

GEORGIA traffic PROSECUTOR

A Publication of the Prosecuting Attorneys' Council of Georgia Traffic Safety Program

our mission

The goal of PAC's Traffic Safety Program is to effectively assist and be a resource to prosecutors and law enforcement in keeping our highways safe by helping to prevent injury and death on Georgia roads.

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feature article >

Georgia law is specific as to who should draw blood after a DUI arrest. Our feature article addresses the various ways in which the State may prove the blood drawer's qualification.

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Proving the Blood Drawer's Qualifications

By: Fay McCormack, Traffic Safety Resource Coordinator, Prosecuting Attorneys' Council of Georgia

Whenever a person submits to a chemical test of his blood at the request of a law enforcement officer, Georgia law is specific about who may draw that blood.

O.C.G.A. §40-6-392

(a) (2) When a person shall undergo a chemical test at the request of a law enforcement officer, only a physician, registered nurse, laboratory technician, emergency medical technician, or other qualified person may withdraw blood for the purpose of determining the alcoholic content therein, provided that this limitation shall not apply to the taking of breath or urine specimens. . . .

Strictly construing O.C.G.A. §40-6-392(e), which at that time consisted only of paragraph 1 below, the Supreme Court of Georgia held in *Peek v. State* 272, Ga. 169, (2000) that the only acceptable methods of proving the qualification of the person who drew a defendant's blood were, (1) the certificate provided for in O.C.G.A. §40-6-392(e), introduced by means of the business records exception to the hearsay rule and (2) testimony of the person who drew the blood. The law was amended effective July 1, 2001, expanding the methods of proving the blood drawer's qualification.

O.C.G.A. §40-6-392(e)

- (1) A certification by the office of the Secretary of State or by the Department of Human Resources that a person who drew blood was a licensed or certified physician, physician's assistant, registered nurse, practical nurse, medical technologist, medical laboratory technician, or phlebotomist at the time the blood was drawn;*
- (2) Testimony, under oath, of the blood drawer; or*
- (3) Testimony, under oath, of the blood drawer's supervisor or medical records custodian that the blood drawer was properly trained and*

authorized to draw blood as an employee of the medical facility or employer shall be admissible into evidence for the purpose of establishing that such person was qualified to draw blood as required by this Code section.

In *Bess v. State*, 254 Ga. App. 80 (2002) the appellant contended that the trial court erred in admitting a copy of a letter written on stationery of the Office of Regulatory Services of the Georgia Department of Human Resources (DHE) in which Genella Forrester certified that the individual who drew Bess's blood following the collision was qualified as a medical technologist. The objection to the admission of the document was on the ground that the State had not laid a proper foundation under the business records exception to the hearsay rule set out in O.C.G.A. § 24-3-14. The defense relied on *Peek* arguing that the only acceptable methods of proving the qualification of the person who drew a defendant's blood are the certificate provided for in O.C.G.A. § 40-6-392 (e) introduced by means of the business records exception to the hearsay rule and the testimony of the person who drew the blood.

Relying on *Bazemore v. State*, 225 Ga. App. 741 (1997), the prosecutor argued that a proper foundation for admission of the document was being laid under O.C.G.A. § 24-7-70, which states that the certificate or attestation of a public officer shall authenticate any document or matter pertaining to his office. The Court of Appeals held that O.C.G.A. § 24-7-70 provides a public records exception to the hearsay rule in the same way that O.C.G.A. § 23-3-14 provides a business records exception and that, "[i]n concluding that a certification under O.C.G.A. § 40-6-392 (e) must be admitted under the business records exception, we do not think that *Peek* meant to exclude other hearsay exceptions which serve the same function. Under *Bazemore*, the trial court properly admitted the document at issue under the public records exception." 254 Ga. App. 80, 83.

continued >

This newsletter is a publication of the Prosecuting Attorneys' Council of Georgia. The "Georgia Traffic Prosecutor" encourages readers to share varying viewpoints on current topics of interest. The views expressed in this publication are those of the authors and not necessarily of the State of Georgia, PACOG or the Council staff. Please send comments, suggestions or articles to Fay McCormack at fmccormack@pacga.org or Patricia Hull at phull@pacga.org.

The decision in *Bess* is in accord with *Price v. State*, 269 Ga. 222 (1998) where the Georgia Supreme Court explains the public records exception and confrontation clause issue relating to qualified persons:

O.C.G.A. § 31-22-6 authorizes DHR to promulgate rules and regulations relating to the qualifications of clinical laboratory personnel. Rule 290-5-29-.06 sets forth the qualifications required of medical technologists working in clinical laboratories and requires the laboratory as part of its licensure to maintain written documentation that such personnel meet the required qualifications. Because the classification of persons qualified to draw blood and the records showing such classification are regulated under DHR rules, we have no difficulty concluding that O.C.G.A. § 40-6-392 (e) properly creates a public records exception to the hearsay rule. Because the certification provided by DHR falls within the public records exception, it satisfies the confrontation clause. Although confrontation clause analysis generally requires a showing that the declarant is unavailable, this requirement may be dispensed with in cases such as this where the utility of cross-examination is so remote. Price at 224.

The Georgia Court of Appeals has interpreted O.C.G.A. §40-6-392 (a) (2) to include a mortician (*Clark v Jefferson Pilot Life Ins. Co.*, 209 Ga. App. 93) and a full time employee of a medical center whose only job was to draw blood (*Gooch v. State*, 155 Ga. App 708 (1980)).

...> Joshua's Law

O.C.G.A. § 40-5-22

Did you know that there are NEW Georgia Driver's Education requirements for teen drivers starting January 1, 2007?

Beginning January 1, 2007, all 16-year-olds applying for a Class D driver's license must complete an approved driver education course and complete a total of 40 hours of supervised driving, 6 hours of which must be at night, with a parent or guardian's sworn verification that these requirements have been met.

Any Georgia resident who has not completed an approved driver education course must be at least 17 years old to be eligible for a Class D driver's license. He or she must have completed a total of at least 40 hours of supervised driving, including at least 6 hours at night. The same verification in writing by a parent or guardian is required.

Motorcycle Safety

Courtesy: Network of Employers for Traffic Safety

Motorcycle riders now account for one out of every ten U.S. road fatalities each year – with motorcyclist deaths from traffic crashes rising each of the last eight years. With warmer weather here, more motorcycles are back on the road. That's why during Motorcycle Safety Month, all motorists are reminded to safely "Share the Road" with motorcycles and to be especially alert when driving to help keep motorcyclists safe. Motorcyclists are much more vulnerable than passenger vehicle drivers in the event of a crash. Research shows that approximately 80 percent of motorcycle crashes injure or kill a motorcycle rider, while only 20 percent of passenger car crashes injure or kill a driver or passenger in their vehicle. In fact, per vehicle mile traveled in 2005, motorcyclists were 37 times more likely to die in a traffic crash than occupants in passenger vehicles according to NHTSA.

Here are several important tips for drivers to help keep motorcyclists safe on our roadways:

- Remember the motorcycle is a vehicle with all of the rights and privileges of any other motor vehicle on the roadway. Always allow a motorcyclist the full lane width—never try to share a lane;
- Always make a visual check for motorcycles by checking mirrors and blind spots before entering or leaving a lane of traffic and at intersections;
- Always signal your intentions before changing lanes or merging with traffic;
- Don't be fooled by a flashing turn signal on a motorcycle – motorcycle signals are often not self-canceling and riders sometimes forget to turn them off. Wait to be sure the motorcycle is going to turn before you proceed;
- Remember that road conditions which are minor annoyances to passenger vehicles pose major hazards to motorcyclists;
- Allow more following distance, three or four seconds, when following a motorcycle, so the motorcyclist has enough time to maneuver or stop in an emergency. And don't tailgate. In dry conditions, motorcycles can stop more quickly than cars.

Motorcyclists have responsibilities, too, by following the rules of the roadway, being alert to other drivers, and always wearing protective gear.



Photo by JOC (SW/AW) David Rush
Courtesy: Commander Submarine Force U.S. Pacific Fleet



National Mobilization

May 21 – June 3, 2007

Every year, more than 42,000 people die in motor vehicle crashes in the United States. More than half of all passenger vehicle occupants killed were not wearing a seat belt, and more than 7,000 of them were young drivers between the ages of 16 and 20. Additionally, more than 13,000 people die in alcohol-related crashes every year. Not surprisingly, the National Highway and Traffic Safety Administration's (NHTSA) research shows that the period between midnight and 3 a.m. on Sunday mornings is the deadliest time for traffic crashes.

One of the most effective strategies for increasing seat belt use is high visibility enforcement, supported by a well coordinated media campaign. Law enforcement's participation in these efforts is the key to reducing crashes and the injuries and fatalities they cause.

Last year, thousands of law enforcement agencies around the country participated in the Click It or Ticket mobilization. NHTSA is extremely grateful for these enforcement efforts and support. Of course, the job isn't done yet. Once again, law enforcement officers must lend support and leadership in the upcoming mobilizations and crackdowns this year.

The Click It or Ticket mobilization will run from May 21 to June 3, 2007. Regardless of how many officers an agency has, it is vitally important for police departments, sheriff's offices, and State agencies of all sizes to engage in this nationwide effort. Your participation is the key to continued success.

A short web based video is available for briefing and roll call describing the Click It or Ticket mobilization and encouraging officers to get behind this important effort. Along with other materials for law enforcement, the video can be accessed and downloaded from:

<http://www.nhtsa.gov/buckleup/ciot-planner/planner07/LEAK/video.htm>

or go to the following URL:

<http://www.nhtsa.gov/buckleup/ciot-planner/planner07/LEAK/index.htm>

Through NHTSA's combined efforts to date, seat belt use rates are up substantially and alcohol related fatalities have declined modestly as a result of these mobilizations. Together, law enforcement and NHTSA have the opportunity to save hundreds or even thousands of additional lives by reducing impaired driving and increasing seat belt use. The role that law enforcement plays in these efforts cannot be overstated, and your continued leadership and commitment to highway safety is appreciated.

The Drug Store: Cannabis

By: Sgt. Tim Tomczak, Raleigh Police Department, excerpts reprinted with permission from *For the Record*, Volume 4, Issue 1

The Cannabis category includes all drugs having the active ingredient Delta-9 Tetrahydrocannabinol, or Δ -9 THC (generally referred to as THC). The most common drug in the Cannabis category is marijuana. Marijuana is, of course, the most commonly abused illicit drug in America. Some other members of the Cannabis category are hashish, hashish oil and



Photo Courtesy: The International Drug Evaluation & Classification Program (www.decp.org)

Marinol. Hashish (or hash) is the dried and pressed resin of the marijuana plant. Hashish oil is made by soaking marijuana leaves repeatedly in solvent, eventually obtaining a thick brown syrupy liquid. Marinol is a prescription drug sometimes given to patients to suppress nausea. These different drugs all contain THC in various amounts. The THC levels range from about 4% (weak marijuana) to 30% (strong marijuana) to over 60% (some hash oil).

The most common method of ingestion is smoking. Hollowed out cigars are filled with marijuana and referred to as "blunts." Marijuana cigarettes ("joints") and blunts are sometimes dipped in hash oil, PCP, embalming fluid, or sprinkled with crack cocaine. Hashish and hash oil are usually smoked, but can be eaten as well. When the Cannabis is

smoked, the effects can be felt within approximately ten seconds and peak within thirty minutes. A user may feel normal within three to six hours after smoking, but studies have shown that Cannabis impairment may last up to twenty-four hours after consumption, long after the subject no longer "feels high."

All drugs in the Cannabis category will cause the same general effects on the body, regardless of the THC content. Users generally have reddened conjunctiva, eyelid tremors, body tremors, relaxed inhibitions, increased appetite, impaired perception of time and distance, disorientations, possibly paranoia, dryness of the mouth and throat, raised taste buds, and a greenish coating on the tongue. There may also be marijuana debris in the mouth. In addition, the subject should exhibit a unique condition called "rebound dilation." The subject's pupils will constrict, then pulsate larger and larger, expanding in size. The subject's pulse and blood pressure should be elevated, and the subject's pupils will also be dilated.

Driver's License Seizure

By: Jennifer Ammons, General Counsel, Georgia Department of Driver Services

Georgia law now contains very few provisions that require a law enforcement officer to seize a driver's license. Prior to September 1, 1998, O.C.G.A. §17-6-11(a) provided that an officer could seize a driver's license in lieu of requiring a motorist to post bond. However, the statute now provides that motorists charged with most traffic offenses may merely display their driver's licenses to law enforcement officers. License display is not sufficient if the motorist is charged with an offense for which a license suspension may be imposed for a first conviction for the offense, though license seizure is not required.

The most specific directive to law enforcement officers for license seizure is found in O.C.G.A. §40-5-67, which provides that seizure of the license is required when an officer charges a motorist with driving under the influence (hereinafter referred to as "DUI"). The officer should issue a temporary driving permit to the motorist (30 day permit on the 1205 Form if an administrative license suspension is initiated or 180 day permit if not). O.C.G.A. §40-5-67(b). The license should be sent to the court in which the charge will be adjudicated. If the motorist is convicted of DUI or another offense for which a license suspension is required, the court must require the motorist to surrender the temporary driving permit, and the license should be sent to the Department of Driver Services (hereinafter referred to as the "DDS"). O.C.G.A. §40-5-67(c)(1). If the motorist is acquitted, the license may be returned to him or her by the court. O.C.G.A. §40-5-67(c)(2).

License seizure mostly falls upon the courts. According to O.C.G.A. §40-5-53(a), courts are directed to require any defendants convicted of any offense for which a license suspension is mandated to surrender their driver's licenses. Similar language is found in O.C.G.A. §40-5-75(b). A list of all of the suspensions, both those resulting from convictions and those imposed administratively, appears on the following pages for your reference.

One exception to this general requirement is for teen drivers who are not residents of the State of Georgia. Points are not assessed against driver's who are not residents of the State of Georgia. O.C.G.A. §40-5-51. Thus, it would not be appropriate for a court to require license surrender of a non-resident teen driver convicted of an offense that normally would result in a suspension pursuant to O.C.G.A. §40-5-57.1 due to points. In the Interest of R.G., 272 Ga. App. 276 (2005).

Courts must also require motorists to surrender their habitual violator probationary licenses whenever these customers are convicted of an offense listed in O.C.G.A. §40-5-54, DUI, or for violating the conditions of the probationary license. O.C.G.A. §40-5-58(e)(6)(B). The same is true of a court when it convicts the holder of a limited driving permit for violating the conditions of the permit. O.C.G.A. §40-5-64(g)(1)(A).

Similarly, the DDS is directed to require the surrender of any driver's license that is cancelled, suspended, or revoked. O.C.G.A. §40-5-61(a). Any customer who has had his or her driver's license cancelled, suspended, or revoked is required to return his or her license to the DDS, and failure to do so is a misdemeanor. O.C.G.A. §§40-5-61 and 40-5-120(2).

It is easy to see, based on the above effects, why it is unsafe to operate a vehicle while impaired by Cannabis. Drivers who are impaired by Cannabis will have poor reaction time, be unable to properly judge distance and speed, may be unable to maintain their lane, can be disoriented and lost, and have generally poor motor coordination.

Marijuana was detected in 37% of deceased drivers (ages 15-34) in a California study. It is important to educate law enforcement and encourage them to look beyond the misdemeanor drug violation and save the lives of others on the roadway.

Sources:

Drug Evaluation and Classification Training Manual, by NHTSA, 2002 edition.

Drug Identification Bible, by Amera-Chem, Inc., 2004/2005 edition.

...> cannabis: major indicators

- *Horizontal Gaze Nystagmus: NONE*
- *Vertical Gaze Nystagmus: NONE*
- *Lack of Convergence: PRESENT*
- *Pupil Size: DILATED*
- *Reaction to Light: NORMAL*
- *Pulse Rate: UP*
- *Blood Pressure: UP*
- *Body Temperature: NORMAL*

Driver's License Suspension Cheat Sheet

License Suspension Resulting from Convictions

Statute	Description	Predicate Offense(s)	Comments
O.C.G.A. §32-6-30	Refusal to weigh	O.C.G.A. §32-6-30	
O.C.G.A. §40-5-22.1	DUI or drug conviction prior to age 16	O.C.G.A. §40-6-391 (DUI) O.C.G.A. §16-13-2 (Poss. Marj. Misd.) O.C.G.A. §16-13-30 (VGCSA) O.C.G.A. §16-13-72 (Poss. Dangerous Drugs)	*1 st Offense: Not eligible for license until age 17 *2 nd + Offense: No license until age 18
O.C.G.A. §40-5-30	Violation of license restriction	O.C.G.A. §40-5-30	
O.C.G.A. §§40-5-54	Mandatory suspensions for serious offenses	O.C.G.A. §40-6-393(b) (Vehicular Homicide-2 nd degree) O.C.G.A. §40-6-270 (Leaving Scene of an Accident) O.C.G.A. §40-6-186 (Racing) O.C.G.A. §40-6-395 (Fleeing/ Attempting to Elude) O.C.G.A. §§40-5-120 and 125 (Fraudulent Use of License/ Fraudulent Application) O.C.G.A. §40-6-15 (Operating Vehicle with Suspended or Revoked Registration) Felony with Vehicle	*Suspension terms are found in O.C.G.A. §40-5-63(a) *Convictions for DUI of drugs are treated like convictions for VGCSA pursuant to O.C.G.A. §40-5-63(a). *Ignition interlock device requirement and order for surrender of license plate must be included the sentence for any 2d+ DUI's within 5 years.
O.C.G.A. §40-5-57	Points suspension for accumulation of 15 points within 24 months based upon incident dates	All moving violations for which no other suspension is imposed	O.C.G.A. §40-5-57(c)(1)(B) and (c) allow points avoidance for 1 nolo plea or 1 driver improvement clinic every 5 years (course completion also results in reduction of fine)
O.C.G.A. §40-5-57.1	Points suspension for teen drivers convicted of a predicate offense or who get a 4-point offense prior to age 21 or who accumulate 4 or more points in 12 months prior to age 18	O.C.G.A. §40-6-270 (Leaving Scene of an Accident) O.C.G.A. §40-6-186 (Racing) O.C.G.A. §40-6-395 (Fleeing/ Attempting to Elude) O.C.G.A. §40-6-390 (Reckless Driving) O.C.G.A. §40-6-397 (Aggressive Driving) O.C.G.A. §40-6-163 (Unlawful Passing of School Bus) O.C.G.A. §40-6-45 (Improper Passing Hill/Curve) O.C.G.A. §40-6-181 (Speeding more than 24 mph) O.C.G.A. §3-3-23(a)(2) (Underage Purchasing Alcohol) O.C.G.A. §§3-3-23(a)(3) or (5) (Misrepresenting Age to Purchase Alcohol Underage) O.C.G.A. §40-6-391 (DUI)	* <i>Nolo</i> pleas are treated as convictions for drivers under age 21. *Suspension is based upon defendant's age at the time of the conviction.
O.C.G.A. §40-5-57.2	Gas drive off	O.C.G.A. §40-6-255	
O.C.G.A. §40-5-58	Habitual violator revocation based upon 3 convictions within 5 years based on arrest dates	All offenses listed in O.C.G.A. §40-5-54 O.C.G.A. §40-6-391 (DUI) O.C.G.A. §40-6-393 (Vehicular Homicide) O.C.G.A. §40-6-393.1 (Feticide by Vehicle) O.C.G.A. §40-6-394 (Serious Injury by Vehicle) O.C.G.A. §40-6-395 (Fleeing)	*Multiple offenses from single incident each count toward revocation. *Violation of HV Probationary License (f) results in additional 2 year suspension unless remaining period of original revocation is longer.
O.C.G.A. §40-5-63	(a) Mandatory offenses	See O.C.G.A. §40-5-54, <i>supra</i>	
	(d) Vehicular homicide (1 st degree) and serious injury by vehicle	O.C.G.A. §§40-6-393(a) and 40-6-394	
	(e) and (f) Underage Possession of Alcohol (if not covered in O.C.G.A. §40-5-57.1)	O.C.G.A. §3-3-23 (Offense committed in vehicle or attempt to purchase alcohol)	
O.C.G.A. §40-5-64	Limited permit revocation	Moving violations and violations of permit limitations	
O.C.G.A. §40-5-70	Insurance convictions	O.C.G.A. §40-6-10	<i>Nolo</i> plea to 1st offense within 5 years avoids suspension, but 2 nd conviction after (including another nolo plea) that is treated as 2 nd offense. O.C.G.A. §40-5-70(d).

O.C.G.A. §40-5-75	Drug convictions	O.C.G.A. §16-13-2 O.C.G.A. §§16-13-20 through 16-13-56	*First offender sentence avoids suspension. <i>Priest v. State</i> , 261 Ga. 651 (1991). *Conditional discharge under O.C.G.A. §16-13-2(a) avoids license suspension-only available once lifetime. * <i>No/lo</i> plea to misdemeanor marijuana avoids suspension if defendant completes risk reduction program within 120 days of sentencing.
O.C.G.A. §40-5-121	Driving on suspended license	O.C.G.A. §40-5-121	<i>No/lo</i> plea avoids additional license suspension once every 5 years.

Withdrawals of Commercial Driving Privileges

Statute	Description	Predicate Offense(s)	Comments
O.C.G.A. §40-5-151	Commercial driving disqualification	*Any offense listed in O.C.G.A. §40-5-54 *DUI *Refusal to submit to blood alcohol testing *Use of a CMV containing hazardous materials in commission of a felony *Use of CMV in drug felony *Convictions for 2 or 3 serious traffic violations within 3 years *Violation of an out-of-service order	*Georgia law imposes commercial penalties on all drivers, even without CDL. *Penalties apply even if driver is not in commercial vehicle *Penalties range from 60 day disqualification to lifetime disqualification
O.C.G.A. §40-5-159	Driving CMV without CDL	O.C.G.A. §40-5-146	Includes driving CMV without CDL on person

Withdrawals Not Predicated on Convictions

Statute	Description	Predicate Offense(s)	Comments
O.C.G.A. §17-10-3	Court ordered suspension	As set by the court, but not to exceed term of sentence	
O.C.G.A. §40-5-22	School attendance or conduct violations	One year or until age 18, whichever is earlier	
O.C.G.A. §40-5-50	Cancellation due to ineligibility or failure to provide required information	Indefinite until eligible or required information provided	Examples include social security cancellations and cancellations due to withdrawals in other states
O.C.G.A. §40-5-54.1	Failure to Pay Child Support	Indefinite until released by Child Support Enforcement	
O.C.G.A. §40-5-56	Failure to Appear	Indefinite until released by trial court	
O.C.G.A. §40-5-59	Medical Revocation	Indefinite until condition resolved	*DDS accepts reports from doctors, courts, law enforcement, prosecutors, and the public
O.C.G.A. §40-5-67.1	Administrative license suspensions for per se blood alcohol or refusals	1 st in 5 years: 1 year (early reinstatement-30 days) 2 nd in 5 years: 18 months 3 rd in 5 years: 5 years	*ALS time counts toward period of suspension imposed for DUI conviction. O.C.G.A. §40-5-67.2 (b). *If DUI is dismissed or reduced to reckless, DDS must delete the ALS from the driver's record. O.C.G.A. §40-5-67.1(g)(4).
O.C.G.A. §40-9-1, <i>et seq.</i>	Safety responsibility	Indefinite until surety posted or judgment satisfied	

MISCELLANEOUS INFORMATION

O.C.G.A. §40-5-53 requires courts to compel a defendant to surrender his or her driver's license when he or she is convicted of any offense for which a driver's license suspension is imposed, and all convictions for traffic offenses must be reported to the DDS within ten (10) days of the conviction.

DDS imposes license suspensions upon non-residents who are convicted of offenses for which a suspension is mandated. Points are not imposed upon non-residents. Their points-bearing convictions are reported to their home jurisdictions. O.C.G.A. §40-5-51.

The DDS treats convictions imposed upon residents by courts in other jurisdictions as if they occurred in Georgia and imposes whatever penalty is mandated for such convictions. O.C.G.A. §40-5-52.

Most suspensions and revocations begin on the date of the conviction that causes the withdrawal. However, the DDS cannot begin calculating the driver's eligibility for reinstatement until he or she surrenders his or her driver's license. If not surrendered prior to the date that the conviction goes onto the defendant's driving record, the time starts as of that date. O.C.G.A. §40-5-61(e).

GEORGIA traffic PROSECUTOR

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---> fact:

Drunk driving is the nation's most frequently committed violent crime, **killing someone every 31 minutes.** Because drunk driving is so prevalent, about three in every ten Americans will be involved in an alcohol-related crash at some time in their lives. In 2003, an estimated 17,013 people died in alcohol-related traffic crashes in the USA. These deaths constituted 40 percent of the nation's 42,643 total traffic fatalities.

-Statistics courtesy MADD

The "Georgia Traffic Prosecutor" addresses a variety of matters affecting prosecution of traffic-related cases and is available to prosecutors and others involved in traffic safety. Upcoming issues will provide information on a variety of matters, such as ideas for presenting a DUI/Vehicular Homicide case, new strategies being used by the DUI defense bar, case law alerts and other traffic-related matters. If you have suggestions or comments, please contact Editors Fay McCormack or Patricia Hull at PAC.