

Prosecutor -- 检察官

Judge — Your honor

Jury — 陪审团

## Pre-Trial statement:

**Good Morning my honor, my name is Congchen Cai, and I would like to plead not guilty and have a trail. I have gathered the evidences to support my case.**

Your honor, my name is Congchen Cai. I am here today under oath not to deny the fact that at approximately 8:15pm on Feb.12th, I was driving on Royalton Rd, Strongsville I was involved in a collision with a SUV causing damage to that SUV right **after** a stop-light, but to deny the charge and to state that I am not guilty of “Assure Clear Distance Ahead(ACDA) and not present the front plate. “ I maintained Assured Clear Distance Ahead of me within under the severe weather and traffic condition at all times until an incident beyond my control.

I'm a safe driver and have been safely driving in Ohio for more than 5 years without any ticket(not even a parking ticket), I would like to plead not guilty and would like to have a trail. I have gathered the evidences to proof my point.

## My Defense Statement:

First of all, I would like thank the Officer did show up fairly quick to help us out, the officer was able to get the issue resolved fairly quick, so that I was able to make to the dinner on that day, Since my family are not here in the US, my friends were very kind to ask me out for dinner to celebrate the Chinese lunar new year. Which I really appreciated.

(Since English is not my native language, please feel free to stop me at any time if you don't quite understand what's i'm saying that you would like me repeat due to my accent)

I'm here not trying to decline the fact I slight hit the SUV that was in front of me, but I'm defending myself that I am NOT convicted ACDA due to the following reasons:

- In the Ohio law Chapter 4511.21 Division (A), it clear said the following:

**No person shall operate a motor vehicle, trackless trolley, or streetcar at a speed greater or less than is reasonable or proper, having due regard to the traffic, surface, and width of the street or highway and any other conditions, (and no person shall drive any**

motor vehicle, trackless trolley, or streetcar in and upon any street or highway at a greater speed than will permit the person to bring it to a stop within the assured clear distance ahead.)

- I was maintained proper and reasonable speed, from the stop-light to the point where both car collided and stopped, we have traveled about 122 feet from the stop-light as I measured through the Google Map. (based off the Geolocation from the Photo I took after the incident, Please check the print to show the exact distance);
  - It happened right after the stop-light. I was able stop right behind the car that I was hit when the light turned to red. After the light turned to green, all the car were accelerating and moving forward, the car in front of me suddenly slows down and stopped, I applied the break as soon as i realized it.
  - My car brake locked and eventually stopped after slightly bumper into the another car;
  - especially I was able to stop on the correct distance on that stop-light clear proofed that I was able to assure clear distance ahead ACDA, I was used the same judgement after the stop-light turned green to follow the another car;
  - I accelerating my car in a reasonable speed after the stop-light turned to green, after driving 120 feet, that is where the accident happened, even before I was able to fully speed up my car, the car in front of me suddenly slow down and stopped, I applied my brake immediately after i noticed it, unfortunately the minor collision still happened, there is no way for me to keep even further distance or slow down even more without make the traffic(jam) even worse, as the ticket has illustrated, the traffic was heavy that night, with snow, icy and wet road.
- In the ticket, the officer have indicated the following traffic conditions:
  - Heavy traffic;
  - In business area;
- Before the incident, I could have speed up even slower after the stop-light turned green, which I believe it will have negative impact to the heavy traffic;
- Also I could waited longer in order to keep even further distance between the car that was in front of me after the stop-light turned to green, which will also have negative impact to the traffic;
- Under those circumstances, I made my best judgment and decision based off all my previously more than five years of accident free Ohio driving experience to keep the most proper speed and reasonable distance ahead;
- The weather condition is server, As you can see from the photo I took prior to the incident and after the incident, also with the indication from the ticket;
  - It was snow heavily and as the officer have indicated in the ticket with the following weather conditions:
    - Wet, snow, icy pavement;

- Night time;
    - Snow weather;
  - The chance of this kind of thing been avoided is rare and i did very much i can to prevent it from happening.
- The damage was very minor due to the fact I indeed keep the most proper distance and speed as I can based off my previous driving experience;
  - There is no visible damage that I can seem from the the another car when we at the scene;
    - Thankfully my insurance have covered all the cost of the minor damage of another vehicle afterwards. And I do feel sorry about any inconvenience may caused to another vehicle under that circumstance;
    - (Please see the insurance claim document that I printed out)
  - there is only two very tiny scratch in front of my bumper as You can see from the photo;
    - (please check out the printed out photos that I took after the incident)
- On the night of incident, Indeed I wasn't have my front plate on due to the following reason;
  - I was been told by multiple friends that live either in Ohio or Michigan saying that I don't have to have my front plate. So, that made me established the assumption of Ohio don't require front plate to be present, as long as I keep it in the car, I should be fine.
  - This car I got about 7 months ago, The dealer wasn't install the front plate holder for me, I lack the tool and ability to do so, which means I have driving my car for over half year without front plate on, I'm not saying this is correct as I'm been informed by the officer on the of accident, Ohio indeed require the front plate to be present, not like Michigan.
  - But at that point, it raise me the question, why nobody or any other Officer that may have driving by before ever inform or told me so ?
  - The second day after the incident, I have take immediate action to put out my front plate and placed it right behind my front windshield. (I have took a picture of that and you can have a look)

End Defense