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Records Management, White House Office of Subject Files - JL003 (Crime)

Stack:	Row:	Sect.:	Shelf:	Pos.:	FRC ID:	Location or Hollinger ID:	NARA Number:	OA Number:
W	11	16	6	1	12659	25522	12306	12096

Folder Title:

494556

Withdrawn/Redacted Material

The George W. Bush Library

DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
001	Letter	[Letter to Rocky Flash] - To: Rocky Flash - From: Bradley Blakeman	1	09/05/2001	P6/b6;
002	Letter	[Letter from Jeb Bush] - To: Rocky Flash - From: Jeb Bush	1	09/03/2001	P6/b6;
003	Fax Cover Sheet	Fax Transmission Sheet - To: Governor Jeb Bush - From: Rocky Flash	1	08/14/2001	P6/b6;
004	Letter	[Letter to Governor Jeb Bush] - To: Governor Jeb Bush - From: Rocky Flash	1	08/14/2001	P6/b6;
005	Letter	[Letter to POTUS] - To: POTUS - From: Rocky Flash	1	08/14/2001	P6/b6;
006	Letter	[Letter to Mayor Rudy Giuliani] - To: Mayor Rudy Giuliani - From: Rocky Flash	1	08/14/2001	P6/b6;

COLLECTION TITLE:

Records Management, White House Office of

SERIES:

Subject Files - JL003 (Crime)

FOLDER TITLE:

494556

FRC ID:

12659

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Records Not Subject to FOIA

Court Sealed - The document is withheld under a court seal and is not subject to the Freedom of Information Act.

Withdrawn/Redacted Material

The George W. Bush Library

DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
007	Bill	The Suzy Holtsclaw Bill [page 8 of fax redacted] - From: Rocky Flash	1	08/14/2001	P6/b6;

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**THE WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET**

ID# 494556
PAGE 1

DATE RECEIVED: 09/14/2001

NAME OF CORRESPONDENT: JEB BUSH

JK003

SUBJECT: WISHES TO MEET WITH PRESIDENT TO DISCUSS BILL CONCERNING DRUNK DRIVING

ROUTE TO: OFFICE/AGENCY		(STAFF NAME)	ACTION CODE	DATE YY/MM/DD	TYPE RESP	C D	COMPLETED YY/MM/DD
DOMESTIC POLICY COUNCIL	MARGARET LAMONTAGNE	<i>RY</i>	ORG	2001/09/14		<i>C</i>	<i>10-31-01</i> <i>RY</i>
ACTION COMMENTS							
<i>Scheduling</i>		<i>RY</i>	<i>A</i>	<i>01/11/08</i>	<i>Blackman Reyes</i>	<i>A</i>	<i>01/09/05</i> <i>DJ</i>
ACTION COMMENTS:							
<i>LGA</i>		<i>RY</i>	<i>I</i>	<i>01/11/08</i>	<i>BB</i>	<i>C</i>	<i>1/1</i>
ACTION COMMENTS:							
<i>1/1</i>							
ACTION COMMENTS:							

COMMENTS ENCLOSER

ADDITIONAL CORRESPONDENTS: 0

MEDIA: LETTER

INDIVIDUAL CODES:

REPORT CODES:

USER CODE:

ACTION CODES:

A - APPROPRIATE ACTION
C - COMMENT/RECOMMENDATION
D - DRAFT RESPONSE
F - FURNISH FACT SHEET
I - INFO COPY/NO ACT NECESSARY
R - DIRECT REPLY W/ COPY
S - FOR SIGNATURE
X - INTERIM REPLY

DISPOSITION CODES:

A - ANSWERED
B - NON-SEPC-REFERRAL
C - COMPLETED
S - SUSPENDED

OUTGOING CORRESPONDENCE:

TYPE RESP = INITIALS OF SIGNER
CODE = A
COMPLETED = DATE OF OUTGOING

REFER QUESTIONS AND ROUTING UPDATES TO RECORDS MANAGEMENT (ROOM 72, OEOB) EXT-62590

KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING LETTER AT ALL TIMES AND SEND COMPLETED RECORD TO RECORDS MANAGEMENT.

Copy of letter sent

COPY

September 5, 2001

Dear Mr. Flash:

Thank you for your letter in which you inquire as to the possibility of a meeting with the President.

While we appreciate your extending this opportunity to the President, we do not foresee a time when he will be able to accept. Fulfilling the responsibilities and functions of the office of the Presidency is very demanding and, hence, leaves little time for individual meetings. The President enjoys meeting with people of myriad backgrounds, ages, and accomplishments. It is a deep disappointment to him that the constraints on his time preclude his doing so more often. Unfortunately, it is just not possible to fulfill the thousands of requests he receives, even though each one is very important.

I know that the President would want me to thank you for your interest to include him in your plans and to send his very best wishes.

Sincerely,

Bradley A. Blakeman
Deputy Assistant to the President
and Director of Appointments and Scheduling

Mr. Rocky Flash

(b)(6)



JEB BUSH
GOVERNOR

STATE OF FLORIDA

Office of the Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399-0001

www.flgov.com
850-488-7146
850-487-0801 fax

494556

September 3, 2001

Mr. Rocky Flash

(b)(6)

Dear Mr. Flash:

I received the correspondence that you wished to send to President George W. Bush and have forwarded it to his office.

If there is anything further I can do to assist you, please let me know.

Sincerely,


Jeb Bush

JB/hpk
cc/enc: The President
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Sorry - 9/12/01
Can you have this tracked
to Dom. Policy for response?
Thank you.

MA

1



Governor's Mentoring Initiative
BE A MENTOR. BE A BIG HELP.
1-800-825-3786

1023654

CAS-PEK

ROCKY FLASH

RECEIVED

AUG 14 2001

Office of Citizens' Services

FAX TRANSMISSION SHEET

DATE: 14 Aug 01

PLEASE DELIVER THE FOLLOWING PAGES TO:

Governor Jeb Bush
FAX NO. 850-487-0801 THERE ARE 14 PAGES, INCLUDING THIS PAGE

MESSAGE IS FROM:

Rocky FLASH - Union County Republican Party-NJ

COMMENTS:

Please assist me in this matter if you
can. Thank you.

IF YOU DO NOT RECEIVE ALL OF THE PAGES INDICATED ABOVE, PLEASE CALL US AS SOON AS POSSIBLE AT: (b)(6)

TIME OF FAX 8:30 (~~am~~/p.m.)

BY RF

#320098 Flash, Rocky
Recd: 08/14/2001 DEO: RLP
To: CAS-N/A-PEK
PLEASE HANDLE
Due: 08/28/2001

ROCKY FLASH

(b)(6)

Governor Jeb Bush

13 Aug 01

Dear Governor Bush,

I am writing to you to ask your assistance in getting a meeting with your brother, George W. Bush, at the White House to discuss a Bill that I wrote against drunk driving, the first section of the Bill, is a version of Florida's "Baker Act". I am a member of the Union County Republican Party in Westfield, N.J., and when I am in Tampa, I am active with the Hillsborough County Republican Party. I am living here in Indianapolis, Indiana at the present time because of my racing career.

Attached with the fax you will find "The Suzy Holtsclaw Bill", which with the help of Margie Kincaid, Chairwoman, Hillsborough County Republican Party, I have given to Congressman Adam Putman of Florida's 12th Congressional District, so he can present it to Congress to possibly become Federal law. I also attached the letters I sent to your brother and N.Y.C. Mayor Rudy Giuliani.

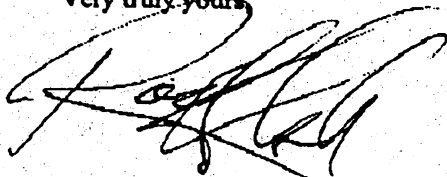
There are over 12 million American's that have a drinking problem, which affects more than just them. (b)(6) A lot of times as a result of their drinking, innocent people are either injured or KILLED because the abuser decides to drink and drive. As a result of that action, innocent people become victims of alcohol abuse, and their lives are changed forever.

(b)(6)

I strongly believe that 3 sections of my Bill have the merit to become Federal law, Section 1- "The Holtsclaw Act", Section 4- "The Alcohol Beverage Servers Liability Act" and Section 8- "The School Childrens Safety Act"

I thank you for any help you give me with this request.

Very truly yours,



ROCKY FLASH

(b)(6)

**PRESIDENT GEORGE W. BUSH
1600 PENNSYLVANIA AVENUE NW,
WASHINGTON, DC, 20500**

2 Aug 01

Dear Mr. President,

I am a member of the Union County Republican Party, in Westfield, NJ. I have been a active member their, since 1988. I've been involved with them working on your fathers Presidential Campaign, in 1988 and 1992, along with helping other fellow Republicans in their Campaigns, such as Christie Todd-Whitman. While attending school in Florida, from 1992 on and off, until 1998, I was also involved with your bother Jeb's two Campaigns for Florida Governor.

I am writing to you, in hopes that you will assist me, in getting our fellow Republican Member's of Congress and Senator's in supporting a Bill I wrote, "**THE SUZY HOLTSLAW BILL**", (which I have attached with this fax), and I hope I can get your support, also.

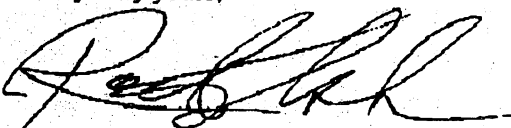
Margie Kincaid, Chairwoman of the Hillsborough Republican Party, Tampa, Florida, has assisted me in getting this Bill, presented to Congressman Adam Putman, of Florida's 12th Congressional District, so he can presented it, to the House.

(b)(6)

I respectfully request, that you read the letter that I sent to Congressman Adam Putman, for in it, I gave statistics about people killed by drunk drivers. I also ask, as our Country's highest elected official, that you would assist me,

(b)(6)

Very truly yours,



ROCKY FLASH

(b)(6)

Hon. Mayor Rudy Giuliani
New York City, City Hall
New York, New York
fax (212) 788-7476

8 Aug 01

Dear Mayor Giuliani,

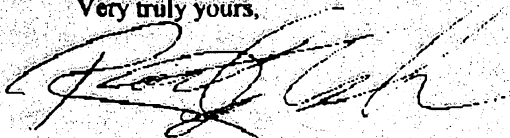
I am a member of the Union County Republican in Westfield, N.J. I am presently residing in Indianapolis, Indiana, because of my racing career. I am writing to you, on the advise of one of my Republican colleague's from New Jersey. Attached you will find a Bill that I wrote, "The Suzy Holtsclaw Bill", which will be presented to the Indiana State House during their next legislative session. With the help of Hillsborough County Republican, Tampa, Florida, Chairwoman Margie Kincaid, I have presented this Bill to U.S. Congressman Adam Putman of Florida's 12th Congressional District, so he can present it to Congress. As you will see Mayor Giuliani, this is a very strong **DWI/DUI BILL**, MADD is assisting me in getting passed in the Indiana State House. I am hoping you will consider endorsing it, and help me, make parts of it Federal Law.

Also attached, is a letter I wrote to President George W. Bush, asking his support in getting our fellow Rupublicans in Congress and the Senate to back this Bill. I am sending this Bill to you, especially after the recent tragedy that occurred in Brooklyn. I agree as you do, that stronger and tougher laws need to be passed, in respect to drinking and driving. For their families that are now suffering unbearable pain and heartache as the result of one person, who refused to make one simple decision, **NOT TO DRINK AND DRIVE**. Did you know, that 2 people are killed every hour across the U.S., 45 people everyday, 315 per week, the equivalent of 2 jet liners crashing head on week after week. 15,489 people died across the U.S. last year, all because someone made a bad decision. I am sure, that if 2 jet liners were crashing weekly over our heads, the Federal Government would do something to stop it and FAST!

(b)(6)

Many American's who endure the pain of watching a loved one abuse themselves, are unable to get help because the laws in their States do not have the proper previsions to address this issue. I hope that you will support my efforts in saving lives, so we can lower the number of families who are suffering the pain of a senseless tragedy, like the Herrera and Pena families are doing right now.

Very truly yours,



THE SUZY HOLTSCLAW BILL

Written by Rocky Flash

(11th rev)

The passing of this Bill by The UNITED STATES House and Senate will allow the following:

1) That families and loved ones of people who abuse Alcohol or drugs, to be able to go before a judge, and ask the court to order the abuser to be committed to a 72 hour psychological evaluation program, and give the attending physician the power to keep the patient for a 30 day in- patient treatment program, an out-patient program or release them with no need for any further treatment. The evaluation process or any faze of the treatment program, the patient will not be able to sign themselves out against medical advise until their treatment is completed.

This will be called "**The Holtsclaw Act**", when it is passed by The United States House and Senate.

This is referred to as "**The Baker Act**" in Florida. It allows a family member or a loved one, to go before a judge (or fill out appropriate paperwork, that is reviewed by a judge, that day), in the county courthouse, and if the judge determines that the person in question is a danger to themselves or other's, he orders that the person be "**Baker Acted**". The judge signs the commitment order, the paperwork is then sent to either the police department or sheriff's office (depending in what area of the county the live in). Law enforcement officers then go to the residence of that person, at which time they inform them they are being committed by virtue of the "**Baker Act**", read the order from the judge and the complaint by the family member or loved one. Then they are taken into custody and driven straight to the medical facility for a 72 hour evaluation. "**The Baker Act**", also covers: drug abuse and emotional instability. This proposed legislation will include the same provisions.

* The Legislative intent for this Act is attached.

2) When a person is convicted of a **DWI/DUI** offense, upon completion of their sentence may, be given their driving privileges back. However, their driver license and their car license plate will contain a notation that they have been previously convicted of **DWI/DUI**. They also will have to install an **IGNITION INTERLOCK DEVICE** on their personal car.

This will assist law enforcement officers in recognizing the previous violation history, whenever they pull the person over, and suspect that they are driving impaired.

This Act will be known and may be cited as "**THE DWI/DUI NOTATION ACT**".

3) This Act will be known and may be cited as "**THE 3 STRIKES YOU'RE OUT RULE**", 3 convictions of **DWI/DUI**, or causation of bodily harm or death to another person, automatically revokes your driving privileges for life, with the added provision, that you will also be required to pay restitution to the victim(s) you injured or their surviving family members if you killed them.

They will also be required to install an **IGNITION INTERLOCK DEVICE** on their personal car, and start taking **ANTABUSE**, on a daily bases, or as directed by a medical doctor.

A person convicted of **DWI/DUI**, under this Act, will automatically be given manditory jail time, to which they will have to serve at least 2/3 of their sentence, before they are eligible for parole and revocation of your license, as described below:

1st OFFENSE - 6 months jail, 6 months house arrest, loss of license for 1 1/2 years and community service while under house arrest.

2nd OFFENSE- 18 months jail, 6 months house arrest, loss of license for 3 years and community service while under house arrest.

3rd OFFENSE- 3 years jail, 6 months house arrest, loss of license for life and community service while under house arrest.

If bodily injury occurs the jail time will be doubled, with no eligiblity of parole. If the victim(s) dies, they will be sentenced as a convicted murderer to the full extent of the law in the State where the crime happen.

ZERO TOLERANCE is the spirit and intent of this Act.

* The Legislative intent for this Act is attached.

4) That bartenders and bar owners may be held criminally liable if they allow a patron to drink too excess, and permit the patron who has drunk to excess, and than knowingly permit them to leave the establishment and drive. As a result of the impaired drunk being allowed to drive, should they become involved in a motor vehicle accident, and as a result, injury or death occurs to someone, the bartender and / or owner can be charged with criminal neglect or accessory to murder. This will also apply to private and corporate parties.

Currently, simiular laws exist in New Jersey and New York.

This Act will be known and may be cited as the "**THE ALCOHOLIC BEVERAGE SERVERS LIABILITY ACT**".

* The Legislative intent for this Act is attached.

5) That police departments' give the name and picture of anyone convicted for **DWI/DUI** to the local newspapers and that the paper prints them in their local city news announcements.

This is done in some states if someone tries to solicit a prostitute.

This Act will be known and may be cited as the **"THE PUBLIC AWARENESS ACT"**.

6) That a family member or loved one of an alcohol or substance abuser can contact their local police department and inform them that their loved one is at a bar or party drinking too much and they are planning on driving while impaired. The police would then be permit to enter the premises where the family member or loved one is, drinking or abusing illegal drugs, and force them to turn over their car key's to them or to a reliable family member or loved one.

This would help prevent a potentially danger situation from happening.

This Act will be known and may be cited as **"THE TAKE THE KEYS AND SAVE A LIFE ACT"**.

7) That no state, county, city official or employee, would be allowed to own or operate any kind of a establishment that alcohol is served more than food. However, they may own a eatery such as Applebees, The Gound Round, Ruby Tuesday, etc... This only applies to establishments where alcohol is the primarily served. This will prevent any type of favoritism, as far as health inspections or any state laws that they may break. Also, presenting the image that they cannot be held liable for any driving violation done by a patron while under the influence of alcohol. This Act will not be grandfathered once passed.

This Act will be known and may be cited as **"THE TAVERN OWNER'S ACT"**.

8) That those who drive while on or within 1,000 feet of school property under the influence of alcohol or drugs, between the hours of 6 a.m. to 10 p.m. Monday through Friday, (and if a sporting or school activity is being held on Saturday or Sunday, the same hours will be enforced), be not only charged with **DWI/DUI**, they will also be charged with **FELONY CHILD ENDANGERMENT!**

* The Legislative intent for this Act is attached.

This Act shall be known and may be cited as **"THE SCHOOL CHILDRENS SAFETY ACT"**.

PEOPLE THAT DRINK IRRESPONSIBLY, AND THEN DRIVE, ARE NOTHING MORE THAN A CANCER, THAT ATTACKS INNOCENT MEN, WOMEN AND CHILDREN. THIS BILL, " THE SUZY HOLTSCLAW BILL", WILL BE THE CURE, THAT SENDS THIS CANCER, INTO REMISSION!!!

(b)(6)

If you have any questions about my proposed Bill, please feel free to contact me at

(b)(6)

13 Aug 01

THE SUZY HOLTSCLAW BILL

Section 1 - THE HOLTSCLAW ACT - FEDERAL-2001

Written by Rocky Flash

(2nd rev)

1 **Legislative intent**,-- It is the intent of this Act to authorize and direct the courts in the State
2 and the Division of Family Services, to be able treat and prevent people who
3 abuse alcohol, drugs or may be in severe emotional or mental distress, before they injure
4 or kill themselves or others. It is also, the purpose of this Act that the State will
5 start treatment programs for such disorders including and not limited to alcohol and drug
6 abuse, reduce the occurrence, severity, duration, and disabling aspects of mental,
7 emotional, and behavioral disorders. It is the intent of this Bill that treatment programs
8 for such disorders shall include, but not be limited to, comprehensive health, social,
9 educational, and rehabilitative services to persons requiring intensive short-time and
10 continued treatment in order to encourage them to assume responsibility for their treatment
11 and recovery, and to understand the importance of their actions, especially while under the
12 influence of alcohol and / or drugs while operating a motor vehicle. It is intended that such
13 persons be provided with emergency service and temporary detention for evaluation when
14 required; that they be admitted to treatment facilities on a involuntary basis when they
15 become a danger to themselves or others. That placement will be made in a setting which is
16 clinically appropriate and most likely to facilitate the person's return to the community as
17 soon as possible; and that individual dignity and human rights be guaranteed to all persons
18 who are being held under this Act. It is the further intent of this Act that the least restrictive
19 means of intervention be employed based on the individual needs of each person, depending
20 on their treatment needs, and the severity of their medical problems.

21 **Involuntary examination**,-- **CRITERIA**,--A person may be taken to a receiving facility
22 for involuntary examination if there is a reason to believe that he or she is abusing alcohol,
23 under the influence of illegal drugs, or is mentally ill and because of these conditions;
24 (1a) The person has refused voluntary examination after conscientious explanation and
25 disclosure of the purpose of the examination; or (2a) The person is unable to determine for
26 himself or herself whether examination is necessary; and (2b) Without care or treatment,
27 the person is likely to suffer from neglect or refuse to care for himself or herself; such neglect
28 or refusal poses a real and present threat of substantial harm to his or her well-being; or the
29 well-being of others; and it is not apparent that such harm may be avoided through the help
30 of willing family members, loved ones or friends or provision of other services; or (2c)
31 There is a substantial likelihood that without care or treatment the person will cause serious
32 bodily harm to himself or herself or others in the near future, as evidenced by recent
33 behavior.

34 **INVOLUNTARY EXAMINATION**,(part 2)-- An involuntary examination may be
35 initiated by any one of the following means; (1) A court may enter an ex parte order
36 stating that a person appears to meet the criteria for involuntary examination, giving the
37 finding on which that conclusion is based. The ex parte order for involuntary examination
38 examination must be based on sword testimony, written or oral. If other less restrictive
39 means are not available, such as voluntary appearance for outpatient evaluation, a law
40 enforcement officer, or other designated agent of the court, shall take the person into

41 custody and deliver him or her to the nearest receiving facility for involuntary examination.
42 The order of the court shall be made a part of the patient's clinical record, along with the
43 sword testimony of the person, who entered the request for involuntary examination. No
44 fee shall be charged for the filing of an order under this subsection. Any receiving facility
45 accepting the patient based on this order must send a copy to Family Services, on the next
46 working day. The order shall be valid until executed, if the order is unable to be executed
47 within 7 days, than a all points bulletin will be issued throughout the State, with
48 the believe that the person being committed, is become irrational and are trying to hide,
49 from being treated. (2) A law enforcement officer shall take a person who appears to meet
50 the criteria for involuntary examination into custody and delivery the person or have him or
51 her deliver the person or have him or her delivered to the nearest receiving facility for
52 examination. the officer shall execute a written report detailing the circumstances under
53 which the person was taken into custody, and the report shall be made a part of the
54 patient's clinical record. Any receiving facility accepting the patient based on this report
55 must send a copy of the report to Family Services, on the next working day.

56 (3a) A physician, clinical psychologist, psychiatric nurse, or clinical social worker may
57 execute a certificate stating that he or she has examined a person within the preceding 48
58 hours and finds that the person in question, meets the criteria for involuntary examination
59 and stating the observations upon which that conclusion is based. If other less restrictive
60 means are not available, such as voluntary appearance for outpatient evaluation, a law
61 enforcement officer shall take the person named in the certificate into custody and deliver
62 him or her to the nearest receiving facility for involuntary examination. The law enforcement
63 officer shall execute a written report detailing the circumstances under which the person was
64 taken into custody. The report and certificate shall be made a part of the patient's clinical
65 record. Any receiving facility accepting the patient based on this certificate must send a
66 copy of the certificate to Family Services, on the next day.

67 (3b) A law enforcement officer acting in accordance with an ex parte order issued pursuant
68 to this subsection may serve and execute such order on any day of the week, at any time of
69 the day or night. (3c) A law enforcement officer acting in accordance with an ex parte order
70 issued pursuant to this subsection may use such reasonable physical force as is necessary
71 to gain entry to the premises, and any dwellings, buildings, or other structures located on the
72 premises, and to take custody of the person who is the subject of the ex parte order.

73 (3d) Family Services shall receive and maintain the copies of ex parte orders, professional
74 certificates, and law enforcement officers' reports. these documents shall be considered part
75 of the clinical record. the agency shall prepare annual reports analyzing the data obtain from
76 these documents without information identifying patients, and shall provide copies of reports
77 to the department, the President of the State Senate, the Speaker of the House, and
78 minority leaders of the Senate and Representatives. (3e) A patient shall be examined by a
79 physicians or clinical psychologist at a receiving facility without unnecessary delay and may,
80 upon the order of a physician, be given emergency treatment if it is determined that such
81 treatment is necessary for the safety of the patient and / or others. The patient shall not be
82 released by the receiving facility or it's contractor without the documented approval of a
83 psychiatrist or clinical psychologist. However, a patient may not be held in a receiving
84 facility for involuntary examination longer than 72 hours, unless the attending physician
85 contacts the judge who signed the order, and informs him that the patient needs to be held
86 over, for future treatment. The physician is then required to forward all medical documents
87 to the judge, by the end of the 72-hour period for the judge to be able to sign an order of
88 continuous commitment. this order is not to exceed 30 days. (3f) A person for whom an
89 involuntary examination has been initiated who is being evaluated or treated at a hospital for
90 an emergency medical condition specified in with this Act, must be examined by the

91 receiving facility within 72 hours. the 72- hour period begins when the patient arrives at the
92 hospital and ceases when the attending physician documents that the patient has a
93 emergency medical condition. If the patient is examined at a hospital providing emergency
94 services by a professional qualified to perform an involuntary examination and is found as a
95 result of that examination not to meet the criteria for involuntary placement, the patient may
96 be offered voluntary placement, if appropriate, or release directly from the hospital
97 providing emergency medical services. The finding by the professional that the patient has
98 been examined and does not meet the criteria for involuntary placement must be entered
99 into the patient's clinical record. Nothing in this paragraph is intended to prevent a hospital
100 providing emergency medical services from appropriately transferring a patient to another
101 hospital prior to stabilization, provided the requirements of this Act has been met.

102 **NOTICE OF RELEASE**,-- Notice of the release shall be given to the patient's guardian
103 or family, to any person who executed a certificate admitting the patient to the receiving
104 facility, to the court which ordered the patient's evaluation, and to the law enforcement
105 department, which executed the order.

106 **PENALTY FOR FILING A FALSE REPORT**,-- The person who files for a ex parte
107 order for an involuntary examination, will be held subject to criminal and civil charges, if it
108 is determined that they filed the report with malicious intent or retribution against the
109 person who was involuntary committed. These charges are and not limited to; perjury,
110 causing false imprisonment, punitive damages and loss of wages.

111 **ANTABUSE**,-- For those patients who suffer from alcohol abuse, the doctor in charge, by
112 way of the Court, will prescribe the drug, Antabuse. This drug, combats the need and desire
113 to drink alcohol. It works by not allowing the body to break up alcohol, hence, the abuser
114 gets extremely sick and starts to vomit the alcohol they drank.

THE SUZY HOLTSCLOW BILL

Sec. 4 - THE ALCOHOLIC BEVERAGE SERVER'S LIABILITY FEDERAL ACT

Written by Rocky Flash

(1st rev)

1 **Legislative intent**,-- This act has been designed to protect the rights of persons who suffer
2 loss as a result of the negligent service of alcoholic beverages by a licensed and non-
3 licensed server, while at the same time providing a balanced and reasonable procedure for
4 allocating responsibility for such losses, which includes and is not limited to; personal injury,
5 personal property damage and wrongful death. It is anticipated that this Act may result in the
6 improvement of alcoholic beverage liability insurance coverage in this State.

7 **Definitions**,-- as used in this Act: "Alcoholic beverage" means a fluid, or a solid capable of
8 being converted into a fluid, suitable for human consumption and having an alcohol content of
9 more than one-half of 1% by volume. The term shall include alcohol, beer, lager beer, ale,
10 porter, naturally fermented wine, treated wine, blended wine, fortified wine, sparkling wine,
11 distilled liquors, blended distilled liquors and any brewed, fermented or distilled liquors fit
12 for use for beverage purposes, or any mixture of them;

13 "Licensed alcoholic beverage server" or "server" means a person who is licensed to sell
14 alcoholic beverages or who has been issued a permit to sell alcoholic beverages by the
15 State Alcohol Beverage Licensing Commission.

16 "Unlicensed alcoholic beverage server" means a person who is not licensed to sell
17 alcoholic beverages in the State, however, they dispense alcohol at a
18 private social gathering at their home or a corporate social gathering, or giving
19 someone a beverage for their personal consumption.

20 "Minor" means a person under the legal age to purchase and consume alcoholic beverages,
21 which in is 21 years of age, in the State.

22 "Person" means a natural person, the estate of a natural person, an association of natural
23 persons, or an association, trust company, partnership, corporation, organization, or the
24 manager, agent, servant, officer or employee of any them;

25 "Visibly intoxicated" means a state of intoxication accompanied by a perceptible act or
26 series of acts which present clear signs of intoxication.

27 **Exclusive civil remedy**,-- this Act shall be the exclusive civil remedy for personal
28 injury or property damage resulting from the negligent service of alcoholic beverages
29 by a licensed and unlicensed alcoholic beverage server. Nothing contained herein
30 shall be deemed to limit the criminal, quasi-criminal, or regulatory penalties which
31 may be imposed upon a licensed or unlicensed alcoholic beverage server by any
32 other statute, rule or regulation.

33 **Criminal liability**,-- this act will allow the licensed or unlicensed alcoholic beverage
34 server, to be able to be charged under existing State Law, for criminal neglect
35 and accessory to murder, in the case of neglect by the server.

36 **Conditions for recovery of damages,--**(A) a person who sustains personal injury or
37 property damage as a result of the negligent service of alcoholic beverages by a
38 licensed alcoholic beverage server may recover damages from a licensed alcoholic
39 beverage server only if: (1) The server is deemed negligent pursuant to subsection (b)
40 of this section; and
41 (2) The injury or damage was proximately caused by the negligent service of
42 alcoholic beverages; and
43 (3) The injury or damage was a foreseeable consequence of the negligent service
44 of alcoholic beverages.
45 (B) A licensed alcoholic beverage server shall be deemed to have been negligent only
46 when the server served a visibly intoxicated person, or served a minor, under
47 circumstances where the server knew, or reasonably should have known, that the person

48 **Limitations on recovery of damages,--** damages may be awarded in a civil action under
49 certain State Law, notwithstanding any other law to the contrary, in any case where a
50 licensed alcoholic beverage server or any other party to a suit instituted pursuant the
51 provisions of this Act is determined to be a joint tortfeasor, the licensed alcoholic
52 beverage server or other party shall be responsible for no more than that percentage share
53 of the damages which is equal to the percentage of negligence attributable to the server or
54 other party.

THE SUZY HOLTSCLAW BILL

Section 8 - THE SCHOOL CHILDREN'S FEDERAL SAFETY ACT

Written by Rocky Flash

(1st rev)

1 **Legislative intent,**-- It is the intent of this Act to protect school children, staff, teachers and
2 family of students, from being needlessly injured or killed as a result of someone operating a
3 motor vehicle while under the influence of alcohol and/or drugs, on or within 1,000 feet of
4 school property during the hours of 6 a.m. to 10 p.m., Monday through Friday. If a sporting
5 or school activity is being held on Saturday or Sunday, then the same hours shall be enforced.
6 In addition to being charged with **Driving While Intoxicated** or **Driving Under the Influence**,
7 the operator will also be charged with **Felony Child Endangerment**. It is the hope of this
8 Act, that school children, teachers and staff member's along with family members and friends
9 of students will feel safe and protected while on or within 1,000 feet of school property, to
10 learn and enjoy after school activities, without the worries that they may be injured or killed
11 by a drunk or drug impaired driver.

12 **Definitions,**-- as used in this Act: "Alcohol Intoxication" means that the operator of a motor
13 vehicle has a blood alcohol concentration of .08 or higher.
14 "Under the Influence of Illegal Drugs" means that the operator of a motor vehicle is under the
15 effect of a Narcotic, Hallucinogenic, Habit-producing drug or marijuana. This shall include,
16 but not limited to the operator of the motor vehicle being under the influence of prescription
17 medication that was not solely prescribed by a physician for the operator of said motor
18 vehicle.
19 "School Property" means any school property used for school (learning) purposes which is
20 owned by or leased to any elementary, secondary school, college, university or private
21 institution such as a Church or privately funded educational school program, where it is
22 clearly marked that the area is a place of education.

23 **Criminal liability,** -- this Act will allow that the Defendant upon being found guilty of
24 driving under the influence of any intoxicating liquor or illegal drug and felony child
25 endangerment, the Defendant shall be imprisoned by the Court for at least 3 years,
26 with no chance for parole until they serve the 3 year minimum sentence. In addition,
27 Defendant shall have his driving privileges revoked for a minimum of 5 years to life,
28 which the period shall commence upon completion of their prison sentence. It shall be
29 no defense from prosecution for the Defendant, that they were unaware that the prohibited
30 conduct took place while on or within 1,000 feet of any school property or crossing zone at
31 the said time of the offense or that school was not in session.

32 **Time specification,** -- the time specified in this Act, shall cover from 6 a.m. to 10 p.m.,
33 Monday through Friday, however, if a sporting or school activity is taking place on Saturday
34 or Sunday, the same hours shall be enforced.