

Winter 2002

# MADD

## MATTERS

MADD  
Canada's  
Mission:  
To  
Stop  
Impaired  
Driving  
And  
To  
Support  
Victims  
Of  
This  
Violent  
Crime.

On November 27, MADD Canada unveiled its review of federal impaired driving legislation, *Taking Back Our Roads*, at a national press conference in Ottawa. What has ensued since is very promising. Justice Minister Anne McLellan indicated she felt there was a need for a renewed focus on impaired driving. MPs of all Parties are supportive of MADD Canada's strategic approach. The trip to Parliament Hill has reinforced the need for new Canadian laws and a comprehensive approach to fighting Canada's number one criminal cause of death and injury.

*Taking Back Our Roads* provides the Government with a checklist of 19 initiatives that will save lives and make our roads safer. The initiatives will effectively fight impaired driving by decreasing the numbers of impaired drivers on the road; increasing the conviction rates; and providing greater fairness and consistency in our judicial system across the country.

"MADD Canada is urging the Justice Minister and Parliament to adopt these initiatives in this Parliament," said Louise Knox, MADD Canada's National President. "We call on the Government to introduce the legislation needed to amend the *Criminal Code* and implement the necessary measures to make Canada's impaired driving laws more effective and efficient."

"Canadian impaired driving laws are not working; they are not deterring people from drinking and driving. The research shows Canada



**National President Louise Knox:**  
"We want to change Canadians' attitudes and habits, provide greater powers to police to detect, apprehend and charge impaired drivers, and ensure our judicial system is fair and consistent in applying impaired driving laws."

is falling behind in the fight to eliminate impaired driving. We need a comprehensive strategy, like *Taking Back Our Roads*, to decrease the number of drinking drivers and reduce the crashes, injuries and deaths that result from drinking and driving," said Mrs. Knox.

In meetings with the Justice Minister and other MPs, the MADD Canada National President conveyed Canadians current desire to see the Federal Government do more to eliminate impaired driving. "Much more can be done to save lives and make our roads safer, and we are urging the Federal Government to act decisively and immediately to take up MADD Canada's initiatives in *Taking Back Our Roads* and fight impaired driving."

The policy initiative that would see the blood alcohol concentration (BAC) lowered to 0.05% has drawn a great deal of attention from the alcohol industry and those supporting it. Mrs. Knox explained MADD Canada's position, "MADD Canada believes that the current BAC limit poses unacceptable risks to Canada's safe, sober and responsible drivers. How safe can we feel knowing that a 200-pound man can drink almost six beers in two hours, get behind the wheel of his car, and likely not ever be criminally charged with impaired driving?" Mrs. Knox added, "MADD Canada strongly believes that, by lowering the *Criminal Code* BAC limit, we will make our roads safer. Research shows that this initiative will have a significant deterrent effect, and will encourage many Canadians to totally

## A commitment to see our federal policies a reality



**Katherine Macmillan**

This is my first column since assuming the duties as Chairperson of MADD Canada's National Board of Directors. I am doubly honoured to be able to report on the launch of MADD Canada's federal policy strategy as laid out in *Taking Back Our Roads*.

The crime of impaired driving takes a heavy toll on our country. There are more than four Canadians killed and 125 Canadians seriously injured each day as a result of alcohol-related crashes. The unfortunate reality is that millions of Canadians continue to drink and drive – and there are tens of thousands of impaired driving trips a day in our country. Our laws must do a better job of separating drinking and driving occasions. Only in this way will we see the numbers of people being killed and injured decrease.

For this reason, we can take pride in the unveiling of our new federal policy initiative. It tackles impaired driving by addressing the core of the problem – how to separate drinking and driving occasions and make our roads safer for all.

*Taking Back Our Roads* is an exhaustive review of the

federal impaired driving legislation. It contains strong arguments that are built on irrefutable studies and the latest international experience. It clearly demonstrates that our Federal Government must do much more if it is to be successful at saving lives and making our roads safer. MADD Canada has published this significant piece of research with the trust that it will provide the framework for the Federal Government's actions against the crime of impaired driving for the next three years. What you see as a 30 page document, is really a summary of over 400 pages of legislative and legal research completed by MADD Canada's team of legal researchers, under the direction of Professor Robert Solomon.

So, why has MADD Canada gone to such an extent to conduct legal research and compile the latest impaired driving statistics and policies from around the world? We have done this work because, quite bluntly, more needs to be done to fight this crime in our country. MADD Canada is presenting this strategy to eliminate impaired driving in Canada because we must act to stop this needless loss of life and injury.

We are committed to seeing our comprehensive federal approach become a reality. Over the next six to twelve months, MADD Canada will continue the relentless push for new federal laws. The campaign came to life in Ottawa in November. Louise Knox and thousands of volunteers across this country will continue to raise our concerns and ensure the Government moves on the important policy points found in *Taking Back Our Roads*.

I am very proud to be part of this new chapter in the MADD Canada history book!

### New Federal Legislation

(Continued from page 1)

separate drinking and driving occasions – thereby decreasing the number of impaired drivers and impaired driving crashes.”

Equally important are our policies to give police greater powers to detect, apprehend and charge impaired drivers,” explained Mrs. Knox. “MADD Canada wants national standards for the enforcement of impaired driving: police need the latest breathalyzer technology at roadside; the right to demand a standard field sobriety test; the right to use passive alcohol sensors; and, the right to demand a breath or blood sample at the crash scene where there has been a fatality or serious injury.”

“The lowering of the federal blood alcohol concentration limit to .05%,



**Canada's Justice Minister  
Anne McLellan with Louise Knox**

coupled with enhancing police powers, are absolutely essential to deter Canadians from drinking and driving,” said University of Western Ontario Law Professor Robert Solomon, MADD Canada's Director of Legal Policy. “It is MADD

Canada's strong belief that these initiatives will result in far fewer deaths and injuries on Canadian roads.”

MADD Canada is praising federal Justice Minister Anne McLellan for her quick response to *Taking Back Our Roads*. In the two weeks since the unveiling of the document, new ignition interlock legislation has passed through the House of Commons; the Minister has requested that

the Justice Committee look at lowering the BAC limit to 0.05%; and, she has further directed Justice Canada officials to review MADD Canada's initiatives vis-à-vis drug impairment and police enforcement issues.

To learn more about *Taking Back Our Roads*, visit the MADD Canada website – [www.madd.ca](http://www.madd.ca)

## A summary of *Taking Back Our Roads*

“MADD Canada is calling on the Government to act and earnestly tackle the crime of impaired driving during this Parliament. There is a real need for more effective laws in our country. The research is readily available. A working plan is here. From our perspective, the Federal Government has no excuse for delay – there are effective ways to reduce impaired driving in our country. Today, we urge the Government to take up MADD Canada’s initiatives in Taking Back Our Roads.” – Louise Knox, November 27, 2001.

MADD Canada’s checklist of initiatives to eliminate impaired driving is as follows:

### LOWERING THE CRIMINAL CODE BAC LIMIT

- The *Criminal Code* BAC limit should be reduced from 0.08% to 0.05%.

### ENHANCED ENFORCEMENT POWERS

- Police should be authorized to stop any vehicle at random to determine if the driver has a valid licence, is fit to drive, and is complying with the *Criminal Code*’s impaired driving provisions.
- Police should be authorized to use passive alcohol sensors.
- The Alcohol Test Committee should expedite the process of approving more practical, mobile evidentiary breath test units for use as approved instruments.
- If a police officer reasonably suspects that a driver has alcohol or drugs in his or her body, the officer should be authorized to demand a standardized field sobriety test, and should be authorized to videotape the test. It should be an offence to refuse to comply with the officer’s demand.
- If a police officer reasonably suspects that a driver is impaired by a drug, drugs, or a combination of alcohol and

drugs, the officer should be authorized to demand that the driver participate in a test under the Drug Evaluation and Classification Program. The officer should be authorized to videotape the test, and it should be an offence to refuse to comply with the officer’s demand.

- If a police officer has reasonable and probable grounds to believe that a driver is impaired by a drug, drugs, or a combination of alcohol and drugs, the officer should be authorized to demand a saliva, blood or urine sample from the driver. It should be an offence to refuse to provide such a sample.
- Police should be authorized to demand a breath sample on an approved screening device or a standardized field sobriety test from any driver involved in a crash causing personal injury or death. If a breath sample or sobriety test cannot be completed for any reason, police should be authorized to demand a blood sample.
- The blood sampling provisions of the *Criminal Code* should be amended to make it easier for the police to demand blood samples when an impaired driver is injured or taken to hospital, or it is otherwise impracticable to obtain evidentiary breath samples.

### CLARIFYING AND REDEFINING THE OFFENCES

- The *Criminal Code* should be amended to include a definition of “impairment” that is clear for both police and judges.
- The *Criminal Code* should be amended to include a definition of “cause” for cases of impaired or dangerous driving causing bodily harm or death.
- The presumptions regarding the use of breath or blood test evidence should be strengthened to eliminate the “Carter” and “Last Drink” defences.

### RATIONALIZING SENTENCING

- The *Criminal Code* should provide for tiered sentencing of impaired drivers based on a number of aggravating factors, including the offender’s BAC, prior offences, and the existence of a crash, injuries or deaths.
- Parliament should eliminate the availability of conditional sentences for those convicted of impaired driving causing bodily harm or death.
- The ignition interlock provisions of the *Criminal Code* should be expanded to encourage all impaired driving offenders to participate in an interlock program, whether they are first or repeat offenders.

### ADDRESSING ADMINISTRATIVE ISSUES

- The offences of impaired driving, driving with an illegal BAC, and failing or refusing to provide breath or blood samples should be added to the list of offences within the exclusive jurisdiction of the provincial courts.
- The mandate and approach of the Alcohol Test Committee should be altered to include a fee-based system that is faster and includes more practical criteria for the approval of breath and blood-testing instruments. A certified breath technician should be added to the Committee to ensure that the practical concerns of front-line officers are taken into account.
- The role of the Victims’ Policy Office should be expanded to ensure that it becomes a practical source for victims and victim service practitioners.
- The federal government should develop a concrete action plan with realistic, measurable goals. Parliament should also commit itself to reviewing both the impaired driving legislation and Canada’s progress relative to that of the international community every five years.

## Three November Days in Ottawa



November 27th's National Press Conference included MADD Canada spokespersons Robert Solomon, Katherine Macmillan, Louise Knox and Senator Marjory LeBreton.

Robert Little of Halifax, Nova Scotia, also took part in the National Press Conference and spoke of his personal experience with the unfairness of the judicial process after his mother was killed by a impaired driver, who walked away free without consequences.



Senator Marjory LeBreton called on the Federal Government to show leadership and demonstrate political will on the impaired driving policies found in the Taking Back Our Roads document.



The Canadian Police Association's Executive Officer David Griffin was present at the public events to lend the CPA's voice of support for MADD Canada's enforcement policies.



MADD Canada spokespersons Louise Knox, Robert Solomon, Andrew Murie and Chris George met with Justice Minister Anne McLellan for a little over an hour to discuss MADD Canada's research, impaired driving policies and potential Government action.



MADD Canada also met with N.D.P. Leader Alexa McDonough



Louise Knox discussed the issues of impaired driving with P.C. Leader Joe Clark.



Louise Knox spoke with the C.A. Justice Critic, MP Vic Toews, who as the former Attorney General in Manitoba is well aware of the problems with fighting impaired driving.

## Project Red Ribbon Campaign From Coast-to-Coast

**M**ADD Canada's 2001 Project Red Ribbon Campaign is underway and raising the public's awareness to the dangers of drinking and driving through the holiday season. During the months of November and December, local MADD Canada Chapters are conducting special red ribbon events in over a hundred communities across Canada.

MADD Canada's National President, Louise Knox, has been traveling to see first-hand MADD Canada Project Red Ribbon activities. "From now until New Year's, the Project Red Ribbon campaign will be in full gear right across Canada. MADD Canada supporters do an excellent job raising the public's awareness to the dangers of drinking and driving during this festive season." Mrs. Knox adds, "Our volunteers from St. John's, Newfoundland to North Island, B.C., from Winnipeg, Manitoba to Windsor, Ontario will be distributing millions of red ribbons and asking drivers not to drink and drive."

"The red ribbon is a tribute to honour those who have been killed or injured in impaired driving crashes," explains Mrs. Knox. "Attaching a ribbon to your vehicle serves as a constant message to people on the roads to drive safe and sober. The MADD Canada red ribbon is also a statement that the driver of the vehicle has made a personal commitment to drive sober."

MADD Canada expects to distribute over 4 million red ribbons across the country this holiday season. Mrs. Knox comments, "The Project Red Ribbon campaign is our most recognized public awareness program. More and more Canadians are flying red ribbons year-round to remind people to not drink and drive and to keep our roads safe."

There will be nearly 50 MADD Canada Chapters holding Project Red Ribbon campaigns in their local communities. Many Chapters have plans to distribute red ribbons in malls, at events, parades, or with police at Sobriety Checkpoints through the holiday season.

Some of the unique MADD Canada events held across the country this year included:

- MADD Montreal Chapter had Quebec's Minister of Transport attend their special regional campaign launch and opening of the Chapter's new downtown office
- MADD Ottawa Chapter distributed red ribbons to all Parliament Hill offices and has the participation of Ottawa City Hall, police forces, as well as Ottawa sports teams, the Junior A 67's and the NHL Senators

- MADD Windsor Chapter (Ont.) hosted several Chapters from Ontario and Michigan with a "Hands Across the Border" international kick-off, parade through the streets of Windsor, and tribute luncheon for all those killed or injured by impaired driving crashes
- MADD Central Saskatchewan launched its awareness drive at the national Skate Canada competition
- For the first time MADD Canada was in Whitehorse, Yukon, where Territory Government Ministers and RCMP helped Louise Knox kick-off a Territory-wide awareness campaign

MADD Canada's website ([www.madd.ca](http://www.madd.ca)) provides details on this year's awareness campaign. Surfing through the pages, you will find the latest news items, pages of facts, and a historical perspective with numerous photos from over a decade of National Project Red Ribbon campaigns.

### 2001-2002 Corporate Campaign

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Phone: 905-813-MADD (6233); 1-800-665-MADD

Fax: 905-813-8920

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## THANKS TO OUR PAST PRESIDENTS

Thank You

### **MADD BRANDON, MANITOBA**

We would like to welcome Debee Wesley as the new President of the MADD Brandon Chapter and extend a sincere thank you to Joanne Radics for her role as Past President. MADD Brandon Chapter can be reached by calling 204-729-0602 or via email at [debeewesley@hotmail.com](mailto:debeewesley@hotmail.com).

### **MADD WINNIPEG, MANITOBA**

Welcome to Tanya Hansen as the new President of the MADD Winnipeg Chapter. Thanks to Dale Wilson, Past President, for his support in the last couple of years. MADD Winnipeg can be reached at 204-944-6321 or [maddmanitoba@sprint.ca](mailto:maddmanitoba@sprint.ca).

### **MADD HALIFAX REGIONAL, NOVA SCOTIA**

Joseph Orichefsky has stepped into the role as Chapter President of the MADD Halifax Regional Chapter. Heartfelt thanks to Geraldine Dedrick for her many years of service to the MADD Canada's mission. The MADD Halifax Chapter can be contacted via email at [maddhalifax@ns.sympatico.ca](mailto:maddhalifax@ns.sympatico.ca) or via phone at 902-425-6233.

### **MADD ANNAPOLIS VALLEY, NOVA SCOTIA**

Thanks to Pat Dutton for spearheading the MADD Annapolis Valley in the past couple of years. MADD Canada welcomes Paul King into the new role of Chapter President. MADD Annapolis Valley can still be contacted at 902-679-1073 or [madd@glinx.com](mailto:madd@glinx.com).

### **MADD LABRADOR, NEWFOUNDLAND**

We would like to thank Susan Noseworthy for her hard work and dedication as Past President of the MADD Labrador Chapter. Welcome to Cliff Wells as the new Chapter President. MADD Labrador can be reached at 709-896-4583 or [madd@hvgb.net](mailto:madd@hvgb.net)

### **MADD DUFFERIN COUNTY, ONTARIO**

Heartfelt thanks to Sue Storey for spreading the message of stopping impaired driving and supporting victims in the Dufferin County community. Congratulations to Gail James as she steps into the role of Chapter President. MADD Dufferin County can be reached at 709-834-7663 or [madddc@inetsonic.com](mailto:madddc@inetsonic.com).

### **MADD GREY NORTH BRUCE, ONTARIO**

Belated welcome to Rob Rosilus as President of the Grey North Bruce Chapter. Rob is committed to making a difference in the Grey North Bruce community and can be reached at 519-371-5252 or [madd@bmts.com](mailto:madd@bmts.com).

### **MADD HAMILTON, ONTARIO**

Thank you to Deann McGlinchey during her role as President of the MADD Hamilton Chapter. We would like to welcome Christina Mills as the new President of the MADD Hamilton Chapter. MADD Hamilton can still be contacted at 519-679-6233 or [maddhouse@acncanada.net](mailto:maddhouse@acncanada.net).

### **MADD YORK REGION, ONTARIO**

Welcome to Marilyn Bobel as she steps into the role of Chapter President of the MADD York Region Chapter. Thanks to Janice Curley for her support in the last couple of years. MADD York Region can be reached at 905-471-8688 or [maddyork@on.aibn.com](mailto:maddyork@on.aibn.com).

### **MADD VICTORIA COUNTY CHANGES TO MADD KAWARTHA LAKES, ONTARIO**

MADD Victoria County has changed its name to the MADD Kawartha Lakes Chapter. Elizabeth Simser-Ross, President can still be contacted at 705-328-9264.

## WELCOME TO THREE NEW CHAPTERS

Since the last MADD Matters newsletter, three Chapters have been approved and joined the MADD Canada family. These Chapters have been opened in three different provinces – Alberta, Ontario and Newfoundland.

**MADD Calgary Chapter** in Alberta became an official MADD Canada Chapter on December 3, 2001. Special thanks to Denise Dubyk, President, Donna Kutryk, Pauline Saffel, Joanna Low and all those other individuals who made this Chapter a possibility. Denise can be contacted via email at [denise.dubyk@shaw.ca](mailto:denise.dubyk@shaw.ca) or 403-278-8081.

As of December 3, 2001, the **MADD West Coast Chapter** in Newfoundland - the third Chapter in the province of Newfoundland – has been actively involved in educating their community. Heather McLean, President can be contacted via email [hmclean@rcmp-grc.gc.ca](mailto:hmclean@rcmp-grc.gc.ca) or 709-643-6763.

With dedication and commitment the **MADD Barrie Chapter** in Ontario was formed on December 11, 2001. Margaret Williams, President spearheaded the formation of this Chapter with a group of concerned citizens interested in making a difference in their community. Margaret can be contacted at 1-866-466-5310.

## WELCOME TO MADD CANADA'S COMMUNITY LEADERS

As of September 1, 2001, the MADD Northshore Chapter has changed its status to **MADD Northshore Community Leaders**. John Schmidt and Deb White have taken over as Community Leaders for the Northshore area. John can be reached at (807) 626-7949 or [johnschmidt@dilico.com](mailto:johnschmidt@dilico.com) while Deb can be contacted at (807) 887-2637.

We would like to welcome Cathy Spicer as the **MADD Grand Manan Community Leader** in New Brunswick. Cathy can be contacted via email at [cass\\_k@yahoo.com](mailto:cass_k@yahoo.com) or 506-662-1494. Welcome aboard!

As of December 3, 2001, the **MADD Saint John Community Leaders** in New Brunswick have joined the MADD Canada family. Karen Dunham and Denise Green, Community Leaders can be contacted at 506-635-5800 or 506-674-1631. Both Karen and Denise were involved with the MADD Saint John Chapter and upon its closure, have continued to spread our mission – to stop impaired driving and to support victims of this violent crime – in the Saint John community.

WELCOME