

Saint Valentine's Day "Massacre" on the PCH

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[This account of a recent incident was written by Dana Rucker, and was sent to BicycleLaw.com by Andy Popinski. Dana Rucker has kindly allowed us to present his story, in his own words, here. It's a great story, and we hope you will enjoy it as much as we did.]

How do you know it's Valentine's Day? You are shot in the butt...while riding your bike on PCH...except its not an arrow, its a BB gun...and its not Cupid, its a kid in a pick-up truck. Ok, I'll start at the beginning...

This past Saturday, my wife, a few friends, and I set out to do a 45 mile ride in Malibu along PCH. Around mile 35, just after we turned around at Las Posas, I felt a sharp pain in my left side. First, I thought it was a rock kicked up by one of the cars. But then I noticed the passenger of a passing pick-up truck was yelling and waving what looked to be a pistol, while he laughed and taunted us. Then I realized that I had been shot with something from that gun. I turned around and looked at my friend behind me and immediately realized he had been shot as well. We stopped to make sure we weren't losing blood and everything was alright. Thankfully, we just had a few large welts on our behind from what must have been a BB or pellet gun. And even more thankful that we didn't panic when we were hit so neither one of us crashed. We clearly remembered that it was a red Toyota pick-up with a RockStar bumper sticker. We considered calling 911 but decided against it since no one crashed and we just had a few welts. But we did want to report it, especially thinking they may be doing this to cyclists up and down the coast. So we decided to go to the next Park Ranger we see at a beach entrance thinking they will advise us on the appropriate action. We were quickly informed by the Ranger that they ARE Law Enforcement. We also come to find out they are very enthusiastic about this as well and put a park ranger who was on the road on alert. I happened to see that park ranger pull into the park just as we were leaving so I stopped to give him a detailed report and off he went, driving south in search for the truck. I thought for sure the truck was in Santa Monica by now, though. Unless they were dumb enough to pull over at one of the beaches and go surfing. Hmmm...about 5 minutes later, a different ranger pulled up beside me and told me they think they found the truck. I got in the car with him, leaving my bike with my wife and friend. Sure enough, they were dumb enough to pull over, park and go surfing.

My friend, who had gone ahead while I was giving the report, had already

stopped at the truck and was there with another ranger. The following is his account of finding the truck..."About ten miles pass and I approach a favorite surf spot. Cars are parked all along the road. I see a red Toyota...this one with Rockstar bumper stickers. Jackpot! I stop, look up and whom do I see? A very enthusiastic Park Ranger in front of me. We look in the car and we can see in plain view, the pellets and a bb gun under the seat. Now beach patrol is involved getting the surfers to come out of the water. The driver is the first to come out of the water and confesses everything when just asked to verify his identity. He gives up his friend "the shooter" who eventually comes out of the water. The driver, who owns the two guns found in the car, said his friend has done this many times before. The shooter doesn't think this is serious because he's smiling and chuckling for quite awhile. And quite frankly, I didn't think it was that serious either. I was even wondering if any of the law enforcement were going to take this seriously but I was pleasantly surprised that the Beach Patrol, Park Rangers, LA County and Ventura County Police ALL took this very seriously."

The fallout: Both 'kids' (ages 18 and 19) were booked for 2 felonies - conspiracy to commit a crime and assault with a deadly weapon. The conspiracy part is because the driver slowed down to let the passenger shoot. Since both of the truck and our bicycles are considered moving vehicles, and since the BB gun was modified to look like a real gun, the crime becomes a felony. Our understanding is that they will most likely get the charges reduced to misdemeanor counts if they plead out resulting in a fine, and or, community service. Both went to jail Saturday and could have been released on bail. We were told that the parents didn't post bail, though, possibly so the kids could spend the night in jail to reflect? But, as I understand it, if they weren't out Saturday, they stay would stay through Sunday and Monday due to the holiday. That's a long weekend in jail to reflect and maybe be scared straight.

What's to learn? Well, I don't think kevlar riding shorts would be very practical so please make sure if something like this happens that you report it right away. I really expected to just have my statement taken and that's that, but the response and involvement of the Park Rangers, the Ventura County Sheriffs, and CHP was fast and thorough, resulting in justice. We thank them and greatly appreciate their efforts.

Dana Rucker