



Long Story Short: Boats, trees, Collins

5/20/19

B Y B R U C F
A D A M S



Boating safety bill moves closer to law

On Wednesday, the New York State Senate passed a bill requiring anyone who owns any sort of boat with a motor attached to take an eight-hour safe boating course. A 2014 law already requires those born after May 1, 1996 to complete such a state-approved course to operate a motorboat. This new legislation extends that to everyone, and it's expected to be signed into law. The course will cost between \$10 and \$60 dollars and will be available online. According to lawmakers, the law is meant to protect the public. Is it?

A look at some statistics

According to [data compiled by New York State](#), in 2018, there were seventeen fatal boating accidents, resulting in nineteen fatalities, reported. Nine of these involved pedal boats, rowboats, stand up paddle boards, or canoes, none of which would require training under the new law. One was a skiing accident, several happened when people fell off boats, and one was caused by carbon monoxide poisoning in a cabin cruiser.

New York's fatality rate was 4.95 deaths per 100,000-registered watercraft, a remarkably miniscule amount (six times less than your chance of being struck by lightning over your lifetime). It's an even smaller percentage for motorboats alone, which is all the law covers. Boating deaths have declined dramatically over the years. In New York State they are 16.7% of what they were in 1973. Plotted on a graph, there's been a steady downward trend, despite there being approximately 73,000 more registered boats and countless more unregistered paddle craft on waters since 1973.

Do safety courses help?

We won't claim to know the answer to this question, but here's some interesting data: in cases where it's known whether the person piloting a boat involved in a 2018 accident had taken a boating safety course, twenty-four had not, while fifty-one were boating course graduates. Just saying.

More statistics to consider

In 2017, New York State had **772 deaths** from guns. Consider that number compared to ten deaths by motorboat. There is no law that gun owners must take a firearms safety course to own (and presumably operate) a gun. Why not?

This past winter there were twenty-one fatalities from snowmobile accidents in Upstate New York alone. But only kids from ten to eighteen years old must take a New York State approved snowmobile safety course, leading one to wonder what in the hell ten-year-olds are doing riding snowmobiles?

In 2017, there were eighteen ATV deaths in New York State, but no safety course is required.

In 2016, there were **thirty-eight bicycle fatalities** in New York State, almost four times the number of motorboat accidents last year. However, there's no safe biking course requirement.

In 2016, there were 879 pedestrian fatalities in New York State. Yet, New York does not require a safe walking course to buy shoes!

Why boats then?

The answer comes down to one Long Island woman, Gina Lieneck. Her eleven-year-old daughter Brianna was tragically killed in a boating accident in 2005. Since then, Lieneck has been tirelessly working to persuade politicians to support what is known as "Brianna's Law." You have to feel sympathy for a mother who loses a child in a tragic accident, and lawmakers apparently do.

Lieneck believes there is "no logical reason" for not passing the law. But looking at the data above, logic seems to have little to do with it. Boating is relatively safe, while there are far greater unregulated dangers out there. Unlike gun owners though, boaters lack a powerful lobby group. Ironically, the soon-to-be law lacks teeth. There will be no penalty for not taking the course. So...

3D printer helps win personal injury case

In the old days—by which we mean a year or so ago—it was tricky for doctors to explain complex injuries to jurors in a courtroom. Law firms pay big bucks for medical illustrators to make courtroom diagrams, which are supplemented by black and white x-rays or CAT scans. Jurors often find these difficult to understand. Now, thanks to specialists at Gates Vascular Institute, full color, 3D models of the injured part of a victim's body may soon be commonplace in personal injury cases. And being able to hold someone's damaged head in your hands makes quite an impact.

The details:

In 2016, a Lancaster woman, whose name is being withheld, was hit by a commercial truck, sustaining serious head and neck injuries. Dr. Elad Levy, a leading neurosurgeon at Gates Vascular Institute, did what he could to repair the damage, but the woman was left with serious disabilities.

John J. Fromen Attorneys at Law filed a lawsuit on behalf of the woman, but a hoped-for quick settlement failed to materialize. So the lawyers and Levy prepared for battle. For likely the first time in a personal injury lawsuit, a **3D printer at Gates** was used to create a detailed cross section of the Lancaster woman's head and upper spine, utilizing radiological images of the injured woman.

The CSI effect

Last month, a few such models, clearly showing the injuries, were readied by lawyers and Gates for trial. Torn ligaments and damaged disks were plainly visible, and two bright red plexiglass-mounted aneurysms helped illustrate the injury. Jurors would be able to hold everything in their hands and get a close look.

The visible woman models must have impressed the insurance company, because after seeing them, they settled for \$3.5 million on the eve of the trial. The lawyers call this the CSI effect, and predict it's the wave of the future for liability cases, with 3D injury

printing becoming a business.

A tree falls in the forest

On occasion, LSS mentions upcoming art events that might be of interest to readers. *WTF (Where's the Forest)*, opening this Friday at [Buffalo Arts Studio](#), is just such an instance. Why? Because noted artist Reinhard Reitzenstein has a thing for trees—on the macro and micro level.

The details:

For this exhibition, which will occupy both galleries, Reitzenstein brings the remains of a forty-foot tree into the space and covers it with twenty-five pounds of beeswax, which should produce a stunning visual and olfactory experience. According to the artist, encountering the tree and its scent “within the context of Buffalo Arts Studio’s gallery space—a former automotive plant—points to the complicity of the industrial past and gentrified present in the production of greenhouse gasses and eradication of green spaces necessary to counteract global warming.”

A message and more

It’s a socially and ecologically conscious message that will form the backdrop for a panel discussion titled *Seeds of Change: Land, Trust, and Community*, to take place on M&T Fourth Friday June 28. But Reitzenstein isn’t clubbing viewers over the head with environmental moralism. His meticulously crafted works are visually and intellectually satisfying, ranging from modestly monumental, to quietly miniscule. The latter includes ink drawings, created by repetitively writing the tree species pictured in excruciatingly tiny print. *WTF* will also include large-scale woodcuts. This is a show with wow factor.

Isn’t it ironic?

Back during the 2016 election, Congressman Chris Collins of the 27th Congressional District, railed against Hillary Clinton’s private emails on national television. He called their use for government business “extremely poor judgment,” adding, “She can’t be trusted.” Like all Republicans, he wanted to see those emails.

Well it turns out the House of Representatives has no rules against using private emails for official business, even though it’s extremely poor judgement for Congressmembers to do so.

Like rain on your wedding day

Despite his passionate outrage over the dangers of private email servers, Collins used his unsecured email for government business. But that’s only garden-variety Washington hypocrisy. What kicks this up to the level of irony is that Collins now wants his private emails to be off-limits in his upcoming insider trading trial. Why? Because he conducted government business with them, giving the whole email account protection under the Speech or Debate Clause of the U.S. Constitution, he says. And wouldn’t you just know it; that’s where prosecutors found the most damning evidence.

In its [29-page report](#), The Office of Congressional Ethics found “substantial reason to believe” Collins violated House rules, standards of conduct, and federal law by sharing nonpublic information about Innate Immunotherapeutics stock, for which he served as a board member. Attorneys for Collins now want to bar prosecutors from citing any part of that investigation as a privileged “legislative act.”

Ironic, don't you think?

Final note

State Senator Chris Jacobs has announced he will run for Collins' seat in the next election. Jacobs' moderate political stance and "never Trump" history have drawn fire from conservative corners of the Republican party. Collins has not declared his intentions regarding another run when his current term ends.

Long Story Short is an opinion column by artist and educator Bruce Adams, a longtime contributor to Buffalo Spree.

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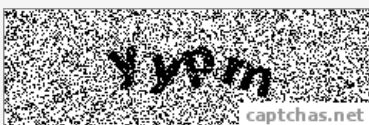
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