway. But I don't think  
24 you're a nonprofit organization.

25           MR. FIELKOW: I hope not.

1 CHAIRMAN SUMWALT: Okay. All right. Great. So how has  
2 having this anti-distraction policy, how has this affected your  
3 bottom line?

4 MR. FIELKOW: Well, if you put safety at the foundation of  
5 the organization and you make it non-negotiable, I mean -- you  
6 know, we talked, Robert, about values and priorities, okay.  
7 Values are the things that bind us together, they don't change.  
8 We don't sit around in November saying, gee, in 2017 what should  
9 our values be? Your values are immutable. Priorities change by  
10 the day, it's part of being in business, okay.

11 So safety has to be a core value. It's got to be at the  
12 foundation and you can't let those priorities -- maybe an upset  
13 customer, maybe you're, in my case, late for a delivery, you can't  
14 let those priorities ever compromise your values because if you  
15 do, the day will catch up.

16 And again, when we talk about bottom line, I want to say  
17 again, to be repetitive, that first and foremost this is the right  
18 thing to do, okay. So above the bottom line, this is just the  
19 right thing to do, it's about being a good corporate citizen and  
20 it's about taking care of your employees and taking care of the  
21 public. But let's talk about the bottom line for a minute.

22 You have enough accidents -- and customers are getting so  
23 smart these days. I mean, when I first got into business, you  
24 know, customers didn't really want to talk as much about safety.  
25 They wanted to talk about, you know, what's the price. Well,

1 that's not the real world we live in anymore. In fact, I have a  
2 prospective customer coming in, in May for a 2-day safety audit,  
3 okay? Well, 2 days may be more than most -- this is what we're  
4 seeing, is customers don't want to do business with rogue  
5 operators.

6 And so, you know, to attract the best customers and to  
7 de-commoditize your business, you know, safety is a key  
8 differentiator when you're performing tasks that we do. But on  
9 top of that, you know, there's obviously -- there's an insurance  
10 cost, right? In other words, at some point the market's going to  
11 look at you and say, you know what, we don't want to insure you.  
12 So the investments that we make, for example, in safety besides --  
13 you know, really, our main investment is in our safety culture and  
14 that's what I'm the most proud of, is the safety culture.

15 And you know, Jim and I wrote a book, "Leading People  
16 Safely," about this and a wonderful man -- Robert -- wrote the  
17 foreword and we appreciate that. But that's what it's all about,  
18 it's about getting away from the rules and regulations and kind of  
19 getting the idea that just because you don't have accidents, that  
20 doesn't mean you're safe, and just because you've had an accident,  
21 that doesn't mean you're unsafe; it's about the culture. It's  
22 about the people and the process, and you got to keeping asking  
23 yourselves what are we doing to uphold the culture of prevention,  
24 and when something goes wrong, what do we do to get at the root  
25 cause to figure out what happened, why it happened, how we prevent

1 it from happening again.

2 Because, look, if your company has hundreds or thousands of  
3 people, chances are you're going to have a bad operator. Chances  
4 are you're going to have somebody that understands what your  
5 texting and driving, your handheld-phone-use policy is and they're  
6 going to ignore it. The odds are, I hate to say it, but the odds  
7 are in the favor you're going to have people that ignore that. So  
8 that's where you've got to have a culture that will catch it. And  
9 we have cameras in our trucks and if there's a lane change or a  
10 hard brake or other accidents like that, we capture 8 seconds  
11 before and 8 seconds after the incident. And guess what? We know  
12 if somebody was -- you know, if it was an innocent mistake or if  
13 somebody was using the phone. So we've got technology that we're  
14 using right now to ensure everything we can do to prevent that  
15 accident.

16 And again, the bottom line, it's giving your customers peace  
17 of mind to come back to you. It's about insurance premiums. It's  
18 about telling your employees, guess what, you are more important  
19 than a load; you're an employee -- you're a human being first,  
20 you're an employee second. And that creates employee loyalty and  
21 employee engagement versus, you know, you're Driver Number 300, go  
22 get your load, here's your dispatch. So you're building that bond  
23 with your employees, with the customers, and with the public.

24 And again, the reality is that -- and I hate to say it, but  
25 nobody bats a thousand. So it's the strength of your culture that

1 will ensure that you're practicing prevention and the strength of  
2 your culture that will help you figure out what happened when  
3 something else went wrong.

4       So that's really what we do is we just focus on being -- I  
5 like to tell our team and I like to tell our leadership group that  
6 if you're strong on the inside, you're unbeatable on the outside.  
7 And part of being strong on the inside is having that non-  
8 negotiable commitment to safety and as a subset of safety,  
9 eliminating distractions.

10       And one more thing on the cameras, Robert, is, you know, we  
11 capture a lot of hard brakes and near misses and, well, we always  
12 look in the mirror first. The number of videos I've got where our  
13 drivers had to take the evasive action because somebody was just  
14 drifting in the lane or just acting unsafe on the road, it's  
15 there. It's there.

16       I mean, your truck drivers are your ambassadors of the road.  
17 They're the most professional-trained drivers. Now there's a huge  
18 pool of drivers. You know, again, you're going to have good and  
19 bad ones in the pool, but the point is we see a lot of what goes  
20 on, on the road with our technology, and it is an epidemic, and  
21 that's why we have to come together in this room to educate the  
22 public and to continue to raise the bar.

23       CHAIRMAN SUMWALT: Thanks so much.

24       MR. FIELKOW: Thank you.

25       CHAIRMAN SUMWALT: Yeah, let's move now to the laws. And

1 Cathy, how effective are the current laws, the laws that we have  
2 now? Does effective distraction legislation differ? Well, let's  
3 just talk about how effective is the current legislation?

4 MS. CHASE: I'd like to first of all thank you for inviting  
5 me here today and congratulate Jennifer on this wonderful panel.  
6 And I wanted to just say how much I admire each one of you for  
7 being here today, to taking the time out of your personal lives  
8 and talk about one of the most impactful and difficult things that  
9 you've ever experienced in your life. It takes a remarkable  
10 amount of courage, and I just really want to thank you for all of  
11 your efforts and tell you how much you are my heroes. So thank  
12 you very much.

13 And I also wanted to add to what Jennifer was saying about  
14 the laws, I just wanted to make a clarifying point that while  
15 Jennifer, of course, is correct, of those state laws only 42 and  
16 D.C. are primary enforcement. So we still do have some more work  
17 to do there, because without a primary enforcement law, law  
18 enforcement -- a law officer is hand-cuffed. They can't pull  
19 someone over until they've experienced yet another moving  
20 violation. So we really need to move the bar and get all of the  
21 laws to be primary enforcement.

22 And you asked also about if there are any total prohibitions.  
23 For teenagers there are in some states, where there's a complete  
24 prohibition for cell phones, but not enough. There's only 31  
25 states that have the total prohibition and we need to get those

1 laws on the books, too, because until the laws are on the books,  
2 law enforcement cannot do anything.

3 So we need to get these laws moved. Texas is primed right  
4 now and we're hoping, and I know everyone in this room is working  
5 on that one. In addition to the enforcement aspect, it sends a  
6 message to the public that this behavior is not permissible.

7 State Farm Insurance just did a survey asking the people if  
8 you think there is a law on the books are you more likely to abide  
9 by it. And so it was really -- whether there was a law or not, if  
10 they thought there was a law, they were more -- they were less  
11 likely to text. So the laws also send an important educational  
12 aspect to it. So we need the laws, we need law enforcement to be  
13 given the resources that they need in order to be able to  
14 effectively enforce the laws.

15 I heard about a very creative law enforcement campaign in a  
16 nearby police department wherein some of the law officers are  
17 riding along with semis so that they can see down and see when  
18 people are texting, and I thought that was really ingenious.

19 And also, I've heard about some law enforcement officers who  
20 are dressing up as panhandlers -- I don't know if that's the  
21 politically correct term -- at stop lights and stop signs and  
22 seeing when people are texting, and knock on the window and  
23 enforcing it.

24 So I think the laws are critically important and the  
25 philosophy behind them is prevention. We need to prevent people

1 from doing this, not being caught afterward.

2 CHAIRMAN SUMWALT: So what I think I hear you saying, Cathy,  
3 is that the laws are there to draw that line between what is  
4 acceptable and what is unacceptable; is that basically right?

5 MS. CHASE: Yeah. I think the laws send a strong message of  
6 what the public knows they should or should not be doing behind  
7 the wheel.

8 CHAIRMAN SUMWALT: Is it a deterrent or -- is it there to  
9 deter behavior or is it there to catch behavior or both?

10 MS. CHASE: I think both.

11 CHAIRMAN SUMWALT: Yeah.

12 MS. CHASE: I think both. I think both aspects are  
13 critically important. We want to send a message of prevention.  
14 We don't want anyone texting or on the phone when they're driving;  
15 they need to have their mind and their hands on the wheel of the  
16 driving task. And then we also need to empower our law  
17 enforcement so that when they do witness a violation, they are  
18 empowered to let the person know that they've broken a law and  
19 there will be consequences.

20 CHAIRMAN SUMWALT: Yes. And we'll certainly talk about the  
21 enforcement side of that after lunch, but let me ask you this,  
22 Cathy, what are the core characteristics of legislation that truly  
23 is effective?

24 MS. CHASE: Well, like I said, primary enforcement is  
25 critically important. Without primary enforcement it both

1 disables law enforcement from properly enforcing the law and also  
2 sends a message to the public that these laws are kind of a  
3 secondhand citizen; they are not as important as a speed  
4 violation, not wearing your seatbelt in those states that have  
5 primary enforcement seatbelt laws. So I think that the laws need  
6 to be on the books and they need -- we need the leadership within  
7 the states to say this is a priority and we want our law  
8 enforcement to step up and enforce it to the best of their  
9 ability.

10 CHAIRMAN SUMWALT: Great. Thank you very much.

11 I'm going to toss this out to the group here. I've often  
12 said -- okay, so we established 2 years ago at this roundtable  
13 that there really is, statistically, no difference between -- no  
14 difference, no significant difference, in crash risks between  
15 handheld and hands-free, that your crash risk -- you know, that  
16 they both have a likelihood of increasing a crash -- increased  
17 crash risk of a factor of about 4.

18 And so with that in mind, I've said that I believe that  
19 lawmakers and policy setters that come out with laws and company  
20 policies that only prohibit handheld are sending the wrong  
21 message. They're sending the message that one is better than the  
22 other, but we know that that's not true. So are they sending the  
23 wrong message?

24 Yes, sir. Brendan.

25 MR. LYONS: Sir, first of all, I'd like to address a couple

1 things. Brian, develop a culture of influence, you're spot on  
2 with that. Cathy, the enforceability between a primary and  
3 secondary offense, you're spot on with that, as well.

4 As far as sending a wrong message, when it comes to  
5 enforcement, I believe having a hands-free ordinance increases the  
6 enforceability behind this. If you have, for example, a text  
7 ordinance -- I've spoken to many law enforcement officers and  
8 unless you have an admission of guilt from the driver that they  
9 were texting -- you can be having a hand in your phone and the  
10 ordinance or the law states the sending or receiving of text  
11 messages, well, you could be on -- watching a video and you're not  
12 sending or receiving text messages. So having an ordinance that  
13 spells out hands-free I think helps curb this behavior through  
14 enforcement.

15 Arizona is one of the last few laws -- few states that have  
16 prevented any sort of prohibition on texting while driving. I  
17 think it's either still at the governor's desk or it's waiting to  
18 be signed. Jennifer, I don't know if you know this, but the  
19 current law that may be passed has to do with teenagers, 16-year-  
20 olds, 6 months post receiving their driver's license.

21 And I think this does two things. One, it's a secondary  
22 offense, so it ties the hands of law enforcement; and two, it  
23 sends the wrong message. I know there may be a lot of people  
24 saying that this is a step in the direction, but I think this is  
25 kind of backwards, the reason being is that it sends a wrong

1 message to the general public that this only affects the 16-year-  
2 olds, not the rest of the public.

3 CHAIRMAN SUMWALT: Thank you. Thank you very much.  
4 Brian.

5 MR. FIELKOW: Yeah, I'd just like to reply to the  
6 handheld/hands-free question. I do understand that it's about  
7 what's in your mind, it's about cognitive disassociation, and  
8 holding the phone may or may not have as much to do with that, so  
9 being on a Bluetooth could get you the same place. The problem  
10 that we have in business is that if -- because right now it's  
11 illegal, there's a \$2,000 fine to the driver, \$12,000 fine to the  
12 company for a professional, for a CDL driver, to operate using a  
13 handheld device. There is no penalty for a Bluetooth.

14 And the problem we've got in business, and this is just the  
15 reality -- I'd love to get thoughts on it -- is if it was  
16 completely prohibited, that means a dispatcher couldn't get ahold  
17 of his or her driver. The load cancels, the driver's 400 miles  
18 down the road and finds out the load cancelled. Now talk about  
19 other kinds of distractions.

20 So to me, it's imperfect, but what we've tried to do is say  
21 make the call as short as possible. You can call the driver, he  
22 or she has a Bluetooth in, "Hey, next time you're near a truck  
23 stop, I need you to pull over when it's safe, and give me a call  
24 and I'll give you information." So it's not having that  
25 conversation on the phone. But there is some utility to being

1 able to get ahold of your driver one way or the other if there's a  
2 major change. And that's the reality of the balance that we face  
3 in business, but I still understand the science. The cognitive  
4 disassociation is there, whether you're handheld or hands-free.

5 CHAIRMAN SUMWALT: Thank you. Thank you very much.

6 Please, Phil. Yeah, you're in the business, so let's hear  
7 what Columbia Gas is doing.

8 MR. WILSON: Right. And we're in the natural gas business  
9 and an emergency responder. We respond, just in my state, to over  
10 9,000 emergency calls a year, and we have adopted a ban on all  
11 hand devices. We have mobile data terminals or we have computers  
12 in our vehicles. We have cell phones. All of our drivers have  
13 smart devices. And we also still have some pagers out there for  
14 coverage purposes.

15 But we have a total ban. And we just started this in 2016,  
16 and as result we have really seen no impact to our ability to  
17 respond to emergencies or just to -- or impact to our customer  
18 service in general. Culturally, big shift, no question about it,  
19 because maybe we were sending a little bit of a mixed message not  
20 too awful long ago, to Brian's point, where leadership was doing  
21 one thing, our field technicians were doing another. And now  
22 we're totally aligned and we have built an aligned culture. And I  
23 just wanted to say we haven't really seen, from a business  
24 standpoint, from the bottom line, from our ability to serve, any  
25 negative impact whatsoever.

1           CHAIRMAN SUMWALT: I love hearing that, and I think the  
2 National Safety Council has actually done sort of some research on  
3 this, surveyed companies to see, and there are some pretty strong  
4 cases for that.

5           And Katherine, do you have anything you want to add to that,  
6 really what you all have done in that respect?

7           MS. VAN DEN BOGERT: I don't have actually too much to add to  
8 that point for the corporate side. But again, when we come back  
9 to the issue of talking about what's available for people in terms  
10 of employer cell phone policy kits, I'll come back to that in the  
11 fourth panel.

12          CHAIRMAN SUMWALT: I think there's -- excuse me for turning  
13 my back, but Sean printed out yesterday sort of a -- some of the  
14 things out of your toolkit related to -- well, just you've got --  
15 okay. That's okay. But yeah, thank you for looking. I sprung  
16 that one on you in a hurry. But you do have a cell phone policy  
17 toolkit, you got a cell phone policy toolkit on your webpage that  
18 talks about a case study of an employee ban, on a cell phone  
19 policy. So thank you.

20          Joel.

21          MR. FELDMAN: So I think the question was how do we feel --  
22 since we know that hands-free is not safer, how do we feel about  
23 supporting legislation asking that in fact to be put in place,  
24 saying you can't hold the thing in your hand, but you can drive  
25 down the highway hands free?

1           So I went back and forth on that quite a bit and, of course,  
2 I was guided by the NSC and the NTSB in terms of your policies and  
3 what you recommend, total ban. I've come down on the side of I  
4 will testify in support of those, and I have and I will, and I  
5 think for a lot of the reasons we talked about, the enforcement.  
6 And I think it's the education part of it, as well, because you're  
7 going to get noticed, you're going to talk to folks, folks will  
8 hear about that.

9           When I do testify, I always testify with the so-called  
10 asterisks and I say this is not safe, but the reality is what  
11 state today is going to say that no one can use their cell phone  
12 handheld or hand-free? It's not happening. And somebody asked me  
13 if I could wave my magic wand and I had a choice, if I could, by  
14 waving my magic wand, no one would text, Snapchat, Instagram,  
15 Facebook, the visual distractions, and they would continue to use  
16 their phones hands-free, what would I do? And I would say for  
17 today, I would take that.

18           CHAIRMAN SUMWALT: And to be clear, the NTSB's position is we  
19 made a recommendation back at around 2011, late 2011, coming out  
20 of an accident, coming out of a crash in Gray Summit, Missouri,  
21 where a 19-year-old driver was texting and he sent and received a  
22 number of texts over an 11-minute period and ran smack, at 55  
23 miles an hour, into the back of a Volvo truck with no skid marks  
24 at all and then, unfortunately, a school bus ran into the back of  
25 his truck, and not only did it claim his life, but unfortunately,

1 a 15-year old girl in one of the school buses, in the school bus  
2 was killed.

3 So that's the thing, is that people that aren't directly  
4 involved in the activity of using a cell phone are the ones that  
5 are often affected, as is your daughter. She's crossing the  
6 street to go to work and somebody runs over her. And so our  
7 position is, is that we have called for the states to pass laws to  
8 ban the non-emergency use of portable electronic devices, personal  
9 electronic devices. That's our position, because we do look at  
10 the science. Now in the reality, how does that get done? That's  
11 up to the 50 states to figure out how to do it. It's not a  
12 federal issue, we don't think; it's not a federal issue, it's a  
13 states issue.

14 Cathy.

15 MS. CHASE: I just wanted to add, in addition to that, what  
16 else -- additionally, what is so important is other laws. Primary  
17 enforcement seatbelt laws, because people are driving distracted,  
18 the seatbelts is the first line of defense, so we need to make  
19 sure that everyone in every ride is buckled up. Motorcyclists.

20 CHAIRMAN SUMWALT: Yeah, but we're here to talk about the  
21 distracted --

22 MS. CHASE: I'm just saying, when -- I completely agree, but  
23 when and if, until we combat the problem of distracted driving, we  
24 want all motorists to be as protected as they can be, so I just  
25 wanted to say that all highway safety laws need to be improved.

1           CHAIRMAN SUMWALT: Well, I agree, and we have positions and  
2 we have recommendations on --

3           MS. CHASE: Of course.

4           CHAIRMAN SUMWALT: -- each of those topics.

5           So let me ask you this, states that -- so an argument that I  
6 hear when we go out and we -- somebody asks -- we start talking to  
7 people about these proposed laws, people say this takes away my  
8 right, this -- you know, we got all kinds of emails saying just  
9 that, when we came out with this recommendation, this takes away  
10 my rights. What about that?

11           (Laughter.)

12           CHAIRMAN SUMWALT: Well, I mean -- you know, first of all,  
13 Brian, it's probably been a while since you've been to law school,  
14 but do you have a right to drive an automobile?

15           MR. FIELKOW: Driving is a privilege, not a right.

16           CHAIRMAN SUMWALT: It's a privilege. And the Constitution  
17 grants us the right to bear cell phones, right?

18           (Laughter.)

19           MR. FIELKOW: I haven't seen that amendment yet.

20           CHAIRMAN SUMWALT: Right. So we don't have a right to drive  
21 or when you accept the rights and privileges -- excuse me -- when  
22 you accept the privilege associated with a driver's license, you  
23 are agreeing to abide by the law; is that correct? So anyway, put  
24 that argument to bed because people don't have a right to drive  
25 and talk on the phone at the same time.

1           Okay. So I see a lot of hands up. So let's see, let's see  
2 where we're going to start this time. We're going to start right  
3 here with Jacob.

4           MR. SMITH: So I kind of wanted to just pose the question, as  
5 well, on the discussion based off of cell phones, handheld versus  
6 Bluetooth. I, within myself, have a hard time in college talking  
7 to my peers in regards to the difference. And I just wanted to  
8 get your thoughts on how do you justify that? I mean, I  
9 personally know multi-tasking is not a theme, but how do you  
10 justify to someone else that they can't use -- when even an Uber  
11 driver, that they can't use GPS or that they shouldn't use GPS? I  
12 just wanted to get your thoughts on that.

13           CHAIRMAN SUMWALT: So you want to talk about GPS or do you  
14 want to talk about the phones, themselves?

15           MR. SMITH: Well, I guess just handheld versus -- yeah, I  
16 guess GPS is a good example, yeah.

17           CHAIRMAN SUMWALT: I open it up. I mean, I suspect these  
18 electronic devices, a GPS has probably saved a lot of crashes,  
19 prevented a lot of crashes because people know where they're going  
20 instead of trying to pull out a map and all. But there again, if  
21 you're spending too much attention messing with that, then you're  
22 at a higher crash risk. But any thoughts on the issue, on the GPS  
23 aspect?

24           Yes, ma'am.

25           MS. SMITH: I think the GPS is one thing when it comes to

1 legislation that has gotten really misunderstood. When these laws  
2 started, there were exceptions for GPS use, but that was back when  
3 your GPS was something in your car, mounted and you could not  
4 enter information when you were driving. Now we have the phone in  
5 our hand and it doesn't have that lockout, and we still have this  
6 exception in our laws that people are thinking oh, now I can use  
7 my GPS; well, you shouldn't be entering information into your GPS,  
8 but you can use it. With the GPS, it is a very misunderstood  
9 exception in these laws that I think we do have to find a way to  
10 get that better across because there have been crashes caused by  
11 -- a couple people that have lost loved ones at this table that  
12 were because of GPS use.

13 CHAIRMAN SUMWALT: Thank you. All right, so I got a little  
14 distracted there. But let's see. So Shelley.

15 MS. RUSSELL: I want to talk about the handheld/free. I know  
16 I have a senator in Oklahoma that was going to try to present  
17 that, the ban on the handheld but you could still have the  
18 Bluetooth, and he contacted me and I was going to help fight it.  
19 It never got out of committee. And he said it was an uphill  
20 battle because of, again, what you said, rights.

21 Well, we got in a conversation on Facebook and I -- you know,  
22 I said I want to speak to the Senate if it ever gets there because  
23 my son -- a man used his right 189 times, killed my only child on  
24 the 189th. Of course, when I said, you know, my son had a right  
25 to live, everybody come back -- I got bombarded. I had to get off

1 of that because they said because he was a state trooper, he  
2 signed up for that. No, he did not sign up for that. He was  
3 walking that thin blue line and that man, 189 times -- and I  
4 wanted to speak before the Senate and say if roles were reversed,  
5 you were up here, I was sitting out there and someone exercised  
6 their right 189 times and killed your only child, how would you  
7 vote on this? It would be a total different vote. But still, it  
8 did not get out of committee because it was his right, their  
9 right, and I disagree.

10 CHAIRMAN SUMWALT: Well, again, people don't have a right to  
11 drive, it's a privilege. So maybe that can be something in your  
12 advocacy toolkit there. I'm not a lawyer.

13 MS. RUSSELL: That, and I still -- it just -- they just kept  
14 saying that, you know, Nicholas signed up for that. No, none of  
15 us signed up for that.

16 CHAIRMAN SUMWALT: Thank you.

17 MR. FIELKOW: Robert, can I ask a quick question to see if  
18 somebody knows on the panel, because I don't. We talk about laws,  
19 okay, like, for example, Texas, and we need this law to pass  
20 because it sends the right message, okay? But the law, I think,  
21 has a \$90 fine and then for repeat offenders it can go up to \$200,  
22 okay. That's nothing. Are criminal laws being used?

23 I mean, in other words, you know, manslaughter laws,  
24 involuntary manslaughter, because the criminal laws, to me, if  
25 they're being used in this distracted driving context, will have a

1 lot more of a deterrent effect than, you know, a \$100 fine.

2 Again, I'm not at all suggesting that that get us to rethink  
3 the laws, we need the laws no matter what the fine is, to change  
4 behavior. But are there cases where prosecutors are getting a  
5 hold of this and using criminal laws, because that's the  
6 deterrent.

7 CHAIRMAN SUMWALT: Thank you, Brian.

8 Martha, I'm going to come to you. So when you're dealing  
9 with laws, and the question is laws might look tough, might look  
10 tough on paper, be paper tigers, but what is often missing in  
11 those laws? We know that laws can get watered down and special  
12 interest groups get in there and that's just part of our --

13 MS. HILL: It's the sausage we make.

14 CHAIRMAN SUMWALT: Sausage making. But that's part of our --

15 MS. HILL: That's right.

16 CHAIRMAN SUMWALT: That's part of our process and everybody  
17 gets a voice. But what are things that are chiseling away at good  
18 legislation?

19 MS. HILL: Well, can I set the Arkansas -- I'm so pleased to  
20 be here and honored to be asked, and thank you all so much for  
21 including me on the panel and my hat's off to all of these  
22 families who have had these horrific tragedies. And I'm so lucky  
23 because I had Michele Paden work side by side with me at the  
24 Arkansas state capital to help on this effort. Let me kind of --  
25 I'm going to answer your question, but let me paint the picture

1 about Arkansas.

2 So in 2015 we have a population of about 3 million people in  
3 Arkansas. It's a little bit smaller than the Dallas-Ft. Worth  
4 metroplex. And it's basically a rural state. So Nina, I  
5 understand the combine issue, they use GPS on combines now.  
6 Combines go out on our highways, people cut quickly through rice  
7 fields and other things like that, so we have both that. But  
8 Arkansas is the home of many trucking companies. We have USA  
9 Truck, we're the home of Walmart. We're the home of PAM, we're  
10 the home of J.B. Hunt, fantastic companies. And then we have  
11 teenage drivers. Everybody has that.

12 So let me just -- so we have about 3 million people. In 2015  
13 we had 531 fatalities in Arkansas. We don't know how many crashes  
14 we had that had horrific incidents of people becoming horribly  
15 maimed or ended up in the hospital. But I will tell you that our  
16 statistics show that the economic cost due to crashes was \$2.386  
17 billion in Arkansas. That's big money. That is big money. So  
18 this whole safety conversation needs to get everybody's attention  
19 because it's big money.

20 I will also tell you that incrementally, since 2003, Arkansas  
21 has changed the law. We sort of whittled it away. It first  
22 started with a school bus driver's ban on cell phone usage. And  
23 then in 2009 we passed Paul's Law, which prohibited texting.  
24 There was a first responder exemption for emergencies. In 2012,  
25 we had some commercial driver legislation. And in 2012, we also

1 had a handheld cell phone ban for school bus drivers, teen drivers  
2 less than 18, anybody in a work or school zone. And it seems like  
3 our state highways are always under construction. We all know  
4 that. So you can't be on your phone, with fines. And texting was  
5 banned except for emergencies. But there really were sort of  
6 unspecified fines and the definition of texting was all over the  
7 map in our code; it was just in different places in our code.

8       So Senator Will Bond, the former head of the state Democratic  
9 party, introduced a bill -- and we are a red state and I just sort  
10 of went oh, my goodness, how are we going to do this? Well, I am  
11 hired by State Farm to push safety legislation. It's a great  
12 thing in our state. And we have an informal safety coalition and  
13 in that safety coalition we work on safety legislation, including  
14 our graduated driver's license, that sort of thing. And that  
15 safety coalition is made up of property and casualty insurers, the  
16 Arkansas Center for Health Improvement, Arkansas Children's  
17 Hospital, and the state police.

18       And we sort of informally work together on many of these laws  
19 as things go through our legislature. And we use our grassroots  
20 of our State Farm agents -- farmers helped on this one, I know  
21 they've been very involved in Oklahoma on the texting law in  
22 Oklahoma to help contact, do key contacts to talk to our state  
23 legislators, to change, sort of change an impact. So you've got  
24 to have this sort of grassroots network and then you have to have  
25 key leaders in your state government.

1 CHAIRMAN SUMWALT: All right. So grassroots and then key  
2 leaders.

3 MS. HILL: Absolutely. Absolutely important. And you need a  
4 bipartisan coalition of people to push legislation through --

5 CHAIRMAN SUMWALT: Okay.

6 MS. HILL: -- and to make changes.

7 CHAIRMAN SUMWALT: So Mike's written those down. So I'll ask  
8 this to you, Martha, and I'll ask this to Jennifer. When you're  
9 out having these conversations with legislators, what ends up  
10 working? I mean, you can go in and you can just hand them a piece  
11 of paper and we appreciate your support or consideration and then  
12 you walk out, I mean, but what really works? What helps to get  
13 those laws passed?

14 MS. HILL: Well, I'll tell you that Michele stood right next  
15 to me outside the state House -- both the Senate doors and the  
16 House of Representatives, and the Arkansas Center for Health  
17 Improvements stood there for statistics purposes; they don't  
18 really lobby, but they were there for information. And so  
19 impactful was Representative Austin McCollum's conversation and  
20 presentation of the bill in our House of Representatives, it was a  
21 Ronald Reagan moment, if there ever was one. And he said, "And up  
22 in the gallery are people that have been affected by this law,"  
23 and a dead silence went across our state legislature and they were  
24 looking at Michele and her family. And those who -- and his floor  
25 speech was just incredible and it helped carry the day.

1 CHAIRMAN SUMWALT: So there again, that points out the  
2 importance of your work, whether you're --

3 MS. HILL: Absolutely.

4 CHAIRMAN SUMWALT: Whether you are --

5 MS. HILL: Do not be discouraged.

6 CHAIRMAN SUMWALT: Whether you're the one ringing doorbells  
7 or you're with the person ringing the doorbells, your work is so  
8 important.

9 And so Jennifer, you know, I was with you on February 1st or  
10 2nd down in Austin and, you know, we were there for a big event  
11 that you helped to organize. And you were there, as well. And  
12 so, you know, you helped get HB 62 through, and so that's the  
13 House bill of the distracted driving or the texting bill. And  
14 then there's SB 31, which is the Senate bill. So what works?  
15 What's effective; what does work?

16 MS. SMITH: I mean, really, to echo everything Martha had --  
17 what we do when we go in these states, Janet knows as well, she's  
18 been doing it in Virginia successfully, is setting up that broad  
19 coalition. In the states that it's more difficult getting the big  
20 corporations and the big names in the state to be on your side to  
21 help make those phone calls, the personal story is -- you go, you  
22 sit down and you meet with them. And just don't give up.

23 Also, go into legislation knowing it is a negotiation. You  
24 are not going to get everything you want and it could be a long  
25 road, so just stay the course.

1 CHAIRMAN SUMWALT: Stay the course, be persistent.

2 Okay. Yes, ma'am.

3 MS. REDMOND THOMPSON: I think it will be beneficial for the  
4 audience, maybe -- well, some of the audience here at the table  
5 and then those viewing online to understand the process of  
6 legislation, like what it takes to get a bill through the Senate  
7 or through the House, because a lot of times we go and we speak to  
8 advocates -- and I know law, so I understand, but that's really  
9 not common knowledge to the average person we talk to, because to  
10 them, after they hear our presentations or they hear our stories,  
11 they're like oh, why is this not a law, and they don't really  
12 understand what it takes to get there. So I think it will be  
13 helpful for someone to speak on the process.

14 CHAIRMAN SUMWALT: Thank you.

15 Russell.

16 MR. HURD: Yes, I'd first like to address Ms. Hill, and I  
17 congratulate you for your statement because distracted driving is  
18 not a Democratic or Republican issue, it's a lifesaving issue. It  
19 doesn't discriminate against party lines, so that's number one.

20 Number two, Ms. Chase, in Maryland we have a texting ban as  
21 well as a handheld cell phone ban, which I'm proud to say we were  
22 very much involved with. In saying that, it's a little  
23 discouraging that despite the law and despite Jake's Law being  
24 passed just a couple years ago, which increased the fine for a  
25 fatality, that the crash rate and the fatality rate is increasing.

1 And it seems to me that we need to put some sort of teeth into  
2 these laws -- the fines are nearly not big enough -- and combine  
3 that with enforcement, which a lot of people don't believe that  
4 they're ever going to be pulled over.

5 So if you don't believe that and then the fine isn't big  
6 enough to deter you, what is the incentive to drive safely? So  
7 how do we address these legislatures now that also believe, in my  
8 opinion, that once they pass the initial legislation that their  
9 work is done?

10 MS. CHASE: Well, I agree completely with everything you just  
11 said, that we need to make sure that there is leadership from the  
12 top so that the resources that are needed to enforce these laws is  
13 happening. Law enforcement are pulled in so many different  
14 directions that they need to know that preventing distracted  
15 driving and drunk driving and other problems on our roads is a top  
16 priority because, like you said, fatalities are up.

17 Additionally, I think there's a really important role for  
18 technology to play in stopping the use of technology. It's kind  
19 of the venom and the anti-venom idea. I think that there's a lot  
20 of progress that is being made in terms of technology to prevent  
21 people from being distracted while in the car and that needs to  
22 continue, combined with strong laws, strong enforcements, and  
23 prevention.

24 CHAIRMAN SUMWALT: So Michele, what was it like -- we heard  
25 Martha talking about her side of the story, your being there and

1 how powerful that was. So what was it like from your perspective?  
2 Because we've got other folks that are in your same shoes with  
3 losing a loved one, what was that perspective like?

4 MS. PADEN: That actually started in 2015, working with the  
5 legislator and, unfortunately, it was a bill in the House at that  
6 time and it never made it out of committee. And the day I left  
7 there, I felt --

8 MS. HILL: It was a total ban, too.

9 MS. PADEN: It was a total ban. And the day I left, I felt  
10 like just giving up, that it was bigger than me, and very, very  
11 hard to come out of that thinking that you didn't do anything or  
12 there wasn't any progress made. And at that point, people that  
13 have supported me since Day 1 said, you know, no matter what law  
14 we have on the books, that's -- there's going to be people that  
15 abide by the law and it is going to deter them, but there's still  
16 -- drinking and driving is against the law and there's still  
17 people that do it. So education and spreading awareness, first  
18 and foremost, then laws and enforcement.

19 And we went back to the drawing board, luckily this year, and  
20 we took a step in the right direction, but it's not over. That's  
21 the problem. And when you talk to these legislators and they tell  
22 you, well, I do it, I drive back and forth to the capital and I'm  
23 not going to take that right away from my constituent or I don't  
24 want to increase the fine because we live in a state that has very  
25 low-income people and we don't want our constituents to be heavily

1 fined. And at one point, Martha and I both looked at each other  
2 and said, guess what, the fine will be zero if they don't do it.  
3 You know, so --

4 MS. HILL: Don't text.

5 MS. PADEN: Yeah.

6 MS. HILL: You won't be fined.

7 MS. PADEN: Yeah. So it's very frustrating that sometimes  
8 legislators don't always listen and they're quick to want to point  
9 out that you put yourself in that situation or you signed up for  
10 that, and I'd just encourage you to keep reinventing the wheel,  
11 come back to them with things that you know and believe in and  
12 show your passion and your willingness not to ever give up.

13 I have someone that has told me that they weren't going to  
14 vote for the bill and they personally had met my nephew, and  
15 that's really, really hard, and I agreed at that point not to -- I  
16 told him, I said we agree to disagree and didn't draw that party  
17 line, continued to try my best to convince them likewise and I  
18 think before it's all said and done I think they'll be convinced.

19 CHAIRMAN SUMWALT: Well, thank you for that perspective. And  
20 that's the nation that we live in, where people can voice their  
21 different viewpoints and that's the way this country is set up, so  
22 -- but thank you for sharing your experiences.

23 Martha. And then I'm going to come over to Heather  
24 because --

25 MS. HILL: If I may, what our new statute did, signed by

1 Governor Asa Hutchinson at the end of March, it expanded our  
2 definition and now we include social media, you know -- what are  
3 the kids doing? They're not on Facebook, they're doing Snapchat.

4 MS. PADEN: And Instagram.

5 MS. HILL: You know, Instagram is over with. They're on  
6 Snapchat, so -- and they're snapping pictures of themselves in the  
7 car, right? So we expanded our -- we expanded the definition to  
8 include that, and we upped the fines. The fines were really not  
9 much and now for the first offense it's \$250; second offence,  
10 \$500. If you're involved in an accident, it can be a lot. And I  
11 think our -- oh, I was so excited about being invited, is that  
12 this is -- will be our education, telling the Arkansas population  
13 that we have a new law, to make them aware.

14 CHAIRMAN SUMWALT: Thank you very much. Appreciate that.

15 Heather, we haven't heard from you and I know you wanted to  
16 speak, so thank you.

17 MS. MUNSTERMAN: Thank you. I just had a question. Does  
18 anybody have -- I know this sounds a little old school, but  
19 petitions signed by citizens, like a certain amount of petitions  
20 and has that been effective?

21 CHAIRMAN SUMWALT: Emily.

22 MS. STEIN: Last year we tried forming a coalition of  
23 advocates called the Partnership for Distraction-Free Driving, and  
24 some people here were a part of that, and our big push was social  
25 media. Seeing that there are 1 billion users on Facebook, I'm

1 like, okay, Facebook can -- they can take a stance. So we were  
2 petitioning Facebook and Twitter and Snapchat to not only develop  
3 a policy for users, but to develop their own campaign. They're  
4 really good at marketing, let's have them do it. And we put a  
5 petition out there and got maybe 600 signatures, tops. It was  
6 really disappointing because we were hoping for 10,000 that we  
7 could physically bring to Facebook headquarters and say, listen,  
8 we care, like this is killing people and -- so it was  
9 disappointing that that power -- I mean, maybe some people have  
10 had good experiences, but --

11 CHAIRMAN SUMWALT: So we're going to wrap up here in about 8  
12 minutes, but we have folks over here that have been wanting to go.

13 Toron.

14 DR. WOOLDRIDGE: So as I listen to the talks about  
15 legislation and about education, one component or one factor that  
16 we haven't really discussed is the buy-in from the automotive  
17 manufacturers. And listening to Cathy, I think, she discussed  
18 about how there hasn't been technology created to limit the use of  
19 cell phones within those vehicles, and I know when we go into  
20 buildings sometimes we can't use WiFi or certain things like that.

21 Are there some type of sanctions that we could impose on  
22 automotive manufacturers to help? Because they have technology  
23 now that automatically syncs your car. A lot of new vehicles now,  
24 they don't have CD capabilities anymore because it's MP3 and  
25 things like that. So I think that -- I guess my question is what

1 has been done in that area to work with the automotive  
2 manufacturers because the actual vehicles are causing the wrecks?  
3 I mean, we're driving them, but the vehicles are the actual tools  
4 that are used for the demise of the family members.

5 CHAIRMAN SUMWALT: Yeah, I hear what you're saying, and I  
6 think that that might be certainly something worth looking at and  
7 I think it's maybe a little bit outside of the scope of what we're  
8 on this particular panel --

9 DR. WOOLDRIDGE: Okay.

10 CHAIRMAN SUMWALT: -- to talk about the laws and the  
11 legislation -- I'm sorry, the laws and the policies that  
12 organizations can implement. But you're right, follow the money  
13 and go back to the root of the issue. That's a good point. Thank  
14 you.

15 Russell, you wanted to say something?

16 MR. HURD: Yes. So to answer Heather's question, as part of  
17 our efforts to pass Maryland's texting and handheld cell phone  
18 ban, we did have a petition where we collected 5,000 signatures  
19 all over the state at different events and we did present that to  
20 the committee chairman and I do believe that it did have an impact  
21 when they finally passed the bill.

22 CHAIRMAN SUMWALT: Okay, that's good. What did the petition  
23 say?

24 MR. HURD: It was just we, the undersigned, encourage the  
25 State of Maryland to pass a ban on texting while driving.

1 CHAIRMAN SUMWALT: Okay, okay. That's interesting, thanks.  
2 So we've got 5 minutes and please, Reggie.

3 MR. SHAW: Yeah, thank you. This is something that I want to  
4 touch upon about the laws, kind of from my perspective, a couple  
5 different things. And I want to preface this by saying that, you  
6 know, first off, I never make any excuse for the choice that I  
7 made and for the people that I hurt. But, you know, to kind of  
8 take you back, when I was 19 years old, I never had a ticket and I  
9 was always very aware of the laws. Not to say I was perfect in  
10 things that I did, but I was aware. I knew what the laws were and  
11 I tried to observe them as best that I could.

12 As far as distracted driving, though, when I was 19 in the  
13 State of Utah, when there was nothing, there was never -- it was  
14 never talked about and there surely weren't any laws, and I would  
15 like to think and, you know, knowing myself, knowing who I was,  
16 that there's a very good chance that had there been a law that  
17 people's lives would've been saved that day. And, you know, it's  
18 easy to say now that, you know, had I gone back that there's a lot  
19 of things I would've changed. But, you know, as far as the  
20 importance of laws go, I mean, the way I see it is if a law puts  
21 in place and it saves one person's life, isn't that the goal?

22 And on another note, as being an advocate and going out and  
23 speaking, the laws help me. When I go into a state without a law  
24 and you go and you try to present to kids, at the end of the day  
25 they say, well, if this is so dangerous, if this is so important,

1 why are there no laws against it? Why do those people who make  
2 laws and enforce laws, if they don't think it's important, they  
3 don't think it's dangerous, why should I?

4 And so me, when I go in and speak, it's always something  
5 that, you know, when a state has laws, have good laws and have  
6 effective laws that I can always rely on and say, hey, you know  
7 what -- if you think you're different, if you think you're  
8 special, always know, at the end of the day, that this is against  
9 the law and you can be pulled over and you can be cited.

10 So the laws have always kind of had my back that way, as an  
11 advocate and an educator and I'm grateful for that. And, you  
12 know, I'm a firm believer that we should have laws and effective  
13 laws, and I appreciate Michele for going in there and speaking to  
14 her state legislature and I encourage everyone to go in and  
15 participate in that, as well, and make a difference. Thank you.

16 CHAIRMAN SUMWALT: Reggie, thank you for sharing that.

17 I'll recap right now what we have. So some of the take-home  
18 points. And by the way, we do have a court reporter, so all of  
19 this is being captured, so we will have a transcript. The  
20 archived webpage of this telecast or webcast will stay up on the  
21 web for 90 days or so and then if it's gone, then you can still  
22 get a copy from Nicholas on whatever medium happens to exist at  
23 that time. I think CDs and DVDs are sort of passé, but we can get  
24 it to you.

25 So the key points, some of the take-home points are make the

1 emotional connection with employees regarding policies and it's  
2 got to start at the top. And I think one of the things I want  
3 captured, so make sure we've got this, Mike, is that it's got to  
4 be leader-driven, employee-owned. So I want to make sure we  
5 capture that because that applies to our values, as well, here at  
6 the NTSB.

7 Grassroots effort. Make the use of key leaders. Form  
8 bipartisan coalitions to support the efforts. Understand the  
9 legislative process. I'm not sure anybody understands, but that's  
10 another story.

11 (Laughter.)

12 CHAIRMAN SUMWALT: And finally, I think we keep hearing this  
13 consistent theme: Don't give up. Your work matters. It makes a  
14 difference.

15 So with that, we will take lunch, we will eat lunch, we'll be  
16 back at 1:30. Thank you very much.

17 (Whereupon, at 12:29 p.m., a lunch recess was taken.)

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A F T E R N O O N S E S S I O N

(1:32 p.m.)

CHAIRMAN SUMWALT: Well, we're back. Speaking of which, I'll turn my phone to whatever it should be on. And thank you.

Okay, Panel 3. Now we're dealing with the enforcement, talking about the consequences of what happens if the laws are enforced. And so joining us for an introduction of this panel, we have Heather Munsterman and Lee Bailey. Heather, of course, is a retired police officer from Manassas, Virginia, and Lee is from Kent County -- New Kent County, Virginia. So thank you both for being here.

So I'll just start out with this. Heather, you were making a traffic stop on an alleged texting violation when another driver who was texting ran into you, personally, ran into your person.

MS. MUNSTERMAN: Yes, sir.

CHAIRMAN SUMWALT: And that was 1 week into Virginia State texting law.

MS. MUNSTERMAN: That's correct.

CHAIRMAN SUMWALT: There's a lot of irony here.

MS. MUNSTERMAN: Yes.

CHAIRMAN SUMWALT: That you're trying to enforce a law to keep people from getting hurt, and you yourself were smacked.

MS. MUNSTERMAN: Yes.

CHAIRMAN SUMWALT: And so I'd really love your perspective.

MS. MUNSTERMAN: Well, mine is a very sensitive, just like

1 everybody else here, perspective. It's very difficult for me to  
2 speak about it, but I know it's very important to speak about it,  
3 at the same time, because I did survive the accident. I was hit  
4 at 40 miles an hour on the right side of my body. Broke a  
5 majority of the bones and I was in the hospital for 2 months, in a  
6 wheelchair for 8. And I have a traumatic brain injury that is  
7 probably the most difficult thing to deal with. As a police  
8 officer, you're taught to fight, you know, fight through all  
9 situations, but you can't control a brain injury.

10 So this, of course, is very -- holds very dear to me because  
11 I lost my career over it. I fought very hard to get back and the  
12 injuries were just too, too much at that point.

13 CHAIRMAN SUMWALT: Well, thank you, along with everyone else,  
14 for your courage of being here to tell your own personal story.  
15 So I know that -- well, from your perspective, other than the  
16 safety of the officers who are making the traffic stop, what are  
17 the biggest challenges that a police officer faces when trying to  
18 enforce a texting or a cell phone ban?

19 MS. MUNSTERMAN: In the State of Virginia, it's almost  
20 impossible without a confession. The gentleman who hit me did  
21 confess, "Yeah, I was texting and driving." At that time I think  
22 a lot of people also weren't clear on exactly what the laws were  
23 because they just passed the week prior. But it's nearly  
24 impossible for us as law enforcement, without a confession,  
25 stopping them and seeing -- I mean, if they're on Snapchat, that's

1 legal. We have to actually prove that they're texting, and the  
2 only way to get that is self-admitting it. So we need to have  
3 tougher laws, otherwise this is just going to be a snowball effect  
4 and it's just going to get worse.

5 CHAIRMAN SUMWALT: Thank you. And we need, what did you say,  
6 separate laws? What did you say we need?

7 MS. MUNSTERMAN: Stronger laws.

8 CHAIRMAN SUMWALT: Stronger laws is what you said, thanks.

9 MS. MUNSTERMAN: Yes, sir.

10 CHAIRMAN SUMWALT: I just wanted to make sure I understood  
11 that. And then you pointed out the nuances of if you outlaw  
12 texting, then perhaps in some jurisdictions or some states texting  
13 is different than Snapchat or something like that, because it's  
14 not -- so, okay.

15 MS. MUNSTERMAN: That's correct.

16 CHAIRMAN SUMWALT: So there's a challenge right there, is  
17 that what our problems are today may be different than what the  
18 problems are tomorrow in terms of the technology. So thank you.

19 And Lee, I'd like to thank you for being here. And what  
20 truly works in enforcement?

21 MR. BAILEY: Certainly tough laws. Our agency was -- and I'm  
22 from Virginia as well, like Heather. So our texting law is very  
23 difficult to enforce. Our agency, because we don't want to be a  
24 distraction ourselves out there, we use a two-man approach. So we  
25 have a driver driving a patrol vehicle or in most cases it's an

1 unmarked SUV, and we've got a passenger officer that's just  
2 observing the violation, trying to identify that, because we don't  
3 feel that we're any different than anyone else, if we're trying to  
4 drive a car, monitor radio traffic and also observe what the  
5 passenger in the vehicle beside us or the driver in the vehicle  
6 beside us is attempting to do.

7       We were very involved, back in 2013, with DRIVE SMART  
8 Virginia in a commercial motor vehicle enforcement effort. It was  
9 the pilot for the country, which was enforcing a handheld ban,  
10 which makes it very easy to enforce. If the driver has the  
11 handheld device in his hand, whether he's texting, whether he's  
12 talking, whether he's using it as a GPS, he's in violation of the  
13 federal code and we could enforce under the federal law for the  
14 three of us that were federal -- certified to enforce the federal  
15 regulations.

16       We've basically mirrored that approach, you know, for  
17 enforcing passenger cars. Like Heather said, it's extremely  
18 difficult. It is basically an admission from them that yes, I was  
19 texting.

20       GPS is a major issue, and I know it has been brought up  
21 earlier. You know, a lot of times just -- you know, it appeared  
22 you were texting and your vehicle was drifting within the lane,  
23 you were traveling slower than the regular traffic. "Well, I was  
24 entering an address in my GPS," which, unless the officer that's  
25 in the passenger seat observing can actually tell that is a

1 texting screen, I can identify it by the screen as a texting  
2 screen then, absent an admission or a confession, it's extremely  
3 difficult.

4 CHAIRMAN SUMWALT: Yes. So another question I was going to  
5 ask is what are some of the frustrations you face, but that in  
6 itself may be one, the fact that it's hard to distinguish between  
7 one mode of using a phone versus another mode, texting versus  
8 Snapchat versus entering data --

9 MR. BAILEY: Right.

10 CHAIRMAN SUMWALT: -- into your Google Maps.

11 MR. BAILEY: I do know when we were doing our commercial  
12 vehicle enforcement, one of the common complaints that we had from  
13 the commercial vehicle operators, as well as the outreach workers  
14 in the rest area that were greeting the truck drivers, getting  
15 them to sign petitions that they would not text and drive or use a  
16 handheld device, you know, their complaint was we understand that  
17 it's illegal for us, but it ought to be also illegal for passenger  
18 vehicle operators. And we certainly agree.

19 CHAIRMAN SUMWALT: Do we have any results from any state  
20 enforcement stops? Is there any model that's more successful than  
21 others?

22 MR. BAILEY: That I can't speak to. I know you're bound by  
23 state to state as far as your enforcement efforts. You know, I  
24 know in some areas where you'll have, I think someone mentioned  
25 earlier, with a panhandler at an intersection. In Virginia, it

1 doesn't qualify for that type of radio-related enforcement as it  
2 does in speed-related enforcement. I can call in this vehicle,  
3 you know, red Mustang in the right lane and give an occupant  
4 description or a driver description. Another officer can stop,  
5 issue the summons, and then I would be subpoenaed to court to come  
6 testify to the offense.

7       When we were doing our research for the commercial vehicle  
8 enforcement, we, at that point in time with our commonwealth  
9 attorney, realized that Virginia's law did not allow us to do that  
10 for distracted driving enforcement efforts, as some other states  
11 do allow it and it does make it easier, whether they're at an  
12 intersection or the vehicles are stopped and they can easily  
13 identify what the operator is doing in the vehicle.

14       CHAIRMAN SUMWALT: Please, Mary Ann.

15       MS. RAYMENT: One of the ways that the Transportation Safety  
16 Institute responded with -- in partnership with the National  
17 Highway Traffic Safety Administration, was to develop a training  
18 that is on enforcement strategies that can be employed. This is  
19 an online course, it's a 6-hour, delivered over 2 days, virtual  
20 live course that's offered several times through TSI and NHTSA, in  
21 partnership with NHTSA, and it talks about the different  
22 strategies that are available.

23       And I think one of the things that we have to kind of think  
24 about in terms of the enforcement issue, and it's largely no  
25 different in a lot of ways than seatbelt laws or DUI laws, is that

1 if an officer is out enforcing, that he's enforcing all of the  
2 traffic laws, he or she is enforcing all traffic laws and not just  
3 being selective. And funding can drive some of that, but on the  
4 other side of that, to be aware that there are strategies out  
5 there, that it is possible and that it is a challenge. I think  
6 you have to admit that it's a challenge, given that every single  
7 state has a different set of laws.

8 We were talking at lunch. In Oklahoma, you can still text at  
9 a stop light. You can't text, but at a stop light it's okay. So  
10 it's just very odd how it plays out.

11 And so one of the reasons we developed the training was to  
12 help train law enforcement on strategies like the spotter.  
13 Somebody mentioned the big trucks, that's been pretty effective.  
14 Some law enforcements are going on school buses, because if it's  
15 illegal in the school zone or something -- you can see, you're  
16 sitting up high. Maryland was doing some stuff with SUVs. So  
17 there are mechanisms out there, but you just -- you really have to  
18 commit to it.

19 CHAIRMAN SUMWALT: Thank you for that, because that leads to  
20 another question. Are law enforcement officers in the State of  
21 Virginia that has a texting law, are they trained -- or how are  
22 they trained to detect and enforce the law?

23 MR. BAILEY: There is training that is offered through the  
24 Virginia Chiefs of Police Association in conjunction with VCU.  
25 They train officers on some of the cues to look for, and a lot of

1 it is similar to impaired driving, you're looking for a vehicle  
2 drifting within the lane, slower than -- you know, speeding,  
3 speeding up, slowing down, different operator or different  
4 operations of the vehicle, but it's still trying to identify what  
5 they are actually doing in the vehicle. You know, are they  
6 texting or are they looking through their contacts to find a phone  
7 number. So it makes it extremely difficult to enforce.

8 CHAIRMAN SUMWALT: Thank you.

9 And Heather?

10 MS. MUNSTERMAN: Yeah, he nailed it basically. If we don't  
11 get that confession, it's difficult. Or once they see the cop car  
12 behind them, they stop immediately and then, you know -- or if you  
13 do pull them over and discuss it with them, they're like, oh, I  
14 was just -- you know, I was just on GPS trying to figure out where  
15 I'm going or I was calling my mom.

16 MS. RAYMENT: And I think one of the other things we also  
17 have to recognize, too, is that the public is maybe way smarter  
18 than we give them credit for, but it's also law enforcement is  
19 pretty distracted, too, and it has to be training within and  
20 without. We also have to work with our law enforcement community  
21 to say, hey, you know what, it's hard for you to write a ticket  
22 for something that you yourself are doing. It goes back to the  
23 legislators; the legislators are not going to legislate themselves  
24 out of their own behavior.

25 So it's part of a multipronged approach to law enforcement to

1 say you guys are at the highest level of exposure. Law  
2 enforcement is -- it's no surprise that the people are hit. The  
3 law enforcement is at the highest risk of exposure and, as such,  
4 we need to continue our efforts to training and working with law  
5 enforcement to do the right thing on the roadways, as well as  
6 enforce what's going on with the public.

7 CHAIRMAN SUMWALT: Thank you for that.

8 Let's talk about the penalty. Brian, did I hear you say for  
9 commercial -- CMV operators or CDL operators, it's a \$12,000 fine?

10 MR. FIELKOW: Yeah, unless it's changed, it's \$2,000 to the  
11 driver and \$12,000 to the company.

12 CHAIRMAN SUMWALT: So that's a pretty steep disincentive  
13 right there. I mean, people take that seriously. But what is the  
14 penalty for texting and driving, for example, in the State of  
15 Virginia? Well, Janet's got it.

16 MS. BROOKING: I'm sorry, it's 125 for first offense and 250  
17 for second and subsequent.

18 CHAIRMAN SUMWALT: Okay. So it's got some meat behind it. I  
19 mean, that's -- okay, all right.

20 Yes, ma'am. Shelley.

21 MS. RUSSELL: Well, in Oklahoma, it's \$100 and they do not  
22 get a point against their driver's license. I think they need --  
23 no matter what the fine is, I think they need to get a point going  
24 against their driver's license.

25 CHAIRMAN SUMWALT: So in addition to the monetary, there

1 needs to be some skin in the game in terms of points. In  
2 Virginia, it's just strictly the monetary fine, I guess, as --  
3 okay. So what should that fine look like for violating a texting  
4 law or a cell phone law? What should it be?

5 Please, Nina.

6 MS. TODD: In Iowa we only have a \$30 fine, that's all you  
7 get. And they just made it a primary offense, but we only have a  
8 \$30 fine. But the way I look at it is it should be a lot like  
9 when you're drinking and driving. Like, if you get an offense or  
10 anything like that, in Iowa you have to have a breathalyzer in  
11 your car, you have to go through classes, you have to pay big  
12 fines, you have to pay for your classes, and they have all of  
13 these different steps that you have to go through just to get your  
14 license back and, in most cases, you get suspended for 6 months  
15 and everything.

16 And I believe that with texting and driving, that you can  
17 injure or you kill people the same way, I believe that you should  
18 have to possibly go through classes to remember what the laws are,  
19 the rules of the road are, and remember that it's not a toy, it's  
20 a 2,000-pound vehicle that you're driving and everything. But I  
21 believe that it's -- under everything, I believe there has to --  
22 you should be able to have to go through the same steps as you  
23 would with being in drinking and driving.

24 CHAIRMAN SUMWALT: You're saying it does need to be -- people  
25 need to have more skin in the game, more of a disincentive as the

1 CDL holders there. That's \$2,000 to the driver and 1200 [sic] to  
2 the company.

3 Russell.

4 MR. HURD: Yeah, I believe that the driving public needs to  
5 understand the severity of the problem, and with the fines being  
6 so low, they don't understand just how dangerous distracted  
7 driving can be. So to Nina's point, the fines for driving  
8 distracted need to mirror those of DUI.

9 CHAIRMAN SUMWALT: A great point, the fines need to be  
10 commensurate with the possible damage or it needs to be equivalent  
11 to something like DUI. Okay, Mike's writing that down.

12 Giana.

13 MS. MUCCI: I just wanted to speak to California. I just  
14 confirmed with Jerry, and it's only \$20 for the first offense, and  
15 everyone thinks California is so ahead of the game; they're not.  
16 And like I mentioned at the beginning of the morning, my mom was  
17 killed and -- by a distracted driver and got a \$250 penalty. No  
18 loss of license, no points on her record, nothing. \$250. I've  
19 gotten parking tickets in L.A. for more than that. So it  
20 drastically, drastically needs to be greater than that.

21 CHAIRMAN SUMWALT: And to put a fine point on it, Heather,  
22 it's none of my business, but do you -- are you willing to say  
23 what the penalty was, the civil penalty was, for the driver who  
24 hit you?

25 MS. MUNSTERMAN: So the gentleman got charged with texting

1 while driving, reckless driving, failure to slow down and move  
2 over, and driving on a suspended license for the third time.

3 CHAIRMAN SUMWALT: Got it, yeah.

4 MS. MUNSTERMAN: So let me add to that, although those  
5 charges -- but our backbone needs to be the judges and the  
6 prosecutors as well, because he looked at me and said, before he  
7 sentenced him, it doesn't matter what I sentence him, Heather,  
8 it's not going to make you heal quicker. Is that supposed to --  
9 am I supposed to take that easier? I'm like -- so we need the  
10 judges and the prosecutors and people to back us. When something  
11 like this does happen, it needs to hit home to these people, like  
12 "Oh, my gosh, did you hear what that guy got for texting and  
13 driving? I'm not doing that. If I get caught -- I'm not, you  
14 know, doing that."

15 CHAIRMAN SUMWALT: Thank you so much for sharing that.  
16 Brendan.

17 MR. LYONS: To piggyback on what Russell was saying, the  
18 statistic was made that you were six times more likely to be  
19 involved in a crash if you're drinking while driving. You're 23  
20 times more likely to be involved in a crash if you're texting  
21 behind the wheel. To date, we have some of the strongest laws on  
22 the books for DUI. Why doesn't it reflect if you're 23 times more  
23 likely? Can anybody answer that?

24 CHAIRMAN SUMWALT: So I hear what you're saying there. It's  
25 a lack of parity, a lack of equivalence.

1 DR. BAKER: Yeah, I can answer that, though.

2 CHAIRMAN SUMWALT: Yeah, Beth.

3 DR. BAKER: Yeah. That is a statistic and a number that's  
4 kind of taken out of context and it's really not true. And the  
5 reason is, when you're drinking and driving, you are drunk the  
6 whole time you're at the wheel.

7 CHAIRMAN SUMWALT: You're impaired the whole time.

8 DR. BAKER: When you're texting or you're distracted or  
9 you're only distracted for, you know, those few seconds and if you  
10 come back to the driving scene, then you are present, as long as  
11 you're not drunk. So it's a little disingenuous to say that. And  
12 not to take away from the fact that when your eyes are off the  
13 road for any reason, you're distracted and you might as well be  
14 blind. It's not that, it's just that you generally are for a  
15 shorter period of time.

16 CHAIRMAN SUMWALT: Okay.

17 DR. BAKER: So that's the distinction.

18 CHAIRMAN SUMWALT: Thank you for that. So --

19 DR. BAKER: I'm sorry, Robert.

20 CHAIRMAN SUMWALT: No, that's --

21 DR. BAKER: While I also have the microphone, let me just say  
22 a couple things about law enforcement and fines. And Lee, you  
23 better back me up on this.

24 (Laughter.)

25 DR. BAKER: Because I know where you work. And we've seen

1 this in a number of the states in my region, where if the fines  
2 get too high, the police will not issue tickets.

3 MR. BAILEY: Or the reverse.

4 DR. BAKER: Yeah.

5 MR. BAILEY: If the legislature sets the fines so low -- and  
6 I was actually teaching in another state, not in Dr. Baker's  
7 region, but -- and the officers had the same opinion. You know,  
8 if the general assembly sets such a low fine, why is it worth me  
9 wasting my time going out there, you know, for a \$5 seatbelt  
10 ticket?

11 CHAIRMAN SUMWALT: That's a great point. Yeah, yeah, a great  
12 point.

13 So Martha, I'm going to get you to follow up on that.

14 MS. HILL: So in our recent experience, we have a very fine  
15 adverse legislature, and the upping of the fines to \$250 for the  
16 first offense, 500 for the second, and then other things, which  
17 Michele is going to talk about in just a second, that was tough to  
18 get over with our legislature. It was really tough. And of  
19 course, we would say just don't text and you won't be fined.

20 CHAIRMAN SUMWALT: Thank you.

21 And Michele, you've been wanting to speak to something, say  
22 something, then I'm going to go to Joel.

23 MS. PADEN: You know, what is the magical number? How can  
24 you put a price, a fine, on a life or someone who's been seriously  
25 injured? In my nephew's case, the young man that was driving got

1 \$330 worth of fines and 120 hours of community service. That's  
2 after me begging and pleading. And he's looking at life in a  
3 wheelchair. Is that fair? No.

4 So I do think that fines do deter. Finding that magical  
5 number, trying to make people stop and think about what they do  
6 behind the wheel is the key to saving lives. And even with the  
7 legislation that was recently passed, I love the idea that the  
8 fines double when there is an accident involving a cell phone.  
9 And so potentially you could be up to a \$1,000 fine.

10 CHAIRMAN SUMWALT: Okay, so there's a nuance I haven't heard,  
11 that when it involves an accident or a crash, the fine doubles.

12 So Martha, you wanted to tag on to that before I go to Joel?

13 MS. HILL: Well, one thing that we face with our legislators  
14 is that law enforcement in small towns set up snares for lots of  
15 reasons, and this is our problem with the seatbelt law and others,  
16 and it's a money making ability of the police. And so, you know,  
17 I had to fight against sort of that whole rural versus urban issue  
18 in our state legislature. So it's all about making the sausage in  
19 the balance, and it's tricky.

20 CHAIRMAN SUMWALT: So what you're saying is that some people  
21 looked at this as a profit center for the small communities, so  
22 therefore it was resistant to passing legislation?

23 MS. HILL: Better said, yes.

24 CHAIRMAN SUMWALT: Yeah, we don't want -- yeah, okay, got it.  
25 Thanks. I'm going to go to Joel and then we'll come back to Mary

1 Ann.

2 Joel.

3 MR. FELDMAN: So we talk about statistics and we talk about  
4 laws and we talk about fines and it doesn't much matter to me that  
5 the man who killed my daughter wasn't drunk or wasn't texting,  
6 she's just as dead. Because that's my personal feeling, and I  
7 know when we talk to legislators and things, it's important. But  
8 many of us draw analogies to drunk driving, and I do that when I  
9 give talks, and I don't know if any of these people can comment on  
10 it, like how many -- just I'll ask anybody, everybody in this  
11 room. How many of you in the last month -- listen to the way I  
12 ask it -- have either driven drunk or have been a passenger with  
13 someone who you thought had too much to drink? Anybody?

14 CHAIRMAN SUMWALT: Don't raise your hand.

15 MR. FELDMAN: Okay. Now, so how many of us have either  
16 texted, Snapchatted, used our phone while we were driving  
17 ourselves or been a passenger in a car in the last month with  
18 someone who did that? Can anybody raise their hands? Okay, so  
19 there's a difference. We don't look at texting while driving, we  
20 don't look at distracted driving differently. And again, you're  
21 drunk, if you're drunk, presumably you're drunk the entire length  
22 of the trip. But for those moments when you're texting, there is  
23 support to show that it's even more dangerous than drunk driving.  
24 I don't really need to get into those, you know, whether it is or  
25 it isn't. That doesn't get me anywhere.

1           But what about friends don't let friends drive drunk? If we  
2 saw Katherine -- and I'm not picking on you, but you're just right  
3 in front of me. If we saw Katherine staggering out of here with  
4 her keys in her hand because she'd been served too much at an NTSB  
5 Board meeting, we would grab those keys, wouldn't we? But we  
6 don't do that before we get in the car with someone who might be  
7 texting. So I think we need to think about that, as well. What  
8 are we going to do before we get into cars? What is our  
9 expectation when we get into a car? Are we going to be driven  
10 safely or not?

11           CHAIRMAN SUMWALT: That's a great point, and it ties back to  
12 what Beth said earlier, we've got to understand that doing this is  
13 socially unacceptable, and I believe that's the point that you  
14 made.

15           Katherine.

16           MS. VAN DEN BOGERT: I just wanted to kind of touch on what  
17 everyone else was talking about. It is really important.

18           One of the discussions we had recently at National Safety  
19 Council is I actually did a culture talk, we have culture talks  
20 that we do to talk about what's going on and things we can do.  
21 And a lot of the people at National Safety Council travel and one  
22 of the things that no one had really talked about is what do you  
23 do when you get into a cab or an Uber or a Lyft and, knowing the  
24 nature of the work that we do, we all are in this and we're  
25 against distraction and we're -- you know, we try to promote safe

1 behavior. But then you get, in my case, yesterday getting into an  
2 Uber, what do you do when someone starts to play with their phone?  
3 How do you engage that conversation? How do you politely and  
4 nicely set that expectation?

5 We kind of gave some guidelines for that and it can be really  
6 trickier. I'll be honest, some of the responses you get can be  
7 really negative. But I think if you -- I know a lot of people  
8 have said, for some of those sites, you can go on and you actually  
9 put in your preferences and comments that I don't want to get in a  
10 car with anyone who texts while they're driving or takes any  
11 calls.

12 And I actually had a discussion with my Uber driver about it  
13 yesterday, about what they do. And according to him -- I don't  
14 know if this is true, but Uber has a policy where they can only be  
15 on their Bluetooth and they can't actually be on the phone while  
16 they're doing a ride with someone. And the other thing he said  
17 they do is they can monitor if there are any abrupt brakings or  
18 any kind of strange behavior in their car so that they can monitor  
19 that, as well.

20 But again, it comes back to empowerment, it comes back to,  
21 like you say, making it socially acceptable to tell either an Uber  
22 driver or your friend or whoever you're with, that you're not  
23 comfortable with them being on their phone when you're in the car  
24 with them.

25 CHAIRMAN SUMWALT: The permission to say no or stop. Yeah,

1 thank you. And, of course, your presidency -- Debbie Hersman,  
2 when she was our chairman, I know she did that; she got in a cab  
3 here at L'Enfant Plaza and got on the cab driver and said please  
4 do not talk on your phone while I'm in the car. Yeah. So okay.

5 Yes, ma'am. Laura.

6 MS. CARNEY: I've had a lot of experience with that,  
7 actually. I get car service quite a bit when I have to work late,  
8 and one way I used to try to prevent it is I would become very  
9 chatty and friendly with the driver, because I felt if I were  
10 present and not on my own phone, then perhaps he would get engaged  
11 in a conversation with me and not be interested in using his  
12 phone.

13 One, in particular, I actually became Facebook friends with  
14 and he's like, oh, you're an editor; I write poetry, that's great.  
15 So he's sending me a poem once a week. After a while I'm thinking  
16 am I going to do this free, forever? I don't know. And I said  
17 how about we strike a deal. I'll edit your poetry if you share my  
18 distracted driving awareness posts on your Facebook wall,  
19 thinking, you know, he's friends with other chauffeurs. He  
20 insists that I call him a chauffeur, by the way, not a driver.

21 (Laughter.)

22 MS. CARNEY: You could also get the opposite reaction,  
23 though. I had a driver recently who -- you know, I actually every  
24 time I call the car service, I say please give me someone who will  
25 not be on their phone. They still think it's okay to just pull

1 away from the curb and enter your address into the phone, most of  
2 the time, and then I have to stop them. And this time I said, you  
3 know, can you please not use your phone while you're driving me?  
4 I'm just not comfortable with it. And the guy said "Or what,  
5 you're going to faint?" Like that was his reaction. And I said  
6 no, my father was killed by a driver who was on their phone, very  
7 matter-of-factly.

8 But really, it shouldn't have to come to that. It should be  
9 just normal for people to request safety, and he was just a rare  
10 case. Most of the time they do comply. Oh, and I will say, as he  
11 kept protesting, finally I said I don't want to have to report you  
12 to your employer and then that made him stop.

13 CHAIRMAN SUMWALT: Laura, thank you.

14 Kenny Bragg was with the Prince George's Police Department, I  
15 believe, for a number of years before coming to the NTSB. We're  
16 glad you're with us now, but you've got a perspective from law  
17 enforcement, as well.

18 MR. BRAGG: I think another challenge to changing attitudes  
19 about distracted driving crashes is that it's vastly  
20 underreported. And if you think about it, unless someone dies in  
21 a crash -- and even then, it's underreported because the methods  
22 we use to discover whether someone was distracted when they had a  
23 crash is very lacking. A lot of times agencies will rely on cell  
24 phone records, but a cell phone record doesn't tell you very much.  
25 It will only tell you if a call was being made or if a text was

1 being sent near the time of the crash. With our NTSB  
2 investigations, we do forensic analysis of cell phones and that's  
3 a lot more tough. So we really have to work on a method to make  
4 sure these incidents are reported accurately.

5 CHAIRMAN SUMWALT: Kenny, thanks for the comment.

6 What other comments do we have? Brian?

7 MR. FIELKOW: I just wanted to go back on, you know, what  
8 should the fine be, that question, for a minute. I just wanted to  
9 make a point that, you know, the saying is that money can buy  
10 education but it can't buy wisdom, right? Well, it's the same  
11 thing here. You know, \$500 may be a fortune to somebody; it may  
12 be a rounding error to somebody else. Money is relative in the  
13 eye of the beholder. So, you know, I mean as high as possible,  
14 right? But then that becomes, as people have said, that's  
15 legislature by legislature.

16 So I think we just need to kind of push for as high of a fine  
17 as possible, realizing that whatever the fine is, it may be big to  
18 somebody and small to somebody else, it's about changing behavior.  
19 But in my mind, it also goes back -- I asked the question in the  
20 earlier panel, I just don't think we had time for it, but when do  
21 the criminal laws step in? When does criminal enforcement step  
22 in? Because that's what this is about. You know, it's not about  
23 necessarily the \$100 or the \$500, it's about criminal laws on the  
24 book right now, you know, involuntary manslaughter. And that's  
25 the ultimate enforcement.

1           And we talked about -- and Joel, you were talking about  
2 drinking and driving. Drink, drive, go to jail, that campaign.  
3 Kind of the same thing here. I mean, that's the severity of the  
4 behavior and the severity of the consequences that have to follow,  
5 not the argument of whether it should be 100 or 500, if you  
6 understand what I'm saying.

7           CHAIRMAN SUMWALT: Please, Joel.

8           MR. FELDMAN: I do understand what you're saying. If someone  
9 is killed today, there's a better -- by a texting driver, there's  
10 a better chance that person will go to jail than 5 years ago. If  
11 someone drives drunk and it's -- I can only just talk about  
12 Pennsylvania and I'm not a criminal lawyer, I'm a civil lawyer,  
13 but the first time you drive drunk, depending upon your blood  
14 alcohol, you'll lose your license for 30 days, 60 days or 90 days.  
15 The second time, if it's within 10 years, you will go to jail for  
16 30 days, 60 days or 90 days, without killing anyone, just being  
17 pulled over for drunk driving.

18           So there is teeth in that and, I don't know, does it make  
19 sense for us, as I said earlier, to draw the analogy to drunk  
20 driving or is that not a good analogy to draw? I don't know the  
21 answer to that.

22           CHAIRMAN SUMWALT: Well, I'll tell you what -- Emily, did you  
23 want to comment on this particular topic? I know that you wanted  
24 to say something and I didn't know if it was on --

25           MS. STEIN: A little --

1 CHAIRMAN SUMWALT: A little bit different. So Mary Ann, you  
2 were --

3 MS. RAYMENT: So the issue here, too, is also from the long-  
4 term policy part of it. But in the immediate near future, it's  
5 looking at the entirety of the impaired driving issue, which is  
6 now something more on the radar of the World Health Organization,  
7 of looking at the issues of impairment of which distracted driving  
8 certainly is part of. So law enforcement in its truest form is  
9 often deterrent. So the high visibility enforcement model is  
10 something that, where applicable, can be very, very effective  
11 where you are and I liken it to the party policy.

12 You send out the party invitation, we're going to be out  
13 there, we're going to be enforcing all traffic laws. We're going  
14 to be focusing on things like using your cell phones and all of  
15 that kind of stuff, and then for a period of time we're going to  
16 enforce the heck out of it. And they see the blue light specials  
17 out there and then you come back and you say look at the great  
18 time we had, thanks for coming to our party.

19 And it goes back to you're not going to get a speeding  
20 ticket, a seatbelt ticket, a DUI or any kind of distracted driving  
21 ticket if you're not doing that. So get your foot off the gas,  
22 put you're stinking seatbelt on.

23 So if you look at all of those issues and you put law  
24 enforcement out in front as a deterrent, then, as a general  
25 deterrent, then -- I think you said it earlier, Heather --

1 somebody tells somebody and they all -- the word of mouth spreads.  
2 You issue one citation and probably five-plus people know about  
3 it.

4 CHAIRMAN SUMWALT: A good point. So you were going to make a  
5 point on this particular topic.

6 MR. CARSON: Yes, good afternoon. I come from a slightly  
7 different background, so I have a slightly different perspective,  
8 being a pilot. I was also in the military. Obviously, in the  
9 military, the consequences are going to be much more severe just  
10 because you have a captive audience and you have the chain of  
11 command.

12 That being said, in the aviation community, as you well know,  
13 having been in it, if you deliberately violate FAA and a  
14 regulation, they'll take away your license for 30 days. That  
15 means your entire paycheck disappears for a month, so that's a  
16 severe penalty. And we don't have problems with distracted flying  
17 because obviously we make one small mistake and you end up with a  
18 plane crashing. Nonetheless, we still -- everybody keeps an eye  
19 on everybody else; that's part of it, and there's a lot of company  
20 emails and education to make everybody aware of these rules, to  
21 not violate these rules. And I think that a lot of it has to do  
22 with education, kind of like we do at LOOK!.

23 CHAIRMAN SUMWALT: Thank you.

24 So Phil.

25 MR. WILSON: Just really quickly.

1           CHAIRMAN SUMWALT: Okay. Please.

2           MR. WILSON: I have kind of a similar comparison, being in  
3 the natural gas industry. We're all regulated under the same  
4 federal code, all operators across the United States, and being a  
5 part of a corporation that operates across seven different states,  
6 the level of enforcement is at different points and those areas  
7 that have the higher or more stringent expectation enforcement  
8 laws tend to perform better.

9           I'll use Virginia, especially. Our damage prevention laws,  
10 that if you go out and you excavate recklessly, you're going to be  
11 held accountable and there's a civil penalty and it can be very  
12 impactful, it can be very expensive. But enforcement really gets  
13 people's attention, and if you're looking for measures, there's a  
14 good benchmark there, you know, and with those regulations that  
15 are out there in similar industry or similar circumstances.

16           CHAIRMAN SUMWALT: Thank you for that.

17           Jennifer, you wanted to comment on this aspect of how strong  
18 should the fines be or something along those lines?

19           MS. SMITH: Yes.

20           CHAIRMAN SUMWALT: And then we're going to kind of switch  
21 topics slightly and move over here.

22           MS. SMITH: Okay. Yeah, I was just wanting to bring up that,  
23 you know, when we go and get these laws passed to make the  
24 practice of texting and driving or handheld use illegal, there is  
25 also that criminal law that needs to be passed. Sometimes it's on

1 that same bill, but sometimes it does have to be a totally  
2 separate one. And so that's where we're also seeing so many  
3 different cases of the punishments after you do cause a crash.  
4 You know, in one case you can get a slap on the wrist; in another  
5 state, you could get 10 years.

6 So that's something I think we need to, with the judges and  
7 prosecutors, help them prosecute these -- help the prosecutors  
8 work with the investigators to correctly investigate, then get the  
9 charges pressed and the judges uphold them and not be sympathetic  
10 like they were in the early days of drunk driving.

11 CHAIRMAN SUMWALT: Great point. Thank you. And I've got a  
12 similar comment here from the audience that I'll get to in just a  
13 moment.

14 But Emily, you've been patient, so we'll turn to you now.

15 MS. STEIN: This might not be related, but I think it's  
16 important when media comes in. And Kathy earlier had made a  
17 comment about seatbelts and, you know, all the other issues that  
18 we face on the road, and I think when media reports on a crash  
19 it's so important for them to mention the cause. The cause might  
20 have been distracted driving and the driver was not buckled. And  
21 you know, I think sometimes they investigate one thing. If they  
22 found the driver was drunk, they don't investigate further. So I  
23 think media has that role, too, with presenting to the public the  
24 circumstances.

25 And the other thing is we keep saying the word accident and

1 that's something that we need to stop.

2 (Applause.)

3 MS. STEIN: Because when we say accident -- and I know it's  
4 something it took me over 2 years to stop saying that word because  
5 it's just part of our common vernacular. But when we say  
6 accident, when it's proven that this was preventable --

7 CHAIRMAN SUMWALT: Right.

8 MS. STEIN: -- we're saying that's part of daily life, what  
9 can you do? But when we say crash, wreck, collision, that shows  
10 this was a decision the driver made and they should not have  
11 because this is a risk that they took.

12 CHAIRMAN SUMWALT: Great point. Thank you.

13 Suzanne.

14 MS. SALTER: When we lost our daughter, it was to a driver  
15 that was texting and she had a long string of texts. Well, we got  
16 it down to 2 minutes between the last text and the first 911 call,  
17 and it was brought to a grand jury because it was a fatality and  
18 it was found that -- there were no charges placed against her and  
19 it should be, they should have stricter laws, criminal laws,  
20 regarding this. And I even had the person that was her attorney,  
21 who's now running for judge, that said he doesn't think it is a  
22 criminal matter. It's a small ticket for losing a life.

23 CHAIRMAN SUMWALT: Great point. And that ties into what this  
24 comment from the audience is. "In my home state, city of  
25 Wilmington, North Carolina, the police department is issuing

1 tickets to novice drivers for texting. However, after being  
2 sitting in a courtroom for 2 weeks, some of these offenders are  
3 going to court and the 25 to \$50 citations are being dropped as if  
4 they never received the ticket at all. What can I do to change  
5 this?" And so it kind of ties into the enforcement piece; that's  
6 exactly what we're talking about.

7 Mary Ann.

8 MS. RAYMENT: I actually have a question. Beth, you may be  
9 able to answer this better, but in a lot of states there are a  
10 couple of people that are denoted -- and I agree with Heather on  
11 the judges' part of it, that there are judicial outreach liaisons  
12 and traffic prosecutors, traffic safety prosecutor liaisons out  
13 there. Could they be used in that capacity, too, to advocate for  
14 the judges and the prosecutors for building cases like they do for  
15 DUI?

16 DR. BAKER: It depends on how they're funded. But generally  
17 no.

18 MS. RAYMENT: Man, that's such a federal answer.

19 DR. BAKER: I know, I know.

20 MS. RAYMENT: No, I'm sorry.

21 DR. BAKER: I know.

22 MS. RAYMENT: But depending on how they're funded, it is  
23 true, depending on how they're funded there may be a judicial  
24 outreach liaison in the state and a traffic safety resource  
25 prosecutor in each state, or more than one, and at least you may

1 be able to have a conversation with them to find out how they  
2 would advise you. Judges are a tricky issue. They don't like  
3 being told what to do in their courtrooms, and yet, that is a huge  
4 acknowledged issue. So it may be worth a conversation, even if  
5 they're not funded for DUI, they should be able to at least have a  
6 conversation, right?

7 DR. BAKER: Yeah. But another thing, I think, that's  
8 important to take away from some previous experience is what MADD  
9 did in the '80s and '90s, and they started having court watchers  
10 and they publicized what some of the judges were doing and letting  
11 people off with light sentences, and things started to change  
12 after that. So if you draw attention to it, you know, if you make  
13 a celebration out of it, people will come to your party. So you  
14 got to draw attention to it and let the public know what's going  
15 on. Because I don't think, for the most part, the public would  
16 agree with these sentences and fines and what, that are being put  
17 down, that they're very light. There seems to be quite a  
18 difference between what's an acceptable fine and then what  
19 offenders are actually getting when they take a life, and that's  
20 difficult.

21 CHAIRMAN SUMWALT: Amy.

22 MS. LaVALLEE: Again, to Emily's point, I think the problem  
23 is, is the judges sympathize with these criminals because, like in  
24 our case, it was a 67-year-old woman and they said, well, she  
25 didn't mean to do this. And you hear that in so many cases where

1 they feel sorry for them. Well, they didn't mean to do it, it was  
2 an accident. They didn't set out to kill someone. No, they  
3 didn't, but they made a choice, you know, and people need to be  
4 held accountable for the bad choices that they make. And I think  
5 we need to get that stigma out of people's heads, that this is a  
6 choice, you know, these are not accidents and people need to be  
7 held accountable for them.

8 CHAIRMAN SUMWALT: Great. Comments on that?

9 (No response.)

10 CHAIRMAN SUMWALT: Silence. It's what I was fearing.

11 Please, Suzanne.

12 MS. SALTER: Right before our grand jury, we had sent letters  
13 to different congressmen and television stations, and I actually  
14 did three different news interviews to try to bring up what was  
15 going on, that we'd lost our daughter, and it got through to some  
16 people, but it was still not enough. I don't know how to get  
17 through to these people. It's just not -- it's not seeping in.

18 CHAIRMAN SUMWALT: All right.

19 So Kenny, please.

20 MR. BRAGG: This is to Suzanne's point. I experienced this  
21 as a police officer. I've experienced this at the NTSB. The  
22 overall problem was people do not understand that this could  
23 happen to them, too. They always see it as a horrible event that  
24 didn't happen to me. And even with dealing with young kids or  
25 kids of a youth organization, I said "Would you pick up a weapon,

1 walk in a convenience store and do a robbery?" They'll say "No,  
2 I'd never do that." I said, "Well, why not?" "It's against the  
3 law." And that's just it, this is against the law, too. Although  
4 the crash may be unintended, you using your cell phone when you're  
5 driving is an intentional act and that's the way it needs to be  
6 viewed.

7 CHAIRMAN SUMWALT: Thank you. Thank you much.

8 Helge.

9 MR. CARSON: Yes, to all the points that people have made  
10 about how a lot of these penalties aren't being enforced, if there  
11 are any penalties, a lot of it has to do -- and what Kenny just  
12 said, it has do with what we're doing here and what we're here  
13 for, is to educate people, and we have to keep pounding the  
14 message and that's what it's going to take. It's like with drunk  
15 driving and, unfortunately, it's going to take some time, but we  
16 just need to keep plugging away to get these -- you know, all of  
17 us have our organizations and I do LOOK! Save a Life. Everybody  
18 has an organization. We're trying to wake people up and that's  
19 what has to happen. We can't give up. We have to keep plugging  
20 away at it.

21 CHAIRMAN SUMWALT: You're right. And we're going to reach a  
22 tipping point. I mean, there became a point where all of a sudden  
23 somebody said enough is enough with drunk driving and that's when  
24 they started with -- Beth, you were talking about the observers  
25 would be in the courts to report on how things -- and it slowly

1 became socially unacceptable to do that. It didn't happen  
2 overnight. And we need the same sea-change here, where it really  
3 literally -- and I know we've heard it and I've said it a couple  
4 times myself, Beth said it and other people have said it, where it  
5 is socially unacceptable to do that. And you are the soldiers of  
6 that fight. We all are. So we've got to carry that message, and  
7 so we can affect one person at a time.

8 Mary Ann.

9 MS. RAYMENT: And to kind of follow on to what you're saying,  
10 I think you guys -- don't discount what you've already done. Do  
11 you realize how far you have come in this amount of time? If you  
12 look at the movement of the Mothers Against Drunk Driving, that  
13 was back in the '80s and it's only now that it is being very  
14 heavily criminalized and that the penalties are really severe.  
15 Look at what you all have been able to do in a matter of, what, 4  
16 to 8 years. I mean, that's phenomenal. Don't discount.

17 It's hard. I think it's sometimes as hard to remember where  
18 you have come from, and you have all sustained such devastating  
19 losses, but don't discount where you have gotten us to. And for  
20 that, it's you guys that have done that.

21 CHAIRMAN SUMWALT: Such an important message. Thank you.

22 Jennifer. And then we'll come to Laura.

23 MS. SMITH: I was just really going to echo that point. I  
24 mean, I have been doing this going on 9 years this year and I was  
25 trained by MADD years and years ago. I spent 2 months at their

1 headquarters and, literally, we just need to do what they did with  
2 the same issue. But no, it takes time and look at -- go back and  
3 look at the movies of their history. It took effort and years and  
4 baby steps and sometimes steps back and sometimes steps forward.  
5 But every day that you make an accomplishment, every one person  
6 you talk to, you've made an impact.

7 CHAIRMAN SUMWALT: Thank you for that.

8 Laura.

9 MS. CARNEY: I don't want to discount how much I appreciate  
10 you saying that, because that does really mean a lot. I think,  
11 though, I might speak for most advocates when I say it's very  
12 difficult to see that when you hear these reports of the car  
13 fatalities are going up, and when you sit in your car and you see  
14 everyone around you driving, holding their phone, and it seems  
15 that they're doing it much more than before and everyone tells you  
16 that they see it much more than before.

17 MS. RAYMENT: Right.

18 MS. CARNEY: Because to me that's like -- you know, let's say  
19 I lost someone, God forbid, through a gunshot and I've seen  
20 someone brandishing a weapon right in front of me, like it's  
21 normal every single day.

22 MS. RAYMENT: Right.

23 MS. CARNEY: I don't know if everybody else feels that way.

24 MS. RAYMENT: No, I can't imagine that you wouldn't feel that  
25 way because it's so present, it's so there, it's so in your face

1 all the time, and every time you read another story about the bus  
2 in Texas, you think --

3 MS. CARNEY: Um-hum.

4 MS. RAYMENT: -- oh, my gosh, what did I not do? Where did I  
5 miss them? Yeah.

6 MS. CARNEY: I just wanted to mention that. Thank you.

7 CHAIRMAN SUMWALT: And I want to put the caveat on the bus in  
8 Texas. We're investigating that and all we know --

9 MS. RAYMENT: And I shouldn't have made that statement,  
10 you're right.

11 CHAIRMAN SUMWALT: All we know is what's being reported in  
12 the media.

13 MS. RAYMENT: True.

14 CHAIRMAN SUMWALT: And so --

15 MS. RAYMENT: True. But anytime you see something that is a  
16 validated, maybe I should say --

17 CHAIRMAN SUMWALT: Thanks.

18 MS. RAYMENT: -- distracted driver, any of those kinds of  
19 crashes -- you know, as a highway safety professional for over 20  
20 years, I see the unrestrained motorists and I think, gosh, where  
21 did I miss them? When you see or I hear the stories that you guys  
22 have shared today, where did I miss them? I take that so  
23 personally, that I really want to help you guys, and I do it in  
24 the form of training, but telling the story and continuing the  
25 message, because somewhere I've got to get to them.

1 CHAIRMAN SUMWALT: Thank you.

2 Nina, I want to hear from you, and then Shelley.

3 MS. TODD: Well, one of the things that I've always picked up  
4 on is like when we talk about enforcement and trying to make sure  
5 that everybody understands, the enforcement is just not from us  
6 and not from the law enforcement, the enforcement needs to come  
7 from parents and other children and stuff like that. Like when,  
8 okay, of course, I got into a car with one of my friends that was  
9 drinking, didn't realize they had been drinking that much, and as  
10 soon as I got in, I got out and I was like, trade me spots. You  
11 instantly know that.

12 But when you see a person picks up the phone and sits there  
13 and starts texting, are you willing to be like, okay, you need to  
14 pull over, you need to hand me that phone. Most people are not  
15 willing to have that bravery to say something like that. I am the  
16 type of person I will say something, I will instantly go to that  
17 person and be like, no, put your phone down or do something. But  
18 how many people are willing to have that enforcement in them to  
19 actually say something and make progress to make it go further?

20 CHAIRMAN SUMWALT: If anybody can do it, you in this room can  
21 do it, like Laura and the chauffeur, because you've experienced  
22 it. And if somebody says, what, do you think I'm -- whatever the  
23 guy made the flippant remark, Laura, that --

24 UNIDENTIFIED SPEAKER: What did he say, you're going to  
25 faint, Laura?

1 CHAIRMAN SUMWALT: Yeah, you're going to faint.

2 MS. CARNEY: You're going to pass out.

3 CHAIRMAN SUMWALT: Right. So all you have to do is tell him  
4 your story, just in one line; that'll change their attitude.

5 And I challenged this roundtable when we wrapped up 2 years  
6 ago, I said here's a challenge: The next time somebody calls you  
7 while they're driving, you say, "Are you driving? Well, how about  
8 calling me when you get there? I care enough about you that I  
9 want you to -- I want to make sure you live or you don't kill  
10 somebody while you're doing that."

11 And that's what Debbie's got on the bottom on her email.  
12 It's like, call -- you know, I would love to hear from you, but  
13 not while driving or something like that. We have to show the  
14 leadership -- well, you are showing leadership, but we can  
15 influence others by insisting don't call me while you're driving.

16 Brendan.

17 MR. LYONS: So how many of us in this room, right now, can  
18 raise your hands honestly to say that you -- this is really hard.  
19 So we're here today -- how many of you can honestly say that  
20 distracted driving, you may have not thought of before something  
21 traumatic happened to you? The truth is the commonest conception  
22 is it's not going to happen to me. And it doesn't happen to you  
23 until it happens to you and then we're sitting right here.

24 CHAIRMAN SUMWALT: Okay. Thank you.

25 Now, Shelley, you were going to make a comment and then we

1 have one from Russell. Sorry, I got those out of order, but  
2 please.

3 MS. RUSSELL: This is still real raw with me, and Jennifer --  
4 got me here, and I appreciate everyone saying that, you know, we  
5 are making headway. I don't feel that way. I'm an avid runner  
6 and a cyclist. I still see it when I'm out there and I sometimes  
7 feel like giving up. You guys have given me hope that if I can  
8 save one life and one mom, then maybe I am, I'm going to keep  
9 fighting. But it's just tears me up when I still see people out  
10 there doing it.

11 My whole life has changed. My whole personality has changed.  
12 I mean, I even saw somebody going down a steep hill the other day  
13 driving, while I was driving, and this boy was on his skateboard  
14 and he was texting. And this has hurt me so much and changed my  
15 personality so bad, I'll be in Walmart -- and this just happened  
16 not too long ago, and I told Jennifer about it, and my husband had  
17 to get me out of there because I was getting ready to get in a  
18 fight. This lady who was pushing her buggy, texting, and hit me  
19 in the heels and it hurt, and what was she doing? She was  
20 texting.

21 What do we have to do? I know there can't be a law for "in  
22 Walmart texting" and I realize that, but that's not the point.  
23 People need to slow down. Life is too precious to have that phone  
24 connected to your hip at all times. It's not worth it. I lost my  
25 only child and it only took one text and less than 3½ seconds.

1 And I don't feel like I'm fighting hard enough for my son, and  
2 that's all I want to do, is to keep Nicholas's legacy alive. And  
3 I hope, after leaving here today -- I have a lot of cards and  
4 networking. I'm not giving up. But it's got to be all of us.

5 (Applause.)

6 MS. RUSSELL: And I just want to thank you for having us here  
7 and for Jennifer getting me here. This is the first time I have  
8 been away by myself since Nicholas died and it has been the  
9 hardest 2 days staying in a hotel by myself without my husband.  
10 And people just don't realize what it does.

11 For the whole year of 2015 -- and I might be getting off the  
12 topic here and I'm sorry -- I wanted to commit suicide. People  
13 don't realize what one text, 3 seconds, it's their right to do,  
14 and what they take away from us and then what it could potentially  
15 make someone do, commit suicide. And I know that's not the answer  
16 and I'm past that. But I will keep fighting, and with everyone's  
17 help here, we can do this and I will keep Nicholas's legacy alive.

18 CHAIRMAN SUMWALT: Thank you. Thank you very much.

19 So there's nothing I can say and nothing anyone else can say  
20 on top of that. So what I want to do is we are going to stop this  
21 panel and we will take a break. We will come back and we will --  
22 on the front end of that, we will sort of kind of recap this.

23 Russell had something to say, there are some bullet points,  
24 but there's nothing that needs to be said after what Shelley just  
25 shared with us. So we will take a break. We'll come back at

1 2:45.

2 Thank you, Shelley. Thank you, all.

3 (Off the record at 2:28 p.m.)

4 (On the record at 2:47 p.m.)

5 CHAIRMAN SUMWALT: Okay. Well, thank you. So we've passed  
6 out evaluation forms and what I would like to do is -- does  
7 everybody at the panel have one of these evaluation forms? Okay,  
8 if you don't, we will get you one because we want you to be able  
9 to fill it out so that when you do leave, there's a box out the  
10 door and probably on the left, I saw one on the left, if you would  
11 fill them out because those are useful for us in determining what  
12 we're doing right and what we need to do better next time.

13 And if there's anybody in the audience here -- does anybody  
14 seated in the audience need one of these? If you do need one  
15 raise your hand and Amy will give you one. There's one. And so  
16 Amy, there are a couple down here. She'll come and hand them out.  
17 Kindly do those. And that wraps that up.

18 Now, when we wrap up at the end of the day -- and at 3:40  
19 we're going to wrap everything up and we're going to go around the  
20 room and I want each person to say what is one bullet point, what  
21 is one takeaway point that you would like to articulate. And it  
22 doesn't matter if they're redundant because we will be writing  
23 them all down, and we've got 31 or 32 people here and we'll get  
24 some overlap, but that's what we want to do, just quick and dirty,  
25 just one point. So be prepared for that.

1 MR. FELDMAN: Do you mean now or do you mean --

2 CHAIRMAN SUMWALT: No, Joel, we'll do that at 3:40, so  
3 that'll be the last thing we do.

4 And so, Russell, we did end a little early on the last one,  
5 for a good reason, so you had a comment for the last panel, so  
6 we'd love to hear it.

7 MR. HURD: Yes. I just appreciate the opportunity to make my  
8 remarks after Shelley's genuine and heartfelt remarks. I don't  
9 know if Shelley's in the room now, but I want her to know that we  
10 stand with you and we stand with you because we've been there. We  
11 stand with you because your fight is ours.

12 Culture change is agonizingly slow, especially for those who  
13 have suffered the loss that we have. But we must realize we have  
14 to be persistent and keep trying. No matter if we speak to one  
15 person in a grocery store line, or a thousand people in an  
16 auditorium, we're making a difference. So to everyone who thinks  
17 that they're not making a difference, you are. Be persistent.  
18 Never give up. Most importantly, work together and we're going to  
19 persevere in this. So thank you.

20 CHAIRMAN SUMWALT: Thank you for that. I mean, I think  
21 that's beautiful and apropos and very accurate. So, I mean, I  
22 don't even need to read these bullet points because what you just  
23 said pretty much sums it up. I will, however, read the key  
24 takeaways from our last panel.

25 We need stronger, stricter laws; higher fines including

1 criminal penalties is what some of the folks said. And we need  
2 continued training of law enforcement officers. Law enforcement  
3 officers must lead by example. Riders and passengers need to take  
4 charge of their safety. And judges need to send a stronger  
5 message.

6 So those are pretty much the bullet points. Again, the whole  
7 thing, we're going to have a court -- we have a transcript that  
8 will be prepared, so we will capture it all, but I wanted to just  
9 summarize sort of some the key takeaways from each panel.

10 So now we are at the fourth panel. Of course, we talked  
11 about the light bulb, the book, and the badge, the three legs of  
12 the stool. So now what we really want to do is sort of have a  
13 tutorial, if you will, to talk about how you can be more effective  
14 advocates for this very important cause. So we will have  
15 Jennifer, we'll have Katherine, and Elias Kontanis from the NTSB's  
16 Office of Transportation Disaster Assistance.

17 So we'll start with Jennifer, and take it away, I think  
18 you've got a presentation. So thank you.

19 MS. SMITH: Thank you, Chairman Sumwalt. And I want to thank  
20 everyone for traveling here and committing to do this today and  
21 participating in this great discussion. I mean, I think we've  
22 started a really great discussion and now we just need to make  
23 sure we continue it.

24 Efforts to build awareness by families and victims of  
25 distracted driving soared in the early years of this issue due to

1 strong outreach and collaborations. Several families and groups  
2 met to share experiences, raise awareness, and move public  
3 outreach to introduce legislation; however, over time, the  
4 collaborative nature of this important work, it lost its momentum.  
5 Basically, what started as a common bond of grief that fostered  
6 the fight to raise awareness, increase education, and support  
7 research and legislative efforts changed, and there's a need for  
8 us to regroup and redefine.

9       While the issue of distracted driving has taken on new  
10 challenges due to the ever-evolving state of technology and its  
11 uses and all of the apps, the tragedies are multiplying. The  
12 media continues to share stories of horrific crashes, many that  
13 were the result of distracted driving, but yet it continues. With  
14 each crash there remains a family and a victim grieving for  
15 answers, where to turn, who could help, is there someone to speak  
16 with and to aid them in their time of need, and what can be done  
17 to help end this dangerous behavior. And most importantly, they  
18 ask, what can I do so this doesn't have to happen to someone else?  
19 And I know each one of us asked ourselves that many times. Today,  
20 I hope, was the first step for us to get back to that  
21 collaborative effort.

22       Today I am launching the National Alliance for Distraction-  
23 Free Driving. Its mission is to bring together victims,  
24 legislators, law enforcement, traffic safety leaders, industry,  
25 corporations, all of them, to create a culture for distraction-

1 free driving. NADFD is the website, nadfd.org. Now, I tell you  
2 now, this is a very basic website that you are going to get to  
3 today. After today, we're going to put up the links for the  
4 webcast. The resources we talked about today, the toolkits we  
5 mentioned from the National Safety Council, DRIVE SMART, there  
6 will be links to all of that information for us to start.

7 We will build this alliance together. We're going to put out  
8 surveys to help form this together. It is our alliance. The  
9 website will house a master calendar for all of us with all our  
10 activities all over the country, as long as you submit them. That  
11 way we can support each other. If we have friends, relatives in  
12 your area, we can get them out to support and to get the education  
13 we may not be able to give them if they're far away.

14 We'll share the latest happenings in the world of distracted  
15 driving, with the research, the new laws, you know, everything, we  
16 can keep everyone up to date. And we'll work together to form  
17 what's most important, a strategy to end this deadly behavior.

18 In May, we're going to put out that survey, and  
19 Joel Feldman and EndDD.org have graciously been helping me out  
20 with that, and I recently enlisted Katherine to look it over with  
21 her great experience. And we're going to get a survey to really  
22 encompass to start figuring out what we need to do to work  
23 together. What are our challenges? What can we do to better move  
24 this ball forward to ending this tragedy? Nadfd.org has been  
25 created to be the connector for us all.

1           What is known is that sharing among victims and the partners  
2 they collaborate with is helpful and effective to change the  
3 landscape, to create distraction-free roads. The issue of  
4 distracted driving is way too vast and large for any one agency or  
5 any one organization or any one person to take on, on its own.  
6 Solving the problem requires the bonding of many with experience  
7 and expertise, information, resources, working together to become  
8 more powerful than standing alone. And that is where the alliance  
9 comes in.

10           Cultural change depends on committed people with the heart  
11 and passion to create the movement and momentum. Coming from  
12 different backgrounds, with different stories, we have different  
13 areas of expertise, we have different situations we need to  
14 address, but we all share that common grief and we can embrace  
15 what is different between us and use that to our advantage.

16           Together we can make an impact. So I ask you all to join  
17 this alliance and work together to end distracted driving. We all  
18 have a part to play in this fight and if we work together, set a  
19 goal, form a strategy, we will reach that goal. Distracted  
20 driving is like no other issue we have ever seen on our roads.  
21 Therefore, it's going to take a huge effort from all of us to beat  
22 it. This is an urgent situation, as we all know. We cannot lose  
23 anyone else we love.

24           As an alliance, we can empower our communities to take  
25 control and change their future. We can bring about effective and

1 efficient programs. We'll foster enthusiasm and energy. I know,  
2 after today, I am reenergized. I'm ready to go home and get back  
3 to work. And we'll develop shared initiatives to accomplish these  
4 positive outcomes.

5 National Alliance for Distraction-Free Driving will be the  
6 powerful force for positive change in our communities and across  
7 our nation, made up of distracted driving awareness advocates. As  
8 Secretary LaHood once called us almost a decade ago, an army of  
9 families on a rampage to end distracted driving.

10 Thank you.

11 (Applause.)

12 CHAIRMAN SUMWALT: Thank you very much. Jennifer, do you --  
13 I think you don't have a formal PowerPoint presentation, I guess,  
14 do you? But Katherine, you do, is that right? Well, Jennifer, is  
15 there anything else from you before we turn it over to Katherine?

16 MS. SMITH: No, not right now.

17 CHAIRMAN SUMWALT: Thank you for your efforts to form this  
18 alliance. I think that's going to be tremendous, so thank you for  
19 that.

20 MS. SMITH: Thank you.

21 CHAIRMAN SUMWALT: Katherine, I'll turn it over to you.  
22 Thank you.

23 MS. VAN DEN BOGERT: So thank you. My name is  
24 Katherine van den Bogert and I'm with the National Safety Council.  
25 As I mentioned earlier, I am a program manager for survivor

1 advocates and volunteers.

2 I want to start off by first thanking Jennifer Smith of  
3 stopdd.org, Janet Brooking from DRIVE SMART Virginia, and of  
4 course, Acting Chairman Sumwalt from NTSB and the wonderful staff  
5 that you have for putting this event together and really bringing  
6 all of these people around the table to talk about distraction.

7 I share all of the thoughts that you all have echoed  
8 throughout the day, which is that I think we are making a  
9 difference. And I want to also say that I really admire the  
10 courage of every one of you around the table for what you do every  
11 day, for waking up, for thinking every day in your mind how you  
12 can continue to make a difference so that no one else has to lose  
13 a loved one, as a lot of you have or have been impacted by. So I  
14 wanted to start off by saying that.

15 Just to take you quickly through the agenda for my  
16 presentation, I'm going to tell you a little bit about National  
17 Safety Council. So some of you may not know much about us. I'm  
18 going to briefly take you through that. Then I'm going to talk  
19 about what it takes to be a good advocate. And again, I'm not  
20 passing judgment on any of you, but I do know from working with a  
21 lot of you and with reading a lot of good material on what it  
22 takes to be successful at it, I just want to share some tips with  
23 you and also have a conversation. So I don't want to feel --  
24 anyone to feel as though they can't stop and ask questions  
25 because, really, this is the part of the presentation that is for

1 you. We really want to empower you to have all the tools and  
2 resources you need to go out and make a difference.

3 I'll tell you about the Survivor Advocate Network that the  
4 National Safety Council has. And then lastly, I'll talk about the  
5 tools and training that we have available. And of course, we'd  
6 love you to join us.

7 The last thing that I'll add on to this, that we talked a  
8 little bit about earlier, is I will come back and refer to the  
9 report that National Safety Council issued in a press release, I  
10 want to say yesterday, about the underreporting in the crash  
11 reports, and I have a slide on that which we can talk through  
12 briefly and give you some information of where you can find  
13 additional information.

14 So to tell you a little bit about National Safety Council.  
15 Just out of curiosity, how many people have actually heard of us?  
16 If you haven't, I'm not going to be offended, but if you can kind  
17 of show me by show of hands. That's great. I'm glad you've all  
18 heard of it. We changed our mission recently. We used to talk  
19 about saving lives, but really now we are really focusing on  
20 eliminating preventable deaths in our lifetime. So we really have  
21 a vision to end all preventable deaths.

22 When I started at National Safety Council about 15 years ago,  
23 I'll be really honest with you, a lot of the focus was on  
24 workplace. We have a really big and strong reputation in the  
25 workplace, and I was talking to Phil earlier, he actually does a

1 little bit of work with National Safety Council. But then we came  
2 to the conclusion and we said, you know, what good is it really to  
3 keep all of these employees safe at work if we're going to send  
4 them home, out into their homes and communities and on the road,  
5 to only be injured or lose their life when they're not at work?

6 So we really kind of had a paradigm shift in where we were.  
7 We said, okay, we're not going to just worry about taking care of  
8 employees at work. We're really going to look at the big picture  
9 and really look at taking care of everybody when they go home and  
10 when they're not on the job.

11 So what we do is we look at the leading causes of death. And  
12 for some of you it might be a little boring, but statistics are  
13 important and if we really look at the leading causes of death,  
14 for the most part, there are two major categories: motor vehicle  
15 and poisoning. With the exception of children under 1, children  
16 under 1 primarily die of suffocation; adults die of falls. But we  
17 know that big middle category is poisonings and motor vehicle  
18 death. And when I say poisonings, a lot of you can probably  
19 relate to the prescription drug epidemic which we have going on  
20 right now.

21 When we come to motor vehicle, we know we have a lot of work  
22 to do there, which is why we are all here. We know that about  
23 40,000 people lost their lives on the road last year, which was a  
24 double-digit increase from 2 years prior to that. So like  
25 everybody here said, we're seeing an uptick in the number of

1 people who are dying on the roads.

2 Just to give you a visual of what that looks like when we  
3 quantify it in terms of visualization, that's enough people to  
4 fill 11 *Titanics* and 2 Empire State Buildings. When I heard that,  
5 I was just blown away to think that 11 *Titanics* and 2 Empire State  
6 Buildings, we know that that's far, far too many people, which is  
7 why we are all around the table here today.

8 So what makes a good advocate? There are a couple of things  
9 here that I want to touch on and, of course, we can have a  
10 conversation about this.

11 Someone who is passionate. So you're all very passionate, I  
12 can tell. I was just commenting to a couple of people around the  
13 table that every single person around this panel, at some point in  
14 the discussion today, had something to contribute. You're all  
15 very passionate about what you do, and that's important because a  
16 lot of you, as you can attest to, know that we're in this for the  
17 long haul. This is not just a campaign. This is not just an "I  
18 want to do something and start a foundation and make a  
19 difference." We know that we're going to be in this for years to  
20 come. And even if we look at a lot of the progress we've made,  
21 like Jennifer said, we are making progress, but we really need to  
22 know that this is going to be a fight we're going to need to stay  
23 involved with for the next 5 years and maybe the next 10 years.

24 An advocate is also someone who is ready to share your story.  
25 And this is a really hard one for a lot of you, I know, being able

1 to really go out in a public setting and be able to tell your  
2 story and do it effectively. And then the most critical part or  
3 component of that is to not just tell your story but to get beyond  
4 the story and also be able to communicate to people what you want  
5 them to do.

6       What do you want people to do? You want people to go and  
7 take action, and in this part it's really important that you let  
8 people know exactly what that action will be. Do you want to tell  
9 them to write a letter to one of their state senators? Do you  
10 want them to sign a pledge? Do you want them to commit to doing  
11 something or giving presentations in their local high schools or  
12 in their churches? It's very important to get beyond the actual  
13 story and get to the action, which I know a lot of you can also  
14 attest to.

15       So we have a Survivor Advocate Network at National Safety  
16 Council, and the purpose of that network is to provide a face and  
17 a heart to the strategic initiatives and other priorities of  
18 National Safety Council through working through individuals like  
19 yourselves and your organizations because you'll have ideals that  
20 are similarly aligned to National Safety Council. So just to give  
21 you an idea, we focus on distraction but we also have advocates  
22 for drunk driving. We're now getting into the fatigue initiative,  
23 which is also a big, big issue. We're starting to do some  
24 research there, and you'll probably see us start to talk a little  
25 bit more about that in the coming year.

1           As a lot of you know, as I mentioned earlier, we also focus  
2 on the prescription drug epidemic which is killing far, far too  
3 many of our young children and adults, as well. And when we talk  
4 about education and hitting these kids at an early age, we're also  
5 learning across initiatives that it's not only important, like you  
6 say, to talk to them in high school, but really to talk to them as  
7 early as possible about the dangers of prescription drugs.

8           And when you think about -- just to touch on that little bit,  
9 if you think about it, I have one advocate who lost a brother to a  
10 heroin overdose and I said to her, well, you know, what age should  
11 we be talking to these kids? I said high school? And she said  
12 oh, you're way too late, Katherine. You need to be really, really  
13 early. We need to be talking to kids about the dangers of  
14 prescription drugs as early as fifth and sixth grade. So it's  
15 really a big problem. And this event that we're having here today  
16 is one event, but I can assure you all that I'll be sitting around  
17 a similar table with a group of similar people who've also lost  
18 loved ones as a result of the prescription drug epidemic. So it  
19 is a big, big problem.

20           So the goal of our network is to allow everybody to come  
21 together to connect. We've talked a lot today. Shelley said I  
22 don't want to feel alone. I know there are some people, too --  
23 and I've talked a lot with Suzanne. I don't want anybody to feel  
24 alone in this fight, so we have a network of people who do  
25 communicate with each other. Some of you already communicate with

1 us and some of you know me and have worked with me.

2 And others of you who don't know me, maybe this is the first  
3 time you're meeting me, this is my invitation to you to please  
4 connect with me and to be part of our group. We do share  
5 information and National Safety Council is very data driven. We  
6 share a lot of the data that we publish. We share press releases.  
7 We share the latest research. We have access to a lot of great  
8 people. But not just the information that we can provide out to  
9 you, but we also want to tap into your expertise and say what has  
10 worked for you and can you please also do a webinar with us and  
11 tell us what has worked and what works effectively?

12 I hope Jennifer doesn't mind me saying, but Jennifer has also  
13 very graciously agreed to host a webinar together with us to talk  
14 about how to effectively legislate, and that's really important.  
15 And to come back to Larissa's point that she had mentioned  
16 earlier, it's important not only to say, you know, how do you get  
17 things passed and what difficulties do you see, but what does it  
18 look like? If I really want to start and I'm an advocate and I'm  
19 in a state and I want to really tackle this issue, where do I  
20 start? What are the really basics? What are the how-tos? Those  
21 are the kind of things that we want to be able to equip you with  
22 so that you can go out and be effective right out to the gate.

23 So just to tell you about some of the tools we do have from  
24 National Safety Council that you have access to. And again, this  
25 is all on our website or you can get it through me. Like I said,

1 we're a very data-driven organization. We publish a compendium of  
2 data called *Injury Facts*, which is readily available, which has a  
3 lot of good data in it. We also do a lot of surveys, nationwide  
4 surveys, employer surveys. What are people doing? What are  
5 certain behaviors going on? Those are all things you can have  
6 access to.

7 We have subject matter experts. Some of you know or have  
8 heard of Deb Trombley at National Safety Council. Unfortunately,  
9 she couldn't be here today, she would have loved to have been  
10 here, but she is our leading expert in the area of distraction.  
11 So as some of you know, she's always willing to offer you advice  
12 and give comments or give feedback on any kinds of questions that  
13 you have.

14 We have presentations. So a lot of you have said I don't  
15 know what to do. How do I put together a PowerPoint? And what  
16 about a movie? We have some standard presentation material that  
17 you are more than welcome to use. And again, if you send me your  
18 information, I'm happy to provide you with a template for that.

19 We have our website, which is [nsc.org](http://nsc.org), where again you can  
20 access a lot of great information and data. We also have a  
21 survivor advocate page as part of [nsc.org](http://nsc.org), where you can go and  
22 you can view the different stories of some of our survivor  
23 advocates. I believe Emily is up there. Who else is up there?  
24 Laura is up there, I believe, Laura Carney. But if you want to  
25 share your story and you're willing to do that, I'm more than

1 happy -- there is power in numbers, so I'm more than happy to  
2 share your stories, as well.

3       Some of you may have heard, we have a Road to Zero Coalition  
4 that you can sign on to. That coalition is well on its way, but  
5 you're welcome to still join that coalition.

6       And last but not least, what we really started, which was  
7 very important, is we now do quarterly calls with all of our  
8 advocates. Some of you were on our last quarterly call. What we  
9 typically will do is we go through some of the latest research and  
10 information from National Safety Council, but really the goal of  
11 that is to hear from you. What kind of things are you planning on  
12 doing? What events will you be present at? What kinds of things  
13 are you hearing that you need? And we'll be scheduling another  
14 one of our quarterly calls very soon after this event.

15       We also offer training. So some of you may just be starting  
16 and say, how do I do this? What if someone calls me from a local  
17 news station or what if someone calls for an interview for a  
18 newspaper, what do I do? We actually have media training that's  
19 available. We have a whole communications department which leads  
20 this training. We actually had a training about 2 or 3 weeks ago  
21 and I think a few of you were on the call.

22       We talk about how the media work. We talk about things like  
23 lead time, short lead times, long lead times, breaking news, how  
24 to get the coverage. What's the difference between a media alert  
25 and a press release? How do you pitch the media? What do you

1 say? So a lot of people have said, you know, I have an event  
2 coming up, and we can give you those kind of little tips on what  
3 things you want them to take away, because, as we all know, the  
4 media can clip the information whichever way they want to do it.  
5 That's why it's really, really important to get your two or three  
6 main points across.

7 And also, we can teach you some diversion techniques if they  
8 ask you a question and it's going in a different direction, how to  
9 kind of reel the media back in and get them back on topic and  
10 switch them over to say "well, what I'm really trying to say is  
11 this" or "that's really interesting, but the point I really wanted  
12 to get across is this." So we can give you those little tips so  
13 that you can do that effectively.

14 The other thing we have available is legislative training.  
15 So we have an office in Washington, D.C. We have about five or  
16 six people in that office. Actually, Alex Taira is here. He's  
17 sitting over there with his hand up, so if you have any questions  
18 for him, he'd be glad to answer those. But we do have a full  
19 staff in Washington, as well, who can give you advice on effective  
20 ways to reach out at a state level and talk to your congressmen  
21 and women. They can also talk about if there are any new  
22 legislative opportunities in your states or things that are  
23 currently being worked on.

24 And really, our goal here is to try to make you the strongest  
25 possible advocate. And again, here for the training, legislative

1 training, we also look to Jennifer. Jennifer has a lot of  
2 experience and she also will be helping us doing some training  
3 probably toward the end of the summer to do a webinar so that you  
4 can all know what to gear up for, for the fall.

5 I'm going to kind of switch gears here a little bit and I'm  
6 sorry about that. First of all, before I go on to the crash  
7 report, I want to just pause for a minute and see if anybody has  
8 any questions about the kind of tools that we offer or the  
9 training that we do or the network.

10 I suppose your biggest question is how do I get involved in  
11 that? It's very simple, you just have to send me an email. It's  
12 not a big formal process. I just send you an email back and we  
13 get you involved and it's very easy. But does anyone have any  
14 other questions about what it means to be a good advocate and the  
15 kind of things that you feel like you're missing or things that  
16 you need to really be the best you can be?

17 MS. STEIN: So when I took the NSC workshop several years  
18 ago, it opened my eyes to not only that there are other people out  
19 there sharing similar situations, but that we could all garner the  
20 support together and support each other and move forward.

21 The one thing that was missing from the workshop was, as an  
22 individual in this very big problem and this very big country, how  
23 can we take the time to be successful advocates while also doing  
24 our job to bring home the paycheck? And what seemed to be missing  
25 was how can we apply for grants? Small grants. Maybe not NHTSA

1 grants because, as an individual, that's hard to get, but how can  
2 we work to support our advocacy? So I don't know if that's  
3 something that you could also -- you could have a webinar on that.

4 MS. VAN DEN BOGERT: That's a great suggestion, and sorry I  
5 didn't mention it, but we actually do have a grant writer, as  
6 well. And that's someone who would be willing to do training so  
7 we also can talk to you about how to apply for grants and the most  
8 effective way to do that.

9 A lot of people are intimidated by grants. They think oh my  
10 gosh, it's this big long process and it has to be done a certain  
11 way and I don't know what to do. I'll be really honest, even I'm  
12 intimidated by it. But it's really just getting some basic  
13 information down and then having sort of an expert in house review  
14 it and put the tweaks on it. They're knowing exactly what kind of  
15 things need to be included to be able to make that successful.  
16 But absolutely, I'll write that down as well, so that's a good  
17 suggestion. Thanks, Emily.

18 Does anyone else have any other questions about being a good  
19 advocate?

20 Shelley, go ahead.

21 MS. RUSSELL: To get those grants, do you have to be a  
22 501(3)(c) [sic] or can just an individual get them?

23 MS. VAN DEN BOGERT: That's a great question. I think it  
24 depends on the grant. Most of the grants I have seen, a lot of  
25 them do actually ask that you be a 501(c)(3). But there probably

1 are opportunities.

2 Do you have a comment on that?

3 MS. BROOKING: I do. Shelley, I think that one thing that  
4 you can consider doing is partnering with a (c)(3), so taking your  
5 ideas and your vision, and if you have a nonprofit in the area --  
6 it doesn't have to be a DRIVE SMART Virginia, it could be a more  
7 diverse nonprofit even, and working with them and through them to  
8 go through the grant application process.

9 MS. VAN DEN BOGERT: Okay, great.

10 Brendan.

11 MR. LYONS: Yeah, I'm curious. So we're a grassroots  
12 nonprofit organization and we'd like to expand, as well. There's  
13 a lot of people who are doing this, but much like yourself, do you  
14 recommend creating -- each state creating its own 501(c)(3) over a  
15 national organization or do you recommend the national hosting the  
16 501(c)(3)? Do you have a comment on that?

17 MS. VAN DEN BOGERT: That's a great question and I think it  
18 depends on the particular case. So I think we could talk a little  
19 bit more offline about that. But actually I think what I want to  
20 emphasize here is that there is some strength in being a national  
21 organization like National Safety Council, for example. But keep  
22 in mind that really, we know the power of what gets done, gets  
23 done state by state, especially in the case of distracted driving.  
24 So I think there's something to be said for the work that gets  
25 done state by state.

1           It was interesting because Janet and I were just having this  
2 conversation kind of over lunch, of what the most effective way  
3 is, and I think really, I would say at this point that I think I  
4 prefer to see that sort of state-by-state strength to be able to  
5 really drive home what we're trying to do here. I don't know if  
6 you have any thoughts about it.

7           (Off microphone response.)

8           MS. VAN DEN BOGERT: Okay, great. But if you want to talk a  
9 little bit more about that offline, I'd be glad to do that.

10          Great. Does anyone else have any questions?

11          (No response.)

12          MS. VAN DEN BOGERT: Okay, that's great. I'm going to switch  
13 topics here a little bit because one of the things we had talked  
14 about earlier was whether or not we can really link a lot of the  
15 crashes that are happening, this 40,000 number, to distraction and  
16 how do we really know? Like I said yesterday, National Safety  
17 Council actually published a report, and this is a really bad  
18 chart to try to look at on a big screen. But I'm really showing  
19 you this for a couple of reasons. One, not because I want you to  
20 read all the little individual state-by-state assessment, but I  
21 really just wanted you to know that this report is available and  
22 where to find it. Like I said, it's called "Undercounted is  
23 Underinvested" and how the incomplete crash reports impact efforts  
24 to save lives.

25          Really, the takeaway from this report is a few things from

1 National Safety Council, what we're advising happen. We say we're  
2 calling on law enforcement and the traffic safety field to respond  
3 faster to rapidly emerging issues; move faster toward electronic  
4 data collection; encourage states to increase standardization with  
5 model minimum uniform crash criteria; shift from an accident  
6 report mentality to a crash investigation focus, which Emily will  
7 really like to hear; train law enforcement on their role in  
8 collecting prevention data, which we did talk a little bit about  
9 training today, so we touched on that.

10 Invest in crash causation research projects to collect needed  
11 data. Invest in local and state toxicology resources for drug  
12 testing. Convene a multidisciplinary expert panel to improve cell  
13 phone data. Collect post-crash ADAS information through  
14 technologies such as electronic data recorders. Require ADAS  
15 fields and VIN reports, and conduct local crash fatality reviews.

16 So I think a lot of you, state by state, who are looking for  
17 information, this will really shed some light on part of the  
18 issue, which is that we know a lot of this information is  
19 underreported. This doesn't only look at distraction, but it also  
20 looks at alcohol, it looks at fatigue and some other issues. So I  
21 do encourage you, the link is here, [nsc.org/crashreport](https://www.nsc.org/crashreport), to take a  
22 really thorough look at this and hopefully that will help give  
23 everybody some information.

24 So last but not least, like I mentioned before, I really hope  
25 that all of you will join our network. We have a big heart there.

1 Really -- we've talked a lot, but really you guys are the heart  
2 behind everything that we do and we really would like you to be a  
3 part of it.

4 I want to kind of close with a nice quote that I read. I'm  
5 going to paraphrase it, but it's a beautiful quote and I think it  
6 really applies to everybody here. It's from a poet named Muriel  
7 Rukeyser and the quote says the universe is made of stories, not  
8 atoms.

9 And I think it's a really -- maybe some of you have heard  
10 that quote before, but I think it's a really beautiful quote and I  
11 think it really sums up what you all are about and it really, to  
12 me, shows that there's a lot of power in storytelling and that we  
13 can talk about all the data and all the information that we have,  
14 but at the end of the day, people won't remember the numbers but  
15 they will remember the impact you made and the story that you  
16 told. Absolutely. If you think about it, over time, think of how  
17 things even back long, long ago, it was all storytelling, it was  
18 all communication even back to the earliest man telling stories  
19 and passing that information along.

20 So really know that there's power in what you do and there's  
21 more power in your story than there ever will be in the numbers  
22 that we share. So I hope that you all feel empowered to do  
23 something and continue the great work that you're doing, because  
24 it's just such a pleasure to be with you all.

25 And if you all want to contact me, I've given some of you my

1 card, but I do have my contact information up here:  
2 katherine.vandenbogert@nsc.org.

3 My phone number is 630-775-2046. If you call my number  
4 today, I will not be there.

5 (Laughter.)

6 MS. VAN DEN BOGERT: But I'd be more than happy to catch up  
7 with all of you next week and I really look forward to working  
8 more closely with all of you so that we can continue to make a  
9 difference on distracted driving.

10 Thank you so much.

11 (Applause.)

12 CHAIRMAN SUMWALT: Those were wonderful presentations. Great  
13 tools. Katherine, you gave folks something that they can use.  
14 And Janet is distracting her while I'm speaking to her.

15 (Laughter.)

16 CHAIRMAN SUMWALT: So put it down. Yeah. But those are real  
17 tools that people can use to take home. So no questions at all to  
18 -- along these lines? Because really the way I look at the  
19 objective of today, it is to arm you to become more effective  
20 advocates for this critically important task. So we said that we  
21 would go around the room and hear the take-home points from each  
22 person. Just one bullet point. And -- what's that?

23 (Off microphone discussion.)

24 CHAIRMAN SUMWALT: Thank you. Yes, thank you.

25 MR. KONTANIS: Did you want to go around the room or did you

1 want me to go? It's up to you, whatever you want to do.

2 CHAIRMAN SUMWALT: Well, he was speaking Greek to me and  
3 you're Greek, I gather.

4 MR. KONTANIS: And I'm Greek, yeah, so --

5 CHAIRMAN SUMWALT: Yeah, okay. Okay.

6 MR. KONTANIS: So it's perfect.

7 CHAIRMAN SUMWALT: Thank you. Thank you, Elias. I promise.

8 MR. KONTANIS: Okay. Well, thank you, Acting Chairman  
9 Sumwalt and Nicholas, for inviting me to first be here today and  
10 to learn about the distracted driving advocacy efforts that are  
11 under way, and also to carve out some time for me to discuss the  
12 NTSB's family assistance program. I don't have a presentation for  
13 you, but I have thought about what I would say to a group like  
14 this and I think it's important for me to first explain a little  
15 bit about what the NTSB's family assistance program is, where we  
16 came from, and what we do and how we can work together  
17 collaboratively moving forward.

18 The NTSB's family assistance program was formally organized  
19 in 1996 following a series of major commercial aviation accidents  
20 that occurred. That resulted in the enactment of the Aviation  
21 Disaster Family Assistance Act of 1996, and that act obligated the  
22 NTSB to serve as the federal coordinating agency following major  
23 commercial aviation accidents to develop family assistance  
24 responses, working with other federal agencies, the local response  
25 community, and the air carriers involved in those accidents.

1           Since 1996 there was subsequent legislation that expanded the  
2 role of the NTSB to coordinate the family assistance response  
3 following passenger rail accidents, essentially Amtrak accidents  
4 and future high-speed rail accidents that occur in the United  
5 States.

6           So the NTSB serves in that coordinating role for a real  
7 narrow subset of accidents, but since the development of the  
8 program we have further expanded it to include a response  
9 following pretty much any crash that the NTSB investigates.

10          So what do we following these crashes? In the immediate  
11 aftermath of an accident or a crash, the NTSB's Family Assistance  
12 Division, depending on the magnitude of that accident, will deploy  
13 a member of the team to work with that local response community  
14 and with the operator involved to develop a comprehensive,  
15 effective family assistance response. What we do is identify the  
16 needs of the victims of the accident if there are survivors, we  
17 identify the needs of the family members of those involved, and we  
18 work collaboratively with that local response community and the  
19 operator to meet those needs, whatever they might be.

20          In the long term, the NTSB's Family Assistance Division  
21 serves as the primary point of contact for family members  
22 regarding our investigation. Okay. So we are there to provide  
23 them with information about our investigation, we are there to  
24 address their questions about our investigation, and we're there  
25 as the conduit for additional services, and this is where our

1 relationship comes in.

2 I really appreciated Katherine's comments about what makes an  
3 advocate, because in thinking about the family members that I've  
4 engaged with in my time at the Board, there has been a subset that  
5 have expressed an interest in advocacy work, but it hasn't been  
6 every family member. Every individual processes an event in a  
7 different way and we have to be mindful, we have to be cognizant  
8 and sensitive to that fact. Some family members are not  
9 interested in sharing their story or they're not interested in  
10 sharing it right now, and that's fine.

11 But what I will tell you is when a family member approaches  
12 us and expresses an interest in engaging in advocacy work, then we  
13 can work with you, we can work with other advocacy groups, we can  
14 serve as that conduit to establish a line of communication between  
15 that family member and the advocacy group.

16 And so that's why I am here today. Honestly, I'm here today  
17 to learn about what you all do and in order to be a more effective  
18 conduit as a family assistance program manager, and then take the  
19 information that I get today and relay it to my team of four in  
20 the Transportation Disaster Assistance Division so that we can  
21 serve as more effective conduits.

22 So I really appreciate the time and I appreciate you giving  
23 me a little time to explain the program and I'd like to open it up  
24 for questions.

25 MR. FELDMAN: Elias, thank you. I'm curious about something.

1 Not the assistance with the family members in terms of an ongoing  
2 investigation, but the additional services. What might be the  
3 support and guidance that you envision you could provide? I just  
4 don't have any idea, quite honestly.

5 MR. KONTANIS: And I hope I'm going to answer your question  
6 and please let me know if I'm kind of -- if I'm not.

7 MR. FELDMAN: Well, to get more to the point, I know  
8 Katherine has the survivor network. What's your name? Jennifer,  
9 sorry. Jennifer is announcing her coalition. And is it going to  
10 be something that's going to supplement those or be similar?

11 MR. KONTANIS: No. So if a family member -- so there are  
12 sort of two different categories of survivors and family members,  
13 those involved and their families. There are folks that are  
14 affected by an event, a crash that we're investigating. So for  
15 that group, we're their point of contact for information about our  
16 investigation and through that process they're learning about our  
17 safety recommendations that we're ultimately issuing as a result  
18 of the investigation and providing them that information,  
19 explaining to them what it means, its significance. And then when  
20 they express an interest in advocacy, we would then communicate  
21 with Jennifer's group, for example, and link them up.

22 MR. FELDMAN: Okay, that's --

23 MR. KONTANIS: The other family group, though -- and for the  
24 majority of crashes that occur in the United States on our  
25 nation's highways, we're not investigating those as the NTSB. And

1 so there are -- the assistance that we can provide is very limited  
2 because, since we're not investigating the accident or the crash,  
3 we don't have any investigative information to provide them. So  
4 really, the best that we can do from an advocacy perspective or  
5 lens is really offer them contact information for an advocacy  
6 group that they can engage with.

7 MR. FELDMAN: Okay, thank you.

8 MR. KONTANIS: So that would be --

9 MR. FELDMAN: All right, thank you.

10 MR. KONTANIS: You're welcome. So we do have one question  
11 that was passed on to me about redefining accident versus crash  
12 for the audience. You know, Emily, I really appreciated your  
13 comment about drawing a distinction between accidents and crashes.  
14 These are two words that hold tremendous significance in our  
15 experience for family members.

16 I'll give you an example. I recently launched -- there was a  
17 bus, a school bus crash that occurred in Chattanooga, Tennessee on  
18 November 21st, 2016, in which several elementary school students  
19 were fatally injured and many others were injured and  
20 hospitalized. I went to that scene and I engaged with family  
21 members of the children that were killed and those that were  
22 injured in hospitals and in other venues and I was very sensitive  
23 to the use of the word accident. I elected to use the word crash  
24 throughout my communication with them.

25 I don't have a clearly defined sort of decision-making

1 process for when I elect to use the word accident versus crash,  
2 but I do understand its significance. And on a case-by-case  
3 basis, I and the other members of the family assistance team will  
4 be very careful with how we use that word. I'm not sure if I've  
5 addressed that.

6 CHAIRMAN SUMWALT: I think so.

7 MR. KONTANIS: Okay.

8 CHAIRMAN SUMWALT: Thanks.

9 MS. STEIN: Thank you for bringing that up. And my example  
10 is one of natural causes -- solar glare, lightning hitting a tree  
11 and falling on a car -- that was out of our hands; that was an  
12 accident. But for every other incident that happens on the road,  
13 until something is investigated and proven to be otherwise, it  
14 should be considered a crash. So thank you for considering that  
15 and being sensitive to that.

16 CHAIRMAN SUMWALT: Yeah, we are very sensitive to that and in  
17 fact, Debbie Hersman, when she was here, helped to sensitize us to  
18 that because it is important. So thank you.

19 A question from the audience is that -- so I pose it to  
20 Jennifer or Katherine. "As a" -- quote/unquote -- "'regular'  
21 citizen, what can I do to bring awareness to my local community?  
22 Who can I contact to work with to raise funds and awareness for  
23 this issue?"

24 And Janet, I mean, some of that even ties into what we  
25 started out with this morning. So I toss that out to all three of

1 you to answer.

2 MS. SMITH: First, I would utilize like National Safety  
3 Council resources as well as DRIVE SMART Virginia's resources.  
4 You can start as a normal citizen. I mean, you don't have to be  
5 one of us to do this. We've come across many just normal citizens  
6 that have joined our group and work with us just as hard as we do.  
7 So if someone wanted to reach out to my organization at  
8 StopDistractions.org, I could help them find possibly a local  
9 family in their area or some groups that are working on that. Or  
10 they can just take the initiative. We all have a stake in this.

11 MS. BROOKING: What I would say is that there are always  
12 groups, always groups out there and there are always causes that  
13 are in need. So from a fundraising perspective, you know, you  
14 could organize a walk, a golf tournament, any number of things. I  
15 mean, if you're interested in raising the money, there are always  
16 nonprofits out there that could use the support.

17 MS. VAN DEN BOGERT: I would say a couple of things. One,  
18 from a parent point of view. So if you just want to get started,  
19 I would say also to communicate, like we mentioned earlier,  
20 through your school, through your parent-teacher association.  
21 That's very effective.

22 The other thing I wanted to say is you'd be surprised  
23 sometimes how advocates come to us or sometimes how things come  
24 together. We actually had two university students from Syracuse  
25 who, by an unfortunate series of events, actually lost a

1 fraternity brother as a result of a distracted driving incident.  
2 They lost one of their brothers and they looked online and they  
3 actually ended up turning to the National Safety Council and they  
4 used some of our resources, but also did a fundraiser. So they  
5 had a distraction-free driving week. Unfortunately, they had to  
6 stop their distraction-free driving week because another one of  
7 their fraternity brothers actually lost his life that very week as  
8 a result of distracted driving.

9       So I suppose the point I'm trying to get across here is that  
10 really anybody, like Jennifer said, anybody can take up this  
11 cause. It's really everybody's cause. But I think the more  
12 awareness that we put out there and the more that we get people  
13 engaged -- just an example from that particular case. I actually  
14 want to get in contact with some university, college and  
15 university fraternities and sororities to see if some of them can  
16 actually start championing that cause for us because we know this  
17 younger generation -- I'm looking at Jennifer's daughter, but this  
18 younger generation is really impacted by it, but we also know that  
19 a lot of times these fraternities and sororities get involved in  
20 particular causes which they can support. So this is definitely  
21 also another avenue for us to burst through.

22       MS. REDMOND THOMPSON: I think that's good because Clifton  
23 was a part of a national fraternity, and it's difficult when  
24 you're first starting out as a young nonprofit or as an individual  
25 to reach out to those organizations. I'm part of a national

1 sorority and that's on a larger scale. There are, you know,  
2 250,000 members in my national sorority. But having some leverage  
3 with an organization like the National Safety Council to bridge  
4 that gap to say, hey, this is one of your own, this is what he  
5 went through, let's reach out to your brothers and get that, I  
6 think that's good to develop that relationship.

7 And so maybe for the individuals who ask that question, I  
8 think it's important to maybe -- I know, for you, your role might  
9 be working with maybe the nonprofit organizations or the survivors  
10 or advocates, but is there some person in your organization that  
11 serves as a liaison for the individuals in your organization it's  
12 connected to? If my question makes sense.

13 MS. VAN DEN BOGERT: So I suppose -- that's a good question.  
14 I think I'm the liaison. I'm kind of the everything. So yeah, I  
15 would be that person.

16 So indeed what you say is true, we're always looking to work  
17 with other organizations, with Jennifer's group; with Joel  
18 Feldman's group, EndDD.org; and other common organizations.

19 I think the main thing here, also, I want to touch on is like  
20 what Jennifer said, this is -- you know, we're all in this  
21 together. So I don't care if you're part of Joel's group or  
22 Jennifer's group or whatever group, we just want to provide you  
23 the tools and resources you need to do what you need to do. So I  
24 suppose, yes, we form relationships like that.

25 But also, if there's an individual who comes to me and says

1 hey, I want to get started, absolutely. Then I'm also -- I can be  
2 the liaison. And if I say you know what, I think you'd be better  
3 suited -- you know, let me hook you up to Jennifer, she's great on  
4 the legislative side, or Joel has a network of attorneys he works  
5 with and in all the different states they give presentations.  
6 We're more than willing to do that.

7 So I think I'm both. We look for connections on an  
8 organization level, but we're also working -- willing to work with  
9 individuals.

10 CHAIRMAN SUMWALT: So thank you. I did want to stop to start  
11 -- I wanted to begin the bullet points but Jacob, you have one  
12 question or point.

13 MR. SMITH: Yeah. So I just kind of wanted to bring up --  
14 obviously, I'm 19 years old and I was involved in a traffic crash,  
15 but we've all discussed the statistics and what we can do,  
16 strategies to improve and take on the opportunity. Actually, next  
17 month is Global Youth Traffic Safety Month, so I think it's a  
18 really important time for us all to take on the movement of  
19 changing the statistics and reaching out to young people, whether  
20 that's via social media, whether that's allowing them to write a  
21 blog, or events, and really allow them to take on the advantage of  
22 empowering their peers and changing the statistics. So every  
23 single thing that you guys have discussed today, I think it's a  
24 wonderful time for us to start, starting May 1st, to really drive  
25 down the road traffic injuries. So that's it.

1 CHAIRMAN SUMWALT: Thank you very much.

2 Yeah, so what we want to do is just go around the room.  
3 We'll start with Russell. Actually, I'll start. Just one bullet  
4 point because we want to be through in 15 minutes.

5 So what's my one bullet point? I learned it from Katherine,  
6 is that not only do you have to be passionate and have the  
7 knowledge, but you've got to be able to take it that one extra  
8 step. If you can't be willing to ask -- to make the ask, to say  
9 specifically what you want, then you probably won't be successful.

10 So let's just go around the room. I'm not going to call on  
11 each person, you just go one after another.

12 Russell, thank you.

13 MR. HURD: Yeah, I guess mine would be to never give up, be  
14 persistent and persevere.

15 MS. MUCCI: I'm new to this, so I probably don't have  
16 anything very good yet, but I just want to say this isn't a club  
17 any of us wanted to be in. We don't want to be here. We want to  
18 be home with our loved ones and that was taken from us and it was  
19 taken when we weren't expecting it. My mom never texted and  
20 drive, and she's the one who lost her life. I used to, and I  
21 didn't. So just take that to heart, please.

22 DR. WOOLDRIDGE: I think for me, this is my first time being  
23 down here. I'm a year into it and I think that, from listening to  
24 a lot of the panel members, they've taken their pain and it's  
25 become a passion and they pushed an agenda. So I think that

1 that's my one bullet point because, as I reflect on what I've been  
2 doing in the last year, I think that, you know, I've gotten a lot  
3 of insight from each of you.

4 MS. CARNEY: I just wanted to say I think Brendan came up  
5 with something very interesting earlier when he said how many of  
6 you thought distracted driving would affect you until you lost  
7 someone? You know, most people don't think it will ever affect  
8 them. My father was killed in 2003 and I certainly didn't make  
9 the connection that it was the phone that was involved. But I  
10 think today it's a little bit different. I think people do know  
11 and I think it's because of us that people know about this.

12 And, you know, a lot of the times people will say things to  
13 me like, oh, you're so brave, it's so courageous what you're  
14 doing. But, you know, I read somewhere recently that courage is  
15 compassion, and a lot of the people in this room are some of the  
16 most compassionate people I've ever met and I think that's really  
17 key; it's what we're talking about with the general public, it's  
18 the way they're viewing life and the way they're viewing each  
19 other.

20 MS. REDMOND THOMPSON: I think my one takeaway would be  
21 collaboration equals change. Together we can really all tackle  
22 this and we can provide support for each other, not just with  
23 programming and awareness, but we can be a support system. When  
24 someone's down, you could be the smile that helps them because we  
25 know what each other are going through. So collaboration equals

1 change.

2 MR. SHAW: I think the big bullet point I'd take is just kind  
3 of branching out my demographic as an advocate. I really learned  
4 a lot about -- I speak a lot to high school kids and I think  
5 that's a great demographic, but there is much more out there and I  
6 like the idea of going younger, speaking to kids and helping them  
7 become advocates in their house and that's a big point I took from  
8 this. Thank you, guys.

9 MS. TODD: The one thing I took from this today, I think, was  
10 mainly, unfortunately, you have to work and push it forward and  
11 work with everyone because life isn't guaranteed. You don't know  
12 when it will actually end. And I learned that a very hard way  
13 with my two children and I would not want anybody to have to deal  
14 with what I've been through or what the rest of you have been  
15 through. So enforcement is the biggest thing, I think, that  
16 should be pushed out there also.

17 MS. RUSSELL: What I take away is: 2015, I was suicidal;  
18 2016, I've been fighting with presentations with legislators,  
19 getting setbacks, ready to give up, ready to quit; 2017, thank you  
20 to all of you who give me hope and I will keep fighting for  
21 Nicholas.

22 MS. MUNSTERMAN: As our technology is advancing so quickly  
23 and our laws are not updating as quickly as we'd like to, the  
24 ripple effect is bigger. For those who have told their story a  
25 couple of times and those who are more newer to it, you can

1 testify to say that several people have come up to you and said,  
2 hey, you know what, I heard your story and you changed my life and  
3 I'm going to think twice before I pick up that phone. So even  
4 though we don't see it maybe on paper, know that the ripple effect  
5 of what we're doing even right here, right now, is bigger.

6 MS. RAYMENT: As a highway safety professional, I want you  
7 all to know that your stories today are so compelling and I  
8 promise you all that I will continue to advocate for the stopping  
9 of distracted driving through training and through the outreach  
10 that we have throughout the nation and the world, to stop  
11 distracted driving and these needless injuries and fatalities.

12 MS. PADEN: It's frustrating and it's hard as it is.  
13 Sometimes we just need to always remember, every one of us in the  
14 room, that we never need to underestimate the power and impact  
15 that we have on someone else's life in the world we live in.

16 MS. HILL: Wow, what a day. My takeaway is form a coalition,  
17 find people in your state capital, in your hometown, that feel  
18 like you do. It may be property and casualty insurers, it might  
19 be the state police, it might be a legislator from another party  
20 that you never would assume. Form a coalition, don't go it alone.

21 MS. SMITH: My takeaway for the day is kind of two. Part  
22 one, we are not alone. We all are in this together and there are  
23 thousands of us out there just that want to connect with us. And  
24 stay the course. There's going to be ups and downs, setbacks and  
25 successes. Celebrate those small successes. Give yourself the

1 credit for them. Rest, but just stay the course and we will do  
2 this.

3 MS. BROOKING: So my takeaway, as from DRIVE SMART Virginia,  
4 is that we do work with the advocates in Virginia. And I think  
5 even -- I've always understood the critical importance of putting  
6 a face to this epidemic, but after hearing your stories, after  
7 hearing the comments today, I realize more so than ever that we  
8 really have to leverage you all in their effort to end distracted  
9 driving, both in Virginia and nationally. So my takeaway again is  
10 that you all are a critical component to ending this epidemic.

11 MS. VAN DEN BOGERT: I think my takeaway today is a couple of  
12 different things, but mainly that we do have to continue to work  
13 together, that you all are making a difference and we just have to  
14 keep chipping away at this issue. Little by little, we are making  
15 progress.

16 MR. FIELKOW: Well, my takeaway is the permanent impression  
17 that everybody in this room made on me. And I've always thought,  
18 you know, I focus on what I can control, and in my company, I  
19 think I've done that and we continue to do that. But there's  
20 something bigger here and so, you know, I'm going to try to expand  
21 my sphere, my personal sphere, into Houston. I talked at a break  
22 with Toron. And I want to see what's there and if it's not there,  
23 then let's create it. So I want to expand. You all have inspired  
24 me to figure out how to expand my sphere of influence beyond my  
25 own company and into Houston.

1 MR. CARSON: Thank you for everyone's efforts and for  
2 everybody's stories. My takeaway is united we stand, divided we  
3 fall. Don't give up. We will win this fight.

4 DR. BAKER: Well, I've spent almost 40 years working in  
5 traffic safety and one of my favorite sayings is that people make  
6 this program work. And the people in the room today have  
7 certainly demonstrated that. You know, oftentimes we look at  
8 things from kind of a 10,000-foot view, but it's staying in touch  
9 and working with folks in this room that bring it home to us every  
10 day that it's not just numbers. Every death that we see and work  
11 toward eliminating we realize is a person and a family member.  
12 And meetings like this and meeting you folks today, again remind  
13 me that that's why I do what I do. So thank you.

14 MR. WILSON: Early on, one of the statements that was made,  
15 and I heard it multiple times around the room, was that is my  
16 story being heard? Can I influence one person? And I just want  
17 to thank everybody here today for sharing your story because I'll  
18 just let you know, it has influenced me very deeply and personally  
19 and professionally and I will certainly take a lot away from today  
20 and to my organization, to my family. And your time is -- I can't  
21 tell you how much I appreciate it and it's inspired me to reach  
22 further beyond just my normal day-to-day activities to maybe  
23 influence others and learn from others. So thank you for your  
24 time today.

25 MR. SMITH: I want to do this for the rest of my life and

1 this would be a career and I'm dedicated in road safety. So thank  
2 you all.

3 MR. FELDMAN: So I'm a father who's lost a child and that's  
4 never going to change, and today I tell my daughter's story and I  
5 tell other people's stories, and some people I have known and I  
6 have told their stories, and there are some new faces here and  
7 some new stories that I'm going to tell. And I agree, as  
8 Katherine said, that there's incredible power in telling stories  
9 and that's how we get things done, that's how we make a  
10 difference, and stories can change the world.

11 And I have always been an optimist and I've been optimistic  
12 about distracted driving and I've been optimistic about changing  
13 people's attitudes, changing people's behaviors. And I'm even  
14 more optimistic today. I've been touched, I've been moved to  
15 tears and I've smiled and I've laughed and I feel a bond with so  
16 many people here that I never knew many before last night. So I'm  
17 optimistic and I'm looking forward to saving a whole bunch of  
18 lives.

19 MS. SALTER: I'm one of those people that never thought I  
20 would be sitting here, it wouldn't happen to us. And now I've  
21 gotten my strength from looking at those three grandchildren that  
22 was left behind because someone wouldn't put down the phone. And  
23 they have to grow up and have -- and not have her. And my  
24 takeaway is how so much information I've received today, new  
25 friends I've made, and it's going to help me to continue to get

1 things changed. And I really want to thank Jennifer for asking me  
2 to attend. And we are going to work together and we will get  
3 things changed. Thank you.

4 MS. STEIN: I'm just going to share a quote that my mom found  
5 on my dad's desk a couple years after he was killed and that goes  
6 to what we're all saying. It's a Margaret Mead quote: "Never  
7 doubt that a small group of thoughtful, committed citizens can  
8 change the world. Indeed, it's the only thing that ever has."

9 MS. SCHNEEMANN: During my 1900-mile driving trip  
10 here, what I thought about was I would love to gain the knowledge,  
11 new ideas and to meet some wonderful people that I could use in my  
12 life to try and change things. All three things were accomplished  
13 here today and I appreciate it. And I thank you, Jennifer, for  
14 inviting me.

15 MS. LaVALLEE: I can't think of one specific thing. There  
16 were so many great ideas shared by everyone and I'm just grateful  
17 to have had the opportunity to be here and to make the connections  
18 to everybody and to learn and to know that there are people that I  
19 can lean on to get help as we move forward and because I know we  
20 have a lot to learn, especially with legislative issues. And you  
21 know, it's just nice to have a support system and, you know, I'm  
22 truly honored to be part of this group and I thank you for  
23 including me. And, you know, it was really nice meeting everyone  
24 and I hope that we can form a nice network and connection and kind  
25 of become a family that works together to get this done. So thank

1 you.

2 MR. LYONS: Before meeting each and every one of you today, I  
3 knew Jennifer, and meeting Jennifer has been one of the biggest  
4 blessings of my life in such a short period. And I think I'm  
5 preaching to the choir when I say statistics tell, but stories  
6 tell -- sorry, I blew that one. Statistics tell and stories sell  
7 and you guys have sold my heart.

8 I think I'd like to close by -- not close, but I'd like to  
9 close my statement by sharing a quote and I think you guys, by  
10 sharing your stories, defined your character. And Walter Anderson  
11 once said, "Bad things do happen. How you respond to them defines  
12 your character and the quality of your life. You can choose to  
13 sit in perpetual sadness, immobilized by the gravity of your loss,  
14 or you can choose to appreciate and treasure the most precious  
15 gift that we currently have, and that's life itself." Thank you.

16 MR. KONTANIS: Well, that's tough to follow. So on a  
17 professional level, my takeaway is pretty straightforward. I now  
18 have some clear pathways to direct those that are interested in  
19 advocacy efforts to the appropriate organizations, to get them  
20 into that world.

21 But on a personal level, I have two boys that are in  
22 elementary school and the biggest takeaway I took, I received, was  
23 that children will emulate the behavior of their parents and the  
24 adults in their lives, and it's a message that I'm going to take  
25 back to my community, to the folks that I engage with in my

1 neighborhood and at my kids' elementary school, because we don't  
2 want this to happen. I don't ever want to see this happen to  
3 anyone I love. And that's my biggest takeaway.

4 MR. DALTON: And my takeaway as a normal, average, ordinary,  
5 everyday citizen is much the same, that I've learned that we all  
6 have the potential within us to become advocates on this issue and  
7 taking on that responsibility, be it at our state level or town or  
8 school or even in our own home, is the best way that we can honor  
9 what you have all been through.

10 CHAIRMAN SUMWALT: Wow, what a day. We did start out with  
11 the goal of trying to give you tools to do your -- to be more  
12 effective advocates, and I think hopefully not only have we given  
13 you the tools or helped you to gain those tools, but we've given  
14 you a support network as well.

15 And as you said, Giana, no one wanted to be in this club.  
16 And thank you all. This has been a powerful day and this will  
17 continue.

18 As Jacob said, April is -- well, April is Distracted Driving  
19 Awareness Month and, as Jacob said, May is Global Youth Traffic  
20 Safety Month. We put this event at the end of April to be a  
21 bridge between each of those months because the topics that we've  
22 talked about today cut across certainly both the issue of  
23 distractions and youth safety.

24 So there are so many people I'd like to thank and I'm sure  
25 that I'll leave someone out, not intentionally, but I want to

1 start by thanking you, thank you for your courage. Thank you for  
2 your participation and thank you for using your personal tragic  
3 loss to help others to make a difference, because that's what  
4 you've done. You are making a difference. You've made a  
5 difference just with the other people that are in this room.  
6 You've inspired them. You've given them the courage to let them  
7 know, to let them know that they don't have to do it alone. Each  
8 of you have been there to support the other and you can't put a  
9 price on that.

10 I certainly want to thank the audience for their  
11 participation because we did receive questions from the audience  
12 and we took them as we could. The day just flew by. As I  
13 mentioned to you, I've been in my office the last few nights,  
14 late, sweating bullets trying to figure out what kind of questions  
15 to ask and you did all the hard work. So thank you for that.

16 At the risk of leaving out -- I could just easily say I'd  
17 like to thank the NTSB, but let me just start -- Jennifer,  
18 StopDistractions.org, you are a partner in this. Janet Brooking,  
19 DRIVE SMART Virginia, thank you. Katherine van den Bogert --  
20 excuse me -- I knew I'd blow that, I just totally blew it.  
21 Katherine van den Bogert, National Safety Council, thank you very  
22 much.

23 I could just say thank you to the NTSB staff and leave it at  
24 that, but I'm not, I'm going to try to name all that I can  
25 remember and I'm sure I'll miss somebody, but you know where my

1 office is, so -- Amy Terrone, Mike Hughes, Leah Walton,  
2 Stephanie Shaw, Erik Strickland, Sean Dalton, Elias Kontanis,  
3 Kenny Bragg, Christy Spangler, Jesus Cudemus, Keith Holloway,  
4 James Anderson, Rochelle Hall, and the folks that you don't even  
5 see but made this video possible up in the video booth,  
6 Rochelle Hall and Deidra Esters. No, Deidra Esters and  
7 Trey Matthews. Did I leave anybody out? Get up here, boy.

8 (Laughter.)

9 CHAIRMAN SUMWALT: You've got to take a bow because you're  
10 the one that pulled this all together. Come on up. I did this to  
11 you 2 years ago because you're the one that does all the work.

12 (Applause.)

13 CHAIRMAN SUMWALT: And I'm sure a Marine doesn't like a guy  
14 hugging him, but anyway, thank you.

15 You know, you might think, well, it's -- you might be  
16 frustrated sometimes. I know what it's like. I've been in the  
17 safety business for about over 30 years and it's hard to measure,  
18 you know, how do you measure the lives that you save, the accident  
19 that you prevent, the crash that you prevent? How do you measure  
20 that? It's really difficult; you can't, in many cases. I know  
21 this because this is the business that I am in, too, and I know it  
22 can be frustrating.

23 But I'm going back because this is so inspirational to me and  
24 I've said it twice today, but it does inspire me that whoever  
25 saves one life, it is as if he has saved an entire life. And you

1 don't have to solve world hunger, you don't have to go out and  
2 save the whole world, just save one person. And if you have done  
3 that, it is as if you have saved an entire world. So I assure  
4 you, you are making a difference.

5 Thank you and may God bless America. Thank you very much.

6 (Whereupon, at 4:05 p.m., the hearing was adjourned.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: Roundtable: Act to End Deadly Distractions

PLACE: Washington, D.C.

DATE: April 26, 2017

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been compared to  
the recording accomplished at the hearing.

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Tom Bowman  
Official Reporter