

State Prosecutors Reviewing DUIs

By Michael Raeker

The Thompson County State's Attorney's Office is examining scores of DUI traffic ticket convictions in light of recent allegations by a Thompson County judge that police officers are baselessly issuing drunk driving tickets. Allegedly, the Marshall City police officer who wrote a whopping 1,000 tickets in the past five years is being scrutinized for failing to follow proper procedures when conducting sobriety and breathalyzer tests. The officer, Pat Davis, received "Top Cop" awards for writing the most DUI tickets in November of each of the past five years..

State's Attorney Bernice Carey expressed concern about the possible abuse of power by Marshall City police officers who apparently were competing for arrest honors rather than judiciously arresting legitimate suspects.

"The problem is that so many of these cases were not prosecuted or were dismissed because of flimsy evidence," Ms. Carey stated. In the remaining cases, the defendant pleaded guilty and accepted diversion into a substance abuse program. Defendants with lawyers usually fared worse, as their cases were rarely dismissed – a statistic that may indicate an informal corroborative system putting fees in lawyers' pockets. Even so, a relatively small percentage of cases went to trial, and about half of those resulted in convictions."

Meanwhile, Officer Pat Davis has been reassigned to the Department's Juvenile Offenses Unit.

One criminal defense attorney who asked not to be named told *The Sun* that Officer Davis "testifies very credibly, but often is a no-show in court. The traffic officers frequently take a pass on showing up in court, especially if they know they issued a ticket on flimsy evidence. They are more interested in running up the numbers on weapons cases, drug cases, and DUI cases. They get credit for getting guns, drugs, and drunks off the streets. Convictions are of secondary importance. Interestingly, this system makes everyone much more careful. People do not want to be arrested or have their contraband or automobile confiscated."

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"Top Cop" Awards Discontinued

The Marshall City Police Department announced yesterday it is abolishing the "Top Cop" annual awards that recognize local police officers who excel in arresting drunk drivers, drug pushers, and people using illegal weapons. Various citizens' groups sponsored these awards.

Mayor Robert Merriam gave a brief explanation: "All our cops are top cops."