

# Former Leafs captain denies heavy drinking before arrest

Chronic bladder problem led to his wet pants, Rick Vaive says at impaired-driving trial

**PETER EDWARDS**  
STAFF REPORTER

Former Toronto Maple Leafs captain Rick Vaive says he wet his pants the night he was arrested for impaired driving because of chronic bladder problems, not excess beer drinking.

"You must be aware that you wet yourself. Correct?" asked assistant Crown Attorney Jon Fuller on Friday in Newmarket court.

"Correct," testified Vaive, 52, who three decades ago became the first Maple Leaf to score 50 goals in a season.

"You have control issues with your bladder?" Fuller continued.

"When I gotta go, I gotta go quickly," he replied.

Vaive sounded composed on the witness stand as he told how he has struggled with bladder problems since childhood, and that he sometimes still wets his pants in public.

"Before you get to the bathroom, you wet yourself," Vaive told court on his second and final day of testimony. "Sometimes take your shirt

off to cover it."

"Out or off?" asked Judge Anne-Marie Hourigan.

"It depends on the shirt," Vaive replied.

Court heard the former hockey star was measured at having more than twice the legal limit of alcohol in his system when his Ford F-150 pickup truck was pulled over and he was arrested by a York Region police officer around 8 p.m. on July 14, 2009.

He maintained that he wasn't drunk or hung over when he was pulled over on a ramp from Highway 407 in Vaughan, after two days of golfing in Gravenhurst.

Fuller asked Vaive about his activities the night before his arrest, when he played poker through the night in a Gravenhurst hotel room with former NHLers, including Dennis Maruk, Gary Leeman and Bill Derlago.

"You weren't up drinking beer until four in the morning?" Fuller asked.

"No I was not," replied Vaive. He

said he stopped drinking shortly after midnight, but continued playing cards for several more hours.

Vaive maintained he wasn't a heavy drinker during his 14 pro hockey seasons and isn't one today. He said the last time he was drunk was May 14, 2009, when he consumed roughly 20 beers to mark his 50th birthday. That birthday was celebrated in his Oakville home at a party with friends and family and he was able to walk upstairs to his bedroom without assistance at the end of the evening, he testified.

Vaive told court he had six cans of Coors Light the afternoon before his arrest, and three the previous evening while playing poker with his NHL buddies, along with a glass of dinner-time wine.

He said he routinely has a couple of beers after old-timer NHL charity games, but refrains from drinking to excess.

"Hockey and beer go together?" Fuller asked.

"A lot of things and beers go together," Vaive replied.

Fuller pressed Vaive on what he considers to be a safe level of beer consumption before driving his truck.

"What would you say your limit is for driving?" Fuller asked.

"Anything probably over six would be my limit," Vaive replied, saying his rule is three.

"Do you think it's important to have a rule?" Fuller asked.

"Yes," Vaive replied.

Later Vaive said he didn't think he broke his personal rule the day of his arrest, because the six cans of beer were consumed over five and a half hours.

He appeared to change his testimony on whether he was offered access to a court-supplied defence lawyer in the hours after his arrest.

In earlier testimony, Vaive said he hadn't been offered a court-supplied lawyer, but he later said he had declined an offer by police in favour of seeking out his own criminal lawyer.

He also denied he had to be helped by a police officer to walk back to a police cruiser when he was pulled over.

"He didn't guide me or direct me," Vaive said. "I just walked beside him."

Vaive is being tried by judge alone. Court heard that the next available date to continue is Feb. 16.