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Between the Lines

DWI Partners in Prevention Conference

By Joseph McCormack

Do you know what an alcoholism counselor asks a convicted drunk driver to determine if they need treatment? Do the counselors who see your defendant believe him when he claims he wasn't "drunk" when he was arrested but the cop had it out for him? Does anyone know what the state driver's licensing agency will do? Sometimes it seems like it is difficult enough to maintain open lines of communication within the law enforcement community. Knowing the entire path of a DWI defendant can appear to be a daunting task. It doesn't have to be. It all comes down to contact, knowledge and understanding. If we acknowledge our true goal as prosecutors is to protect society, then simply knowing how to try a case is not all we need to do. We should also know and understand all of the components put in motion in a DWI case. If we see that the underlying theorem of DWI prosecution is deterrence, all of the agencies that interact with the drunk driver must be considered. Each component can function more efficiently and effectively if each is aware of the role and impact of the other.

New York State recently made an effort to create this broad sharing of knowledge and goals. The New York State Governor's Traffic Safety Committee (GTSC) contacted all of the various organizations and agencies that affect the course of an impaired driver through the criminal justice system. Together they hatched a plan. The idea was to hold a two-day conference in which all of the actors could meet each other and learn about each other's role. That concept grew into "Partners in Prevention." The first step was to figure out everyone who had a part to play.

The first group to involve was obvious. All of the cases, by definition, begin with the police and the prosecutors. The director

of the Impaired Driving Section of the New York State Police was contacted and, because the GTSC funds the NYS TSRP, I was brought in also. The court system sent a chief court attorney to help and so the court process was complete. The defense bar was included in the conference and quite a few attorneys attended. The defense bar was not utilized as presenters because the concept of the conference was to include all of the partners whose institutional dictates include the public safety. This decision was an acknowledgement of the defense attorney's statutory obligation to the defendant and his interest above all others. The attendance at the conference by active defense attorneys is demonstrative evidence that often the defendant's interest is one and the same with many of the official "partners," treatment and deterrence.

The second group was equally clear since sanctions follow adjudication. Representatives from both prison and probation were included. The State Department of Motor Vehicles was included. DMV fulfills many partnership roles. In New York, DMV is the host agency for GTSC. DMV also handles license issues and hearings and is directly connected to the state's Drinking Driver Program (DDP). Treatment options came next. The previously mentioned DDP sent presenters as did the Office of Alcoholism and Substance Abuse Services (OASAS).

The attendance limit of three hundred and fifty was filled weeks before the conference. Police officers, prosecutors, judges, court attorneys, defense attorneys, magistrates, treatment counselors and treatment providers attended. The agenda followed the chronological course of a defendant. All speakers for the conference were given six basic DWI scenarios to work with. Each addressed how they handle an impaired driver, an intoxicated driver, a mid BAC dri-

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ver, a high BAC driver, an intoxicated driver with prior convictions and an intoxicated driver who maims or kills. Presenters were asked to try to maximize audience involvement and questions as they taught. Treatment providers discovered how and why offenders are arrested. Police officers and treatment providers then heard from three prosecutors from different parts of the state and the court attorney about how these cases are handled in court. Next the DDP gave an explanation of how they get clients and what they require of them. That day ended with a short session on the new technology available to find and monitor offenders. Agencies currently using license plate readers, ignition interlock and SCRAM detailed the various pros and cons of new technology. The next morning started out with an OASAS-led discussion of the ways and means to provide treatment to offenders. For the judges, prosecutors, defense attorneys and police officers this session was an eye opener. For the treatment providers it was a unique opportunity to compare certification requirements, assessment consistency, treatment plans and state oversight. Just as the providers left the conference enriched with useful knowledge of how the offender gets into the system, all of the actors on the front end learned what really happens when an offender is required to get into a program. Next probation used case examples to show both offender supervision and the violation process. Finally, the DMV detailed how and why they take people's licenses.

The benefits of the conference extended beyond simply educating each other and providing a consistent effort to combat the issue of drunk driving. For many, it was the first time all of the various partners were ever in the same room. Just as important as what went on inside the ballroom was who met who outside in the hallway. At each break, truly eclectic groups of participants gathered and discussed issues and solutions or just shared stories. Breakfast and lunch were provided as well as time for networking at the end of the first day's sessions. Best of all, these connections were made without the usual added stress of some sort of crisis, which typically is the catalyst for such meetings.

During the last day another innovative idea was put to use. During the conference, index cards had been placed on the tables for people to write down questions not addressed during a specific session. Each presenter reminded everyone of this added opportunity to learn and cards were collected at the end of each section. The morning of the second day, the questions were organized and the various presenters were consulted on responses. All of the presenters had been asked to be available for the entire conference and the impromptu Q and A sessions that took place in the hall and

at meals. The answers were then discussed during the last lunch session and conference closing. If an explanation needed elaboration, it was done right then. Some of the queries were too complicated or required consultation with individuals not on site. About two months after the end of the conference, all of the leftover questions were answered and then e-mailed to all attendees. This type of post conference communication had a dual effect. First, obviously, it provided thoughtful complete responses to complex issues and, second, it acted as a conference follow-up reinforcing the lessons learned and hopefully reawakening people's initiative to bridge some of the communication gaps in their own jurisdictions.

Ultimately, the greatest success of the Partners in Prevention Conference is just beginning now. Six months after the follow-up was sent out I started to wonder if we would be planning a new seminar for the coming year. At one of the police trainings I bumped into the deputy commissioner from the Department of Motor Vehicles who had played a large role in organizing and emceeding the Partners Conference. He told me that there had been some high level discussions over the previous few months among many of the entities and agencies that had participated in Partners. They were all interested in moving forward with the spirit of cooperation and communication that had materialized the previous year. They feel that the best way to do so was to form a statewide commission utilizing all of the partners in prevention to address issues in common. We are all painfully aware that after having great success reducing alcohol-related deaths and injuries, we have found it difficult to continue the reduction. Intractable problems demand new and innovative ways of thinking and solving issues. Thus, it appears that a direct result from the Partners in Prevention Conference will be a previously unimagined conglomeration of people united in making the streets of New York safer. A result that makes the Partners in Prevention Conference an unqualified success by any standard.

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