

**JUDGES ROLE IN REDUCING
IMPAIRED DRIVING –
ACCOUNTABLE CASE
MANAGEMENT**

Senior Judge G. Michael Witte
Lawrenceburg, IN

**“I thought if I ordered it,
it got done.”**

- Newbie Judge

KNOW THE OFFENSE

- Know the statutes
- Know the papertrail
- Understand alcoholism, alcohol abuse and chemical dependency
- Know the excuses
- Know the sanctioning and sentencing options

Interacting Components

Court – Clerk – Prosecutor –
Probation/Parole

Must be oversight of all administrative
components working in unison.
If not, breakdown will occur.

ACCOUNTABILITY

Out-of-State Records

- Is driver license being
confiscated? Being returned?
- Is home state re-instating license?
- Is charging state issuing
probationary/restricted license?
- **ACCOUNTABILITY**

FELONY AGGRAVATED DUI

- Felony criminal case management
mindset triggered.
- Traffic case management mindset
disappears.
- **ACCOUNTABILITY**

CAN THE JUDGE ENFORCE...

- Pre-adjudication suspension (ALR)
- Interlock (pre- & post-adjudication)
- SCRAM
- Urine screen or other testing
- Counseling services
- AA

CAN THE JUDGE AVOID FALLING PREY TO EXCUSES

- I have no transportation to...
- I can't afford...
- Instrument doesn't work; is broke; malfunctioned; false reading.
- 2nd hand smoke; spiked my drink
- ACCOUNTABILITY

OTHER CONSIDERATIONS

- Too many cases restricts ability to utilize all potential tools
- Cost to county or city
- JUDGES: Carefully select tools; don't dilute impact - ACCOUNTABILITY
- CITIZENS/LAWMAKERS: Always weigh cost of proposal and ability to enforce - ACCOUNTABILITY

DUI COURT ACCOUNTABILITY

- Addictive behavior training
- Team fully trained
- Team resolve – don't be manipulated and cajoled
- Prosecutor and defense attorney cannot use as negotiating tool
- Funding

The NHTSA JOL's

Region 4 – Hon. Karl Grube
kgrube@jud6.org
Region 5 – Hon. G. Michael Witte
gmwitte@hotmail.com
Region 7 – Hon. Kenton Askren
kaskren@hotmail.com
Region 8 – Hon. Fred Rodgers
Frederic.rodges@judicial.state.co.us
Region 9 – Hon. Lynda Joyce Howell
Lynda.Howell@phoenix.gov
Region 10 – Hon. Mike Padden
m_john_p@msn.com
