

Sudden impact: Drunk driving

Revealing look at how far-reaching and devastating these crashes are for everyone involved

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This story is a cautionary tale. There are more deaths from drunk driving crashes on New Year's Day than on any other day of the year. When they are reported, the journalistic shorthand often goes something like this: "One dead, four injured in car crash. Drunk driving suspected." And then that's the end of it, a story briefly reported and quickly forgotten.

But we wondered, what happens after the news coverage stops? How do the victims and their families fare? What is the emotional toll? What are their financial costs? A little more than two years ago, we started tracking one such case. As you're about to see, "One dead, four injured" doesn't even begin to tell the story about the trauma to the victims, or as we discovered, to our surprise, how much all the rest of us pay.

The night everything changed

From the time she was a little girl, Lillie Paquette charged into life. She was an adventurer, a world traveler, a performer. Her father said her future seemed to be so promising.

But Dateline first met Lillie at Boston Medical Center a little more than two years ago, the 22-year-old woman had a new challenge. She was fighting for her life. Just a week earlier, in South Boston, Lillie had been in a terrible car wreck involving a suspected drunk driver.

The night of the crash, Lillie's car was coming in this direction down West Broadway, and the suspect's car was coming from that direction. They had a violent collision right about here. The same kind of collision that happens everyday in America -- fueled by alcohol. What we look at here is what happens long after the cars are towed away. For Lillie, her friends in the car with her, and for their families, the emotional, physical, and financial damage caused by this one crash would go on and on. And the cost to the rest of us, the taxpayers, would be staggering.

For Ken Paquette, Lillie's father, it all started with an early morning call. There had been a car crash. His daughter was in the hospital. Doctors discovered a tiny piece of bone had severed a major artery in her brain.

Dr. Raffi Dersarkissian: "Most individuals who sustain that type of injury, easily 50 to 60 percent of them would not survive that injury."

Jack Parlon, a Boston detective, knows about those late night calls. He's made hundreds to families of victims. But this time he was on the receiving end.

Jack Parlon: "There's a sense of urgency in the voice there's terms that they use when you know it's really serious."

His step-son, Sean, had been in the car with Lillie Paquette. Sean was a policeman, like his step dad, handsome and popular. He had joined Lillie and her friends after finishing a security shift at a night club. Minutes after Sean had got into the backseat of their car, it was hit. He was thrown through the window, sustaining massive internal injuries. Just seven and a half hours later, Sean Waters was dead.

Tom Brokaw: "No parent is ever prepared to lose a child at whatever age. And in Sean's case by all accounts, this was a pretty special kid?"

Parlon: "You know, Sean wasn't my biological son. And I always called him - he was, he was a boy of my heart."

Brokaw: "Jack, do you ever stop thinking about the night of the accident?"

Parlon: "Life has changed for me and my family so dramatically since that night. And I thought that time would heal things. But it's difficult even for me today to even talk about it. "

Assistant District Attorney John Pappas began interviewing witnesses about where the accused driver had been that night and what he had been drinking.

Brokaw: "What have you been able to find out about what he was doing that night before the accident?"

John Pappas: "The evening started out at the Sports Connection Bar, for a bachelor party. From there, they rented a van. they made a stop in South Boston to pick up some more beer, and headed down to Rhode Island to a club where they drank even more alcohol and then came back to Boston. "

Brokaw: "And then he got in his car."

Pappas: "Correct."

The day after the crash, the driver was charged with operating under the influence of alcohol. The prosecution said his blood alcohol level was .23 -- that's almost triple the legal limit in the state of Massachusetts and in much of the rest of the nation.

And because of Sean Waters' death, the suspect also was charged with vehicular homicide.

Meanwhile, Lillie's kidneys had failed and one lung had collapsed. She also desperately needed brain surgery. After nine hours of surgery - doctors managed to stabilize her. A week after the crash, Lillie was breathing through a tube in her neck, her face still swollen, her jaw wired shut.

This was not the first time her father, Ken, had been put through this ordeal. His brother was killed years earlier in another drunk driving crash.

Ken Paquette: "I was 18 at the time and excuse me, still a little bit emotional. But he got hit by a car, a guy who had been drinking. Going through this was kind of like you know bringing back a flash of all that you know. It's hard."

Lillie didn't remember much about the night of the collision. She would later recall that she had only one drink that night, at about 5 pm -- 10 hours before the crash. The hospital said she had no trace of alcohol in her blood when she got there.

Brokaw: "The young women in the car did all the right things. They had a designated driver. They were paying attention to the rules and still they became the victims."

Pappas: "That's the irony."

Costs start adding up

In the first weeks after the crash, Lillie Paquette and her family were focused on her physical recovery. They weren't thinking about who would pay for the extensive medical treatment. Her parents aren't wealthy. But Lillie is covered for \$25,000 through a student insurance policy.

The trouble was the emergency brain surgery alone cost more than \$91,000. And that wouldn't be all. In the months to come, she would be facing bills demanding thousands more. Ten days after the crash, doctors believed that Lillie would finally be able to bear the painful 6 hour operation to repair her face. Doctors put \$2,000 worth of titanium plates and screws in her face and she'll carry them the rest of her life.

Dr. Raffi Dersarkissian: "You can actually see the screws that were placed across the front part of the jaw to actually compress the bone together."



National Highway Traffic Safety Admin.

2002 state-by-state and county-by-county totals for alcohol related fatalities in motor vehicle traffic crashes.

Five days later, Lillie had visibly improved. Her spirits were high. She spoke to her grandmother through tiny gaps between her teeth, even though her jaw still was wired shut. Her next visitors were the three other young women who were in the car with Lillie. They were seeing her for the first time since that night.

Seeing Lillie was difficult for Linda Stevens. She feels guilty. She suffered only minor injuries while her friend almost died. And it was Linda's birthday they were celebrating that night. It was Gennes Seaton's car that Lillie was driving. Gennes's younger sister, Amber, was also in the crash, and like Lillie, Amber almost lost her life from the severe injuries.

The emotional damage of the crash would linger long after the physical injuries had healed. Lillie, the most severely hurt, was the most optimistic of the four. Convinced that she would have a speedy recovery, she was determined to sign up for the rowing team at Northeastern University, where she was scheduled to begin her junior year in just three weeks.

Lillie: " I called the crew coach, I e-mailed her, I told her what happened. Yeah I said, don't worry, I'll be at the meeting on the 18. Hopefully they'll let me on."

At first they were grateful, but as you'll see in the weeks to come, these survivors, the family, the prosecutor, the defendant, all would have to face the life-altering consequences of a single drunk driving crash.

As friends and family gathered for Sean Water's funeral, his family couldn't help but wonder what might have been. The 29 year old had been engaged to be married. He would be buried instead. His older brother, Brian, also a policeman, had expected to be his best man.

Brokaw: "You spoke at the funeral. You gave the speech that you thought you would be giving at the wedding, probably."

Brian: "Yeah. Never in my life have I been so filled with pride to have a brother so

universally respected and appreciated. We actually took and still take a great deal of comfort from the response that we received and Sean received at the his wake and funeral was unimaginable... It never entered my mind to be angry at that point. How Sean was killed. Why. What happened, wasn't even remotely important. The only thing that was important was he was gone."

Over time, Sean's relatives would come to feel anger, even rage, and would make it their mission to hold the accused drunk driver accountable. At first however, there was only grief, great waves of grief shared by Sean's fiancée.

Brokaw: "How has it changed your life, apart from the great loss that you feel?"

Eunice: "It changes everything. It changes my entire future. You know. Kids and houses and just everything changes. He was everything. He was my best friend."

Weeks after the crash, Lillie Paquette, the driver of the car in which Sean was riding, finally was feeling well enough to go home. After 18 days in the hospital and three surgeries costing hundreds of thousands of dollars, Lillie was discharged. She was helped by her older sister Rosita. Rosita was just one of many who put their lives on hold so they could help Lillie regain her health and her independence. On Labor Day weekend, three weeks after the crash, Lillie's extended family all gathered in New Hampshire to celebrate her release from the hospital.

As Lillie was slowly resuming her life, the Waters family was still reeling from Sean's death. Sean's family had to send the insurance company his death certificate and medical records.

Parlon: "Those have been probably the hardest times I've had, are going through the medical records and reading about the injuries that he suffered."

Like everyone else involved in this drunk driving crash, Lillie Paquette's life was stalled. For the first time she had to accept a life of limitations. She had to give up her dream of rowing on the Northeastern crew team -- and she could manage only one class at the university. Her time was now filled with frequent follow-up visits to the hospital.

Lillie: "I have a patch on my eye because the muscles that make my eye move are not working. They said it can heal. It might not heal. Hopefully there's something they can do about it so I'll be able to see clearly through both eyes. That's like my biggest concern right now. "

Routine activities like eating had become chores for Lillie. The surgery in her jaw meant that her food had to be processed into a kind of soup. Yet, despite all the hardships she was forced to endure, Lillie was overjoyed that she simply was alive.

Lillie: "I'm very lucky. I'm just really happy. I have like a real joy of my life because I walk outside and I'm just like even though I'm all tattered up, I feel excited because I'm going to live, you know? I'm going to walk down. It's super exciting. I can't describe it. Because, I don't know, it's weird. I'm so excited about my life now, even though I know that I'm probably not going to be just right, like perfect. I don't know I just, I have a real reason to be here."

In the first months after the crash, the other young women Lillie was driving that night were enduring their own hardships. Amber Seaton, who had no medical insurance of her own, was stuck with a \$64,000 bill for, among other things, liver surgery that left her with a foot long scar on her stomach.

Brokaw: "It does become kind of laughable after a while though, doesn't it? Amber there you are fighting for your life and everybody is saying pay me hundreds of thousands of dollars."

Amber: "It's ridiculous."

Another of the young women in the car, Linda Stevens, suffered only a small scratch above her eye. But even so, she also received an enormous bill.

Linda: "I was only in the emergency room for a little bit and they wanted me to stay overnight. they really didn't do that much for me, but my bills were close to \$15,000."

Brokaw: "Just that. Just for that?"

Linda: "It was ridiculous."

Brokaw: "I suspect that you had not thought about the cost of accidents before and certainly drunk driving accidents and what it costs all of society really?"

Amber: "Exactly. Everyone pays, you know. Even the victims, even more."

And each in her own way. The last young woman in the car, Gennes Seaton, also escaped serious injury that night. But it was her car that Lillie was driving. Even though it was wrecked, it was being held as evidence and her insurance company wouldn't pay for a new car right away."

Gennes: "I still haven't actually gotten a check because they weren't sure how to deal with it."

But far worse was the lingering guilt she felt about the death of Sean Waters. She had known him from the police academy. He was a close friend.

Gennes: "That feeling when i first heard that he was killed. I just all of a sudden, I felt the responsibility. If I didn't know him, it wouldn't have happened. I felt like that. I'm glad I knew him but that was the first thing that came to my mind."

The victims were certainly paying for this crash, but would the man charged with drunk driving pay as well?

The arraignment

Two months after the accident, William Powers was arraigned in Suffolk County Superior Court. Lillie was well enough to go to the court and finally see the man who so changed her life. Lillie learned that he had been drinking continuously for seven hours in a celebration of his own -- at a bachelor's party in a sports bar, in a van, and in a strip club, according to police and the prosecution.

Lillie: "When I saw him, it was very mixed feelings because my whole life I've been taught by my parents and teachers. I grew up very religious. It's always love thy neighbor and don't hate those who do you harm. At first I was like, okay I'm not going to hate this guy. And then all of a sudden he starts reading all the criminal record that he had."

He was convicted of receiving stolen property, breaking and entering, attempted larceny, and property violations. And that wasn't all. Powers had been arrested for drunk driving before. He was convicted of leaving the scene of property damage, operating under the influence of liquor, and operating to endanger. William Powers was charged with manslaughter, homicide by motor vehicle, operating under the influence and causing serious bodily injury. He pleaded not guilty.

Lillie: "To see him stand there and say not guilty. I mean how could he be not guilty, you know."

It's not so easy to prove guilt even in cases where there's a fatality. Using computerized court records, we looked at cities nationwide with the highest number of fatalities from drunk driving, cities in Florida, Texas, California. What we found was that drunk drivers who killed people were treated more leniently than all other killers.

Brokaw: "Are drunk driving cases generally tough to make?"

Pappas: "So many people have experience with drinking and driving and to the extent that no one was hurt, a lot of the time, you're likely to see juries give defendants the benefit of the doubt."

Brokaw: "Because they've been there, done that, or they know someone who has."

Pappas: "That could be the case."

But for the loved ones of those killed, no amount of punishment seems enough, anyway.

Eunice: "You know, I can't say that eight years versus 20 years makes any difference to me. I don't think it does. It doesn't change who he is, what he did. It doesn't make any difference. I've lost Sean. I'm not going to waste my time thinking about him."

Brokaw: "You want revenge?"

Brian: "No, no. I can't even say that I want justice because there is no justice. I mean the only justice in the world would have the person responsible and Sean be in different places and that's not going to happen."

Meanwhile, following the case through the criminal justice system was only one burden of the survivors. There would be much more to overcome in the weeks and months ahead.

Coping with loss and disability

Two months after the crash, Lillie Paquette's euphoria about surviving had long since passed. Now she was furious about everything that had happened to her. She was also just learning what her mother went through when she was forced to confront the idea that Lillie might not be saved. Lillie was getting back on her feet, but there were still annoying physical reminders of the crash.

Lillie: "The whole back of my head was bald and my hair was falling out a lot and stuff so I finally got real frustrated and cut it all off. "

She then made an even bigger decision. The young woman who was determined not to let the crash stand in the way had to take stock. She dropped out of school.

Lillie: "I guess I came to the conclusion that okay, I am sick, I do have to stop what I'm doing."

Not only did she have to take care of her physical problems, like her eyes and her teeth, she now had another burden. In the early days, her parents handled all her medical bills and insurance claims. Now, three months after the crash, Lillie wanted to take care of it herself, but she was quickly overwhelmed.

Lillie: "I worry about it. I feel like somehow these bills are going to have to get paid. I mean, they are just enormous."

Each of the young women involved in the crash had her own struggle.

Brokaw: "Linda, it was your birthday and for some reason, you were able to walk away from the accident with almost no real injuries. "

Linda: "Honestly, I think I'm probably the most psychologically affected, simply because of walking out of the accident, I was seeing everything."

Brokaw: "How many times have you replayed that night over in your mind?"

Linda: "Probably every day."

At first, the young women figured they could cope if they all just shared their feelings with one another. But they came to realize, they might need professional psychological counseling.

Genes: "That's definitely a realization that I Didn't think about before. I thought we could all pull through this together. There are some things you can't deal with."

Lillie was dealing as best she could. By the fall, she managed to drive again with her one good eye. That Thanksgiving, she flew to California to visit her grandparents.

Grandfather: "We've had her with us for 11 days. It's been quite an experience. I don't want to sound negative but it's been pretty hard to keep up the energy level. Actually it's taken a lot of endurance. However, we love her and we're going to send her back to Boston with our blessing."

But she couldn't escape the constant drumbeat of bills from the crash. She turned to attorney David Deluca. Lillie needed money. Her latest bill was \$6,000 for a round-trip ambulance ride between hospitals. The distance was less than 40 miles. She had hundreds of thousands of dollars in expenses - and only 25 thousand dollars available through her student insurance policy.

And if you're wondering why the defendant wasn't paying any of this, he was uninsured and he was driving someone else's car.

Besides the bills, Lillie had another problem. She still needed dental work, but because she couldn't pay, Lillie said her dentist was reluctant to begin that work.

Lillie was still hoping that something known as the Victim of Violent Crimes Fund, a tax-payer supported state fund, would pick up her remaining bills. In the meantime, Lillie was eager to get back to work waitressing, if only she could have seen well enough to do that. She could only visit her former co-workers.

It was early December, four months after the crash. For the Waters family, the approaching holidays only intensified their sorrow. There was no alcohol at this family gathering, not because Sean died in a drunk driving crash, but because Sean's parents have never been drinkers.

Parlon: "I'm a total abstainer. I've never even tasted beer, as crazy as that may seem."

Brokaw: "You grew up in a household where alcohol was used?"

Parlon: "Yes. To excess."

Brokaw: "And abused. "

Parlon: "Yes. "

Brokaw: "How about you, Brian?"

Brian: "I'm kind of the black sheep of the family as far as alcohol goes. But that's okay."

Brokaw: "You like to take a drink?"

Brian: "And I will, but I'm responsible about it."

The different attitudes about alcohol in the Waters family mirror attitudes nationwide. While more than 60 percent of the country's population consumes alcohol in some form, drinking habits vary wildly. That's why it's so challenging to come up with a national policy on drinking and driving.

Brokaw: "When you were growing up, Brian, do you remember guys that you hung out with saying, 'I got ripped last night. I don't know how I got home or whatever.'"

Brian: "Yeah."

Brokaw: "And everybody kind of laughed it off, right?"

Brian: "Oh sure. It's a fairly socially acceptable thing which makes it, I guess that much more dangerous."

In the weeks before Christmas, two years ago, Sean's parents quietly visited his gravesite. It didn't bring Brian any comfort at all to see his younger brother's grave. But Sean's mother and step-father found peace in their weekly visits.

The holiday brought some unexpected good news for Lillie Paquette. She woke up on her 23rd birthday, three days after Christmas, and the problems in her damaged eye had cleared up.

Lillie: "I woke up and I was able to actually see like straight vision and my eye had gone back to normal and I was so excited."

But just one day later, she would get some of the worst news of her life. Her sister, 26-year-old Rosita, was killed in a car crash in Russia along with her husband and child. The same Rosita who had helped Lillie recover from her crash.

Brokaw: "That must have seemed like the most cruel piece of fate imaginable."

Lillie: "Yeah."

Brokaw: "And it came just at a time when you needed to focus all your energy, all of your mental resources on making yourself well. "

Lillie: "That felt like a big crunch back down. What right do I have that she didn't have, you know what I mean?"

Brokaw: "was there a time when you almost gave up on yourself, when you heard that news? Did that cause a huge setback for you?"

Lillie: "Well, yeah, you're on a fence almost like, which way am I going to go, you know which way to fall. I can fall and totally lose it and totally just go, you know what, I tried, I mean my luck in life is just, you know, is awful, that's it. But I know that's not what she would have wanted."

Brokaw: "Another way of looking at it is that now that you have been spared, you have to live your life and hers as well, in a way?"

Lillie: "I do feel that way."

In the spring, of 2002, about eight months after the crash, the costs of this one collision had become clear. Almost everyone, it seems, was paying the bill.

Gennes Seaton, whose car was totaled, did get a new car, but she had to pay \$3,500 of it herself. Insurance paid for the rest of the car and her \$20,000 in medical costs.

Her sister Amber, who had no medical insurance, also got some help, but other taxpayers ended up paying part of her \$70,000 bill, thanks to a special hospital fund.

Still Amber lost a year of school and lost wages because she couldn't work for six months.

Linda Stevens, the one who walked away with only a scratch, owed \$12,000 in medical expenses and like Amber, she has no insurance. She got \$8,000 from the insurance company that covered the car Lillie was driving, but she was still in the hole for another \$4,000.

Of the survivors, Lillie, the most severely injured, had the biggest debts. Money wasn't the only loss for her. She missed another season on the crew team, a long time dream. She missed an entire semester of school. And how do you calculate the cost of lost or diminished dreams?

The ripple effects of this crash were still moving through the criminal justice system. The defendant, William Powers, had been in jail for 10 months, continuing to cost the tax-payers even more money. There had been six pre-trial hearings and still no trial date set.

Brokaw: "You've been at it nine months already. It's going to go on for a lot longer. To those of us on the outside, looking in this looks like a slam dunk case for a prosecutor. A guy is coming 70 miles an hour. He's been out drinking all night long. He runs stop signs according to eye-witnesses and then...hits the car."

Pappas: "I can tell you from experience there's no such thing as a slam dunk. I am confident in the strength of this case and the thoroughness of the investigation that when it is tried before a jury, that they are going to reach the correct result based on the evidence that we have."

Meanwhile, the Waters started civil proceedings. Wrongful death suits.

Brokaw: "Do you think that will bring any closure?"

Parlon: "No. I'm not looking for closure. I'm looking for accountability. I'm not looking for justice, I'm looking for accountability. Someone needs to be held accountable. Whoever had a part in my son's death should be held accountable for that."

Brokaw: "Now that you've been through this painful personal experience with DWI, would you change any of the laws?"

Parlon: "I don't think I'd change the laws so much as actually analyzing why these things happen. Why people engage in that type of behavior. I mean there has to be some education there, I think. And I've seen a dramatic change in law enforcement's

attitude to drunk driving. I've seen it when we used to."

Brokaw: "Just let them go."

Parlon: "Let them go or take them home and that was the end of it. It's changed dramatically."

But not enough, according to advocates against drunk driving.

Hingson: "One of the things that I think is unfortunate is that there is not enough support for police enforcement."

Dr. Ralph Hingson, a Professor at Boston University School of Public Health, who serves on the national board of advisors for Mothers Against Drunk Driving, studies efforts to reduce drinking and driving.

Brokaw: "Isn't the real issue the enforcement of the laws more than anything else?"

Hingson: "Yes, we estimate over 2 million 18 to 24 year old college students in a given year driving under the influence of alcohol. Yet, less than two percent in a given year are arrested for doing so. So there's clearly a need for more enforcement."

Brokaw: "The three of you were close before the accident. Obviously, you were out for Linda's party. But how has it changed your relationship since the accident?"

Linda: "Honestly, I think it's drawn us closer together in a lot of ways."

Brokaw: "You'll always have for the rest of your lives that one God awful moment."

Lillie: "Yeah."

Sean Waters' family will also live with that God awful moment for the rest of their lives. Sean's mother still is haunted by the memory of seeing her son so casually alive the day before he died.

That moment when two cars collided will never be forgotten by Lillie Paquette either. she had endured 10 months of physical and emotional trauma. And it wouldn't end soon. But for the young woman once so eager to conquer the world, it's a moment she's determined to overcome.

Lillie: "I'm sure I'm not the same person now that I would have been. But hopefully that will be to my advantage. Anybody who ever accomplished anything great in life went through really tough things."

It took 19 months for the case to make its way to a Boston courtroom, enough time for Lillie Paquette to fulfill a life long dream and row on the university crew team; for

Amber Seaton to begin studying massage therapy; her sister Genesse, who had met Sean Waters at the Police Academy was now a policewoman herself; Linda Stephens, an office manager.

As for the Waters, it had been almost two years of waiting to see whether William Powers would somehow pay for the death of their son, Sean.

Brokaw: "At one point, Powers' lawyer got up and said he feels great remorse, he's a man who's suffering from disease. He's an alcoholic. How'd you react to that?"

Parlon: "I'm fairly insulated to that kind of alibi. You know, you hear that. I hear that constantly throughout my 34-year career. At any rate, there's always an excuse. And I'm not very sensitive to that. And I'm certainly not sympathetic to it. He acted foolish, irresponsible."

After seven hours of deliberation, the jury found Powers guilty. And the judge, who was visibly moved by the case, issued a tough sentence: 26 to 33 years in jail.

Powers may be in jail, but Lillie Paquette is still feeling the effects of the crash, both physical and financial. And 28 months after the crash, the Waters family is moving forward, building a big new house for the whole family. The family is bigger now. Brian Waters had a second boy born almost exactly a year after his brother died. They named him Sean.

What more can be done to stop drunk driving? A few things seem obvious. More education could help. Sean Waters' brother Brian says we need to get to kids earlier. Tougher law enforcement, and stronger laws would help as well. Some states now snatch licenses -- even vehicles -- from those who drive drunk. And, some advocates say we should think about lowering legal blood alcohol limits even further. Many European countries have tougher standards and lower rates of drunk driving fatalities. How big a problem are we facing? Think about what happened to all the people in our story, how much all of them suffered in so many ways. Now, multiply that by the tens of thousands of people seriously injured each year in this country in alcohol-related accidents. Then, only then, can you start to measure what drunk driving costs us all.