

Breakout 12: Alcohol/Drug Traffic Offender Adjudication

Moderator: Maury Dennis, Center for Transportation Safety, TTI

Session Summary:

The purpose of this session was to focus on problems and solutions related to adjudicating alcohol/drug traffic offenses from three perspectives: Law Enforcement, Prosecution, and Defense. Identifying adjudication problems and their solutions is important to assuring that valid and legal alcohol and drug cases may more likely result in convictions.

Law Enforcement issues and research discussed focused on conducting Standardized Field Sobriety Tests (SFST). Prosecution issues related to the high refusal rates of breath tests, Texas' weak Administrative License Revocation (ALR) program, police staffing and training, medical concerns (blood draws) and changes to time-of-test laws were presented. Defense issues which make cases more difficult to prosecute (improper SFST administration, poor ALR procedures, not making breath testing apparatus available to defense, having the same penalties for prescription drug and alcohol offenses, no mandatory jail time for all DWI convictions) were presented.