

# Police losing battle to get drivers to put down their phones

By DENISE LAVOIE  
AP Legal Affairs Writer



AP Photo/Steven Senne

**Police officer Matthew Monteiro speaks to a motorist about texting while driving while patrolling on his bicycle in East Bridgewater, Mass. Efforts to discourage drivers from texting have increased in recent years, but the consensus is that the problem is only getting worse. Police departments around the country have gotten creative in trying to get drivers to put down their phones.**

WEST BRIDGEWATER, Mass. — State police in Chattanooga, Tennessee, have been known to patrol in a tractor-trailer so they can sit up high and spot drivers texting behind the wheel.

In Bethesda, Maryland, a police officer disguised himself as a homeless man, stood near a busy intersection and radioed ahead to officers down the road about texting drivers. In two hours last October, police gave out 56 tickets.

And in West Bridgewater, Massachusetts, south of Boston, an officer regularly tools around town on his bicycle, pedals up to drivers at stoplights and hands them \$105 tickets.

Texting while driving in the U.S. is not just a dangerous habit, but also an infuriatingly widespread one, practiced both brazenly and surreptitiously by so many motorists that police are being forced to get creative — and still can't seem to make much headway.

"It's everyone, kids, older people — everyone. When I stop someone, they say, 'You're right. I know it's dangerous, but I heard my phone go off and I had to look at it,'" said West Bridgewater Officer Matthew Monteiro.

### Distracted drivers

The National Highway Traffic Safety Administration esti-

mates nearly 3,500 people were killed in crashes involving distracted drivers in the mainland U.S. and Puerto Rico in 2015, up from almost 3,200 in 2014. The number of deaths in which cellphones were the distraction rose from 406 in 2014 to 476 in 2015.

But many safety advocates say crashes involving cellphones are vastly underreported because police are forced to rely on what they are told by drivers, many of whom aren't going to admit they were using their phones.

"You don't have a Breathalyzer or a blood test to see if they are using their phones," said Deborah Hersman, presi-

dent and chief executive of the National Safety Council and former chairwoman of the National Transportation Safety Board. "Certainly, law enforcement can ask people, 'Can I see your phone?' but people can refuse, so they then have to get a search warrant."

Forty-six states have laws against texting while driving that typically also ban sending or reading email, using apps or engaging in other internet activity. Fourteen states bar drivers from using hand-held cellphones for any activity, including talking.

While efforts to discourage texting have increased in recent years, the consensus

among police, safety advocates and drivers is that the problem is only getting worse.

In New York, texting tickets soared from about 9,000 in 2011 to nearly 85,000 in 2015. In Massachusetts, they rocketed from about 1,100 to a little over 6,100 over the same period. In California, the number of people found guilty of texting while driving climbed from under 3,000 in 2009 to over 31,000 in 2015.

Everywhere they look, police see drivers staring at their phones behind the wheel.

"We did see one driver who had two phones going at one time — one in his left hand and one in his right hand, with his wrist on the steering wheel," said Lt. Paul Watts, a Virginia state trooper.

West Bridgewater Police Chief Victor Flaherty said: "We've seen cars in trees. We've had two houses hit within three weeks. We had a car off the road 100 yards before it hit a parking lot."

Enforcement is difficult, in part because it's hard to prove texting violations in states that allow drivers to talk on hand-held cellphones.

"For the normal officer, in a car, it's very difficult to tell if someone is texting or just using their phone in another way," Flaherty said.

In Florida, texting is a secondary offense, meaning that even if police spot drivers texting, they can't be stopped

unless the officer sees another violation, such as speeding. Police gave out just 1,359 citations for texting in 2015.

### Getting sneaky

Drivers have also become sneakier. Instead of resting their phones against the steering wheel, they hold them down low to make it more difficult for police to see what's going on.

"Some people call it the red-light prayer because their heads are bowed and they are looking down at their laps with a nice blue glow coming up in their face," said Chris Cochran, a spokesman for the California Office of Traffic Safety.

In New York, some lawmakers proposed equipping police with a device called the Textalyzer. An officer investigating a crash could use it to check the driver's phone for any activity before the wreck. The idea ran into legal objections and has not been put to a vote.

Fines for first offenses range from \$20 to \$500. In some states, such as New York, drivers caught texting also get points on their driving record, which can lead to higher insurance rates.

Some states have increased the penalties, including Louisiana, which raised its fine for first-time offenders from \$175 to up to \$500. But safety advocates have focused more on pushing for better enforcement, said Jonathan Adkins, executive director of the Governors High-

way Safety Association.

Surveys show that most drivers know the dangers of using their phones while driving but that many do it anyway.

Jay Winsten, director of the Center for Health Communication at Harvard's School of Public Health, is working on a major media campaign against distracted driving. The center spearheaded the successful 1980s campaign that promoted the use of designated drivers to combat drunken driving.

In addition to warning drivers not to use their phones, the new campaign will promote defensive driving, urging motorists to watch out for distracted drivers.

"We're trying to get the attention of people by not talking to them as the villain, but rather as the other guy," Winsten said.

In the meantime, Officer Monteiro can't pedal his bike fast enough to get to all the drivers he sees texting. One day, he caught a teenager playing Pokemon Go on his phone while driving. Another time, he caught a woman watching YouTube videos. Both got slapped with \$105 tickets. The teenager also faces a 60-day suspension of his license.

Vinny Fiasconaro, 30, got a warning after Monteiro saw him using the calculator on his phone at a stop sign. Fiasconaro shook his head sheepishly.

"I was in the wrong," he said. "You should be focusing on the road. You should pay attention."

## Legal Notices

### AB5272 TRUSTEE'S NOTICE OF SALE

The trust deed to be foreclosed pursuant to Oregon law is referred to as follows (the "Trust Deed"):

**Grantor:** Charles W. Carnese  
**Trustee:** First American Title Insurance Company  
**Beneficiary:** Rivermark Community Credit Union  
**Date:** March 5, 2008  
**Recording Date:** March 10, 2008  
**Recording Reference:** 200802026  
**County of Recording:** Clatsop County

**TRUSTEE:** The Successor Trustee is Miles D. Monson and the mailing address of the Successor Trustee is: Miles D. Monson, "TRUSTEE", Monson Law Office P.C., 1865 NW 169th Place, Suite 208, Beaverton, Oregon 97006.

The Trust Deed covers the following described real property in the County of Clatsop and State of Oregon, ("the Property"):

LOT 3, BLOCK 7, GRIMES GROVE, IN THE CITY OF SEASIDE, COUNTY OF CLATSOP, STATE OF OREGON.

Grantors' loan obligation is more than 120 days delinquent.

The default for which foreclosure is made is:

The Grantor's failure to pay when due the following sums: Monthly installments beginning December 22, 2015 continuing through the installment due February 22, 2016, less a payment credit of \$118.00.

The sum owing on the obligation that the Trust Deed secures (the "Obligation") is: \$52,128.73, plus interest on the sum of \$52,128.73 at the rate of 3.75 percent per annum, together with Trustee's fees, attorney's fees, foreclosure costs and any sums advanced by the Beneficiary pursuant to the Trust Deed.

The Property will be sold to satisfy the Obligation.

The date, time and place of the sale is:

**Date:** October 14, 2016

**Time:** 1:00 P.M.

**Place:** CLATSOP COUNTY COURTHOUSE, FRONT STEPS, 749 COMMERCIAL STREET, IN THE CITY OF ASTORIA, COUNTY OF CLATSOP AND STATE OF OREGON.

Without limiting the trustee's disclaimer of representations or warranties, Oregon law requires the trustee to state in this notice that some residential property sold at a trustee's sale may have been used in manufacturing methamphetamines, the chemical components of which are known to be toxic. Prospective purchasers of residential property should be aware of this potential danger before deciding to place a bid for this property at the trustee's sale.

### RIGHT TO CURE

The right exists under ORS 86.778 to have this foreclosure proceeding dismissed and the Trust Deed reinstated by doing all of the following at any time that is not later than five days before the date last set for the sale:

- (1) Paying to the Beneficiary the entire amount then due (other than such portion as would not then be due, had no default occurred); and
- (2) Curing any other default complained of herein that is capable of being cured by tendering the performance required under the Trust Deed; and
- (3) Paying all costs and expenses actually incurred in enforcing the Obligation and Trust Deed, together with Trustee's and attorney's fees not exceeding the amounts provided by ORS 86.778.

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes the plural, the word "Grantor" includes any successor in interest to the Grantor as well as any other person owing an obligation, the performance of which is secured by the Trust Deed, and the words "Trustee" and "Beneficiary" include their respective successors in interest, if any.

**We are a debt collector attempting to collect a debt and any information we obtain will be used for that purpose.**

Cashier's checks for the foreclosure sale must be made payable to Miles D. Monson, Successor Trustee.

Dated: May 23, 2016.

Miles D. Monson  
Successor Trustee  
1865 NW 169th Place, Suite 208  
Beaverton, OR 97006  
(503) 828-1820

Published: August 19th, 26th, September 2nd and 9th, 2016.

## JANRIC CLASSIC SUDOKU

Fill in the blank cells using numbers 1 to 9. Each number can appear only once in each row, column and 3x3 block. Use logic and process elimination to solve the puzzle. The difficulty level ranges from Bronze (easiest) to Silver to Gold (hardest).

8		6			9	5		4
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Rating: GOLD

Solution to 9/9/16

1	6	2	9	4	7	5	3	8
4	5	8	3	1	2	9	7	6
7	9	3	5	6	8	1	2	4
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3	4	6	7	5	1	2	8	9
8	7	9	6	2	4	3	1	5
6	8	4	1	3	5	7	9	2
5	2	1	4	7	9	8	6	3
9	3	7	2	8	6	4	5	1

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9/10/16

## Legal Notices

### AB5295 IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF CLATSOP

#### NOTICE TO INTERESTED PERSONS

In the Matter of the Estate of HERBERT JERALD LANGE, Deceased.

No. 16PB05848

NOTICE IS HEREBY GIVEN that REBECCA S. LANGE has been appointed personal representative. All persons having claims against the estate are required to present them, to the personal representative at 801 Commercial Street, Astoria, Oregon, or mail them to PO Box 508, Astoria, OR 97103, within four months after the date of first publication of this notice, or the claims may be barred.

All persons whose rights may be affected by the proceedings may obtain additional information from the records of the court, the personal representative, or the attorneys for the personal representative.

Dated and first published September 9, 2016.

Rebecca S. Lange  
Personal Representative  
PO Box 508  
Astoria, OR 97103

Attorneys for Personal Representative:  
SNOW & SNOW  
801 Commercial Street  
PO Box 508  
Astoria, OR 97103

Published: September 9th, 16th, and 23rd, 2016

### AB5296 IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF CLATSOP

#### NOTICE TO INTERESTED PERSONS

In the Matter of the Estate of RICK WILLIAM KING, Deceased.

No. 16PB05964

NOTICE IS HEREBY GIVEN that SUSAN D. CHASE has been appointed personal representative. All persons having claims against the estate are required to present them, to the personal representative at 801 Commercial Street, Astoria, Oregon, or mail them to PO Box 508, Astoria, OR 97103, within four months after the date of first publication of this notice, or the claims may be barred.

All persons whose rights may be affected by the proceedings may obtain additional information from the records of the court, the personal representative, or the attorneys for the personal representative.

Dated and first published September 9, 2016.

Susan D. Chase  
Personal Representative  
PO Box 508  
Astoria, OR 97103

Attorneys for Personal Representative:  
SNOW & SNOW  
801 Commercial Street  
PO Box 508  
Astoria, OR 97103

Published: September 9th, 16th & 23rd, 2016

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## CROSSWORD by Eugene Sheffer

- |                              |                             |                                 |                                 |
|------------------------------|-----------------------------|---------------------------------|---------------------------------|
| <b>ACROSS</b>                | <b>46</b> Unsigned (Abbr.)  | <b>4</b> Stimp'y pal            | <b>21</b> Stashed Teeny         |
| <b>1</b> Muffler             | <b>50</b> Islamic leader    | <b>5</b> Petal pushers? partner | <b>23</b> Shock                 |
| <b>6</b> Ethel of Broadway   | <b>52</b> Secret matters    | <b>6</b> Sports-caster          | <b>24</b> Albert                |
| <b>12</b> Canine coat        | <b>54</b> 2009 Hilary Swank | <b>7</b> Blow one's top         | <b>25</b> — au vin              |
| <b>13</b> Show up            | <b>55</b> Gripe nonstop     | <b>8</b> Train lines (Abbr.)    | <b>26</b> Ritzzy chocolates     |
| <b>14</b> Italian cheese     | <b>56</b> Gobi, for one     | <b>9</b> Montana city           | <b>28</b> Junior, usually       |
| <b>15</b> Reddish-brown      | <b>57</b> Makeup mogul      | <b>10</b> Say it's so           | <b>30</b> Actor Harrison        |
| <b>16</b> Fortas and Lincoln | <b>19</b> Soon-to-be grads  | <b>11</b> Tennis barriers       | <b>31</b> Raw rock              |
| <b>17</b> Answer an invite   | <b>20</b> Harbor arrival    | <b>12</b> Mound stat            | <b>33</b> Roman 52              |
| <b>19</b> Soon-to-be grads   | <b>22</b> Pair              | <b>18</b> "I've heard enough"   | <b>34</b> Compete               |
| <b>20</b> Harbor arrival     | <b>24</b> Revue segment     | <b>3</b> Gather                 | <b>39</b> Pigiike mammal        |
| <b>22</b> Pair               | <b>27</b> "This — outrage!" | <b>Solution time: 27 mins.</b>  | <b>41</b> "Be silent," in music |
| <b>24</b> Revue segment      | <b>29</b> Modern money      | <b>43</b> Hobbling              | <b>42</b> Military sch.         |
| <b>27</b> "This — outrage!"  | <b>32</b> Globe-trotter     | <b>45</b> Converse              | <b>47</b> Cager Archibald       |
| <b>29</b> Modern money       | <b>35</b> Iso-              | <b>48</b> Formerly              | <b>49</b> "Unh-unh"             |
| <b>32</b> Globe-trotter      | <b>36</b> Big rig           | <b>51</b> — -de-France          | <b>53</b> Motor homes,          |
| <b>35</b> Iso-               | <b>37</b> Chopper           | <b>44</b> Experts               | for short                       |
| <b>36</b> Big rig            | <b>38</b> In shape          |                                 |                                 |
| <b>37</b> Chopper            | <b>40</b> Bump into         |                                 |                                 |
| <b>38</b> In shape           | <b>42</b> TV alien          |                                 |                                 |
| <b>40</b> Bump into          | <b>44</b> Experts           |                                 |                                 |

S	A	D	S	T	U	D	C	O	D	E	
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Yesterday's answer 9-10

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