

THE BEAUTY AND THE COP

The Facts

On a rainy morning in February 1998, Valerie N. was driving down a Virginia highway on her way to work. The road was slick and Valerie was running late. With one hand on the steering wheel, Valerie quickly glanced into the rear view mirror and, with her other hand, attempted to apply eye makeup. Even with all this activity, Valerie was able to keep one eye on the road and travel within the lines and speed limit on her way to work. On that particular morning, however, a Virginia state trooper was keeping his eye on Valerie. He had observed her applying makeup while driving and he followed her along the highway for about a mile. Then the officer turned on his lights and pulled Valerie over to the side of the road. The charge was reckless driving. According to the police officer, Valerie N. was not driving in an erratic manner, nor was she exceeding the speed limit. However, she was driving in a manner “that could cause an accident or be perceived as inattentive.” Valerie agreed she was applying makeup while driving but claimed that at all times she had full control of the situation.

You Be the Judge

Was Valerie N. guilty of reckless driving?

The Outcome

Valerie N. was cited for reckless driving. In district court, the charge was reduced to “improper driving.” She was fined \$35 and received 3 points on her driving record. The judge stated that drivers could legally be cited for reading, eating, or talking on the phone while driving.

Let’s Talk About It

- What do you think of the outcome of this case? Was Valerie driving recklessly even though she was driving within the legal speed limit and not moving in an erratic manner? Should the officer have waited until he actually observed reckless driving before pulling Valerie over?
- Today, many drivers have phones in their cars. Should drivers be permitted to talk on the phone while driving? What do you think of small television sets in cars?
- Drive-through windows in fast food restaurants encourage individuals to eat while driving. Is this behavior dangerous? Should drive-through windows be outlawed?

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