

Crash victim's mom raises awareness about distracted driving

By Phil Wright
East Oregonian

PENDLETON (AP) — Alexxyss Therwhanger was 18 when she got her first tattoo: "I love you, Mom."

Her mother, Shannon Moulton, a tattoo enthusiast, said she replied in ink as well with "I love you more."

The afternoon of Feb. 19 Alexxyss left a friend's place in Long Creek, a small town in remote Grant County, and headed north on Highway 395 in a 1998 Buick Century to return to Hermiston. She lived in Hermiston most of her life and was staying there again. South of Pilot Rock she drifted into the other lane and crashed head-on into a Lincoln Continental.

The two occupants of that car were injured. Alexxyss died. She was 19.

Oregon State Police investigated and determined Alexxyss was using her smartphone throughout her trip. Shannon, 42, now is raising awareness of the dangers of distracted driving.

"This is my new project," she said. "I don't want any other family to have to go through this."

Shannon was at her apartment in Richland, Washington, plowing through loads of laundry. She had not had a night off in two weeks, she said, when she got a text message from her boss.

Both mother and daughter worked at the Tri-Cities Residential Services in

Kennewick, Shannon as a counselor and Alexxyss as a caregiver, helping people with disabilities improve their social skills.

Shannon said only a few people at work knew Alexxyss was her daughter, and the supervisor was texting to ask if they were related.

Shannon said she suspected Alexxyss missed work, maybe even quit. After all, she was still a teen.

While talking to her boss, she received a voice mail from a police officer. When she called back, the officer asked to verify her address.

Less than 15 minutes later, a police car arrived. Then a second. And then a third car, and out stepped the county coroner.

"I knew at that point there was not good news coming," she said.

She figured her father, Rick Moulton of Hermiston, had died. He is the brother-in-law of Hermiston Police Chief Jason Edmiston. That makes Shannon his niece through marriage.

She said a Richland police officer asked to talk with her inside her apartment. She pushed back and wanted to know why they were at her home.

"They told me Alexxyss was in a car accident and was killed at the scene," she said.

Oregon State Police used Alexxyss's phone records to determine a time line leading up to the fatal crash. Lt. Mike Turner, commander of the

Pendleton office, said based on the records and driving time, Alexxyss never stopped the car when she handled the phone.

"Everywhere she had coverage, she was texting, sending and receiving texts, taking calls, sharing and reviewing Facebook pages," Turner said.

Six minutes before the crash, she shared a post on Facebook, he said, and one witness reported Alexxyss was on the phone as she left her lane.

"We don't know she was on her phone at the moment of the crash," Turner emphasized, "but she was certainly distracted from the roadway and not paying attention, and that led to her crash and death."

The Oregon Department of Transportation defines distractions as "anything that diverts your attention away from focusing on your

primary task — operating your vehicle — and responding to what is going on around you." The agency considers distracted driving an epidemic in Oregon.

From 2010-14 in Oregon, according to the department, distracted driving resulted in 16,987 crashes with 14,186 injuries and 58 fatalities.

Drivers reported to be using a cellphone at the time of the crash caused 1,419 of those wrecks with 1,175 injuries and 15 fatalities. Drivers 16 to 18 account for 131 crashes in that subset, which resulted in 120 injuries but no deaths.


Convictions in Oregon for distracted driving during the same period totaled 88,626. The transportation department contends there should be more, but the distracted driving law, Oregon Revised Statue 811.507, does not take into account how people are

using modern technology while driving.

The law prohibits drivers from communicating on a hand-held device while driving, but the law says nothing about using a smartphone to listen to music, for example, or as a navigation system or to check social media. The Oregon Court of Appeals on Aug. 19, 2015, ruled a state trooper did not have probable cause to pull over a driver after seeing her look down at a mobile device in her hand because he never saw her "put the device up to her ear, move her lips as if she were talking, or push any buttons." The appeals court found the state law applies only to "use of a mobile communication device for the purpose of voice or text communication."

Merely looking down at a mobile device, according to the appeals court, does not violate the law.

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