

# New drunk laws tools for police

By Carol Azizian  
staff writer

Oakland County Prosecutor L. Brooks Patterson, saying the state's new drunk driving laws are long overdue, vowed to work hand-in-hand with police officers to crack down on offenders. A spokesman for the Wayne County prosecutor agrees.

"This new law is definitely a tougher piece of legislation," Patterson told more than 100 prosecutors and law enforcement officials at a recent conference of the Prosecuting Attorneys Association of Michigan.

Patterson said that nearly a decade ago, he proposed changes similar to those made in the new law which took effect March 30.

"We built a hell of a case against the drunk driver back in 1974, but we couldn't do a damn thing with it," he said. "Now it's almost in vogue to get involved with this issue."

"IT TOOK a group like Mothers Against Drunk Drivers (MADD) to get the legislation off dead center," Patterson said.

"I congratulate them for doing what this office was unable to do — lobby in Lansing and get legislators to recognize this as a serious problem."

"Maybe hell hath no fury like mothers who've lost their loved ones banded together for a good cause."

The new laws will give law police officers and prosecuting attorneys the "tools for identifying drunk drivers," Patterson said.

BUT THEY fail to go far enough in preventing drunk driving offenses, he said.



L. Brooks Patterson  
it's now in vogue

"On major felonies, we will be able to prosecute as charged. Since 1974, we've had a policy that attorneys can't plea-bargain on cases where drunk drivers either kill or injure someone."

"But there are no provisions in the law dealing with persons who are arrested on charges of being drunk and disorderly," Patterson said.

"If a person is arrested on those charges, we should notify the Secretary of State's office and make him go through screening. That way we can identify him early as a problem drinker — before he causes an accident."

THE NEW laws impose stiffer minimum penalties for driver's license

suspensions, mandatory pre-sentence substance abuse screening, optional sentencing to community service work and six points on drivers' records for refusal to take a Breathalyzer test.

Under the new law, police officers can administer roadside Breathalyzer tests.

Drivers convicted of operating a vehicle while impaired face license suspensions of six months to a year.

Under the law, anyone with a percentage of alcohol in his or her bloodstream of .10 is considered drunk. A percentage between .05 and .10 is proof that the person is impaired. No longer as those percentages merely evidence that the person may be drunk.

WAYNE COUNTY Assistant Prosecutor Richard Padziewski said that provision adds more weight to the prosecuting attorney's case.

"It's what my boss (Wayne County Prosecutor) Bill Cahalan likes to call certainty of punishment," Padziewski said. "It should have some impact on keeping drunk drivers off the road."

Oakland County Assistant Prosecutor John Skrzyński told law enforcement officials that the new law will make their jobs easier.

But, Skrzyński said, police officers must record details of the crime to convince juries.

"You guys are out there putting your life on the line. Then we lose the case because you don't give enough detail."

"Drunk driving is sort of like a bad joke. You tell someone 'I guess you had to be there.'"

"The jury has to be there. If you can make it live for them, they'll convict the driver."

FOR POLICE in Oakland County, the new law is "one more weapon in an arsenal that is already more impressive than that possessed by any other law enforcement community in Michigan," Oakland County Executive Daniel T. Murphy said.

Since 1980, when the Alcohol Enforcement/Education Project began, Oakland County sheriff's deputies have increased arrests for drunk driving by 130 percent.

"Nearly 2,000 arrests were made during that period, a rate far exceeding the national average," Murphy said. Earlier, Murphy made a pitch before the Board of Commissioners for continuing Oakland County's "drunk driving project," which is scheduled to expire at the end of May.

MURPHY, who asked state officials for a one-year extension of a four-year grant to pay for the project, said he has received assurances from state officials that they will honor his request.

His proposal would continue the role of the Oakland County Sheriff's Department while "vastly expanding the activities of our 41 local police departments."

"These departments have approximately 1,000 patrol officers on the streets now. They're highly trained, dedicated police officers and are ready, willing and able to join our alcohol enforcement teams in the war against drunk driving."

"With the funds that will be available to them if my proposal is approved, these 1,000 patrol officers will be able to crack down hard on those who defy the law."



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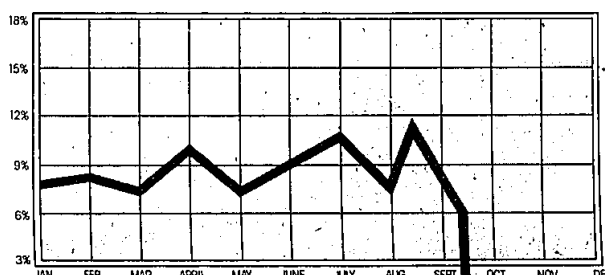
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