



San Diego City Attorney Jan I. Goldsmith

NEWS RELEASE

FOR IMMEDIATE RELEASE: August 19, 2015

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Manslaughter Charge Filed in La Jolla Fatality *Defendant, driving in reverse, struck and killed woman standing by parked car*

The City Attorney's Office today charged Mary Catherine O'Neil with vehicular manslaughter in the death of Melissa Bonney Ratcliff, a mother of three who was struck and killed by O'Neil's car as she stood on Girard Avenue in downtown La Jolla.

O'Neil, who is now living in a retirement home in the eastern United States, will be arraigned on the misdemeanor charge later this month. She was additionally charged with an underlying violation of Vehicle Code Section 22106, unlawful backing movement.

The fatal events of October 7, 2014 occurred in a busy retail district with diagonal parking on both sides of the street. At about noon, Ratcliff pulled into an open parking spot in front of a bank on the east side of Girard Avenue, exited her car and walked behind it to its trunk. Meanwhile, O'Neil was backing her car out a diagonal parking space across the street in an apparent attempt to reverse its direction and drive home. O'Neil's car struck Ratcliff, pinning her against the car next to hers and crushing her. O'Neil told police she had not been using her rear-view mirror. O'Neil was 91 at the time. She is now 92.

The victim, Melissa Bonney Ratcliff, was a 45-year-old communications professional who had served in the White House as Deputy Communications Director for Vice President Al Gore and also served as spokeswoman for the Democratic National Committee. She worked as the Director of Communications at The Broad Education Foundation in Los Angeles, and co-founded the nationally recognized LA Diaper Drive while living in Los Angeles.

In San Diego, Ratcliff was the vice president for marketing and events of the San Diego Chamber of Commerce, and was on the Board of the High Tech High Foundation.

City Attorney Jan Goldsmith said his office is not seeking jail time for O'Neil, but will ask that she surrender her driver license, agree to never drive again, and agree to make restitution to her victims.

“Three children lost their mother due to the defendant's actions. While her age may make her unsuitable for jail time, it does not relieve her of responsibility for her decisions,” City Attorney Jan Goldsmith said. **“Every year our office prosecutes thousands of cases involving motorists who drove while under the influence of alcohol or drugs, including prescription drugs. In all of these cases, the public has a strong interest in the mental and physical abilities of drivers.**

“Every older driver must make informed decisions about the increased risks of driving as their abilities decline. Their friends and families have a moral responsibility to ask questions and to speak up when they recognize safety concerns,” Goldsmith said.

A number of resources are available to help people make responsible decisions about whether age is affecting their abilities – or the abilities of another – to safely operate a vehicle.

The National Highway Traffic Safety Association has published a booklet “How to Understand & Influence Older Drivers” that gives information on helping older drivers make informed decisions about their driving behavior, and includes suggestions on how to begin conversations with an older driver about safety concerns. Here is a link to “How to Understand & Influence Older Drivers”:

<http://www.nhtsa.gov/people/injury/olddrive/UnderstandOlderDrivers/>

The National Institute on Aging has an on-line “Age Page” for older drivers that gives safe driving tips for people suffering from medical conditions, including slowed reaction times and reflexes. Here is a link to the NIA’s “Age Page”

<https://www.nia.nih.gov/health/publication/older-drivers>

According to the National Institutes for Health, as people get older, their driving patterns change. Retirement, different schedules, and new activities affect when and where they drive. Age-related declines in vision, hearing, and other abilities, as well as certain health conditions and medications, also can affect driving skills.

Driving, meanwhile, is a complicated task for drivers of all ages. It requires people to see and hear clearly; pay close attention to other cars, traffic signs and signals, and pedestrians; and react quickly to events. Drivers must be able to accurately judge distances and speeds and monitor movement on both sides as well in front of them. It’s common for people to have declines in visual, thinking, or physical abilities as they get older.

Common mistakes of older drivers include:

- failing to yield the right of way
- failing to stay in lane
- misjudging the time or distance needed to turn in front of traffic
- failing to stop completely at a stop sign
- speeding or driving too slowly.

The NIH reports that the rate of crashes among adults 65 and over has decreased in recent years. Research suggests that this decline is due to a number of factors, including older adults’ better health, safer cars, and safer roads. In addition, older drivers’ ability to “police” themselves — like not driving at night – and stricter state laws for renewal of driver’s licenses may help.

Most traffic deaths of older drivers occur during the daytime, on weekdays, and involve other vehicles. Older adults are more susceptible to death or serious injury in a crash if they are physically frail, but the good news is that older people are more likely to survive crashes than in the past.

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