

Lawyer traces journey to drug-free life in wheelchair

CHRIS DORST | Gazette-Mail

A popular fixture in the state attorney general's office for 18 years, Ben Yancey specializes in criminal appeal cases before the state Supreme Court. Rendered a quadriplegic following a diving accident in 1984, he overcame drug addiction and eventually earned a law degree. Graduating with honors through college, he dictated answers to tests and today uses a computerized voice recognition system to write pleadings and briefs.



CHRIS DORST | Gazette-Mail "I went from a very athletic, confident, virile young guy having the time of his life in Florida to this -- a quadriplegic in a wheelchair for the rest of my life. It did not set well with me."



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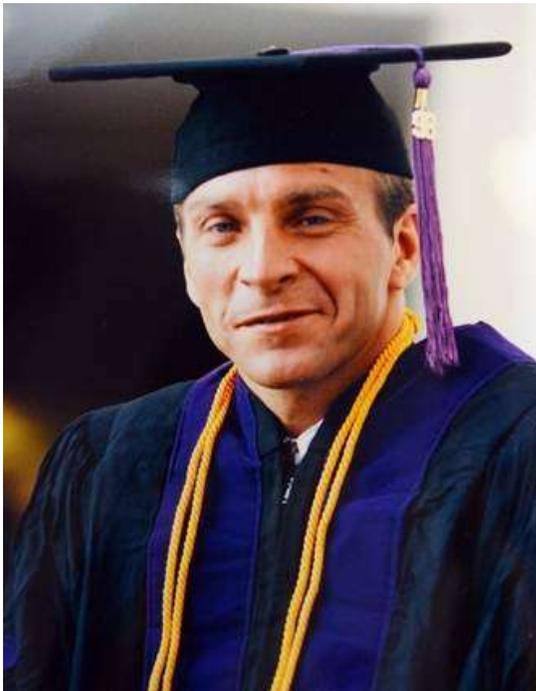
Buddies Ben Yancey (left) and Dante DiTrapano were photographed on a boat trip in Florida in the early 1980s. They grew up across the street from each other in Kanawha City and remain best friends.



When this photo was taken on Feb. 11, 1984, Ben Yancey (right) was enjoying a fun day with buddies on the beach at Clearwater, Florida. At day's end, he dove off the pier in the background, cracked his spine and was instantly paralyzed.



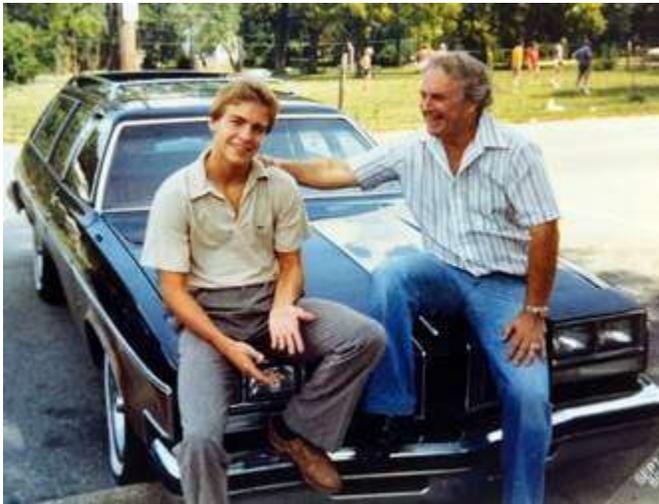
This portrait depicts Benjie Yancey as a spirited and carefree 4-year-old.



In 1998, honor graduate Ben Yancey earned his law degree from the William Mitchell College of Law in St. Paul, Minnesota. He went on to pass the West Virginia State Bar exam on the first try.



After high school, Ben Yancey spent a year at Fork Union Military Academy in Virginia.



During his year-long stint at the University of Kentucky, Ben Yancey enjoyed a visit with his father and namesake, Benjamin F. Yancey Jr.



In September 1964, a camera captured 3-year-old Benjie Yancey with his dog, Cocoa.



Blonde Ben Yancey grinned happily for this picture taken in kindergarten.



In 1994, Ben Yancey graduated with honors from West Virginia State College, where he earned a bachelor's degree in political science.

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Two dates define him. They mark the end of one life, the beginning of another.

Feb. 11, 1984, dawned warm and spectacularly sunny, perfect for a beach outing with friends on the white sands of Clearwater, Florida.

Thirty-two years later, Ben Yancey looks wistfully at the pictures they took that day. He was so cocky then, full of himself, young and tanned, blond and muscular, like a star in a beach party movie.

All that ended in an instant.

At day's end, buoyed by beer, he trudged through the sand to a nearby pier for one last plunge in the surf. He dove joyfully off the pier. And broke his neck. He was forever paralyzed, a quadriplegic at 22.

Before that fateful day, he lived in the fast lane, a privileged kid cavorting in a carefree, party-hearty lifestyle fueled by alcohol and drugs.

The drug use got worse. Overwhelmed by despair, he found solace in opiates and morphine and the woeful world of the streets. What he wanted even more than drugs was to die.

Then, on the other indelible date, June 21, 1990, he sought redemption. Fed up finally with dereliction, he embraced Narcotics Anonymous and set out on the agonizing journey to recharge his life.

He enrolled at West Virginia State University, studied diligently, earned a cum laude degree in political science and moved on to law school. He graduated again with honors. He passed the State Bar exam on his first try.

Today, approaching 55, clean for 26 years, he's a highly respected long-term lawyer in the state attorney general's office where he handles criminal appeals before the West Virginia Supreme Court.

Life isn't perfect, of course. It never can be. But it's better. In some cases, better is good enough.

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“I was born Sept. 22, 1961. My dad was Benjamin F. Yancey Jr. He was a lawyer, like myself. My mother, Elizabeth Susan Yancey, was a school teacher.

“They came here from Bluefield. My dad got involved in the Legislature as a delegate from Marion County, and that's how he got introduced to Charleston.

“After the Legislature, he was in the attorney general's office, like me. He was a deputy attorney general under Donald Robertson.

“They bought a house on the 2600 block of Kanawha Avenue, a couple of blocks from UC. The DiTrapanos built a house across the street. My best friend growing up was Dante DiTrapano. We were thick as thieves.

“I went to junior high at Horace Mann. That's when it started. I was good through grade seven. In the eighth grade, I got introduced to drinking and drugs. It was just fun being with my friends and partying, but later it took a bad turn.

“I started with a little alcohol when I was about 12. I went from there to marijuana and then to narcotics, all the opiates. I progressed into morphine.

“By the time I was 15, I was shooting drugs, so it jumped on me pretty quick. There was nothing my parents could do. You can pray over somebody, lock them up, chain them to the bed, whatever, but if they are determined to get loaded they will get loaded, and that's how I was.

“My two older brothers and their friends were all into it. A lot of my drug usage probably originated with those two guys. It was in the neighborhood. All of our friends. It was what was going on at the time.

“I wasn't doing well academically, so Mom and Dad decided to put me in a private school. I ended up at Charleston Catholic High School. But I continued to party and do drugs.

“I managed to graduate from Charleston Catholic in 1979. My parents thought I was too messed up to go to college, so they put me in Fork Union Military Academy in Virginia for one year. I hated that place. There was no access to drugs. It was out in the middle of nowhere.

“In 1980, I went to the University of Kentucky. My parents probably thought it was time to roll the dice. Of course I did terrible. I continued the drinking and druggin'. I turned in miserable grades. The best grade I got was a C.

“So they jerked me out of UK and sent me to Florida to Manatee Junior College, where Dante was going. I did a little better. Dante’s dad bought a condominium and set us up. Life was good.

“I went home for Thanksgiving, and my brother Jim was missing. This happened after Dante’s brother died in a car wreck. So there is tragedy in this story.

“I went back to Florida. Within two or three weeks, we got the call. My oldest brother had died of a drug overdose in Princeton. His dope problems were longstanding and very severe.

“Dante moved to Gainesville for the rest of his college. I wasn’t quite finished at Manatee. I was doing better but not real great.

“I had a girlfriend from Tampa who would come spend the weekend with me in Bradenton. On Feb. 11, 1984, I met up with her and Dante and his girlfriend in Clearwater.

“It was a great day. We were drinking on the beach, plenty of beer. About 4 or 5, I decided I wanted to take one last dip. I walked out on a fishing pier and dove into the Gulf. The water was too shallow.

“It snapped my neck. I knew immediately that I was paralyzed. I couldn’t get back to the surface because I could not move. It was like pulling a plug out of a light socket. It cuts the current right off. Your body goes dead.

“I thought I was going to drown. I ran out of air and passed out. My friends ran down the beach and pulled me out of the water. I woke up, and the paramedics put me in the ambulance.

“I spent a month or so in the hospital. At first, I was in a frame where they flip you up and down. I have the use of my arms, but the dexterity of my fingers is affected. Technically, I’m a quadriplegic.

“I went from a very athletic, confident, virile young guy who was having the time of his life in Florida to this — a quadriplegic in a wheelchair for the rest of my life. It did not sit well with me.

“I gave up. I wanted one of two things. I wanted drugs or just to end it all, to die. I had surgery on my neck, and they air-ambulated me to Miami to another hospital and another surgery. I did not try to make my situation any better. I wanted Benjamin dead. But I had no means to do it. I even asked my mother to let me go, and my dad.

“They put me in a rehab center outside of Pittsburgh. I didn’t do any better. I went back to Miami into an apartment, and they took me to some therapy sessions. From there, I came back home.

“The drug problems were ready to get a lot worse. I had access. I would use this disability to get drugs. I was able to convince people that I was in all this pain and needed opiate-type drugs.

“Heroin was not in this area like it is now. The best thing they had was hydromorphone, my drug of choice. It’s basically for cancer patients. Quite strong. For a six-year period, from the injury to 1990, was the worst period of my life.

“When my injury happened, the drugs, satisfying my habit, became a job. I had to do more and more to keep from going through that withdrawal.

“I was living with my parents and leaving and getting drugs and staying gone for days. I was out on the street with other people who were involved in drugs.

“Then I’d had enough. I was run down and beat. I started going to a 12-step program and got clean. I had started to get scared. My mom and dad were not going to be around forever. If I didn’t do something about my situation, I was going to end up someplace really bad, a state-run facility or a nursing home. I didn’t want that to happen to Benjamin.

“I got clean on June 21, 1990. I did my last drugs on the day before. I started going to Narcotics Anonymous. I’ve been clean for 26 years. I haven’t even had a drink.

“I started going to meetings and hanging out with people who had the same problem I did, and I got a sponsor in NA and talked to him several times a week.

“That fall, I enrolled at West Virginia State. My grade point average was 0.75, so I had a lot of work to do. I started slow, two classes. The next semester, I took three classes. Then I went 12 to 15 hours, full time.

“My dad was a lawyer. I grew up around lawyers. It hit me. Benjamin, you know what you are supposed to do. Get busy doing it. I decided I would follow my pop’s footsteps.

“I went four years at State, summers, straight through. I made mostly A’s. I ended up graduating with honors in 1994.

“I took the law school entrance exam and did only fair. I applied to several schools. I had a friend in school in St. Paul, Minnesota, the William Mitchell College of Law. They wanted to give me a shot. I went out there in the fall of ’94.

“I would go to class and come home and study until 3 in the morning. I would run like that for three or four days until I would crash for a day and a half to rest up.

“I graduated in January of 1998, again with honors. I took the West Virginia bar exam in February of 1998. I thought I flunked it, but I passed the first time. When I got the results, it was a great day for me and my mom and dad.

“That spring, I got sworn into the West Virginia Supreme Court. Some other lawyer has to move the court to accept you. That was my dad. It was very touching. I shared a lot of great moments with my dad, but that was the greatest moment ever. All of the work, the pain, everything came together for me and my family. It was going to be all right from that point.

“I came to work in the attorney general’s office in September of ’98, and I’ve been here ever since, 18 years. Within the last two years, I started doing criminal and appellate work. I felt that was where my talent came alive. I don’t know what that says about me, but I’m not half bad at it.

“I’m very active in NA. I see some of those cats I ran with. A lot of them never got out. Lucky for me, I got out in the nick of time. I say ‘hello’ and move on. There’s an old saying in our program that you have to change your playmates and your playgrounds. If you hang out in a barbershop long enough, sooner or later, you are going to get a haircut.

“I bought a house in Kanawha City. I had it outfitted, basically built a new home. I have two attendants who come in, one for a couple of hours in the morning and one in the evening. Otherwise, I live alone.

“Looking at old pictures on the beach is a tough hit. If you are 70 and have an injury like this, you can say at least I got to live my life. I was 22.

“I still think about that kid on the beach. I want so much to be him. When I part from this world, that is my idea of heaven. I want to step back and be that young man on the beach with the suntan, the body, the cockiness. I lost my swagger.

“I still wrestle with the what-ifs and if-onlys. But it is what it is. Things are all right. I’ve made the most of the situation, and I think I’ve done a stand-up job.”

Reach Sandy Wells at