

2008 Operation Memorial Day

Q & A

What is Court Monitoring?

As one of MADD's core programs, the Court Monitoring Program is a tool to observe the DWI/DUI criminal justice system and create accountability. The program is focused on forming strong strategic alliances with law enforcement, judges, prosecutors, and the defense bar, including public defenders.

What is Operation Memorial Day?

Operation Memorial Day is a project that focused on tracking DUI/DWI arrests that occurred during the Memorial Day weekend. The cases occurred from Friday, May 25 to Monday May 28, 2007. The cases were monitored over a six month period, from May 2007 to November 2007.

What States Participated?

Ten communities participated in Operation Memorial Day, they include: Nebraska (Gage, Saline, Lancaster, Saunders, Hall); Virginia (Virginia Beach); Missouri (Cole County and St. Louis County); Kentucky (Clay County and Gallatin County); Georgia (Atlanta); Louisiana (Baton Rouge); New Mexico (Albuquerque); Texas (Dallas and Houston).

How many cases were monitored?

A total of 487 DWI/DUI cases were monitored in the six month period.

Why Memorial Day?

Memorial Day weekend is traditionally the kick-off for summer, and usually one of the deadliest drunk driving holidays of the year.

What did the Court Monitors Track?

Court Monitors tracked whether ignition interlocks are included as part of sanctions since 46 states and territories have some form of an interlock law, the ages of the offenders and whether first or repeat offenders committed the majority of the offenses.

Why is this significant?

The project shows the Court Monitoring program is on the right course to observe what happens in court system. The number of ignition interlocks included as part of sentences has increased since the project began in 2006. New Mexico continues to be a national leader in the implementation of ignition interlocks as part of sanctions, the information collected from other states showed there is still work to do to ensure ignition interlocks become part of all states' laws. Six states have first-conviction ignition interlock requirement: Arizona, Louisiana, Nebraska, Illinois, Washington and Colorado. Ignition interlocks were not consistently included as part of defendant sanctions in the cases monitored. In Nebraska, ignition interlocks were only mandated in about 20 percent (6 out of 30) of the cases.

An alcohol ignition interlock is a breath test device linked to a vehicle's ignition system. Interlocks are used as a condition of probation for drunk driving offenders after their driver's licenses have been reinstated. When a driver wishes to start his or her vehicle, he or she must first blow into the device. The vehicle will not start unless the driver's

alcohol level is below a pre-set blood alcohol content (BAC). It is one of the most effective ways to keep the roads safe for everyone, while still allowing the offender to drive.

Research shows that first-time convicted offenders arrested for drunk driving have driven drunk more than 87 times *before their first arrest*. Two-thirds of those whose licenses are suspended for DUI drive anyway. Multiple studies have shown alcohol ignition interlocks are up to 90 percent effective in keeping both first-time and repeat offenders from recommitting the crime as long as the interlock is installed on the vehicle, but is estimated only one in eight convicted drunk drivers, mostly repeat offenders each year currently get an ignition interlock installed. Most of those are repeat offenders.

How has Court Monitoring evolved?

Historically, MADD has always had a presence in the courts. In 2002, MADD was awarded a grant from the National Highway Traffic Safety Administration (NHTSA). The grant's purpose was to change the focus of the previous Court Monitoring Program to collect data to identify potential gaps in the prosecution and adjudication process.

How is Court Monitoring done?

Court Monitoring sends volunteers trained in court procedures into the courtroom to observe cases and note their outcomes on a regular basis. This program evaluates the courts by regular attendance to court proceedings, review of the court records and tracking of offenders and probation records. By reviewing the records of the judicial system, a comprehensive Court Monitoring effort identifies the weak points in the system and offer solutions. MADD creates a dialog by building a bridge between the judiciary, district attorney, defense bar and law enforcement.

What are the goals of the Court Monitoring program?

1. Volunteers observe court on a regular basis and compile information on how DWI/DUI cases are handled;
2. Make those involved in the prosecution and adjudication process aware of public interest about the outcomes of DWI/DUI cases;
3. The information gathered by the program may be reported to relevant entities so the system can be improved.

Operation Memorial Day 2008

The project will continue this year, using cases filed from Friday, May 23 through Monday, May 26. Look for results to be announced Memorial Day 2009.