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Repeaters pose the biggest challenge

Third of four parts

By Rose Ciotta and Karl Stark
INQUIRER STAFF WRITERS

John J. Toole of Stratford, Camden County, has been convicted 10 times of driving under the influence. His New Jersey license is suspended for decades to come — but he says he still drives in Pennsylvania.

Robert C. Komada Jr. of Warminster, Bucks County, has been arrested 16 times for this crime. Howard J. Geiger of Clayton, Gloucester County, 26 times. Joseph A. Levin of Northeast Philadelphia, eight times — before he struck and killed a pedestrian.

“I thought I could control the alcohol,” Levin told a judge, “but the alcohol controlled me.”

These men typify a breed of driver that

Loaded for Trouble

Why we haven't stopped drinking and driving

experts say is the most dangerous and the hardest to stop: hard-core drinkers who have been arrested and penalized many times but who have kept on driving.

For judges, police, prosecutors and counselors, this has emerged as the toughest piece of the drunken-driving puzzle to solve.

“We haven't affected the core of the problem,” says Robert Esty, executive director of Chester County's Council on Addictive Diseases. “Fatalities have spiked back up the last couple of years. ... The real issue is, how are we going to start dealing with the higher and higher percentages of multiple offenders?”

In Pennsylvania, expungement of past arrests shrinks some repeaters' records. Komada's Philadelphia court history lists five of his arrests for DUI — but not his 11 others. Some New Jersey repeaters go on driving despite license suspensions that sound like *Star Trek* log entries: Geiger's is suspended till 2113, Toole's till 2091.

But repeaters don't wear an R on their backs, and they tend to disappear in the high weeds of drunken driving's vast numbers. They drive drunk hundreds of times before an arrest, experts say — 5,000 miles on average, a government study said.

The same national study found that between 1983 and 1998, repeat offenders were in accidents that killed 137,338 people.

Once arrests are made, courts face the
See **REPEATERS** on A8



MICHAEL PEREZ / Inquirer Staff Photographer

Robert C. Komada Jr. (left) has 16 DUI arrests. He spoke with his lawyer, A. Charles Peruto Jr. (right), and an officer after DUI charges were dropped in Levittown this month. His and other repeat offenders' stories are on **A8**.

daunting job of distinguishing hard-core drunken drivers from others accused of driving under the influence.

Since the 1980s, both Pennsylvania and New Jersey have had laws that say repeat DUI offenders get jail terms, and many of them do. But the laws have exceptions, and in a region of backlogged courts and crowded jails, exceptions become the rule. In Bucks County, house arrest is how some repeaters do time.

“We have 2,000 [DUI] cases a year,” Bucks County District Attorney Diane Gibbons says. “We don’t have a prison big enough to house 2,000 people.”

Montgomery County’s 192-bed dormitory-style jail handles the load in shifts — on weekdays, a group of DUI offenders on work-release; another group serving weekends. In between, former prosecutor Edwin Guyer says, “they hose it down and get it ready for the next group.”

Robert Forman of the Center for Studies of Addiction at the University of Pennsylvania Health System says it takes everything the system can muster — jail, license suspension, fines, alcohol treatment — to reach hard-core repeaters.

“Losing their license is the least of their problems,” Forman says. “They’re losing their family. They’re losing their job. They’re losing their mind. They’re losing their liver. They’re in a nose dive. Unfortunately, those sorts of assaults are what it takes for them to consider they have a problem. ... Their drinking is more important than their money.”