Manslaughter by Car: a Bicyclist and a Small Pedestrian

Contributed by Jan Lundberg
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Our recent article on Bob Berry, recently departed friend of Culture Change, highlighted his car-free, bicycling lifestyle. He died of natural causes at the relatively young age of 62, which goes to show that being a bicyclist and walker do not alone ensure longevity. He was a creature of habit which did not include being a health nut. But his life was full -- not cut short by some thoughtless driver.

Young people are killed by cars often when bicycling or walking. Zachary Parke, age 25,
was recently killed by a hit and run driver while biking in a bike lane. Little Zachary Cruz wasn't even six years old when he was hit by a car when crossing the street with a responsible adult. Can you imagine how the parents feel about losing their loved ones so senselessly?

Both Zachs spawned strong reactions because of the sense of loss. Zach Parke's friends and friends of friends mounted the biggest critical-mass bike ride in Santa Cruz in many years. Little Zach's family made sure that thousands of people were instructed by police to take better care behind the wheel.

The way it makes some of us car-free folk feel is that the terror of the automobile rages on as part of corrupt industrial policy: build roads and cars for profit while starving trains. Compare 40,000 people killed annually by crashes in the U.S., while AMTRAK has lost less than a hundred lives (half of whom died in one accident in Alabama). When we look at 3,000 people killed in the Twin Towers terrorism of 2001, and many more U.S. soldiers killed in the aftermath in Iraq and Afghanistan, the grand total hardly approaches one half year's toll on U.S. roads. About one million people in the U.S. have been killed in car crashes per decade, with even more killed by the diseases caused by car exhaust.

The holocaust on U.S. roads can be seen as an exponential multiple of the pain and loss of one innocent human being. It's enough to turn someone against car domination, or to minimize car dependence for oneself and one's family. But the influence of advertising and pressures on government by polluting, deadly industries are such that car ownership is valued more than human life. So when a family car crashes and half the people die, the first thing the survivors do is buy another car. Nowhere in our society is there an apparent alternative or a helping hand to assure that the whole family does not go extinct with the next crash (or by morbidity caused by exhaust or the deadly sedentary lifestyle of commuting).

Deaths from bicycling in the U.S. are under one thousand per year, and they are mostly due to car drivers. Some would blame the cyclists for sometimes not wearing helmets -- should pedestrians and car occupants also wear helmets? While the number of killings of bicyclists doesn't amount to as many people in cars killed in crashes over a few days' time, when we look at the number of bicyclists killed by cars over four or five years, the number is more than the Twin Towers' fatalities. The uproar over cars' killing people unnecessarily is almost non-existent. For this would involve lifestyle change by many Americans, more than the number who are sent to other countries to kill and be killed for oil, the military industrial complex, and of course democracy offered at the barrel of a gun.

I lived in Portland, Oregon for 2 1/2 years car-free. The town is routinely awarded America's best biking city. I was glad to go out on errands and social outings by bike when I wasn't sitting in my boat working on the computer for Culture Change. But there were many times when I had to tell myself after a close call in traffic that my life was almost altered or ended suddenly.

Close calls abound when in traffic, including when driving a car. The unnatural speeds that humans as animals subject

themselves to make it hard to calculate time/distance. The confusion at any intersection when cars come from more than two directions is a quick way to be hit. Too many variables in a fast-changing situation create huge risk. Then there are cruel fools oblivious to human life, whether full of road rage or just daydreaming: an SUV almost hits the biker or walker, without signalling, or a driver takes his or her eyes off the road for a moment: whether to adjust something on the dashboard or to open a bag of peanuts. Drunk driving and cellphone/iPod abuse do kill a huge proportion of people, but does that mean that the majority of car-related deaths from other causes ("accidents") are okay? Hardly.

Zachary Parke, 1986-2011, of Santa Cruz, California -- hit and run victim

Zach was a bicycle courier for one of two of the town's pedal express enterprises. He was hit on June 8 by a 21 year old who sped off, hid the vehicle, and lied to police that he hit a deer. Zach might have lived, but lay for 8 hours before being discovered dead. The perpetrator (murderer?) works at an automobile parts warehouse. He's out on bail. TO be fair to him, he simply bought into the normal course of action for transporting himself, for recreation, and social status. Employers also frequently demand car ownership (oops, there goes a huge chunk of the paycheck!).

Read the local daily paper's coverage on Zach Parke's killing from June 21, 2011: Santa Cruz fatal hit-and-run defendant pleads not guilty

Zachary Cruz, 2003-2009, Berkeley, California -- a kindergartener crosses a street

Zachary Michael was crossing a street in a crosswalk with a responsible adult when a car hit him and killed him. The driver was not cited or charged. As is often claimed, the child "darted into the street," but the parents deny this happened. Here is their heartfelt story:

Thank you for visiting ZacharyMichaelCruz.com. This site is dedicated to the memory of our son, Zachary, who was born on March 12, 2003 in Ventura, California. Zachary passed away unexpectedly on February 27, 2009, just two weeks before his sixth birthday, when he was hit and killed by an automobile as he crossed the street in Berkeley, California.

At the time of the collision, Zachary was walking with a daycare employee and other children from his after school program. The group was attempting to cross the street at Derby and Warring together, headed to the University of California’s Early Childhood Education Program. Our son was in the crosswalk, walking with an adult responsible for his well-being when he was hit and killed. Contrary to a few early newspaper accounts, Zachary did not "dart into the street." He was incredibly cautious by nature, well behaved, and he knew the importance of listening to grown ups, especially when going for a walk. The driver of the vehicle that took our son’s life was never cited or charged in the collision, nor were any of the other adults responsible for Zachary that day.

While it’s been important for us to try to understand the circumstances that led to our son’s tragic and ultimately preventable death, these facts do not define who Zachary Cruz was or how he will be remembered. His untimely passing should not overshadow his beautiful and inspiring life. In six short years, Zachary grew into a truly remarkable little boy.

He was articulate and funny; he was smart and curious; he was gentle, loving, and kind to everyone he met. He was at the very beginning of what we truly believe would have been a remarkable academic career: an enthusiastic kindergartner, who raised his hand with excitement each and every time his teacher would ask a question. He was a loving sibling, who would sing and talk and help with his new brother, Miles, everyday. He was curious and excited about the world, full of questions and insights that continually surprised us—questions about science, politics, sports, history, and technology. His favorite band was The Beatles. He was a t-ball player, a Cal Bears fan, and he loved Legos, Star Wars, and Nintendo Wii. Most of all, he was a wonderful son. Zachary was a constant source of pride and an unending spring of love and affection. We are blessed to be his parents.

We hope this website will help Zachary's old friends remember him and we hope it will help his new friends get to know him a little better. Please feel free to leave us a comment—we check this website daily—or simply look around and learn more about Zachary. Thank you for the love, prayers, and support you've extended to us and our family. Thank you for helping us honor our son by remembering his life.

Sincerely,

Frank and Jodie Cruz

Zachary Michael's death was not forgotten. His parents and other relatives and friends created an ongoing campaign to prevent more such accidents from happening. Police in Berkeley hand out pamphlets on what can happen when Zachary Michael's story is ignored. A benefit rock concert was held in March, 2011 in Oakland to raise further awareness.

Our compassion for this little boy and his family can prevent us from making more observations about general car dependence, because it's too insensitive to do so. I did not know either Zach Cruz or Zach Parke, but I know people who did. I believe I would have liked both Zachs.

I personally do not see much good in trying to tame the car, although I'm grateful for the traffic calming installations one finds in Berkeley and some other towns. I wholeheartedly encourage critical-mass bike rides: safety in numbers, an the rides are usually 100% fun. Unfortunately, as long as fuel is affordable and auto makers and oil companies are propped up by tax payers, the holocaust will continue.

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Zachary Michael Cruz website: zacharymichaelcruz.com

Zachary Parke Obituary with guest book

Climbing a Bikeway to Heaven: Bob Berry Remembered
by Gar Smith

One million animals a day slaughtered on U.S. roads: Driving Animals To Their Graves, by Mark Matthew Braunstein, Auto-Free Times magazine (Now Culture Change)