

# [Tucson Bike Lawyer](#)

## [Faith Quick sentenced today in Charles Nystrom Fatality](#)

[Carhead](#), [Our eternal quest for Platinum Status](#), [TPD shortcomings](#), [fatality](#), [getting off easy again](#), [ghostbikes](#), [safety](#) April 3rd, 2009



As most of my readers know, Charles Nystrom was [killed while riding his bicycle on Tanque Verde Road last year](#). He was a retired Air Force pilot, a bicyclist, father of two daughters, and was working as a school teacher at the time of his death.

I never met him, but he sounds like the kind of person anyone would be proud to know.

The evidence is pretty strong that he was riding his bike eastbound and merging across Tanque Verde in order to turn left (north) where he was to meet his family for dinner at Zona 54 Restaurant. He had taken the curb lane (that's the far right lane) and he was merging into the middle lane, which was free of traffic at the time he merged. But Faith Quick, a 20-year old woman and, apparently, frequent drug user, was impatient with the car in front of her that had slowed to let Charles merge. She did not see Charles.

Ms. Quick sped around the car in front of her and entered the middle lane at the same moment that Charles did. She hit him from behind in her pickup, and ran over him. He died at the scene, in the arms of a bystander, while asking the bystander to call his wife.

Ms. Quick plead guilty this morning in Tucson City Court to one count of misdemeanor DUI, for being

under the influence of marijuana while driving. She received a sentence of five days in jail and one year of probation.

Just prior to the proceeding, Judge Cranshaw pointedly asked the prosecutor what this case, which involved a fatality, was even doing in Tucson City Court. Why was this not charged as a felony? The answer: Pima County refused to take the case, based on the police report, which concluded that Charles was at fault in this accident. The Nystrom family and I have all but begged Pima County to accept this case for prosecution, but they refused to do so, and pointed to the police report to support their position that Charles was at fault.

The police report takes every opportunity to suggest that Charles Nystrom at best rode his bicycle erratically into traffic, and at worst threw himself into traffic from the curb. It gives little credence to the statements of the one witness who saw the accident clearly, and the only witness who saw the entire event. Instead it relies on badly scattered recollections of a few witnesses who did not see the event directly, but only pieces of it.

Adding to the insult was the media response. Take this passage from the [Arizona Star article](#):

*The driver of the truck — a 20-year-old woman — was changing from the curb lane to the median lane and did not see Nystrom as he tried to cross East Tanque Verde Road, Pacheco said.*

*It appears that Nystrom failed to yield to the truck, he said. No citations have been issued.*

Nystrom failed to yield to a truck that struck him from behind? Since when do you have an obligation to yield to people behind you?

It is my strong suspicion that if Charles Nystrom had been in a car when he was rear-ended, the entire investigation would have been different, and there would be little doubt who was at fault. But he was on a bicycle, and that makes all the difference.

At the sentencing hearing today Charles's widow, Teresa Nystrom, spoke of her hope that Ms. Quick, so young, will take this opportunity to reflect on the loss she has caused to this family, and adjust her behavior. Mrs. Nystrom spoke very eloquently about her loss, and about her hopes for Ms. Quick. She stated that she knew Ms. Quick had not set out to kill anyone that day, but that her behavior was not acceptable in this community, and had costs that were borne far more heavily by Charles's two daughters, his brother, his grandchild, his students, and his widow than by Ms. Quick and her five day sentence at the Pima County Jail.

Please, everyone, we are so fragile out there! Those of you in cars, pay attention! There are others on the road, and you have a duty to look out for them. If a driver slows in front of you, it is most likely for a reason, and someone's life may be depending on you to act courteously and cautiously. And those of you on your bikes have duties too: think of the pain you will cause your families if you are hurt or killed, and use lights, helmets, and good sense when you ride.

–Erik Ryberg

## 8 Responses to “Faith Quick sentenced today in Charles Nystrom Fatality”

1. [Bruce](#) Says:  
[April 3rd, 2009 at 4:28 pm](#)

I am beginning to realize why people decide to leave law practice and find another career.

Are the police so incompetent and arrogant that they can dismiss all the possibilities and only take the view of a drug user? Who was impaired while driving? And not get all the facts? No matter what kind of incident this was, is it not the duty of the police, and the lawyers—and the judges, to examine all the possibilities? To make sure they have all the facts? Emotions aside—and my feelings as a cyclist aside—what does it take to get things done right in a situation like this?

I do not think it is right for an impaired individual who recklessly kills someone to get off with such light punishment.

Your blog has illustrated many times the consequences of drunk drivers and impaired drivers. Eventually they end up killing an innocent person.

If you can't bring these people to justice in the courts how are we to feel when we see police officers and lawyers and judges? I for one am beginning to hold them in low regard because of the disservice they bring to society.

2. *BB* Says:

[April 3rd, 2009 at 11:56 pm](#)

Here is from Minnesota. Run through a stop sign, lie about it, kill a cyclist, and get a misdemeanor charge, because they had to do an investigation and it took too long (I am not sure) ???

<http://www.startribune.com/local/stpaul/42164857.html>

45mph = 29 seconds from 1320 feet away. This is where they on average move over or see my vest. I guess they don't know what take a lane means? Temporary bike lane (it moves, like with Charles) is better than permanent bike lane for, both of us.

5 days in jail? WTF?

3. *BB* Says:

[April 4th, 2009 at 8:46 pm](#)

\*edit that is 45= 15 seconds at 660 feet, My bad.

Not that bright. (vest)

4. *Wes Gay* Says:

[April 5th, 2009 at 1:22 am](#)

My friend was struck on the street while crossing it on his Segway. My question for the bike lawyer. Near this incident, can I anchor a "ghost" Segway on property I do not own, for an undetermined amount of time? Or is only an exception to bicycle memorials? And if you can, tell me where one might purchase one. Thank you

5. *alison Jones* Says:

[April 6th, 2009 at 8:31 am](#)

My condolences to the Nystrom family. The sentence was a slap on the hand to the murderer driving the car, and a slap on the face of the victim's family.

6. *Mickey Says:*  
[April 11th, 2009 at 1:01 pm](#)

@Wes  
Sure!

7. *Mickey Says:*  
[April 11th, 2009 at 1:07 pm](#)

Just ring up Dean Kamen and ask for a donated Segway, and talk to the owner of the property about placing a memorial on his property.  
Although you are clearly being sarcastic, really ghost bikes are no different than any other roadside memorial. People are killed in cars and on foot and frequently have roadside memorials as well. The ghost bike thing is intended to serve as a both a memorial and a warning to drivers to be more careful. If you are concerned about Segway safety awareness I am sure you could follow with similar memorial.

BTW, if you are interested in purchasing a Segway for memorial purposes, contact the business below.  
Segway of Scottsdale  
14202 N Scottsdale Road  
#101  
Scottsdale AZ 85254  
Phone: 602-909-9188

8. *Scott Says:*  
[April 11th, 2009 at 4:05 pm](#)

Wait- People actually buy those things? On purpose?

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