

4 CARMEN



Carmen Rogers, 41, was a loving wife and mother. She and husband Ché had been together 21 years, and were very close to their young daughters, Nouveau and Teal. Carmen and Ché were partners in every sense of the word and shared a love of the arts and the environment.

As an artist, Carmen was a rising star. She graduated top of the class with a visual arts degree from WITT and had just finished a five-month long exhibition, *Crystallised*, using recycled glass from the Govett-Brewster Art Gallery building. Ché said a lot of Carmen's art was based on recycling. "She was honest, extremely honest and down to earth."

Ironically, Carmen's final work was to donate her organs, Ché said. "In doing this, she has saved at least five lives and may go on to save more." At her funeral, tributes and memories flowed in from far and wide as the region honoured the talented Taranaki artist.

THE PEOPLE

HOGAN

Hogan Bolton was an ordinary sort of bloke in many ways. The 31-year-old oil and gas process worker earned good money and was liked and respected by his work colleagues. For Hogan, life was pretty good - until he ran into Carmen Rogers, killing her on May 6, 2014. Up till then he'd never been in any trouble with the police and had an unblemished record.

His lawyer later told the court that while it was a terrible outcome, **Bolton was otherwise a good person who made a very bad decision to drive after consuming a large amount of alcohol.** He says he has a profound regret for his detestable behaviour on the day and would be haunted for the rest of his life.

CHÉ



Ché Rogers loved Carmen very much. Like Carmen, he was family-focused and community spirited and enthusiastically embraced the world of arts and culture, working as a graphic artist for the Taranaki Arts Festival Trust. Ché and the family would often go for bush walks and explore the natural world around New Plymouth. A keen surfer, Ché loves the aquatic playground around the Taranaki coastline.

Ché said he was “very grateful, lucky and proud to have known, loved and shared many adventures” with Carmen. “We were a team that unfortunately has been cut down to half.”

NOUVEAU & TEAL

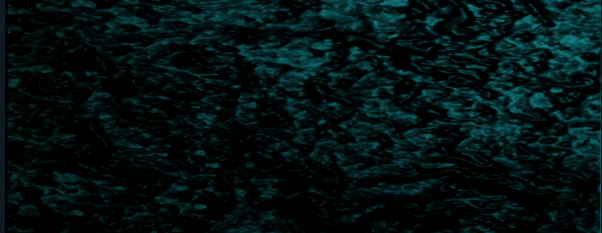
Nouveau Rogers, 15, was a year 10 pupil at Spotswood College when she and her 10 year old sister Teal, lost their Mum. The girls had grown up in a close, supportive family where they both knew Carmen would always be there for them. They are both bright, kind girls with much to look forward to and Nouveau is already showing signs of being a talented artist herself.

As a teenager, Nouveau was so close to her mother that she was literally able to tell her everything and now badly misses the bush walks and heart-to-heart talks they shared.

At Carmen's funeral, Nouveau said, “I cannot explain how grateful I am to have had you in my life”.

Teal misses the cuddles and hugs and special time playing with her mother each day, and talks of the fear she now has of losing other people close to her.

THE STORY



TUESDAY 6TH MAY

About 4.35pm on Tuesday May 6, 2014, a clear autumn day, Carmen and Teal left their home to drive into the city centre. About the same time Hogan had just finished a three-hour drinking session. He and a mate had a beer with lunch at an inner city bar and then decided to continue drinking.

Hogan had driven his Toyota Land cruiser into town. After all, he was only going to lunch, or at least that was the original intention. He was parked close to the bar, so he decided to drive home, despite it being only a 10-minute walk. There is a 30kph speed limit in the city

centre, so it was to be a sedate drive of a few blocks, along streets he knew well. What could go wrong?

Hogan turned left into New Plymouth's main street, drove one short block and at 4:44pm, turned right into Brougham Street, going wide and nearly hitting a vehicle exiting a carpark.

Meanwhile, Carmen was parked further up Brougham Street, opposite TAFT. She'd recently started work as a waitress at Mexico Restaurant and was about to drop Teal off to Ché at TAFT before starting her shift. Nouveau was also meeting her father there and was just about to walk up Brougham Street. Ché would drive the girls home.



Ché's workmate Chris was one of the first on the scene. He realised it was Carmen on the ground and raced back to the office calling for Ché to come outside, now! Ché knew immediately something was terribly wrong.

He could barely comprehend the enormity of what had taken place. Carmen was trying to get to her feet, blood pouring from her head injuries. Teal was standing beside the car, crying and in shock. Nouveau had run towards the accident and was screaming for her mother. Ché suddenly had to deal with his children and try to help his critically injured wife.

Hogan, meanwhile, was struggling to understand what had just happened, probably due to the combination of alcohol and shock. Police and emergency services arrived and

the constant wailing of sirens filled Brougham St. It was clear to ambulance staff that Carmen needed urgent help and she was rushed to Taranaki Base Hospital.

The Rogers family followed and after waiting some time they got the news they so desperately wanted to hear. Staff were cautiously optimistic that Carmen should recover.

Later that night Carmen was flown to Wellington Hospital to treat her traumatic head injuries and the family were to drive down the next day. In the early hours of the morning the hospital called to say her injuries were much more serious than expected and they should get there as soon as possible. During that long trip to Wellington the family clung to the hope that Carmen would be OK. Ché said "it was an awful drive; the worst of my life."

At the hospital Carmen's head was swathed in bandages and she was breathing with the help of a machine. There were tubes everywhere. Ché and the girls were shocked by what they saw but clung to hope that she'd be alright. Sadly, there was no hope of recovery. The next day, Thursday May 8, surrounded by her family, Carmen Rogers died.



THE OUTCOME

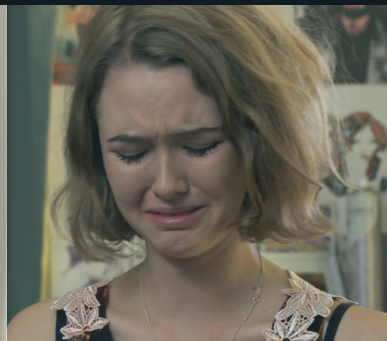
Following Carmen's tragic death, Ché sought a meaningful outcome and asked for a restorative justice meeting. He told Judge Allan Roberts he did not want Bolton wasting both his time and taxpayers money in jail.

At that seven-hour meeting a consensus on what should happen was reached. Hogan should take steps to ensure he would never drink and drive again. He would share his story publicly to encourage others not to drink and drive and would compensate the girls through a financial contribution to their future. Hogan subsequently made a \$50,000 donation toward their education.

He also agreed, as part of his sentence to be involved in the making of this documentary.

Not all of Carmen's family and friends agreed with this decision. The lack of a prison sentence upset them. Nouveau wanted Hogan jailed. So did Carmen's sister Sharon and brother-in-law Stephen. Hogan himself expected a jail sentence.

On July 4, 2014 Judge Roberts sentenced Hogan to nine months home detention and disqualified him from driving for two years. He took into account several factors, including Hogan's payment toward Nouveau and Teal's education, his participation in the documentary and Ché's wishes.



On the first anniversary of Carmen's death Ché says the various family members have stuck to their beliefs but that is not an issue for the family.

Everyone involved does agree that this tragedy was avoidable.

Hogan drank before he drove and as a result, Carmen Rogers, 41, wife, mother, artist and so much more, died. Her loving husband lost his wife and is now raising Nouveau and Teal on his own, two young girls who miss their mother every single day.



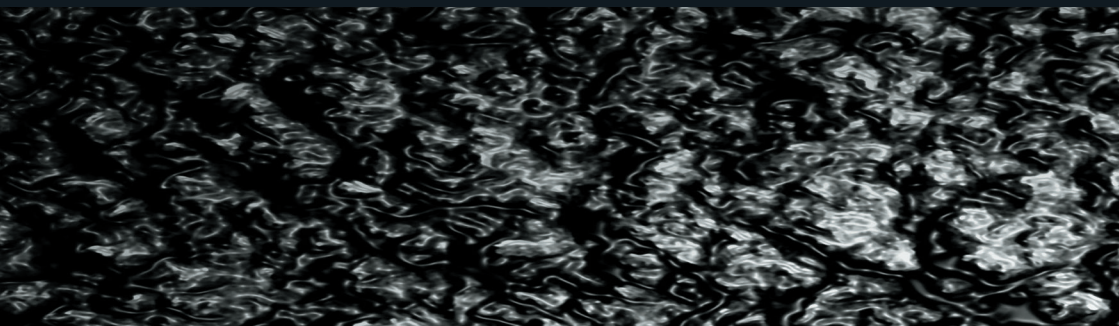
KEY MESSAGES

ALCOHOL LIMITS

- The alcohol limit for drivers aged 20 years and over is 250mcg of alcohol per litre of breath.
- The blood alcohol limit is 50mg of alcohol per 100ml of blood.
- For drivers under 20, the limit is zero.
- The law says you must not drive if the amount of alcohol in your breath or blood exceeds these limits.

IF YOU ARE GOING OUT DRINKING - LEAVE YOUR CAR AT HOME!

There is no 'safe' level of alcohol for driving, and the best advice is to keep it simple and avoid doubt by making the choice not to drive if you are going to drink. Call a taxi, take a bus or get someone who hasn't been drinking to drive you home.



THINK AHEAD

- it's always easier if you have a plan.

LAWS ON SALE OF ALCOHOL

- If you are drunk - you should not be allowed on licensed premises.
- If you are drunk - you should not be served on licensed premises.
- If you are drunk - you should be asked to leave licensed premises.

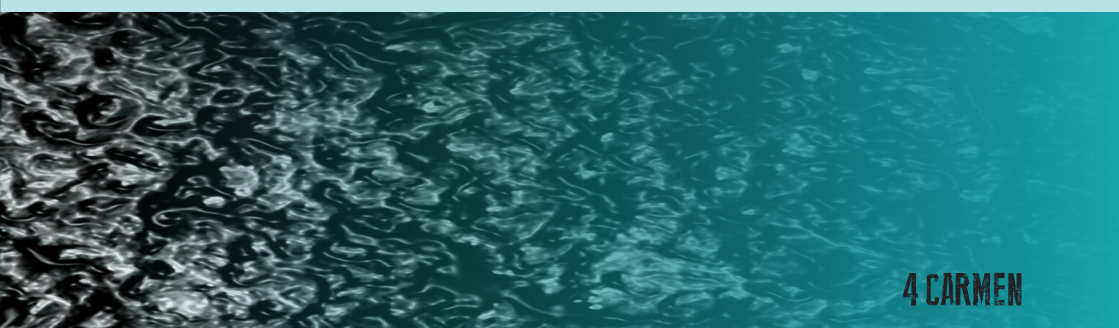
CONSEQUENCES FOR THE BAR OR CLUB

If the Manager or Licensee does not enforce these laws, they are liable for fines of up to \$10,000 or their licence may be suspended for up to 7 days.

If a manager or licensee sells alcohol to a minor or intoxicated person 3 times in 3 years their licence or certificate can be cancelled.

If a drunk person leaves licensed premises and is caught driving or involved in a crash this may also result in a fine or loss of license.

This could mean the closure of the hotel or club bar, and a new licence may not be granted for that business or club.



Drink driving is not just about getting hammered and driving fast. You can kill or seriously injure someone even at low speeds. If you have been drinking, and think you will be ok if you drive slowly and carefully,

THINK AGAIN.

THINGS TO PONDER

Pedestrians and cyclists are considered vulnerable road users because the impact of even a low speed accident can result in serious injury or death. In 2014, 9 people were killed on the roads in Taranaki. Six of the nine were pedestrians.

Carmen was in the wrong place at the wrong time - a few seconds earlier / a few seconds later and this tragedy may never have happened. Or it may have happened to somebody else.

What other vulnerable road users may have been at risk when Hogan made that short journey from Egmont Street, through the town centre. What else could have happened?

DIFFERENT PEOPLE ARE AFFECTED DIFFERENTLY BY ALCOHOL.

ASK YOURSELF

What are some of the visible effects of intoxication?

What factors can influence the effect that alcohol has on you?

If you think someone who is affected by alcohol is going to drive, what could you do to stop them?

What actions could have prevented Carmen's death?

THE CONSEQUENCES

THINGS TO PONDER

A lot of people who drink and drive only think about the legal consequences of getting caught, but there are much more serious consequences.

If you were responsible for the death or serious injury of another person through drinking and driving, what impact would that have on you and your family?

The idea for this film was the result of a 7 hour restorative justice meeting between Ché Rogers and Hogan Bolton, who was responsible for the death of Ché's wife Carmen Rogers when he drove drunk on 6 May 2014.

For more information regarding the 4Carmen presentation, please email roadsafe.taranaki@stdc.govt.nz, call the Road Safety Coordinator on 0800 111 323 or visit our website at www.roadsafetaranaki.nz

