

## DWI Courts in a Rural Community

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## Role of the Prosecuting Attorney

- Chief Law Enforcement Officer of Jurisdiction
- Hold offenders accountable
- Advocate for crime victims
- Promote public safety
- Gatekeeper for DWI Court

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## Prosecutor's Role in DWI Court

- Screen charged offenders
  - DWI charges pending
  - No violence in criminal history
  - Residence within court's jurisdiction
  - Prior convictions for *DWI*
- *Recommend* offenders to DWI Court
- Attend court hearings
- Attend case reviews with DWI Team

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### Why offer DWI Court?

- Stop offenders from using alcohol/drugs
- Reduce jail/prison overcrowding
- Significantly fewer repeat DWI drivers
- Reduce overall crime rate
- Promote public safety

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Why shouldn't drunk drivers just go to jail?



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Jail alone doesn't work for the repeat drunk driver!!!



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### What happens when a DWI repeat offender is released from jail?

It's party time!



*Cheers!*



*Let's have a drink!*

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### What is wrong with only jail time?

- It's not effective for the repeat drunk driver
- It only keeps the public safe during incarceration
- The roads are safe when the drunk driver is in jail..... AND
- **The roads are safe when the drivers don't ever drink alcohol!!**



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### Early intervention works best

- Approach defendant at arraignment
  - Strike while the iron is hot!
  - The farther away from the arrest date that the program is presented, the less serious the charges will seem to the defendant
- Present DWI Court as an option A.S.A.P.
  - Then offender will get a substance abuse assessment
  - Fast track case
  - No opportunity to postpone case



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### Benefits of DWI Court



- Frequent court contact
- Close supervision by probation officer
- Frequent alcohol/drug testing
- Participation in 12-Step groups
- Defendant builds a relationship with the judge



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### DWI Courts Improve Officer Safety

- Officers are safer on night patrol with fewer drunk drivers
- Dangers posed by DWI drivers
  - Causing crashes
  - Damaging property
  - Hitting officers while they're on traffic stops
  - Fighting with officers
- DWI Court grads have positive view of law enforcement and the court system

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### Treatment ordered in DWI Court for offenders benefits the public

- Reduces likelihood of another drunk driving offense
- Offender learns how to live alcohol free for life
- Break cycle of poverty (value placed on education and employment)
- Improve job performance
- Families more likely to stay together

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### **Additional Benefits to the Community**

- Employees are more productive when they are sober
- DUI Court participants must obtain GED, or find/maintain employment or do community service work
- Families are more likely to stay together
- Drug-free babies are born
- People are healthier when they quit drinking alcohol

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### **How this can work in a rural jurisdiction**

- Build a solid drug court team
- Include the stakeholders in the community
  - AA Community
  - Treatment Community
  - Law enforcement
  - Defense Bar
- Look for alternatives to satisfy goals
- Adapt to your resources

### **Where there's a will there's a way!**

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### **Obstacles to success**

- Funding 
- Transportation (loss of operator's license) 
- Commitment from DWI Team members



- Continuity of Team Members/standards

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My responsibility as a prosecuting attorney is to hold criminals responsible for their actions and to protect the public from future crimes being committed.

I view DWI Courts as a way to keep my community safe from drunk drivers.



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