



Motorcyclists Not Allowed to be Jurors

June 16, 2011 – By this time on June 17th, Ruth Perez, pleading guilty to all charges, will have finally been sentenced for the September 2009 crash she caused killing “Diamond” Dave Makish in Seminole County, FL. Since she has plead guilty, there will be no jury trial.

On June 14, 2011 in Santa Rose County, FL, Ronnie L. Henley was finally sentenced after sitting in jail for fourteen months after killing Matthew Harrison. Harrison had laid down his motorcycle in an attempt to avoid Henley who turned in front of him, but was ultimately run over by Henley’s car. Henley then fled the scene, to be arrested shortly afterwards. After a jury trial, Henley was sentenced to 20 years for DUI Manslaughter.

On June 10, 2011, Paul Sermons was found guilty by a jury of causing the crash that killed four motorcyclists; John Holmes, Patricia Beihayn, William Barker, & Patrice Poole as they were riding down County Road 476 in Sumter County Florida. Sermons is to be sentenced on July 6th.

The above cases all involved offenders Driving Under the Influence (DUI) of alcohol and causing crashes that killed motorcyclist. However, when the crash that kills a motorcyclist does not involve alcohol, but instead a right of way violation or a car running the stop sign or red light, the vehicle’s driver is many times simply let go, or, even if cited, faces only a maximum of \$1,166 in fines, community service and a few other small requirements.

ABATE of Florida’s members have been fighting to get stiffer penalties in place for these deadly crashes. We know that our members are being heard in the battle; in some of the above cited trials, as well as others, ABATE members present to observe jury selection have heard the attorneys ask potential jurors if they ride motorcycles, are in any motorcyclists’ rights groups, and even if they are members of ABATE of Florida! An affirmative answer to any of these questions results in the motorcyclist being excused from jury duty.

The cure for this? Make sentencing in these type of cases mandatory. Since the 2011 Legislative Session is over, the best thing you can now do is find your local ABATE of Florida, Inc. Chapter, join, and get involved. The time to educate the public about motorcyclists’ lives being worth just over a thousand dollars is now. Help us teach the motoring public that there are consequences to driving a 3000+ pound machine without care for those around them.

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