


Substantial Disruption



Too Much Yardage Between the Goal Posts

By Mike Tully

On June 18, 2014, Justin Ross Harris and his 22-month old son, Cooper, ate breakfast at an Atlanta Chik-fil-A before Justin went to work. He was supposed to drop Cooper off at day care. Instead, he drove directly to work and left Cooper strapped in his car seat in the family's locked Hyundai Tucson. Based on [information](#) from the *Global News*, this is what likely happened to Cooper: As the temperature rose, he became more and more uncomfortable and struggled against the car seat. A small child overheats quickly and his heart rate began to rise. He suffered neurological dysfunction, nausea, disorientation, delirium and seizures. He gasped for air as dehydration and electrolyte abnormalities caused heart arrhythmia. Cooper was trapped for seven hours. Justin claimed he simply made a horrible mistake, but the evidence was against him. He engaged in extra-marital affairs and paid for the services of a prostitute. He exchanged lewd text messages and photos with several women, including [while Cooper slowly died](#). He researched the Internet for information on deaths in hot vehicles. He was convicted of second degree murder and [sentenced to life in prison](#) without parole.

Suppose instead that Cooper was locked inside a vehicle here in Tucson. Assume, further, the tragedy was avoided when a bystander saw Cooper trapped in his car seat and broke a window to free him. If Cooper's father sued the bystander for trespass and damage to the vehicle, would you sympathize with him? Or would you prefer to whack him with a blunt object for being an ungrateful reckless perverted homicidal idiot?

If you are State Representative Eddie Farnsworth, a Gilbert Republican, you'd sympathize with the ungrateful reckless perverted homicidal idiot. Farnsworth blocked House Bill 2494, which would grant immunity to those who save kids and pets from cooking to death in a locked vehicle. The bill requires a good faith belief that the child or pet faces imminent physical injury or death, that the vehicle is locked, and that the rescuer first notifies appropriate authorities before breaking in. The bill allows no more force than necessary and states that immunity is not available unless the rescuer complied with all requirements. That was not enough for Farnsworth, who claimed the law was overly broad. "It says 'minor,'" he told the *Capital Times*. "Does that mean if you have a 17-year-old in the back seat that could easily unlock the door and get out?" Yes, he actually said that.

From 1998 through 2016, Arizona had the [fourth highest number](#) of kids die from heatstroke in vehicles, trailing only Texas, Florida and California, states with much larger populations. In terms of deaths per capital, we were tied with Mississippi for second place, trailing only Arkansas and Nevada. Given this horrible record, how shall we characterize Eddie Farnsworth?

“Stupid” comes to mind, but it’s [not polite to call someone stupid](#), even a politician, and even though our new President [favors the word](#). Fortunately, there are alternatives, as pointed out by the *College Times*, ranging from “A few clowns short of a circus” (perfect for the Legislature!) to “Too much yardage between the goal posts.” Pick one for Eddie. Fortunately, the State Senate [found a way around](#) his blockade and resuscitated the bill.

If Farnsworth scored a 10 on the dim bulb meter, his House colleague Phil Lovas, a Peoria Republican, may have hit 11.

Have you ever found yourself behind somebody who fails to move when the traffic light changes because he or she is looking at a cell phone? Or maybe this has happened: you are paused in traffic to make a left turn, waiting for the oncoming traffic to clear, when you notice a car approaching you from behind. Do you find yourself tensing up, wondering if the driver is too distracted by a cell phone to notice that you have stopped? Do you breathe a sigh of relief when the feared collision doesn’t happen? Me, too. We know there is an [epidemic of distracted driving](#), that drivers who text while driving are [more dangerous than drunk drivers](#) and that traffic fatalities have seen the [biggest spike in half a century](#). Arizona is [one of only four states](#) that do not ban any form of texting by drivers.

The Arizona Senate recently passed the most limited form of such a ban: prohibiting new drivers with a learner’s permit from using a cell phone for six months, and only as a “secondary offense,” which means they can’t be stopped for that reason alone. That’s not even a baby step, but it’s too much for Lovas, who refuses to give the bill, Senate Bill 1080, a hearing. “The concern is this is the camel’s nose under the tent when it comes to texting and driving,” the *Capital Times* [quoted him as saying](#). He feared that if the bill became law it would make it easier to ban more people from texting while driving. What he fears is what I consider the best-case scenario – especially when I’m making a left turn.

Will constituents buy the arguments about “rescuing” unthreatened 17-year-olds and that making our streets safer is a bad thing -- or will they notice there’s too much yardage between the goal posts? While Farnsworth will have to defend his loopy position, Lovas found an escape route: he will [leave the Legislature](#) to serve as regional advocate for the Small Business Administration. What did small businesses do to deserve that?