

Curb Discretion On DUI Cases

Being pulled over by a police officer who thinks you may have been driving while intoxicated can be bigger trouble than you may understand — even if the amount of alcohol in your bloodstream is below the legal limit. The West Virginia Department of Motor Vehicles still may take your driver's license.

That can happen if a law enforcement officer tests you, perhaps with a breath analyzer, and finds your blood alcohol content is below the .08 percent allowing him to give you a ticket. He still may send results of the analysis to the DMV, which can — and does — use them to suspend your license.

If you are cited by an officer, then later beat the charge in court, the DMV also may take your license.

As an attorney explains in a story on page one of today's newspaper, about 95 percent of motorists who win DUI cases in court still have their licenses suspended.

In other words, the law, at least regarding driving under the influence, is not the law in West Virginia. Instead, to an extent, the law is what DMV officials say it is.

They can get away with suspending and revoking licenses because the courts view driving as a privilege, not a right. It is a privilege

subject to the whims of DMV officials, who seem to be trying especially hard to safeguard West Virginians against drunken drivers.

That is a laudable goal — but most Mountain State residents probably assume it is the Legislature's responsibility, in DUI laws, to define "drunken driver." Again, the statute says .08 percent blood alcohol content or greater. Our reporter was told .05 readings can be submitted to the DMV, which can suspend licenses in such cases.

If drinking that much makes a driver a hazard to the public, legislators should alter the law to allow for arrests and convictions at .05 percent.

But the law on important issues — and being able to operate a vehicle legally is a very serious matter to many, including those who have to drive to work — is supposed to be made by the Legislature, not by agencies in the executive branch of government.

Lawmakers should take another look at the situation. Again, if a lower legal limit for DUI is appropriate, enact one. But the DMV should not have the discretion of taking driver's licenses away from people because, in effect, officials at the agency have decided legislators set the limit too leniently.

Limiting Truancy In Every County

Many decisions on public schools ought to be left up to local boards of education. But when county-level programs are not working, it is both proper and important for the state to step in.

One of Gov. Earl Ray Tomblin's priorities as governor has been to revamp West Virginia's juvenile justice system, right down to the issue of truancy in schools. This week, the governor announced creation of a Truancy Diversion Initiative.

Tomblin's \$5.4 million plan offers funding to county school systems so they can hire truancy diversion specialists, as envisioned in an education reform bill already approved by the Legislature.

Those specialists would work with educators, parents, law enforcement agencies and the courts in a coordinated campaign.

Statistics make it obvious

a consistent, effective statewide approach is vital.

Though there is some disagreement on how many unexcused absences from school should be viewed as truancy, it is likely most people would view 20 in a year as a problem. The effectiveness of counties at that level varies wildly, both in the state and in our area.

Just 0.15 percent of Ohio County students missed 20 or more days of school without excuses during the 2013-14 year. But in neighboring Brooke County, the percentage was 5.23. McDowell County had the worst number in the state, at 10.69 percent.

Clearly, some counties have found effective ways to deal with truancy, while others have not. West Virginians need to be on the same page in helping our children do well in school — and that starts by ensuring they show up for class.

PATS ON THE BACK:

■ To Dr. Anthony Licata, the retired Weirton surgeon named Italian-American of the Year by the Upper Ohio Valley Italian Heritage Festival. In addition to serving the community for many years, Licata was a Navy medical officer during the Vietnam War and an Army surgeon during Desert Storm.

■ To all involved in the annual Ohio Valley Athletic Conference All-Star Football Game, to be played today at Wheeling Island Stadium. Kickoff is scheduled for 7:15 p.m.

The OVAC also has presented scholarships to many local students involved in extracurricular activities.

■ To local businesses among the 46 throughout West Virginia recognized last week by Gov. Earl Ray Tomblin for their successes in export markets. Among honorees from the Northern Panhandle were American Muscle Docks & Fabrication of Wellsburg, Eagle Manufacturing of Wellsburg, United States Gypsum Co. of Weirton, IMI Fabi LLC of Benwood, TROY Group Inc. of Wheeling, Warwood Tool Co. of Wheeling, Wheeling Truck Center of Wheeling, Marble King of Paden City and Sistersville Tank Works of Sistersville.

OPINION



Hillary Clinton Can't Rely on Name Forever



Jonah Goldberg

For those of us who predicted the inevitable, watching Donald Trump verbally wander into a field of face-whacking garden rakes like Sideshow Bob fills one with a mixture of schadenfreude and affirmation. We knew it was coming, but it still feels good to be proven right.

Of course Trump wouldn't hesitate to attack John McCain's war-hero status. Trump's bottomless insecurity cannot countenance the idea that his critics have any legitimacy. Of course Trump won't apologize — because his dog-and-pony show is predicated on the idea that he "tells it like it is" and "fights." He's the omniscient master of "The Apprentice." He can't behave like the Biggest Loser.

The Trump squall is not over, alas. But it's nonetheless obvious that we will someday soon look back on this as the beginning of the end of Trumpmania.

The reason his demise is all so predictable is that personality eventually shines through. A few politicians are capable of hiding their truly unpleasant personal qualities, but it takes enormous effort, and sooner or later the mask slips. In general, what you see is what you get in politics, which is why the most successful politicians have personalities suited for the profession: They are basically likable; they can and want to connect with voters; they can act natural because they are natural politicians.

Donald Trump, meanwhile, isn't even a politician. He's a low-rent carnival barker who made it big on the high-rent circuit. An honest political consultant would put his fees in jeopardy by giving it to him straight: "For the love of all that is holy, don't be yourself."

Back in the real campaign, there's an interesting lesson in Trump's ineluctable fate. For months I've argued that Jeb Bush is the weakest of the top-tier candidates to take on Hillary Rodham Clinton. When you have a competition between two brands, the better brand tends to win. The Clinton brand is simply much more popular than the Bush brand, for reasons we all know.

And that's still true. But a brand is also strongest in the abstract. A Clinton may beat a Bush, but voters won't be asked to vote for "a Clinton," they'll be asked to vote for a specific Clinton, namely Hillary.

Thinking Before Speaking Just Not Trump's Style



Kathleen Parker

Donald Trump can't help himself. Nor can we.

The "worse" he gets, it seems, the better we like it. Watching Trump is so deliciously awful, we don't hang on every word. We hang on the edge of our seats waiting for the next word. Whatever will this man say next?

Trump's list of quotables is long, but two stand out.

First, it was the Mexicans who, Trump said, come here illegally to deal drugs and rape — "and some, I assume, are good people," he added, as one might pause to adjust a picture hanging slightly askew.

Then he went after Sen. John McCain. "He's a war hero because he was captured," Trump said. "I like people that weren't captured." His mind scrambling to catch up by his mouth, Trump added, "Perhaps he's a war hero."

Trump defenders who have written to me insist that these add-ons should inoculate him from the outrage of critics and the media. But running on second thoughts is like throwing a pie at someone and saying, "You look fabulous in meringue!"

We already know what Trump really thinks. That he gets away with it is the mystery — but not really. Nicely, pundits have suggested that he's tapping into people's anger and frustration. More to the point, he's saying what (some) people really think but don't express because their inhibitory neurons are functioning. Inhibition, far from the curse of nudists and comedians, is God's suggestion that we think first, speak later.

Otherwise, Trump is an iconoclast's iconoclast. To paraphrase H.L. Mencken, who was commenting on democracy, Trump gives people what they want and he gives it to them good and hard. He's a kneecapper who mocks his victims and walks away with the girl, a pigeon roosting on his head. (I just thought the image needed a flourish.)

"Everybody loves me," Trump said recently in an interview on CNN. When he made the McCain jibe during a speech, it sounded as if at least some of his audience laughed at the punch line. As for the comment about illegal Mexicans, the GOP base wonders what wasn't true.

Trump has something else going for him — a record of accomplishment beyond politics. Whereas other candidates apologize for their wealth, he brags that he's

Jeb's last name is a problem he can transcend by being himself. Hillary's last name is an asset she damages whenever she's herself.

We saw something similar with John Kerry in 2004. People liked Kerry in the abstract — military veteran, long-serving senator, etc. — but as a person, not so much. His state poll numbers would often go down when he campaigned and go up when he went on vacation. Clinton is extremely popular when she is an abstraction. The polls

show that the more voters see the real person, the less they like her — or trust her.

She's still an obvious favorite for the nomination, but it's telling that the Clinton campaign is already trying to lower expectations for the New Hampshire primary and Iowa caucuses, suggesting that Bernie Sanders might win some early bouts.

The point is that personality matters a lot, and no one would confuse Clinton's personality as a secret weapon. It's been a cliché for three decades for Clinton's defenders to say, "If only you could know the Hillary I know." That's an unintentionally damning defense.

It may be true that she's a wonderful friend to her friends, but as a candidate, she is a remarkably uninspiring, un-charming and un-compelling woman who has every bit as much of a problem connecting to ordinary people as Mitt Romney did. Indeed, like Romney, she has polled poorly (June, CNN) on the question of whether she "cares about people like you."

In truth, Bush is not a contender for the role of "the Most Interesting Man in the World" in those Dos Equis commercials either. But he is showing himself to be a grown-up who is neither easily rattled nor interested in pandering to the crowd. He can get ahead of his family name in a way Clinton clearly cannot. Moreover, nearly all of the other GOP contenders have transparently better retail political skills than Clinton.

Donald Trump stakes much of his fortune on the alleged value of the Trump brand. Hillary Clinton's candidacy rests on a similar assumption about the Clinton name.

Both fail to take into account the fact that personality trumps brand.

made bundles. Whereas others tout public service resumes, Trump touts buildings that are familiar to the public.

"Building a wall is easy, and it can be done inexpensively," he said of the Great Wall of America he promises to build along the Southern border. "It's not even a difficult project if you know what you're doing."

Trump, we are to infer, knows what he's doing. Whether this is true in the context of presidential politics isn't important, apparently. In a visual, sound-bite world, he acts and talks as if he does. Speaking in staccato bursts that aim for the gut, he reduces complex problems to simple fixes in plain language. People like that.

In a sense, he's a bit like Teddy Roosevelt, who, despite our retroactive admiration for him, would be viewed today as a strutting, cocky, loudmouthed, blood-thirsty showoff — who knows how to do stuff. All Trump needs is a stocky steed for his presidential parade and a few animal trophies for the White House gallery.

This is fantasy, of course. *Everybody knows* that Trump isn't going to be the Republican presidential candidate. Still, it would be premature to dismiss him. The latest Washington Post-ABC News poll shows him at 24 percent, with Scott Walker at 13 percent and Jeb Bush at 12.

These results were largely collected before Trump's McCain remarks — the final day of polling showed a sharp dip in his ratings after the comments — but I predict that this, too, shall fail to thwart his ascendancy. Among other reasons, his targets thus far have been people viewed as problems among GOP hard-liners.

And, if Trump isn't really a Republican, most party members don't think McCain is either. Knowing this, Trump threw the Arizona senator under his own Straight Talk bus. But McCain is a hero — not only because he put his life on the line but because, despite years of torture, he declined an offer for early release rather than abandon his brothers. That's heroic.

Trump's political longevity depends on whether he can whip his speak-first-think-later impulse into submission. This would be best for the Republic, though terrible for journalism (and TV ratings) — and probably lethal to Trump's candidacy.

Dedicated To Saving Little Lives

Another week, another money-grubbing Planned Parenthood baby-parts harvester exposed. In the second devastating installment of a three-year journalism investigation, the Center for Medical Progress last Monday released undercover video of another top abortion industry doctor haggling over the sale of "intact" unborn baby parts.



Michelle Malkin

Previously, the Center for Medical Progress introduced us to wine-swilling Dr. Deborah Nucatola — a veritable Hannibal-ina Lecter who gushed about the growing demand for aborted baby hearts and livers as she jibed and imbibed.

Last week's clip features stone-faced, bespectacled Dr. Mary Gatter — an Ice Queen who chillingly negotiated \$100-per-specimen price tags for organs she promised would be high quality as a result of "less crunchy" methods of dismembering innocent human life. Gatter, the medical director of the abortion empire's Pasadena and San Gabriel offices in California, dryly joked that she wanted a "Lamborghini" for her troubles — after a prolonged session spouting obligatory talking points disclaiming a profit motive.

Cecile Richards, president of Planned Butcherhood, issued a feckless apology for the "tone" of Nucatola's grisly business-lunch banter. What will her excuse be for Gatter? Did the tone elves forget to fill her stocking, too?

The fundamental problem with these licensed medical providers, who greedily have turned the "primum non nocere" creed on its head under the guise of "reproductive services," is not their defective tenor. It's their defective souls.

With more barbaric video of the Planned Butcherhood racket undoubtedly yet to come, it is worth pausing from this avalanche of evil to remind the nation that there are thousands of miracle workers in the health care industry who value life and honor their professional oath to first do no harm.

I know this firsthand as the proud daughter of a neonatologist who dedicated his life to using his medical training to save lives, not destroy them. Nowhere is the sanctity of life more vividly illustrated than in a NICU. A father in Texas wrote me with his own personal story and wanted me to share his message: "I read your piece (last week) regarding the monstrous doctor from Planned Parenthood. Though I have tried, I really cannot grasp the horror of the PP abattoirs or the blackness of the souls that labor within."

"I want to tell you about my family's encounter with another place that is the antithesis of the Planned Parenthood slaughterhouse. My wife and I had the great misfortune three years ago of finding ourselves with two beautiful but tiny children in the Level 3 NICU (Neonatal Intensive Care Unit) at the Woman's Hospital of Texas in Houston.

"Our beautiful daughter spent the first five months of her life there, and our brave son spent the entirety of his life there, all 44 days.

"I want to tell you this, because I want to tell you about a very bright light that shines in this world, but it shines behind the wall of privacy and quarantine that is a necessary function of NICU life. The six neonatologists and all of the amazing nurses who cared for our children are some of the finest, most decent, devoted and caring people I have ever encountered.

"They work tirelessly to save every life, to give every child in their care as much of a chance as possible, and they truly do care for the 'least of these.' They go to work every day in a place where, in spite of all their efforts, tiny children pass away in their care. They are people who deserve to have the veil lifted from their works.

"I am sharing this with you as answer to the final paragraph of your moving piece. You ask what kind of a country we live in? I want you to know that we also live in a country that God has truly blessed with these amazing souls and hundreds more like them: Dr. Alagappan Alagappan, Dr. Talat Ahmed, Dr. Salim Bharwani, Dr. William Caplan, Dr. Peter Haney and Dr. David Simchowitz.

"In the face of evil, it is easy to see only the darkness. There are lights burning still."