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Lawyer makes telling case against DWI

Steven Benvenisti doesn't lecture or pitch statistics when he talks to people about the perils of drunken driving.

He tells them a story they never forget.

It's about a case Benvenisti, a trial attorney from Teaneck, calls "the most significant of my entire career."

"Until now and forever," he says.

He begins with two young men, each with friends blocks from one another in Daytona Beach, Fla. One is a 21-year-old college student on spring break who has it all — athlete, fraternity vice president, homecoming king, and six



weeks shy of graduating with honors.

The student, who isn't drinking, is walking from dinner to his hotel. The other guy is drinking and gets into his car. With his lights out, going 50 mph in the wrong direction, he smacks into the student, shattering both his legs.

"His [the student's] torso smashes up against the hood of the car and his face goes through the windshield. Then he is thrown 70 feet through the air and bounces in the street, landing face-down in a coma," Benvenisti tells a high school audience.

The student's parents are awakened at 4 a.m. in their Montvale home with the horrible news: Their son is in a coma with severe head injuries. Most of the bones in his body are broken and he is not expected to live.

"The doctor says, 'With your permission, we'd like to use him as a potential organ donor in the event he expires,'" Benvenisti, 31, says.

Benvenisti walks over to two 4-by-3-foot pieces of cardboard and flips them over to reveal photographs of a young man hooked to a respirator. A maze of intravenous tubes trail from his body, and his leg is ripped open.

"This is the 21-year-old college

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student the night of that phone call," Benvenisti says. "I am that student. This is me 10 years ago."

There is a collective gasp, then chatter. The audience is shocked. They can't believe the guy in the photo is the good-looking, fit, and energetic man they're listening to. Miraculously, it is the same man.

After years of painful rehabilitation — he was twice expected to die — Benvenisti decided to share his amazing story at town meetings, colleges, and local high schools. He makes that trip twice a week at prom time. It's a chilling lesson of what drunken driving can do and a promise that Benvenisti, who lives with his wife in Upper Saddle River, made during his yearlong stay in eight hospitals.

"I made up my mind that, if I was ever lucky enough to get out of the hospital alive, I would do everything in my power to decrease the number of people who got behind the wheel once they had been drinking. Because that's what somebody did, and look at what happened to me," said Benvenisti, an attorney with Davis, Saperstein, and Salomon in Teaneck.

Florence Nass, founder and director of END DWI, a statewide anti-drunken driving organization in Teaneck, is glad he made that decision. "He's a wonderful speak-

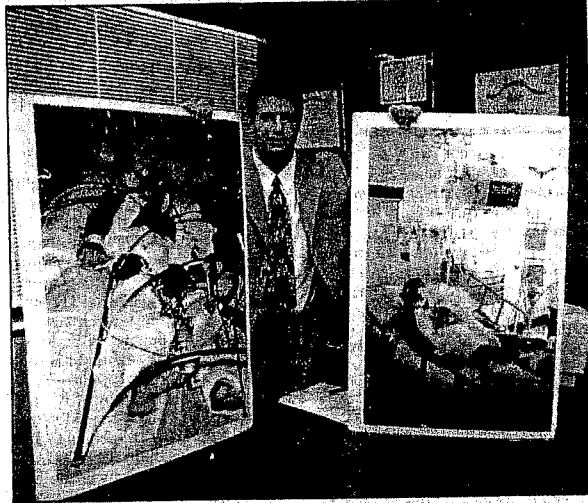
er," she said. "The students are spellbound. They write and tell me he made a tremendous impact they will never forget."

Benvenisti's struggle also led him to a career as a personal injury attorney. In the hospital, he saw many others crippled by drunken drivers. He understood the toll it took on his family and theirs. When he returned to finish college — he graduated magna cum laude — Benvenisti founded Fraternities and Sororities Against Drunk Drivers. His heart was always set on a legal career, but now he had a mission.

"I thought, what better way to continue to deliver this message than to become an attorney who represents people who are victims of drunk and dangerous drivers," he said. "Because of the tremendous amount of physical and emotional pain I went through, I can appreciate what they're going through. My cases are so close to my heart."

He has taken on — and won — cases other lawyers thought impossible to win. "He took our case when nobody else would, and he did very well with it," said A. Steve Matthews of Bloomingdale. His daughter, 12, was hit by a car.

"But he was a hero before that. He jumps with both feet into any case he's involved with. He's a super person, the nicest guy you'll ever meet," Matthews said. "As



DON SMITH/STAFF PHOTOGRAPHER

Steven Benvenisti, who was nearly killed by a drunken driver 10 years ago, with enlarged photographs of himself in a hospital bed.

long as I live, he'll be my lawyer."

"He really is a hero. I call him my 'Profile in Courage,'" said Nass.

High praise but well-deserved, knowing the hellish journey Benvenisti traveled to reclaim his life. Compared to that, getting high scores on his bar exams was "a piece of cake." "The pain and amount of work I went through in

recovering was harder than anything I went through in my life," he said.

Benvenisti awoke from a coma 10 days after the accident to find himself tied down. "My left leg was open 4 inches wide from the knee to the ankle and I could see my own bone with these 32 steel rods going through it."

He tried to speak but could not

"That's when I realized I was on a respirator ... actually, I was on life support," he said.

Blood clots threatened his life weeks later and his legs were so shattered, doctors thought he would lose them. "They said I'd be lucky if I was able to walk at all. If I walked with a limp, it was a victory," he said.

That devastated Benvenisti, who was a champion runner. "Running was always my escape," he said.

Benvenisti underwent 15 surgeries during that first year. More pain followed during months of rehabilitation in Haverstraw, N.Y. "I had to learn how to sit, to feed myself, to read again. Nothing came easy. The pain seemed so excruciating, so constant," he said.

Benvenisti does not remember being struck on March 20, 1989. "I only remember after it. I call it my birthday because I'm a different person since then," he said.

His iron will proved wrong doctors who predicted he would have a limp. Instead, he returned to life-guarding in law school. And although he still has a steel rod in one leg from his knee to his ankle, Benvenisti runs every day.

Those who witnessed the accident were college kids who had been drinking and were deemed unreliable. So the drunken driver never was prosecuted. A few years later, Benvenisti felt compelled to

see the man who had wrought so much pain in his life. "I used to think about him when I was in the hospital. I had a picture of him looking like a sleaze," he said.

He was astonished when he walked into the bar where the guy worked as a bartender. "He looked like a very clean-cut guy, a regular guy that had it all together," he said.

Benvenisti did not introduce himself. He has saved his energy for healing — and prevention — instead of confrontation.

His determination to become whole again is an inspiration to his clients; his message to audiences is twofold and simple.

"If you're going to drink, please don't get behind a wheel. Call a friend, a cab, a family member," he said. "And if you're with someone who has been drinking, do whatever you can to stop him or her from driving and don't get in the car with them."

He points to the photos of himself lying in a coma.

"Ask yourself, 'Do I want to wake up looking like this? Do I want to do this to a friend? Do I want to live the rest of my life knowing I did this to somebody else?'"

It's a powerful message from a powerful speaker who succeeds like no one else can. "He cares and understands," Nass said. "Who knows better what it's all about than he does?"

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Man on a mission: Survivor of DWI crash has sobering message

By Evelyn Appgar

In representing an injured auto accident victim, there probably are few lawyers who can bring to the table the perspective of Teaneck attorney Steven Benvenisti.

When he counsels a personal injury client, he's speaking from excruciatingly painful experience.

Eleven years ago, doctors were so convinced Benvenisti would die after suffering massive injuries in a horrific car accident in Florida, they asked his parents if they could harvest his organs for donation.

He fooled them and a lot of others who thought he was a goner.

Indeed, those same physicians and nurses were flabbergasted several years later to see Benvenisti return to Daytona Beach, walking on legs once threatened with amputation and dedicating his life to helping accident victims receive justice.

The attorney at Davis Saperstein & Salomon includes in his busy litigation schedule as many as two or three speaking engagements a week at high schools, community organizations and houses of worship. He focuses on the havoc caused by drunken drivers.

Benvenisti, who never accepts honorearia, said his reward comes when students promise they won't drive and drink.

Right from the start of his presentation, Benvenisti engages his audience. He tells his listeners about an unnamed 21-year-old college student, fraternity vice president and homecoming king, six weeks away from graduating with honors from Trenton State College and enjoying the sun and fun in Daytona Beach.

The student, who had not been drinking, was walking from a restaurant to his hotel when his life changed forever.

He was struck by a car driven by another young man who'd been drinking and was driving 50 mph in the wrong direction.

The homecoming king's torso was smashed against the oncoming car, shattering both his legs, and his face went through the window. He was thrown 70 feet and bounced into the street, landing face-down.

As his audience gasps, Benvenisti flips over some large posters to reveal photos of a young man connected to a respirator, one leg ripped open and a maze of intravenous tubes attached to his motionless body.

"I am that student. This is me 10 years ago," Benvenisti says.

His audience usually is hooked on his dramatic message.

Benvenisti says it's not uncommon for listeners to come up to him or write letters, promising not to drive while drinking — ever.

With prom time approaching, he schedules several 40-minute presentations a week to save others from sharing the pain that shot through his body during 15 surgeries and months of intensive rehabilitation.

He was in a coma for 10 days and his family was afraid they'd lost him twice, including immediately after the crash, when he was wracked with several pulmonary emboli.

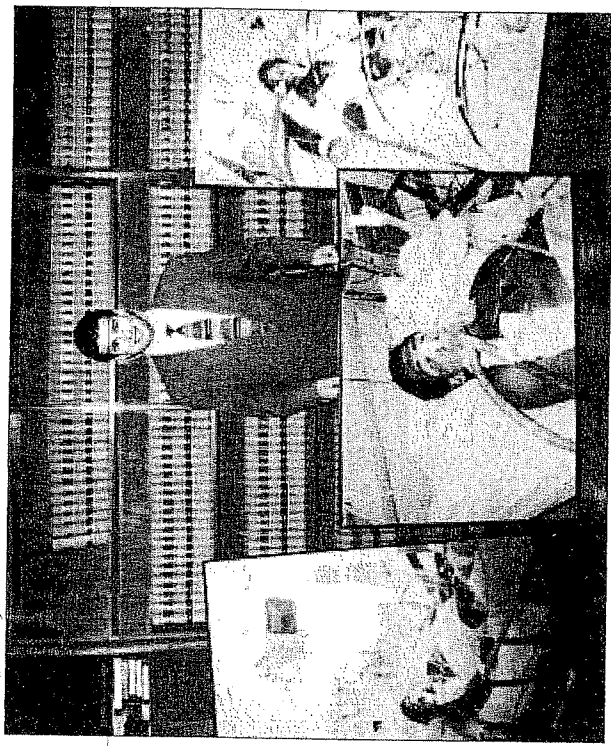
Besides the memories arising each time he tells his tale, Benvenisti's only major remaining problem is pain when he runs, especially in the leg with a steel rod and four pins in it.

He tells his listeners that DWI fatalities are the leading cause of death among high school students.

It's a statistic school officials want Benvenisti to emphasize — and he readily does.

He admits his advocacy efforts against DWI have taken on a life of their own. Following work with Mothers Against Drunk Driving, Benvenisti became the leading speaker in End DWI, which also fosters programs against drinking and driving.

After his recuperation, Benvenisti graduated from college *magna cum laude* and enrolled at Quinnipiac Law School in Connecticut. He has been a lawyer since 1993. Before joining Davis Saperstein, he clerked for Bergen County Judge Eugene H. Austin.



Steven Benvenisti brings these poster-sized photos of himself whenever he speaks to groups about the dangers of drunken driving.