

"Lawsuits Blame Crashes on Drivers' Cell Phone Use"

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A police department traffic aide run over by a car in the Loop and a woman struck while crossing the street in Lincoln Park are expected to file suit today, claiming the drivers who hit them were distracted by cell phones.

Meanwhile, their attorney, Daniel Kotin of Corboy & Demetrio, called for the state of Illinois to outlaw the use of hand-held cell phones while driving.

"These two incidents are tragic examples of the ongoing threat posed by people holding telephones while driving," Kotin said.

The first suit is to be filed on behalf of Maureen Tarara, a Chicago Police Department traffic aide who was run over Sept. 2 as she was directing traffic by a vehicle making a left turn at Washington and Dearborn.

Driver, witnesses disagree

Witnesses told a Chicago Sun-Times reporter on the scene the driver continued talking on her cell phone as her car drove over the traffic aide's legs.

"The driver never got off the phone," said Maya Embar of Wheaton. "She looked back, but didn't hang up. She just kept talking."

But the driver, Corzatte Freeman, 34, disputes claims from Embar and other witnesses that she was talking on her cell phone. Instead, she says, the accident was Tarara's fault.

"She came out from nowhere, walked into the side of my truck and my tire caught her leg," Freeman said. "I was not on the phone. I got out of my truck to check on her and then I got back in and called my mama to let her know what happened."

Attorneys

- Daniel M. Kotin

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Freeman said she was berated by police on the scene, who "snatched my keys and got real snotty with me."

She said police also got upset when she made repeated calls to Tarara's hospital room.

"I just wanted to check on her," Freeman said. "Next thing I know, the police are calling me saying to quit calling her. Excuse me? Like I'm harassing her? I'm just checking on the lady."

Freeman was cited for negligent driving, failure to obey a traffic aide and striking a pedestrian in the roadway.

Tarara suffered multiple broken bones in both legs, underwent surgery and is now undergoing rehabilitation therapy. Her attorney said it is not known when she will be able to walk.

The second lawsuit is to be filed on behalf of Cheryl Mairson, who was crossing Cannon Drive in Lincoln Park on Sept. 12 when she was struck by a pickup truck.

Mairson was thrown eight feet by the impact and suffered a severe brain injury and a separated left shoulder. She remains hospitalized in guarded condition.

Both Mairson and her husband saw the driver of the truck talking on his cell phone prior to the accident, Kotin said.

Traffic citation information on the driver of the truck was unavailable.

Scarcely banned

Currently, the District of Columbia, New York and New Jersey ban the use of hand-held phones in vehicles.

In Chicago, Ald. Burton Natarus (42nd) introduced a similar ordinance in 1999, but despite initial support from Mayor Daley, the ordinance languishes in committee.

A 1997 study in the New England Journal of Medicine concluded that talking on a phone while driving quadrupled the risk of an accident -- making it nearly as dangerous as being drunk behind the wheel.