

# Man acquitted in traffic death

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A Clark County jury Friday afternoon acquitted a Vancouver-area man of vehicular homicide. Jurors found Richard G. Jenkins not guilty in the Jan. 11 traffic death of 25-year-old Glen Savage Jr.

The jury of nine women and three men deliberated for about 3½ hours before reaching a verdict. At the same time, jurors found Jenkins, 49, 7006 N.E. 131st St., guilty of driving while intoxicated.

The jury was told in closing arguments Friday that a mere 10 feet and one-sixth of a second meant the difference between life and death for Savage, a Milwaukie, Ore., resident.

Savage died Jan. 11 about 8:30 p.m. as he was pushing a disabled pickup westbound along Northeast Fourth Plain Road in Orchards.

A vehicle driven by Jenkins rear-ended the truck, killing Savage instantly.

Jenkins was charged with vehicular homicide. He had a blood-alcohol reading of 0.18 after the accident, nearly twice the legal limit of 0.10. Deputy Prosecutor Tom Duffy argued that Jenkins could have avoided the collision but was unable to because of his drinking.

Defense attorney Steve Thayer countered that the disabled pickup — apparently without taillights — could not be seen until the last moment when Jenkins skidded and swerved in an unsuccessful attempt to avoid the vehicle.

Experts testified that Jenkins struck Savage after decelerating from 40 mph to about 15 mph in the skid. In another 10 feet the Jenkins vehicle would have stopped completely.

Duffy claimed that tests conducted on the roadway indicated that Jenkins should have seen the disabled truck when the two vehicles were 300 feet apart and that Jenkins could have stopped in 187 feet. Duffy said if Jenkins had seen the vehicle and applied the brakes only one-sixth of a second sooner, "we wouldn't be here today."

Duffy said Jenkins clearly would have avoided the accident if his judgment had not been affected by alcohol.

Thayer acknowledged that Jenkins was guilty of driving while intoxicated. But he said the pickup was all-but-invisible in the darkness. "Dick Jenkins was drinking," Thayer said. "But alcohol doesn't cause every crime."

He said visibility tests conducted by the county are "meaningless" because they can't re-create the actual events of that night. "The real cause of this tragedy was that a dark, disabled pickup was pushed onto a dark highway on a dark night," Thayer said.