

# Plan a sober ride this holiday season

Buzzed driving is drunk driving

By Zach Mobley  
To the Blue Mountain Eagle

This holiday season, the Grant and Wheeler county sheriff's offices are teaming up with the U.S. Department of Transportation's National Highway Traffic Safety Administration to remind all drivers about the dangers of drinking and driving. With the holiday festivities and extra office parties taking place, it's essential to plan a sober ride home before ever leaving for the event. This holiday, as you head out for a night of merrymaking, remember: Buzzed driving is drunk driving.

"The holidays should be a time for celebrations and for making memories, not a time of nightmares for families," said Undersheriff Zach Mobley with the Grant County Sheriff's Office. "Unfortunately, alcohol at many holiday events contributes to the number of impaired drivers on our roadways. Help us spread the message: Even one drink is one drink too many. If you feel buzzed, you are already drunk."

According to NHTSA, 37,461 people were killed in motor vehicle traffic crashes in 2016, and 28 percent (10,497) of those fatalities occurred in crashes during which a driver had a blood alcohol concentration over the legal limit of 0.08. The holidays prove to be extra dangerous to drivers as more people – drivers and pedestrians alike – are out on the roads.

"We want to keep our roads safe this holiday season and help people understand that the only time they should be behind the wheel is when they are sober," said

Mobley. "Alcohol affects people differently, and you do not have to be feeling or acting drunk to be too impaired to drive."

Drinking and driving should never be combined. It's essential to plan a sober ride in advance if the holiday celebration will include alcohol. The alternative could change your life, not to mention the lives of your passengers, or of other pedestrians or drivers and passengers nearby.

This holiday season, the Grant and Wheeler county sheriff's offices and NHTSA urge drivers to designate a sober driver before heading out for the evening. If you plan on drinking, plan on not driving.

Remember these tips for a safe night on the roads:

- Plan ahead. You know whether you'll attend a party. If you plan to drink, plan for a sober driver to take you home. Is it your turn to be the designated driver? Take that role seriously – your friends are relying on you.

- Remember that it is never OK to drink and drive. Even if you've only had one alcoholic beverage, designate a sober driver.

- If you see a drunk driver on the road, contact local law enforcement.

- See someone who is about to drink and drive? Take the keys away and make arrangements to get them home safely. Don't worry about offending someone – they'll thank you later.

Remember to play it safe this holiday season and always plan your sober ride before the festivities begin. If you are buzzed, do not drive. Buzzed driving is drunk driving.

For more information, visit [www.trafficsafetymarketing.gov](http://www.trafficsafetymarketing.gov).

# Condon woman gets 23 months for killing three people in crash

EO Media Group

The May crash in Wheeler County that claimed three lives was criminal, Sheriff Chris Humphreys and District Attorney Gretchen Ladd stated, in spite of what other law enforcement agencies found.

And Lisa Niehaus, 50, of Condon, will do 23 months in state prison for the crimes.

Niehaus pleaded guilty Nov. 21 to three counts of fourth-degree assault, two counts of third-degree assault and three counts of criminally negligent homicide. The judge sentenced her to 23 months in prison.

Ladd in a joint written statement with Humphreys called the case one of the most catastrophic in her career.

"The charging decision was a difficult one," according to Ladd. "Even the Oregon State Police and prosecutors at the Department of Justice are divided on whether this was a traffic ticket for careless driving or criminally negligent homicide. We believe now, as then, that this was a crime. Criminally negligent homicide requires prosecutors to prove in court facts constituting something more than careless. Case law is fact driven and a matter of degrees of negligence is not easily identified even among the experts."

About 45 members of the Gypsy Jokers Motorcycle Club on May 2 at 10:30 p.m. were driving on the John Day Highway, passing through Fossil to a motorcycle rally at Bear Hollow Park. Niehaus left the park rally five miles away and was returning home when she drove her passenger car across the centerline into the motorcyclists.



Contributed photo/Wheeler County Sheriff's Office

A May crash near Fossil that caused the death of three motorcycle riders and multiple injuries to others was ruled criminal by the Gilliam County District Attorney's Office.

The crash resulted in the death of two riders at the scene, a third death weeks later, and injuries to six riders that included broken legs and hips, as well as head injuries and lower leg amputations.

"The survivors and their families are having to adapt to the physical, mental and emotional injuries of this catastrophic life changing event," Humphreys and Ladd stated.

"This crash scene was chaotic," Humphreys and Ladd stated. "Lisa Niehaus was trapped in the car. First responders tried to render aid for victims. The responders expressed grave concern for the safety of Lisa Niehaus. Several statements by some riders indicated Lisa Niehaus's safety was in question. First responders noted the scene was extremely volatile."

Niehaus made two calls just after the crash. Noise interrupted the first, according to the statement, and during the second Niehaus told her friend she was in a crash and

"being beaten."

Law enforcement sought search warrants, and the court approved some but denied others, including a warrant for Niehaus' blood and urine the day after the crash. Humphreys and Ladd said Niehaus was not in custody overnight, and without a drug recognition expert to confirm she was impaired when she crashed, a toxicology report alone is not sufficient to prove she was under the influence at the time.

Eyewitnesses and evidence show Niehaus steered across the center line into the oncoming lane. She had a dog on her lap, a cellphone within reach and marijuana in the car, according to Humphreys and Ladd. She claimed the motorcycle headlights blinded her and she closed her eyes. Evidence showed most of the headlamps on the bikes were on low beam.

Humphreys and Ladd reported several state agencies assisted in the case, and several considered the crash "merely an accident."

Ladd's office, then, "became the sole advocate for the victims in this horrific crash, though others may not have done the same."

While the Oregon Constitution provides specific rights to crime victims, the law allows exemptions if a court finds the incident involves elements of organized crime. Ladd and Humphrey stated the court ruled this case was excepted from victim rights protection.

That angered some of the victims, family and friends in this case and prompted comments that cause concern for the safety of the district attorney and the victim assistant in Wheeler County.

Even so, Ladd and Humphrey stated that the crime victims' compensation rights in the case were not suspended, and the district attorney's office continues to ensure monetary compensation is available to victims and their families through the state's Crime Victims Compensation Program.

# Free safe-driving contest app available

Blue Mountain Eagle

A campaign created by AAA Oregon/Idaho, ODOT and the Oregon State Police seeks to reduce distracted driving: DriveHealthy, an app that promotes friendly competition.

People can register at DriveHealthy.org and compete alone or in groups. People can download a free app from Lifesaver <https://lifesaver-app.com>. Each month is a new opportunity to compete.

High scores result from not opening a phone while driving. At the end of each month, the

groups with the highest scores win bragging rights on the DriveHealthy website. Data suggest that a recent similar campaign in Boston reduced distracted driving among participants by 47 percent.

"We're connected to each other socially with technology," said ODOT Director Matthew Garrett. "And the fact is, that connection doesn't stop when we get behind the wheel. So we want to replace the addiction to the phone by using those same social connections, combined with immediate feedback on driving and friendly competition."

A recent survey found that while 69 percent of Oregonians are very uncomfortable riding with a driver who is sending a text message, 72 percent admit to driving distracted themselves. In Oregon, on average, eight people are hurt or killed by a distracted driver each day. This has contributed to the largest increase in traffic fatalities in Oregon in a decade.

DriveHealthy started as the result of a statewide task force, which also recommended passage of tougher cellphone laws. House Bill 2597 took effect Oct. 1 and, among other

changes, increases the penalty for using a mobile electronic device while driving to \$2,000.

"Our goal is lofty," said Garrett. "We want to change cultural norms around distracted driving like they changed regarding seat belt use and drunk driving. It took decades to make significant progress in those areas. Today things change at internet speed so I'm hopeful the norms around driving healthy can become a part of our culture quickly."

For information, contact Tom Fuller at 503-986-3455 or [Thomas.Fuller@odot.state.or.us](mailto:Thomas.Fuller@odot.state.or.us).

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**Katee Hoffman**

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Position: Shooting guard

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