

UPCOMING TRAININGS & CONFERENCES

- **NDAA 2019 Summer Summit**
Quebec City, Canada / July 24–25, 2019
- **NDAA/NCJA Grants Management Training**
Columbia, SC / July 29–30, 2019
- **NDAA The Role of the Juvenile Prosecutor**
Columbia, SC / July 31–August 2, 2019
- **IACP Drugs, Alcohol and Impaired Driving**
Anaheim, CA / August 10–12, 2019
- **NDAA Prosecuting and Investigating Sexual Assault and Related Violent Crimes**
Minneapolis, MN / August 12–16, 2019
- **NDAA Prosecutor 101**
Baltimore, MD / September 16–19, 2019



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TRAFFICKING TO TRAFFIC: A Fentanyl Homicide Case Study

By Holly Reese¹

It is no secret that opioids are killing more people by the day. Overdoses continue to leave a trail of bodies around the country. The U.S. Department of Justice released a video this year educating and instructing officers on the safe handling of drug related crime scenes due to the deadly capabilities that just a very minute amount of fentanyl substances can have.² Merely entering a room where the substances are found could be toxic. Despite the statistics and media coverage, users continue to “chase the dragon” looking for that first-time euphoric high they once experienced

but their bodies will likely never reach again. Using opioid fentanyl increases the risk of narcotic overdose death exponentially.

But the impact of opioids goes way beyond the body count from overdoses. Drivers using prescription opioids are twice as likely to trigger a fatal crash, according to a 2019 study cited by *The Washington Post*.³ The study, which analyzed records for each driver in fatal two-vehicle crashes over a 24-year period, found that more than half of the crashes occurred because the narcotics user had crossed the centerline or in some other way failed to keep the vehicle in its lane. Before opioid use became widespread, only one percent of all fatally injured drivers were found to have prescription narcotics in their systems. That figure rose to more than seven percent in the past two decades. Fentanyl is 80 to 100 times more powerful than morphine, the basic ingredient of prescription opioids.

The goal of this article is to share the history and impact of opioids (a class of drugs that include the drug heroin, synthetic opioids such as fentanyl, and pain relievers available legally by prescription), acquaint the reader with the relationship between fentanyl homicide investigations and traffic safety enforcement, and to begin a discussion about how we can be more creative and effective by working together moving forward.

A Veteran's Story

Airman Stephanie Smith is painfully familiar with the impact that opioids carry. She nearly lost her life to it.

“August 25, 2015 was a beautiful summer day. I was a passenger riding in a car with the windows down, listening to Justin Timberlake, looking out the window and admiring the view. In the distance, I saw a little red car. In an instant, that little red car became my worst nightmare. At 3:49 in the afternoon, that little red car glided into our lane and hit us head-on, going 70 miles per hour.

“I ended up shattering my pelvis, hips, femur, right foot, and right hand. I also broke a few ribs and my sternum, ruptured my esophagus and appendix, lacerated my liver, collapsed a lung, and had several lacerations in my intestines. I had to relearn to walk. Nightmares and pain cloud my sleep almost every night and that’s just one aspect of my PTSD.

“It’s been two years since that crash and the nightmares haven’t stopped. The mental effects of that crash hit me harder most days than the physical effects. All of this was because some guy decided to get into his vehicle while he was intoxicated and high on heroin. In fact, when first responders removed him from his car at the scene of the crash, he still had a heroin needle in his arm.”

Drug-Impaired Driving Statistics

Drug impairment has only recently become a separate, captured statistic from alcohol impairment on standardized traffic crash reports. Police departments have not traditionally tracked drug-impaired driving cases statistically separate from alcohol-impaired ones, so the information upon which we are basing the numbers is in its infancy. An analysis of Ohio 2018 traffic fatalities reflects that alcohol- and/or drug-impaired driving was found in 357, or 33%, of the 1,068 traffic fatalities.⁴ Of note was that alcohol impairment decreased by 1%, whereas suspected drug-related involvement increased.

In 2017, there were 70,237 overdose deaths in the United States according to the Center for Disease Control.⁵ There were 5,388 overdose deaths in Pennsylvania, 5,111 in Ohio, 5,088 in Florida, and 4,868 in California. The five states with the highest rates of death per capita due to drug overdoses were West Virginia (57.8 per 100,000), Ohio (46.3 per 100,000), Pennsylvania (44.3 per 100,000), District of Columbia (44.0 per 100,000), and Kentucky (37.2 per 100,000).

In Akron, Ohio, with a population of approximately 198,000, there were 36.5 per 100,000-person overdose deaths. Annually, the Akron Police and Fire Departments administered Narcan in:

- 2014: 448 patients;
- 2015: 623 patients;
- 2016: 1288 patients;
- 2017: 1141 patients; and
- 2018: 667 patients.

(These numbers don't include hospital statistics.) Akron overdose deaths were as follows:

- 2014: 50 overdose deaths
- 2015: 91 overdose deaths
- 2016: 185 overdose deaths
- 2017: 121 overdose deaths
- 2018: 63 overdose deaths

Nationally in 2017, an estimated 130 people died per day from opioid-related drug overdoses according to the National Center for Health Statistics National Vital Statistics System. 11.4 million people misused prescription opioids, and 886,000 people used heroin.⁶

History of Opioids

Heroin was first produced from morphine in 1898 by Bayer Pharmaceuticals. Fentanyl was

first produced in 1960 by Janssen Pharmaceuticals to replace morphine in cardiac surgery. Fentanyl is 80- to 100-fold more potent than morphine. In 1973, the brain's mu receptor was discovered, and scientists began to study and understand the pharmacology—how the drug effects the body—when opioids enter the human body. Fentanyl, a purely synthetic compound that does not actually contain morphine, but also binds to the mu receptor, mimics the effects of heroin and is inexpensive to produce. To produce eighteen grams of fentanyl composed of all legally purchased chemicals, it would cost approximately \$358 and yield approximately \$18,000 on the street.⁷

Current trends of fentanyl use include fentanyl, carfentanil and close analogues (*i.e.*, Acetylfentanyl, Furanylfentanyl, U-47700, Butyryl fentanyl, Acrylfentanyl, Methoxyacetylfentanyl, ADB- & MMB- FUBINACA); these substances have been produced in pure powder form very inexpensively. Dealers are selling straight fentanyl and heroin cut with fentanyl due to the street cost of fentanyl versus the cost of heroin (“branding”).

Because of the hundreds of chemical structures that can be produced and altered by moving just one molecular arm of the fentanyl chemical compound while maintaining or mimicking the pharmacological effects of fentanyl, the “Pharmacophore Rule” was adopted in Ohio via Ohio Administrative Code 4729-11-02. Instead of amending statute after statute to try and keep up with the ever-changing molecular structures, the Pharmacophore Rule allows for any substance containing the core chemical scaffold for binding to the mu receptor (*e.g.*, acetyl fentanyl, cyclopropyl fentanyl, *et. al.*), to be included as a prohibited fentanyl substance. “Binding to the mu receptor” requires that the compound has the same core scaffold as fentanyl with altered substitutions.⁸

In his 2015 book, author Sam Quinones sums up perfectly why opioid use is having such an astonishing effect on traffic safety:

“L.A. was a hive of gang activity during the late 1980s and early 1990s. In some neighborhoods, a different gang controlled every few blocks. Crack was big. Mobs of young men sold it by standing on L.A. streets. Gangs began levying taxes on these street dealers. About this time, the Xalisco Boys took their heroin trade off the street, out of the parks, and went to cars. Addicts were given a phone number to call. When they called, they were told where to meet a driver; the driver was directed to waiting clients by codes sent to them via beepers. Cars and beepers allowed a heroin crew access to a broader client base and made the Xalisco Boys less obvious to police. In cars, dealers avoided gang taxation and the violence that accompanied the street crack trade.... Business boomed.”⁹



East Liverpool, Ohio couple are unconscious after shooting up. Their grandchildren, secure in their car seats, look on from the back.

The mobility of this trade contributes to the alarming increase in traffic crashes, overdoses behind the wheel, and impaired driving offenses (e.g., OVI).¹⁰ In 2016, in East Liverpool, Ohio, a couple, moments after driving away from their heroin dealer, shoot up in the front seat of their car. A heartbreaking picture of the scene shows the couple unconscious in the front seats of the car, their grandchildren, secure in their car seats, looking on from the back. This was the face of Ohio for the world to see. Addicts do not wait until they get to a safe environment to use; the very nature of addiction is for an immediate high. The unknown composition of the substance(s) the dealer has sold the user, the user's tolerance, and the user's method of ingestion, all lead to the unpredictability of its effect.

There are numerous methods of ingesting opioids, including orally, inhaling, insufflating (snorting), IV shooting ("banging"). Observable evidence of injection includes puncture marks, track marks, tattoos designed to mask injection sights, and scabs ("trap doors"). An opioid depresses respiration causing respiratory distress. It turns off the sympathetic nervous system which provides the "fight or flight" response in all humans. In overdoses, breathing will become slow and shallow, sometimes followed by coma and presence of a "foam cone" coming from the person's mouth. Death can occur from severe respiratory depression. The danger of death is heightened by the fact that the addicted user may not know how much of the drug was ingested, nor its actual chemical makeup.

Since 2014, the Akron Police Department has secured forty-two convictions for Federal Death Specification Trafficking, Involuntary Manslaughter, Drug Trafficking and Corrupting Another with Drugs for a total of 230 years in prison and one life sentence. Ten Manslaughter and two

Death specification cases are currently pending in state and federal court. There are several factors that go into deciding whether to take the cases state or federal, sentence options being one of the most important.

The Narrative

Doctor Traffic

Prescription pill use makes up a big part of these prosecutions. In 2014, a former Akron doctor admitted he doled out hundreds of thousands of doses of painkillers and other pills to customers without a legitimate medical purpose. Adolph Harper pled guilty in U.S. District Court and was sentenced to ten years in prison. In 2015, former physician Brian Heim, 56, pled guilty to one count of conspiracy to distribute controlled substances and twenty counts of distribution of controlled substances. From August 2011 through October 2012, Heim illegally distributed more than 30,000 tablets of Oxycodone, Oxycontin and Opana to patients who did not have a legitimate medical reason to receive the drugs. Akron emergency room doctor and Akron Police Department Special Weapons and Tactics (“SWAT”) doctor Gregory Ingram was convicted of forty-seven counts of drug trafficking. He illegally wrote false prescriptions for Percocet to prostitutes and strippers in exchange for sex. Ingram pled guilty in U.S. federal court and was sentenced to ten months in prison in addition to the loss of his medical license in 2015.

OVI Nurse

Wendy Mills, a surgical nurse, was addicted to narcotic nasal spray. Her addiction led to a severe opioid addiction and multiple criminal charges:

1. Deception to Obtain Drugs
2. Possession of Heroin
3. Felony Theft
4. Possession of Heroin
5. Operating a Vehicle under the Influence — Heroin

She was stopped for multiple OVIs following drug transactions wherein she purchased her heroin, used in the parking lot on the way to work, passed out, and struck another vehicle.

As discussed above, drug dealing is a mobile business using cell phones and social media, rental vehicles, Uber drivers, and mobile deliveries. Mobile drug dealing leads to increased crashes due to drugged driving. That was an important factor in the implementation of Parking Lot Inter-

diction Teams (“PLIT”), specialized law enforcement units assigned to monitor drug transactions and usage in parking lots. From Burger Kings to McDonalds to Save-A-Lot groceries, PLITs are dispatched to interdict these users from driving away from the lots where they buy their drugs. PLIT was responsible for preventing multiple possible fatalities when Mills was stopped by them for OVI after she used.

“911: Driver Passed Out at the Wheel”

In 2014, in Cuyahoga Falls, Ohio, 911 dispatchers received a call about a man passed out in his vehicle. Patrol and EMS units arrived to find the driver in the turn lane of a major intersection with the car still in drive and the driver’s foot firmly on the brake pedal. With the driver being completely unresponsive to verbal commands or knocks on the window, officers had to break open the passenger’s side window and place the car into park themselves. As the driver began to regain consciousness in the EMS unit, he was surprised to find himself in handcuffs and under arrest for drug trafficking as a search of his vehicle conducted by officers revealed one-half pound of heroin on the rear seat.

Dead at the Carwash

In 2014, Akron police arrived at a gas station carwash vacuum to find a black Chrysler with an unconscious female laying across the back seat. She was pronounced dead on the scene. Found next to her body were a cell phone and a pack of Marlboro cigarettes. Inside of the cigarette pack, law enforcement found a plastic bag containing a gray substance. The substance was later tested and found to contain heroin, fentanyl, carfentanil, cyclopropyl fentanyl, and ABD-FUBINACA (synthetic cannabis). It is probable the driver had used the substance believing that she bought a bag of heroin.

CDL Hook Up

In 2016, Akron drug dealer Steven Daniels received a sentence of sixteen years in Federal Court for selling furanylfentanyl that killed a commercial truck driver. The driver’s cell phone, found on him in his truck cab, contained a text thread that led investigators to Daniels:

Driver: “*You able to hook up in a while*” (4:50 p.m.)

Daniels: “*Yea*” (4:51 p.m.)

Driver: “*Can I come grab a whole one and a poker*” (6:03 p.m.)

Daniels: “*Yea*” (6:04 p.m.)

Driver: “*Omw*” (6:04 p.m.)

Driver: “*Here*” (6:15 p.m.)

The driver was found dead seven days later after the company who owns the tractor trailer tracked it down using the imbedded GPS.

The ten balls of substance found in Daniel's bedroom closet was ordered over the internet and shipped directly to his doorstep; it consisted of furanylfentanyl weighing over 300 grams.

The driver of a commercial stone company truck was found dead in the front seat of the truck while it was still running in a McDonald's parking lot in 2016. The substance he used was later found to be fentanyl.

Press Transit

Pill presses are used with grinders and dyes to transform fentanyl to what appears to be a prescription drug. In 2018, an Akron man purchased what he thought was Percocet off the street, used them while driving and died shortly after while behind the wheel. The pills he purchased were actually carfentanil pressed to look like Percocet.

Float On

Richard Stover was arrested in Akron in 2018 after rear-ending a police cruiser at a stoplight. He was charged with Operating a Vehicle while Impaired, and his toxicological results returned showing .000% BAC for alcohol, but positive for the presence of 100 ng/ ml of fentanyl.

Ingestion Congestion

Following his trafficking in fentanyl arrest in 2016, Derek Smoot was in custody of the Akron Police Department when video surveillance caught the footage of his near-death overdose. Before being taken into custody, unbeknownst to police, Smoot had swallowed two small packages of carfentanil. During his overdose, Smoot exhibited the typical signs of overdose: he was continually "on the nod,"¹¹ eventually losing consciousness, began the death snore, and foamed from his mouth. Thanks to their training, and unfortunately their ample experience dealing with subjects in the midst overdose, police were able to administer Narcan to him in time to save his life.

International Transportation

Victim: Thomas Rauh

March 2015 brought the overdose death of Thomas Rauh in Akron. Mr. Rauh was found dead on his knees next to his bathroom toilet. A river of dried black liquid streamed from his mouth to the bathroom door. Inside of a Carhart shoe box in the adjoining bedroom, police found acetyl fentanyl. Rauh was a known veteran heroin user and was not aware that the substance he purchased was fentanyl.

Victim: Brian Stalaker

Fairlawn, Ohio resident Brian Stalaker was discovered dead in his bedroom, on the floor between his bed and the wall, crouched on his elbows and knees in 2015. Still clutched between his forefinger and middle finger was a syringe. Yellowish liquid oozed from his ear. On the bed lay multiple packets of powdery substances, lighters, syringes, mailing envelopes and his cell phone. The last text message on the phone read, “That is as close to perfect as I think I have ever had! Wow that is really good! Don’t change a thing!”

The Investigation

Based upon this string of overdoses, Akron Detectives Mike Schmidt and Tim Harvey, and DEA Special Agent Kevin Borchert began a three-year long investigation. The investigation led them to local dealers Leroy Steele and Sabrina Robinson. Search warrants were executed on their cellular telephones which showed the two were in email communication with two drug laboratories in China supplying them fentanyl. The investigators themselves began engaging in email conversations with the Chinese supplier and ordered fentanyl from two of the supplier’s laboratories. Following are excerpts of some of the emails sent:

“Hello Mike: We still haven't received the \$900 you sent us yesterday, until now we have received totally \$1800, but i think we will receive the newly paid \$900 later. Yes we plan to send the 325g this week, pls give me the second address. Regards Fairy Zhongwei”

“Dear Mike: There should be no problem to pass the custom.”

“Dear Mike: We have sent the 300g to Mary Evans, and the tracking number is EA132175876CN, EMS. Regards Fairy Zhongwei Industrial .”

To: Mike Jones izzira1@gmail.com

Cc: Subject: RE: holiday finish

“Our western union name is Fujing Zheng, our western union informations are below:

First name: Fujing

Last name: ZhengCountry:

ChinaPrice of 500g of acetylfentanyl is \$3,600 USD, cost of acetylfentanyl is very

*high, my friend, your profit is higher too much than us, our product's quality is best.
I never give you name of Zhang Gao, who is Zhang Gao?
Regards, Gordon”*

Search warrants were also executed on several of properties associated with Steele and Robinson. Investigators seized fentanyl along with drug preparation tools such as grinders, sifters, a pill press and drug packaging.

The investigators worked doggedly with prosecutors in preparing the case for trial and the defendants entered pleas of guilty in Federal Court to Distribution of Fentanyl Causing Death or Serious Bodily Injury; Steele was sentenced to twenty years in prison and Robinson ten years.

The investigation continued into the China connection and investigators discovered a father/son team, Fujing Zheng, aka “Gordon Jin”, and his father, Guanghua Zheng, were the responsible parties manufacturing the fentanyl, its analogues and 250 other drugs, and distributing them to people in twenty-five countries and thirty-seven states in the U.S. Investigators also identified Bin Wang, 42, who operated Cambridge Chemicals, Wonda Science, and other companies from a warehouse in Woburn, Massachusetts, as being responsible for distributing the Zhengs’ drugs. Wang was arrested for distribution of drugs, pled guilty and was sentenced to seventy-one months in federal prison. The breadth of this investigation took agents physically to China to work with the Chinese government to try and stop the flow of the laboratory drugs into the U.S. and elsewhere. The Zhengs are named in a forty-three-count indictment charging them with the manufacture and distribution of drugs. They are still at large to this day.¹²

Purchased fentanyl from China and Ukraine via the internet; 99% purity, which means dealers can “cut” it up to eight times. 1000 grams = 8000 grams! One kilogram of heroin can cost \$60,000–\$80,000 while 1 kilogram of fentanyl can cost \$3,000–\$7,000. Shipping methods have included the United States Postal Service, UPS, Fed Ex, and DHL.

These investigations have made a difference. We need to continue to be proactive and creative in responding to the opioid distribution and use that has crippled our nation. Can we prevent addicts from shooting up in their cars and then driving away by using more Parking Lot Interdiction Teams? Can we keep them in custody longer for their own protection? Do we work OVI defendants against their dealers to get to the root of their supply? We know that prosecuting dealers for the overdose deaths and near deaths works to keep product off the street. We might not be able to shut down all the labs in China but getting the American dealers twenty-year sentences is a strong start. When we stop the drugged driver, we think about apprehension, conviction, punishment, rehabilitation. How can we be more proactive in incapacitating the opioid trade? By working the addict against their supplier, we ultimately cut off the supply. Impaired driving defendants can be an untapped resource; we can and have utilized this relationship to investigate cases and still maintain the records of conviction. OVI patrol officers need to continue

teaming up with trafficking investigators to convey information from the drivers and their cars to help build cases against the suppliers. We are dealing with a mobile crime. We haven't lost. Let's get creative and stop it in its tracks.

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- ¹ Holly Reese is the Ohio Traffic Safety Resource Prosecutor. This article is based a presentation she gave at the 2019 Lifesavers Conference along with Drug Enforcement Administration Special Agent Kevin Borchert and Akron Police Department Detectives Tim Harvey and Mike Schmidt.
- ² <https://www.justice.gov/opa/pr/justice-department-announces-release-new-fentanyl-safety-video-first-responders>
- ³ See https://www.washingtonpost.com/transportation/2019/02/15/drivers-using-prescription-opioids-were-twice-likely-trigger-fatal-crash-study-finds/?utm_term=.e0c862e230ac; see also *Use of Prescription Opioids and Initiation of Fatal 2-Vehicle Crashes*, Stanford Chihuri and Guohua Li; JAMA Netw Open. 2019;2(2):e188081 and <https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2724775>.
- ⁴ Statistical analysis by Michael McNeill of Ohio Department of Transportation, Highway Safety Program, Safety Engineer.
- ⁵ Scholl L, Seth P, Kariisa M, Wilson N, Baldwin G. Drug and Opioid-Involved Overdose Deaths — United States, 2013–2017. MMWR Morb Mortal Wkly Rep 2019;67:1419–1427. DOI: http://dx.doi.org/10.15585/mmwr.mm675152e1external_icon
- ⁶ National Center for Health Statistics National Vital Statistics System, 2017 National Survey on Drug Use and Health Mortality in the United States, 2016.
- ⁷ P.A.J. Janssen, J.F. Gardocki, U.S. Patent 3141823 (1964); <http://www.opioids.com/fentanyl/synthesis.html>.
- ⁸ Ohio Administrative Code 4729-11-02; see also the Controlled Substance Analogs Enforcement Act. Many thanks to Jon E. Sprague, RPh, PhD, Director and BCI Eminent Scholar, Ohio Attorney General's Center for the Future of Forensic Science, Bowling Green State University, for his continued work and tutelage on this initiative.
- ⁹ *Dreamland: The True Tale of America's Opiate Epidemic* by Sam Quinones, Bloomsbury Press; First Edition (April 21, 2015).
- ¹⁰ OVI is the shorthand reference for the Ohio impaired driving statute, ORC Ann. §4511.19—Operating a Vehicle While Under the Influence of Alcohol or Drugs and, for purposes of this article, is used interchangeably with DUI (Driving Under the Influence) and/ or DWI (Driving While Impaired).
- ¹¹ The phrase “on the nod” generally refers to the dream state that opiate users and heroin addicts experience with their drug.
- ¹² The television show 60 Minutes produced a segment on this investigation which can be found at: https://www.cbs.com/shows/60_minutes/video/eNlM_sDK6276j5tSyTxQXMnCwEjPETw_/on-the-border-online-overdose-the-high-north/.

MONOGRAPHS—HELPFUL NTLC RESOURCES

By Tiffany Watson, NTLC Staff Attorney

The National Traffic Law Center (NTLC), a division of the National District Attorneys Association (NDAA) in Arlington, Virginia, provides a wide variety of resources for prosecutors in the field of traffic safety. Our resources include monographs, articles, videos, law compilations, expert witness outlines, and webinars; they are located on the NDAA's website or upon request and are available free of charge. These resources may be used by new and seasoned prosecutors, law enforcement, and other traffic safety professionals as educational tools and quick reference guides on numerous traffic safety topics and on issues that may arise during litigation.

Monographs are a detailed written study of a single specialized subject or an aspect of a single subject. Historically, monographs have been one of NTLC's most widely and commonly used resources. NTLC, in collaboration with many impressive subject matter experts, has published a significant number of monographs over the years. The topics of the monographs are wide ranging and the information provided within the monographs is well researched and quite detailed.

The following is a list of monographs available through NTLC. These monographs are in the “Publications” section of the NDAA’s website (www.ndaa.org) under “Traffic Law.” They may be viewed on line and/or downloaded for free.

Admissibility of Horizontal Gaze Nystagmus Evidence

*A guide to HGN admissibility with articles from a variety of experts in the area, most notably, leading HGN researchers and authors Dr. Marcelline Burns, PhD and Dr. Karl Citek, OD, PhD, FAAO.

Alcohol Toxicology for Prosecutors

*A guide to the basic principles of toxicology and the role of experts in this science.

Basic Trial Techniques for Prosecutors in Impaired Driving Cases

*Strategies and examples for new prosecutors handling cases involving impaired driving.

Breath Testing for Prosecutors

*Designed to educate prosecutors about the basics of breath testing theories and procedures.

Challenges and Defenses II: Claims and Responses to Common Challenges and Defenses in Driving While Impaired Cases

*Designed to assist prosecutors and law enforcement in understanding the nature of defense challenges.

Commercial Drivers’ Licenses: A Prosecutor’s Guide to the Basics of Commercial Motor Vehicle Licensing and Violations, Second Edition (published 2017)

*Explains the basics of CDL law.

Crash Reconstruction Basics for Prosecutors

*Serves as a primer for prosecutors on basic science, investigative techniques and what questions to ask when faced with a case involving a collision.

Cross-Examination for Prosecutors

*Developed to assist prosecutors in understanding the basic goals, methods, and forms of cross-examination when dealing with all witnesses.

The Drug Evaluation and Classification (DEC) Program

*Designed to provide prosecutors with a basic understanding of the Drug Evaluation and Classification Program and the process used by drug recognition experts.

Drug Toxicology for Prosecutors

*Designed to provide prosecutors with a basic understanding of drug pharmacology and testing.

Hardcore Drunk Driving Prosecutorial Guide: A Resource Outlining Prosecutorial Challenges, Effective Strategies and Model Programs

*Combines proven experience with research in the field of hardcore drunk driving, highlights effective strategies, tactics and programs that can and have been implemented to reduce the problem of hardcore drunk driving.

Horizontal Gaze Nystagmus—The Science and the Law: A Resource Guide for Judges, Prosecutors and Law Enforcement

*Designed especially to assist judges, prosecutors and law enforcement personnel in gaining a basic understanding of HGN, its correlation to alcohol and certain other drugs, other types of nystagmus, the HGN test's scientific validity and reliability, its admissibility in other jurisdictions, and the purposes for which it may be introduced.

Investigation and Prosecution of Distracted Driving Cases

*Intended to provide a general overview of the investigation and prosecution of distracted driving cases.

Large Truck Crash Reconstruction for Prosecutors

*Designed to help prosecutors understand the factors that cause fatal large truck crashes.

Overcoming Impaired Driving Defenses

*A guide to the most common defenses in impaired driving cases.

Prior Convictions in Impaired Driving Prosecutions

*A guide focused on targeting hardcore impaired drivers by locating, obtaining, and using the prior convictions of impaired driving defendants.

Prosecutor DWI Handbook

*Designed to provide a comprehensive guide for prosecutors about the fundamentals of a DWI prosecution.

NTLC hopes this article will serve as a reminder of the usefulness of its monographs and/or introduce this resource to those prosecutors who may be unaware. For more information about the monographs or any of NTLC's resources, please contact NTLC Staff Attorney Tiffany Watson at TWatson@ndaajustice.org.

AVAILABLE ON-LINE NOW!

NTLC's On-demand DUI Training Course

By M. Kimberly Brown, NTLC Senior Attorney

NTLC's on-line training course—Prosecuting DUI Cases—is an on-demand, free training course for new and practicing prosecutors. The course was developed in cooperation with the Foundation for Advancing Alcohol Responsibility and the National Center for State Courts by national experts to equip prosecutors with the knowledge, information, and confidence necessary to effectively prosecute impaired driving cases. The course walks the learner through a first-person simulation of preparing for the prosecution of a fictional DUI case. The training covers topics including the importance of DUI prosecution, preliminary case review and evaluation, trial and witness preparation, alcohol toxicology, as well as common defenses and trial tactics. Also included is a Resources Section which links to the NTLC website Publications page containing all monographs (*e.g.*, DWI Prosecutor's Handbook, Challenges and Defenses II, and HGN: The Science and The Law). Completion of all slides, along with successfully passing a knowledge assessment quiz, earns the learner a certificate of completion and, in many instances, 1.5-2.5 hours of CLE credit with his or her state bar. To register for this course, please visit the NTLC webpage at <https://ndaajustice.org/training/prosecuting-dui-cases/>.