

UPPING THE ANTE NEW DUI PROSECUTION



A significant portion of the yearly caseload of any District Attorney Office is comprised of driving under the influence cases. We are no exception. The Office of the Tulare County District Attorney year in and year out successfully pursues DUI cases. Yet our Office has always desired to do more and to do better. Thus, in November of 2003, we embarked on an effort to secure funding through the California Office of Traffic Safety for a special program to target serious DUI cases.

Through an OTS workshop, I learned the types of grants usually funded were geared towards police departments and not prosecutors for DUI checkpoints, seatbelt enforcement strategies, and emergency equipment for traffic safety. Figuring, nothing ventured, nothing gained, a proposal was submitted to OTS called the Driving Impaired Prosecution Program, or DIPP. The focus of the Program is to dedicate a prosecutor and investigator to target DUI cases submitted to the office involving death or serious injury. The grant also involves working with all local law enforcement agencies, Mothers Against Drunk Driving (MADD) and the schools to increase public awareness about the consequences of drinking and driving.

Proposal reviewers at OTS loved our idea of a prosecution program targeting DUI cases and approved the Driving Impaired Prosecution Program for Tulare County! The award is for \$350,000 over a two-year period and is the first prosecution program ever awarded and funded by the California Office of Traffic Safety.

Our program is a two-year project with ambitious and wide reaching goals. The perspective of our program is to treat these cases in same manner that our murder team handles the killing of a person. Indeed, some of our DUI deaths are murder cases. Deputy District Attorney, Mike Moberly, has been assigned as the Prosecutor and DA Criminal Investigator, Kevin Bohl, is the investigator assigned to the Program. Besides dedicated prosecution, they will be networking with the local law enforcement agencies for a countywide approach to training issues, crash scene investigations, tracing the origin of the alcohol that was a contributing factor to the DUI cases and targeting repeat offenders. It is the goal of the Program to reduce the number of persons killed or injured in alcohol-involved collisions by 10%, and the number of hit-and-run fatal or injury collisions by 5% from the 2003 base calendar year.

PROGRAM

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One major component of the Program is to work with the Visalia Unified School District to reach young people with our message. Part of this effort will be to establish a "Real" DUI Trial Program in the high schools which means an actual criminal trial will take place on campus. This will take much coordination between the Tulare County Courts, schools and our office. We hope to impress upon the students the real-life impacts and consequences to the lives of victims and their families, and to that of the person who chooses to drink and drive and their families. During the two years of the Program we will also develop and produce multi-lingual Public Service Announcements and other media releases regarding the consequences of drinking and driving. We will target these announcements toward the holidays and school events, such as Prom, graduation, and high school sports activities.

Our Program had its initial Kickoff event on November 23, 2004 at the College of the Sequoias who generously partnered with us in promoting a safe holidays message to their student body and the greater community through extensive media coverage. District Attorney Phil Cline was joined at the speaker's podium by Lynne Goodwin of Exeter who has lost two children in two separate automobile accidents.

Ms. Goodwin's daughter, Casey, was killed in March, 2003 by a driver who was under the influence. Also present was Brian Smith, Visalia Commander of the California Highway Patrol, Porterville Police Chief Silver Rodriguez, Visalia Police Department Assistant Chief Dennis Swiney, representatives of the Tulare County Sheriff Department, Dinuba Police Department and The DA Bureau of Investigations. On display was the vehicle Casey Leanne Goodwin was driving when she was killed by a drunk driver as well as patrol vehicles from CHP and the Visalia Police Department. Attendees participated in a "hands-on" demo using DUI goggles mimicking alcohol impaired vision. This demonstration and other information were provided by the Tulare County Office of Education's Friday Night Live program. Visalia Police Officers engaged students with their new breath alcohol testing devices. Victim services information was brought by the Victim Center Program of the Tulare County District Attorney's Office.

We look forward to reporting much success from this new program as we up the ante against DUI. And during this holiday season please remember death and injury resulting from driving under the influence is 100% preventable.