

MARIAH'S CHALLENGE

THE STORY OF A COMMUNITY'S TRIUMPH OVER TRAGEDY

By Linda Seeley Piccolo



A Drama in One Act

10Women/ 4Men / 2 women's parts can be played by men

Cast of Characters:

Leo McCarthy: adult male 40's respected local businessman

Janice McCarthy: his wife 40's, active in her church and community

Jenna McCarthy: their 17 year old daughter, a popular high school junior

Kaitlyn Oskrusch: a 14 year old freshman, effervescent, outgoing

Chad Oskrusch: Her father 40's, college professor, singer- songwriter

Margi Oskrusch: His wife 40's a nurse and mother of five

Valarie Kilmer: a thoughtful, introspective 14 years old

Jimm Kilmer- Her father 40's, police detective

Peggy Kilmer: His wife 40's, active college student

Shane Ford: 50's business manager

Doreena Ford: His wife 50's

Judge Newman: 50's respected District Court judge

District Attorney: 30's young, idealistic

Mariah McCarthy (Voice Over) 14 year old high school freshman

Extras: Three teen aged boys

Spectators in the courtroom

The Set:

The play is performed on an empty stage. Three 8'x4" platforms were used in the original production. The two 4" tall platforms were angled one on each side of the downstage area with the third horizontally up center. Lighting, especially an isolated spot light, was used to highlight the various monologues. Thirteen folding chairs and a small desk, used in the courtroom scene, were the only pieces of furniture. One isolated spot in center stage serves to represent Mariah and is lit whenever she speaks.

The Time:

Today

The Place:

Butte, Montana or anywhere in the U.S.

Although this show is written about the hit and run drunk driving death of a small town Montana girl, it is replicated daily throughout our nation.

Run time:

50 minutes with no intermission

The show was first performed March 18 and 19, 2010 at Jefferson High School and again August 4, 2011 at the Myrna Loy Center for the Performing Arts with the following cast:

Leo McCarthy: Steven Erickson

Janice McCarthy: Casey Hoffman

Jenna McCarthy: Kaela Williams

Valarie Kilmer: Reba Wacker

Kaitlyn Okrusch: Chelsea Bryant

Chad Okrusch: Jessie Bryant

Margi Okrusch: Robin Dahl

Jimm Kilmer: Brian Warren

Peggy Kilmer: Marqui Hicks

Judge Newman: Daphne Weber

District Attorney: Colin Delli Bovi

Shane Ford: Tyler Brisbee

Dorrena Ford: Lindsey Horning

Mariah McCarthy: Mikel Overturf

Crew:

Director: Linda Piccolo

Stage Manager: Jessica Newman

Sound: Connor Lachenbruch

The song, *The Angel Mariah* was written by Chad Okrusch and is available for use in this show without charge

Awards:

The play was honored by the Montana State Attorney General and the Superintendent of Schools for work in advancing DUI and underage drinking awareness.

The playwright:

Linda Piccolo has taught Theatre at Jefferson High School in Boulder, Mt. for 23 years. During that time her troupe of actors won five state and two national theatre championships. In 1997 they performed at the world's largest theatre festival, the Fringe, in Edinburgh, Scotland. She is the sponsor of the Mariah's Challenge club at Jefferson High and an advocate for strong

legislation against drunk and impaired drivers and underage drinking. This play is the culmination of a year of attendance at court hearings, interviews with law officials and personal interviews with each of the principles in the story. Much of the dialogue came directly from those most impacted by this tragedy. Every word spoken by the character of Mariah came directly from her writing and journals.

Acknowledgements:

“Mariah’s Challenge” would not have been possible without the support of the McCarthy, Okrusch, Kilmer and Ford families who gave so generously of their time to reach this end result. They went beyond their own personal grief to return to the events of October 27, 2007 so others might see the devastating impact of drinking and driving. And finally, to Mariah Daye McCarthy, who guided me every step of the journey. Her gentle presence was evident every time I touched the keyboard and was the spark that kept me going through this difficult process. When things became their toughest, when I lost my direction, she came to me in dreams, a phrase on the radio or in conversation and, with many, many feathers. This is her story and part of the legacy she left everyone who knew her.

Performance Information:

“Mariah’s Challenge” may be performed at no fee with the permission of playwright, Linda Piccolo. Please contact me by email at lindapiccolo@yahoo.com with performance dates and audience information. All profits from the performance of this play must be used toward events or organizations that sponsor tougher DUI legislation or

Act I

Sc: “The Angel Mariah “plays for two minutes as the house lights go to black

(The stage is black; a single spot light illuminates center stage

Leo enters and stands in the light down left)

Leo: Five thousand three hundred and thirty six days. That’s how long my daughter, Mariah, lived.

My name is Leo McCarthy and I am the father of a murdered child. I am the victim of the action and inaction of another and of a legal system that has become a chess game of billable hours. On October 27, just 324 feet from our front door, my fourteen year old daughter was hit, and

left for dead along the road, by a drunk driver. She, and two friends, was struck from behind so hard that the impact knocked each of them out of their shoes and violently propelled Mariah 110 feet through the air. As the three girls struggled for life on a deserted road in 20 degree temperatures, the teenaged driver got out, walked around them and got back in his truck and drove away. As her life's blood poured out onto the snow, he ran home to concoct an alibi.

(The light goes off on Leo and a spot shines on an empty center stage)

Mariah: (Voice Over) on March 12, 1993 a beautiful, cute, lovable, Irish girl was born. That's me, Mariah Daye McCarthy. I was born into a loving family of my parents Leo and Janice and my big sister, Jenna. She always wanted a sister and when I was little she used to squeeze me so tight I couldn't breathe. She is probably the biggest influence in my life. She is seventeen and a junior in high school. She is pretty and smart and popular. We were more than sisters when we were younger; we were best friends. Now we get along most of the time, but other times she is a huge pain!

I am a typical teenager. I love to play sports and my favorites are volleyball and bowling. I started bowling in the fourth grade and my team was called the Purple Puppies! The next year we became a lot better and I came up with the name the Strike Sisters. We had pink shirts with black trim and our name in cursive on the left side. My highest game was a 201. I took second place in state singles. I still have that trophy. I am really looking forward to my first year in high school and how my life will change.

(Lights off on center stage and on Leo who walks down right)

Leo: Mariah was a good soul. She liked harmony, not drama, laughter not fighting. She loved bowling, watching football, her Irish heritage, popcorn, volleyball, slumber parties, jumping on the trampoline, Christmas morning snowball fights, drive-in movies, her family and her friends. She was a dreamer and she never gave up. Mariah had faith, faith in her sister, faith in her parents, faith in her friends and faith in the hope that good always comes out of bad.

(Janice walks into the light with Leo)

Janice: Mariah was an old soul with a young heart. She was a dreamer and a thinker, a writer and a memory keeper. She was a collector of treasures, tiny keepsakes and mementos. She kept notebooks and sketch pads as journals and made lists and planned elaborate birthday parties for her friends. She cherished her family, her friends and her memories. She greeted each new day with a joyful heart and a spirit of discovery.

Lights off as Leo and Janice step offstage in the darkness)

(Lights on center stage)

Mariah: (Voice Over) my best friends and I love to laugh and do the weirdest things together! All we do is laugh, laugh and laugh some more. Sometimes we get into sleeping bags and sumo wrestle on the trampoline. It is so much fun; we call it Mexican Jumping Bean Extravaganza. We videotaped it and everything! We always have fun when we are together.

(Lights off on center stage)

(LC: lights up down right)

Janice: (Walking into light down right) October 27 was a busy, fun filled day for Mariah. She and her friends, Valarie and Kaitlyn, (lights go on illuminating both girls who are standing UC) had gone to the college football game and cheered their team on to victory. Later, they went out for pizza and laughed hysterically as they shot spit wads at each other through straws across the table. She called me at 10:15 asking to bring some kids home with her to watch movies and hang out. There were six of them; Valarie and Kaitlyn, who were spending the night, and three boys from the neighborhood. I could hear them down in the TV room watching "Scream" and pummeling each other with pillows. Everyone in a while one of them would scream and suddenly they'd all burst out laughing.

About 11:20 I told the boys it was time for them to go home. The girls begged, "Please can we walk the boys home?" I wasn't buying it so Mariah changed to "Please, mom, can we just walk them halfway?" Of, course, I gave in and off they went piling on coats and racing across the yard, their laughter ringing through the stillness of the night.

LC: (Lights off as Janice walks offstage into the darkness.

(Lights up on center)

Mariah: (Voice Over) it was the beginning of the school year and we were freshmen in high school. We didn't go with the flow; we stuck up for one another. We didn't care how tall or muscular you were, if you were messing with one of our friends we went crazy. We were great friends, we didn't follow the crowd; we made our own crowd. We laughed, and giggled and got silly, but we really cared about each other. Some girls came and went but the true girls stuck 'till the end. LC :(Lights off center)

LC: (Lights on Valarie and Kaitlyn who step down to center together)

Three teenage boys can be added as extras here

Kaitlyn: It was really a fun night. After the game we went for pizza then hung out with a bunch of friends. Finally six of us ended up at the McCarthy's watching movies. Near midnight we left to walk the boys part way home. We got about half way then said goodbye to the boys and

turned around to walk back to Mariah's house. (The three extras wave goodbye and walk offstage)

Valarie: It was the best day. As we were walking we started laughing and talking about friends and our first year in high school. Suddenly Mariah just took off sprinting full speed ahead. She slipped and fell and lay there, on the walking path, laughing hysterically.

Kaitlyn: Then we started skipping, that really brought on the giggles. It was so quiet that our laughter echoed in the darkness.

Valarie: At one point Mariah slowed down and had to run to catch up. She came barreling and laughing into the middle of the two of us as we continued home.

Kaitlyn: It was cold out, but a beautiful, still night. There was a full moon and the ground sparkled with a light dusting of snow. It was magical. We were arm in arm walking down the footpath.

Valarie: It was almost midnight and the road was empty. It was like we were the only three people awake that night in the whole city.

LC: (Suddenly two bright lights come from up center, straight at the girls. We hear the blaring sound of a loud crash. Lights off girls who exit)

(Shane Ford walks onto the stage and into the light down right)

Shane: There are a lot of reasons I shouldn't have been there that night. I was home, getting ready for bed when the night guy called and said some kids had been driving across the new grass at work. I got up, changed and went down there. I visited with the night guys and decided to buy them pizza. When I got back outside I found out I had locked my keys in the office! So, I ran home, got my wife's car, picked up the pizza and dropped it off with the guys.

On my way back to the house I took Blacktail Lane and I turned up into my street when I see this car facing the wrong way, stopped near a new house under construction. I stopped and started to get out, you know, to see if there was a problem? I see a kid standing by the fence surrounding the construction site and he's looking over it. I'm wondering why, so I start over to him. At this point his truck is blocking my view of the girls. He's in the southbound lane facing north.

He sees me and does a bee-line directly to me, very fast, very deliberate. "What happened" I said? "I hit a deer" he says. Well, he seemed ok, but then he starts to weave backwards and slowly forwards like he's correcting himself. But he has no slurred speech or anything. "Have you been drinking," I said? He answers: "I had a few."

“Well, your car is in the wrong lane and I can see another car coming down the road now, see their lights? You had better go home.”

He walks away and goes for his car and I am in my car and about to drive home when it strikes me funny that I can't see the deer. I think, maybe the deer isn't dead or it's sticking out into the road and could cause another accident, you know? But I can see something, so I back my car up and get out expecting to find a dead animal.

I saw all three of them at once, laying there. My heart just fell out of my chest. I hadn't been there in time to actually see him hit the girls so I didn't know if he had injured them somewhere else and was dumping them here, or what. But then I started finding pieces of his truck and could put two and two together pretty quickly. I knew I couldn't help all three so I ran to the neighbor for help. They come running over with blankets and start warming up the girls. I am standing there, on the side of the road calling 911 when I see the same guy get into his truck, drive north, then back around, make a u- turn and come right at me! I had to jump to avoid being hit!

(Crossing DL)

I am still on the phone to 911, so I tell them he is now heading south. (Crosses to down left) I hang up and run to the girls. Two were moaning and moving a little, but one wasn't moving at all. (Crouches down) I went over to her and felt for a pulse. Nothing. So I listened to her breathing. I can't hear anything. So I lean over and say, “You need to help me here. You need to breath for me.” And she does! But then she stops again. I started artificial respiration and I hear her take this huge intake of air. I keep this up until the paramedics arrive to take over. (Rises) It seems like forever when you're doing that, you know? I really felt she'd be fine once the hospital started working on her. I had every hope for Mariah, she took air very easily.

I don't care how much you've had to drink you always know if you've hurt someone. You can always call 911 and get help. He wasted a lot of precious time; if he had only yelled for help or said to me “I hurt someone, call 911,” people would have forgiven him. But no, he turns around, gets out of his car and stands over them contemplating what to do next.

I mean, here's this guy standing over three broken bodies. It's 22 degrees out and he's doing nothing! They would all have died out there. People make mistakes but no matter how bad they are you got to help them, not leave them like road kill.

(Doreena Ford moves quickly downstage left)

Doreena: I was home, in my pajamas, waiting for Shane to return when the phone rings and it is our 16 year old son, Zack. He had actually driven by the crash site and saw my car and his Dad

crouching on the side of the road. He called me and said “Dad is ok, but I don’t think the girls are.” I couldn’t tell if Shane had been in an accident, or what was going on. I grabbed my coat and I took off down there. (Steps to Shane) When I got there I found Shane kneeling next to Mariah as the EMTs worked on her. Zack was with Kaitlyn Okrusch, lying there, in the snow, talking and joking with her even though she was barely conscious. I stayed with the two girls, holding their hands, talking to them until they were loaded onto stretchers and taken off in the ambulance.

Shane: I gave my story to the cops and was about to drive home when I changed my mind and decided to try to find the truck and that driver. (Pausing) Well you can’t just go home after a thing like that, and I knew he couldn’t be far. Doreena and I took off driving down Blacktail when I see this dirt driveway and the lights of a police car heading down it. I pull up to the house I see the truck and a policeman leading the kid out of his house. He was easy to recognize, clearly the same guy, and his truck had three dents in the front. The kid is telling the policeman he hadn’t driven down Blacktail!

“You’re a liar! I saw you. You know you hit those kids!”

Doreena: I was still in the car. I had the windows rolled down so I could hear what was going on, but this kid scared me; I wasn’t getting out. I punched 911 and had my cell phone ready to press “send” if I had to. The policeman said something like “Is this your truck? Can I look inside?”

Shane: He kind of freaked and looked right at me, my wife and the cop and says “I have a 30-06 in the truck with one in the barrel and two in the magazine.” What was that about? Was he actually threatening to kill the three of us? Shortly afterwards another two police cars pull up and we can finally go home.

Doreena: The police said he had made eleven cell phone calls in the seventeen minutes after the crash and none of them were to 9-1-1! What kind of person could do that?

Shane: His name was Wade Peterson he was nineteen years old and had twenty four beers that night before he drove home. He had no intention of admitting responsibility. He hit those babies, pulled into the street, turned around, pulled over and walked around them as they lay on the ground bleeding. (Pausing) I don’t know where you come down on the idea of a higher power, but I believe God wanted me there that night. Whatever he had planned to do, I truly believe God put me there so he didn’t do something worse.

(They back out of the light and into the darkness offstage)

LC: Up center

Mariah: (Voice Over) I love art and won two contests. In the fourth grade I won the Energy Share Contest and in the fifth I won the Christmas Stroll Button Design! I am a writer and a poet and I am very happy with who I am. I am a dreamer and I don't give up easily.

(Light off on center)

(Janice and Jenna step into the light down right)

Jenna: That night I went to a late night movie with friends. On my way home I saw a truck with its passenger headlight burned or cracked out. I didn't think anything of it and headed on home. Never did I think I would be staring at the driver of that same truck in a courtroom, staring at the man who killed my little sister.

Janice: When Jenna came in I asked her if she had seen the girls as she drove home. She said she hadn't and headed down to her bedroom.

Jenna: You didn't seem worried, so I didn't worry. A few minutes later I got a phone call from Valarie's sister who had heard Val had been seriously hurt in an accident. I ran upstairs and saw you looking out the window towards the end of our street, just where the truck I saw had been. Instead of a truck I saw police cars and ambulances and flashing lights. I just never dreamed it would be my little sister they were trying to keep alive on that cold blacktop.

Janice: You came in and said you just heard Valarie was in an accident. We both jumped in the car and headed down the road toward the flashing lights. Mariah was there, laying on the ground, with paramedics working on her. I ran up to her but they held me back, said I couldn't touch her, that they needed to stabilize her and get her to the hospital. Minutes later they took off, sirens blaring. We stood there, staring at broken pieces of metal and blood spattered snow. I was frozen; unable to move. Then a friend came by and led the two of us to her car where we followed the ambulance.

Jenna: By the time we arrived at the hospital there were already lots of Mariah's friends waiting. The emergency room lobby was filled with crying, anxious faces. I remember thinking, "How did they all get here so quickly? Did they witness the crash?" (Lights off)

(Lights on stage left as Margi enters)

Margi: Chad and I were home when we got the call saying the girls had been hit by a car and to come right to the hospital. We were terrified and confused. I grabbed the two kids and rushed to the ER. We didn't say anything on the way up there I just cried and prayed. I had no idea what to expect. When they took us into the ER, our worst nightmare came true.

(Peggy enters and stands with Margi)

Peggy: (Lights up as Peggy enters and stands down left) I had just returned home from the theatre when I got a phone call from a woman who asks, "Are you Val's Mom?" She says there's been an accident, it's not good and to come right away. At first I can't believe it. I had just spoken to Valarie not twenty minutes earlier. They were at Mariah's house for a slumber party. How could they possibly have been in an accident?

When Jimm and I arrived all three of the girls were still lying on the ground. We ran to Valarie who could speak, but was falling in and out of consciousness. She was very scared, very confused and every movement was agony for her. They put Valarie and Mariah next to each other in the emergency room, with just the panel separating the two areas. Kaitlyn was in a room around the corner. We were all so close I could hear every cry, moan and whimper.

Margi: Even now I can't think about that night; it's like a nightmare that I can't wake up from. We kept pacing, crying, waiting to hear back on all the tests and scans. Hoping and praying; making deals with God for our daughter's life.

Peggy: We stayed with Valerie all night sitting next to her bed, touching her hand as machines pumped blood and fluids into her tiny arms. It was impossible to sleep. All I could do was pray and wonder whether she'd be alright, need surgery, survive.

(Lights up center)

(Leo walks into the light downright joining Jenna and Janice)

Leo: My cell phone rings and it's a message from Jenna, "Come to the hospital, Mariah's been in an accident." We walk into her room and she is lying there, connected to tubes, so many that she is dwarfed by them. They form an artificial wall, a sterile barrier, separating our child from us. Her right hand is lying on top of the sheet, so pale it is almost transparent. I squeeze her fingers hoping some of my heat, my pulsing blood, will pass through into her. Fourteen years of our lives were gone. (He snaps his fingers) Just like that.

Janice: Two doctors come in and tell us they want permission to put Mariah on a life flight to a larger hospital with a neurologist. It would be just a half an hour flight, but there would be no room for us on the plane with her. I went into the waiting room to make arrangements to drive there. I believe this is good news; she only needs a specialist. He'll treat her and she'll come home.

Leo: Janice went out to sign the papers while I stayed in the room with Mariah as the machines went up and down. I've been an insurance agent a long time. I've done death claims. I knew this wasn't Mariah anymore, not the eighteen pounds of blood soaked clothing in the corner of a hospital room.

Peggy: I stayed in the room with Valarie. She was able to see Kaitlyn just before she went home, but she didn't ask about Mariah after that first night. I know now she didn't have the strength to hear the answer. She found that strength at four on Thursday morning.

Janice: And so we drove the 100 miles into the night to a larger hospital where, sixteen minutes after we arrived, a neurosurgeon declared our fourteen year old daughter brain dead. We stayed with her, holding her hand and saying good-bye.

Leo: No parents should bury their child. No parents should fill out her death certificate, release her organs for transplants or plan her funeral.

Jenna: Things like this aren't supposed to happen to innocent girls. She was my baby sister and this time I couldn't make it better. Someone special was taken from me because of someone else's selfish choice to drink and drive. My world was turned upside down. I was never supposed to be an only child but now I am.

Janice: It was all like a video or a bad movie, playing over and over again that I was unable to turn off. When I look back on Mariah's life, I think now that she wasn't destined to be with us long. As a child she was always looking up at the sky, at the clouds. She loved pictures of angels and drew them, even from an early age. When she was seven her Grandpa died. Mariah used to write him letters in heaven and draw pictures of him as an angel. Years ago I had given her a clip-on angel which she kept on her pillow, year after year, even when the wings fell off. It is still there today.

(Lights off as the three walk offstage)

Scene Two: The funeral

LC:Lights up full.

(The three McCarthys sit DR. The rest of the cast sit in two rows DL)

(Jenna crosses to center. A picture of Mariah is on a stand in center stage)

Jenna: (Moving to center stage and addressing the audience) the loss of Mariah, my sister, has left an ever deepening hole in my heart. That hole cannot be filled; she is the only one who can fill it. I understand that losing a sibling to anything is hard no matter what, but losing a sibling while in high school is worse; walking down these halls and knowing she will never walk them with me is sometimes overwhelming.

I want you to know that Mariah was an average freshman in high school, not some saint. She could be silly and loved to have fun. She did normal things with her friends on the weekends. She was beautiful and had a good heart. She was nice to everyone. Everyone liked her. She loved to draw and write poetry. She had dreams and plans for her future. She had a sister who was seventeen. Her name was Jenna and her life will never be the same without her little sister. (She returns to Janice, down right)

Leo: (walking to center stage and directly addressing the audience) today I will speak to Mariah's classmates and her generation. Her life is defined in this message: Don't drink and drive and don't ride with anyone who has been drinking. Mariah's challenge to you is to be the first generation of kids not to drink underage. Break this sick cycle. Make a difference. You have the power. You have the guts. You have the faith. If you can do this through high school, if you can give back to your community then when you graduate, the Mariah McCarthy Scholarship Fund will help you go to college or trade school. Mariah's wishes for you are to grow old, grow old with your parents, grow old and have children and hug your loved ones every day. Help me close the door on this lonely club so no other parent can join.

LC: fade out as the three exit in darkness. The other actor remain in their chairs)

Scene Three: The courtroom

LC: Lights up)

(A small desk is set UC for the judge)

(Valarie, Peggy, and Jimm Kilmer sit on folding chairs DR)

(Kaitlyn, Margi, and Chad, sit on folding chairs DL)

(Leo, Janice and Jenna sit on folding chairs UL)

(As characters speak they cross to center stage where they directly address the audience who represent the defendant)

District Attorney: (He is in center stage and already speaking as the lights come up) Ten years ago if I asked for verdict of negligent homicide in a case such as this I would have been considered a zealot and an overreaching prosecutor and laughed out of the courtroom. Two years ago there were no criminal charges for a hit and run resulting in death in this state. We have come a long way since then, but not long enough. These victims and their families should not have to stand in court asking you to send a killer to prison. By driving drunk, Mr. Peterson took away the innocence of our entire community. He made us all afraid to let our children play

outside or walk home from school. He put targets on our backs and made us all prisoners in our own town, fearful of the next drunk driver that comes along. We can stop that today. We have come a long way from the days of allowing drunk drivers to rule our streets. Those days are done. They are over. Let's stand up for our rights as citizens to be safe on our sidewalks and streets. If we don't take a stand, here, today, then the only thing separating each of us from another drunk driver is a six inch wide white line. (He returns to his chair on the right of the Judge)

Judge Newman: (Rising) before I imposed sentence the victims and their families would like to address the court. The court calls Margi Okrusch, mother of Kaitlyn, one of the victims. (Sitting)

Margi: (Moving to center stage) I am not here because I am perfect. I am not perfect and I am not judging you. You had four opportunities to change the outcome of that night. You stopped your car, but when given the chance to offer assistance to our three girls, you chose instead to run away. Instead of calling 9-1-1, you got in your truck and drove home, leaving them there to die in the cold. Instead of asking Shane Ford to get help, you attempted to cover up your crime. Instead of behaving like an adult and taking responsibility for your actions, you behaved like a selfish child and left your mess for others. You caused unimaginable pain and grief for all of us. You need to step up to the light. You need to face what you've done and accept responsibility. You need to stand up and be a man. It's not too late. (She returns to her family down left)

Judge Newman: (Rising) Next to address the court will be Chad Okrusch, father of Kaitlyn. (He sits)

Chad: (crossing to center stage) Mr. Peterson, on the night of October 27 my daughter Kaitlyn, was fourteen years old. She was an active, happy and healthy teenager. Your callous and reprehensible actions left her moaning and struggling for her life on a dark street in freezing temperatures. She had facial lacerations, deep cuts to her left foot and right calf, multiple bruises and a subarachnoid hemorrhage in her skull.

You caused these injuries, but instead of taking responsibility for your actions you drove away leaving three little girls to die in the street like road kill. People tell me again and again this is a tragedy for all concerned. I prayed for you that night in the hospital while I was praying that my daughter and her friends would live to walk out with us. But I became more and more angry as the details of the wreck came to light. In part you are a victim of our culture and our world, a world that turns a blind eye to underage drinking; but when you do something wrong you need to pay. There is a long road between law and justice. You are stepping onto that road today. It is up to you which direction you take. (He returns to his seat)

Judge Newman: (Rising) Kaitlyn Okrusch will now speak. (Resumes his seat)

Kaitlyn: (Rising and walking to center stage) Wade Peterson, do I look like a deer to you? I am wondering what I can do to try to relieve my pain. You have made my life a living hell. Not just for me, but for all of us and for this community. What is wrong with you? I feel terribly sorry for you. I have dreams and hopes. I wonder if you will ever look inside yourself and see that you have no self-respect. You have lost nothing but we have lost everything. We lost Mariah. I wish you could have met her. She was really special, you know? You may have broken me physically but you have not destroyed me. Something beautiful has risen out of your negligence, love. Love keeps each of us going, our love of Mariah, our love of each other, love of doing right and the knowledge that Mariah is still with us. She is an angel watching over us. Turn to Mariah; she is the one you need to apologize to. She is the one who will set you free. (Returns to her seat)

Judge Newman: (Rising) Next to speak will be Jimm Kilmer, Father of Valarie Kilmer, one of the victims. (Sitting)

Jimm: (Rising and moving to center stage) since that night we have all been in a state of sustained trauma. You have made us victims of your shameful and deceitful actions. I won't expose the extent it has affected Valarie. You have taken so much from us and from this community. I will tell you are responsible, whether you accept the responsibility or not, for changing Valarie into the person you see today. You robbed her of the joy a teenager should feel. For Valarie, every normal happy event that a teenager should be enjoying collides with unbearable grief. October 27th was her last happy day. As you drove away she laid on the roadside with a subarachnoid hemorrhage, lacerated liver, kidney and spleen, a spot on her brain, lower back vertebra shift, multiple bruises and an elbow cut open to the bone. The memory of that night will haunt all of us forever. Valarie was in and out of consciousness yet she begged her mother to find Mariah and Kaitlyn, putting her own fear aside thinking only of her friends. You struck her so hard she was knocked out of her shoes and left lying on a cold roadside for 44 minutes in shock and trauma, and yet, she thought only of them.

We all carry unbearable pain. I think of standing in the emergency room with parents whose kids mean everything to them, desperately hoping their girls will be alright. Then to see those same parents when they learn one of them will not survive. You have taken so much from us; from all of us, especially the McCarthy family. Do you have the courage to look in the face of Mariah's parents, her heartbroken sister, her grandparents? Only God will ever know the depths of their sorrow.

When I look at you I tremble. What were you going to do with our three girls if Shane Ford hadn't intervened? Decent people don't behave like this. You have built a prison for yourself in lies, when only the truth will set you free. Show some maturity and compassion. Apologize; take responsibility for your actions. They were three kids walking down the street on their way

home. Honor them. Honor Mariah. Honor every victim of a drunk driver in this country and turn your life around for all of them.

Judge Newman, please don't make this a case of making victims out of victims. Please make our community a place where all can be safe and violators will be punished. Let this be the turning point in a community that takes care of each other. How many of our children must die before we say enough is enough? Help us change our society and create a cultural environment where drinking and driving are never condoned. (He returns to his family down right)

Judge Newman: (Rising) last to speak is Leo McCarthy. (Sitting)

Leo: (crossing to center stage) I am here today to speak for the dead. This was not an accident. It is never an accident when you put keys in the ignition after you've been drinking. It is a choice and what happens after that isn't an accident, it's a tragic, tragic event. I hold you personally responsible for the death of my daughter, the pain to my family, the injury to her beautiful friends and the assault on innocence and injury to a whole generation of our community's youth. Be a man; take responsibility for your actions. You must be rock stupid to believe you hit a deer. You didn't hit a deer, you hit my dear.

If you were to crawl naked, on broken glass, every day for the rest of your life it wouldn't even come close to the pain we have experienced from the loss of Mariah. You have lived a charmed life; a Peter Pan lifestyle with your lost boys in a Never, Never Land where responsibility and moral ethics gave place to privilege and fun. You lived in a selfish world where underage binge drinking became your right. You lost that right when you got behind the wheel of your pickup, put it in drive and turned it into a five thousand pound vehicle of death.

Wade, I see no emotion in your face, even now. You did the wrong thing and continued to do it as your world shrunk smaller and smaller until you were the only one who mattered. You magnified your crime when you drove by, came back, looked at the three of them, broken and bleeding, then drove away. You lied. You lied, tried to divert suspicion, to pass the blame, to include friends and relatives in your web of lies. It is hard to show mercy for someone who showed none for them.

Since you didn't stick around at the scene of your crime, let me tell you what happened to our daughter, Mariah, after you ran home. At 11:45 you killed her. At 1 a.m. I watched as a priest gave Mariah the last rites. At 2 a.m. we were driving the 100 miles to a different hospital where a neurosurgeon would work on her. At 11 a.m. I signed the donor forms to harvest her organs. I stood over her and sang an Irish lullaby, the same one I sang to her the night she was born.

Do you see this? (Holds up a piece of paper) This is Mariah's birth certificate. Her mother, God and I created this. Do you see this? (Holds up another form) This is her death certificate. You

made this. Her mother, sister and I will never hear the sweet sound of her laughter. We'll never have Christmas snowball fights or watch her on the trampoline. We'll never see her marry or hold her child in our arms.

Wade, I don't hate you. Soon you'll be forgotten and we'll forgive you. Eventually you'll be back in society. Stand on your own two feet. Share with your children the events of October 28, 2007. Make something good and clean and positive out of this heartbreak and tragedy. Carry your story to others; let them know that underage drinking and driving is not a rite of passage but a one way ticket into the depths of hell. Help to make the streets and highways of our cities and towns safe. Something has to change. Be a part of that change. Make what is just, right. Make good out of bad. Honor our dead princess. Make me the last father to mourn the loss of a child to a drunk driver. You owe it to us to be good. You owe it to Mariah. (He walks back to his seat)

Judge Newman: (Rising to speak and crossing to UC) I am certain there is nothing I can do today to satisfy everyone concerned. I cannot turn back the clock to October 27th. I cannot undo what you did. I cannot give back the McCarthy's daughter. Should I order him locked up? Should we throw away the key? Should I return him to the community? The truth lies somewhere in the middle.

There is no evidence of intention to commit harm. But death and injury resulted from a series of choices you made. You chose to drink. You chose to drive. You chose to disregard the risk to life and community. You chose to flee from the scene. You had the opportunity to do what was right. You didn't seize it. You neither called for nor offered assistance to your victims. The court must take all this into consideration when passing sentence.

And yet, you are young with no prior criminal record. You may still return and eventually become a productive member of the community. Take the memory of October 27 and use it to create something good. Serve this community and state. I look forward to that day.

I therefore sentence you to ten years in the state prison for negligent vehicular homicide. You are also sentenced to ten years, suspended, on two counts of negligent vehicular assault and hit and run driving involving death and personal injury. You will begin serving this sentence immediately.

LC: Lights fade out as all characters leave the stage

Scene Four: One year later

LC: lights up center

Janice: (Walking to center stage) at first I tried to just get through each day after Mariah's death, but it was all a fog. Everything was spinning; I couldn't breathe. The sun came up and the sun went down; but anything in between I couldn't say.

Now, a year later, I try to remember her as she was before the crash. I remember who she was and what she brought to all of us in her little life. I exist in an artificial prison where no sunlight ever enters. I live with a dull hard ache. I can't let grief define me. I've lived in grief; it's not a pretty place. It drains you mentally and physically. Now I acknowledge the past and realize I can't predict the future, but I have to live in the present. I have to remember what she was, not the crash scene. Honestly, I'd rather be gone from this earth, but I still have Jenna and I know life must go on.

One of my greatest memories is that night, the night she died, when she stood at the door to say goodbye. She was giggling and laughing when I agreed to let the three of them walk the boys home. She grabbed her coat and turned to me with that big smile and said, "Thanks, mom." I freeze that picture in my mind.

Jenna: Mariah may not be here, physically, but now she exists in other ways, I can feel it. She is my angel. I'll always miss her and I'll never forget her, because I love her; all that she was; all that she is. My life has been worse than I ever imagined it would be, but, I guess that's life and you have to go on living it no matter what happens because you are still alive. The pain I feel is part of life. The confusion and fear I feel are there to remind me that somewhere out there is something better than this life, and that is something worth fighting for. Someday I'll wake up and realize that all the pain I've felt in my life will have been worth it because at that point my life will be exactly what I've always wanted.

Janice: Mariah had cleaned and redecorated her bedroom just before she died. She put her Grandpa's picture on her desk and her angel book by her bed. I like to sit there, remembering her. Lately I've been finding journals, poems, pieces of paper she's drawn or written on. Just when I think I've found them all, another turns miraculously up. That is her gift to me. That is how I know she will always be with me.

When my girls were little I told them feathers were a sign that angels had been around them. Since that night we've all been finding them, especially Jenna.

Jenna: (Laughing and crossing into the light at center stage and joining hands with Janice) Feathers are everywhere. I've found them inside school, inside my house and inside my laundry. I found a tiny little one on my left wrist just this morning while I was washing my face. Signs like that help me know that Mariah is in a good, safe place.

Valarie: (Joining them) Feathers? Yes, I've found them, too. One day, shortly after I came back to school, I was walking down the hallway and came to a spot where Mariah and I used to meet between classes. There, where we used to stand was this big, colorful feather, right there. I know Mariah is with us, with me, always.

Jenna: Every night when my family eats dinner, I set the table. I always have and I always will. The reality of Mariah's death really hit me when I was setting the table for dinner and she wasn't there. I realized at that moment that I had to only take out three plates, three forks, three knives, three spoons and three glasses. I don't like three; I like four. I don't think I will ever get used to three.

Kaitlyn: (walking to the group) I still wonder, "Why Mariah, why not me?" I am thankful to be alive but the guilt that comes with life is almost unbearable. Mariah was the strongest of us. I believe God chose Mariah and the McCarthy family because they are all so strong. God chooses the strong to make everyone else stronger. I know Mariah is guiding us all the time.

Margi: (Crossing to her daughter) we have all lived with the guilt. He hit three girls. Why did one die and two survive? Why Mariah and not Kaitlyn or Valarie? We will never know the how or why. Every day I think of Janice, Leo and Jenna. I look at Kaitlyn and I cannot imagine my life without her or what the McCarthys have gone through; are still going through. Every day I tell Kaitlyn how much I love her and remember how lucky I am to have her with us.

Valarie: Now, I accept that I can't change that night; but I can't allow it to change me. After the crash I was afraid to go to school or to walk outside. I still have bad days, but they are fewer and fewer. I miss her terribly. All we have are the memories of her in our hearts.

Peggy: Everything is bittersweet. I am so grateful to see Valarie laugh and smile again, but there isn't a day that goes by that I don't think about the McCarthy family. They call it survivor's guilt. We have all asked ourselves that question and will probably continue to ask it. I know we won't get the answer here on this earth, and Valarie knows it, as well. But she and Kaitlyn have a beautiful faith in their church and know they will see her again.

(Actors exit still linked together)

LC: Slow fade

Scene Five: The Challenge

LC: Lights up on center stage

Mariah: (voice over) Butte, Montana is the only place where I can imagine growing up. New York, San Diego or Miami just wouldn't feel right. A little town known for poor sportsmanship, tough kids and no civilization is the one place I feel like I belong. The protective mountains are barriers against natural disasters and they make me feel safe. In this goofy little town everyone knows everyone. No, we aren't hillbillies; we are just friendlier than your average Americans town.

LC: Off center. Up DL

Jimm: (Enters from DL) at the eulogy Leo challenged the kids who were there to change the way they looked at underage drinking. He threw out the challenge that if they went through high school without drinking he'd make sure there was some money for them to go on to school. It was an amazing moment; a leap of faith, if you will. It was the first step toward change.

Leo: (entering down DR and standing next to Jimm)

I was really only trying to help five or six kids. After Mariah died they would come over to the house and just hang out. Well, as parents, as adults, we try to make things better. But I had nothing to give them. Then one sleepless night I decided it would be easy to say, "I am going to make him the most miserable guy in the world." But suddenly, I realized I didn't need to make him miserable, he had done that to himself. I just needed to make something good out of this tremendous bad. That became the message, the challenge. From that moment it just sort of fell into place.

Jimm: Then suddenly it grew from there. People were saying, "Yes, I'll help you." Neighbors, businessmen church friends said, "What can I do?" It mobilized and turned into something concrete and energizing. When a tragedy like this happens you can either hide in the closet or do something positive. This simply exploded!

Leo: Will some of these kids fail? Yes, they will make wrong choices; it's inevitable. That's peer pressure. But the next time some punk brings a six-pack to a party this kid can say, "No, I took the Challenge." The Challenge is all about making the right choices, making the right decisions, giving something back to your community. Making the decision to live a life of purpose; clean of drugs and alcohol.

Valarie: (entering from CL and joining her father) I am part of the Challenge. It's my way to keep Mariah alive. I always want to keep her in my life and in everything I do.

Kaitlyn: (entering and joining the others) the challenge is a big part of my life but it hurts when others just give up. After the crash everyone was committed to supporting the challenge and

taking a vow not to drink. But after a few months they fell away. It's hard to change something that's gone on for so long, hard to change people's perceptions and habits.

Jenna: (entering from CR and joining them) Exactly, I am in a glass social bubble. People don't talk about anything that has to do with partying around me. I guess I appreciate that. Sometimes people stare at me because I am the "Dead girl's sister". When I came back to school after it happened everyone was nice to me. I had lots of friends for a while, and no one was ever going to drink again. But things gradually got back to normal and those who partied before are probably still doing it. I wonder if we can ever get through to them unless someone they love dies from a drunk driver.

Kaitlyn: Val and I don't fit in anymore. I guess it's hard to be the kid who doesn't drink when those around you do. Teenagers just don't want to be the odd one out.

Valarie: It's true; we don't get invited places much because they know we won't drink. Then at school on Monday they'll be talking about their weekend and clam up when we walk by. They don't see tomorrow. They can't imagine the consequences of just one mistake.

Chad (entering from CL and joining the group): I think it is an incredible test of faith that made three fathers say "Enough is enough". Three fathers who refused to take failure as an option. We threw out the gauntlet and it was picked up by our community. We don't do it for us; it is always tough to speak at assemblies, go to MIP classes and speak at the legislature. It just brings up all those difficult emotions and you relive that night again. But it is worth it if we can take back our streets; make them safe for our children.

LC: Fade to blackness as actors exit.

Scene Six:

LC: Lights up CR

(Leo enters and stands in the light CR)

You have in your life, a real circle of opportunities. Who says you have to drink before you're 21? Who says you have to smoke or use drugs? You're better than that! Whatever the situation you are better than that! Have faith in yourself and the people who love you. Take care of yourself. Say No to peer pressure and Yes to you. It won't be easy and only the tough will succeed. Begin today to live a life of simple self respect. Let's change this suicidal rite of passage. It won't be done by laws, but by the dinner table. Once we change the dinner table we can change the street; the neighborhood and the town. You will become the messengers, the messengers of life.

(The other cast members enter. Jenna and Janice stand by Leo. The rest stand on stage left)

Janice: It's time for mothers, fathers, grandparents, aunts and uncles to take a stand. As parents we spend our lives making sure our kids are safe. Safe to run, to play and to grow. But we haven't been able to protect them from the drunk drivers that turn our streets and sidewalks into their personal killing fields. We can no longer bury our heads in the sand while we bury our children. The choice is ours.

LC: Lights fade out and come up Center)

Mariah: (voice over) the stars are shining so brightly tonight. They resemble the hearts of each and everyone around the world. My heart beats stronger as they shine; knowing every time a star shines a little brighter, someone just realized that they are beautiful in every way.

SC: *The Angel Mariah*

LC: Slow fade to black after second verse of song

The End

Playwright's note: The play is based on a true event; a 2007 hit and run crash that injured two 14 year old and took the life of a third. The script was written through interviews, court records and with the direct input of those involved. It is my hope that this show can open a dialogue between parents, school groups and community leaders that can turn around a society that condones underage drinking and allows drunk drivers to rule our streets, sidewalks and highways.