



DRIVING WHILE LICENSE SUSPENDED, REVOKED OR CANCELLED POLICY

SHELBY COUNTY DEPUTY DISTRICT ATTORNEY
RAY LEPONE
MEMPHIS, TENNESSEE

Shelby County District Attorney General

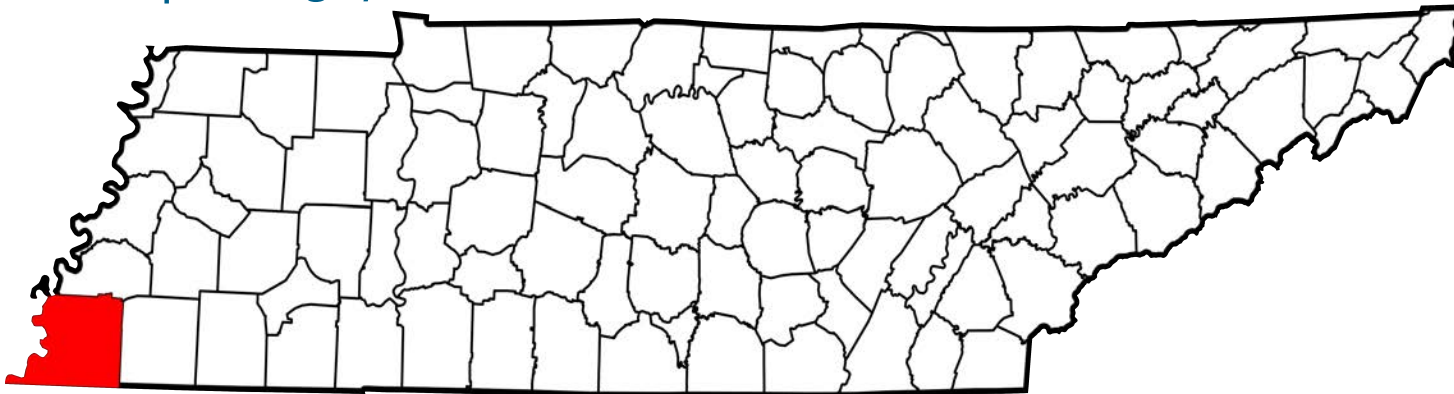
Amy P. Weirich

Memphis, Tennessee

30th Judicial District

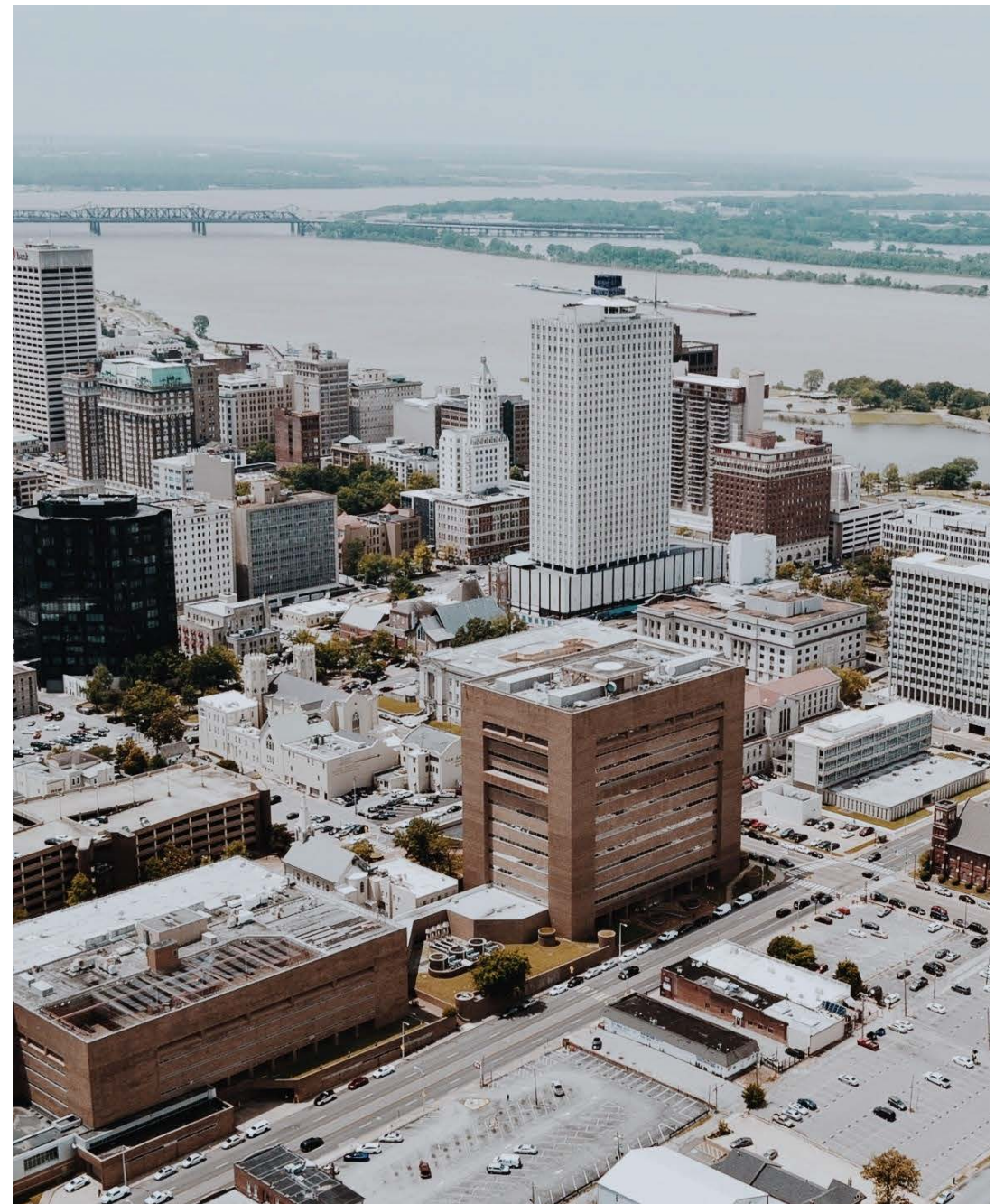
Shelby County Population: Approx. 937,000

Memphis: 652,000



Our Office

- **230+ positions**, including over 110 attorneys
- **22 courtrooms**, all are located at 201 Poplar except for Juvenile Court
- **\$25 million budget** from state, county and grants
- **6 to 7,000 indictments annually**, ranging from vandalism to capital murder
- **220,000 new cases each year**, including those from municipal courts, General Sessions, Juvenile Court and Criminal Court
- **6 vertical prosecution teams**, each team is responsible for a General Sessions and Criminal Court
- **8 specialized teams**
- **1 community outreach team**, includes prosecutors who are assigned to 3 police precincts



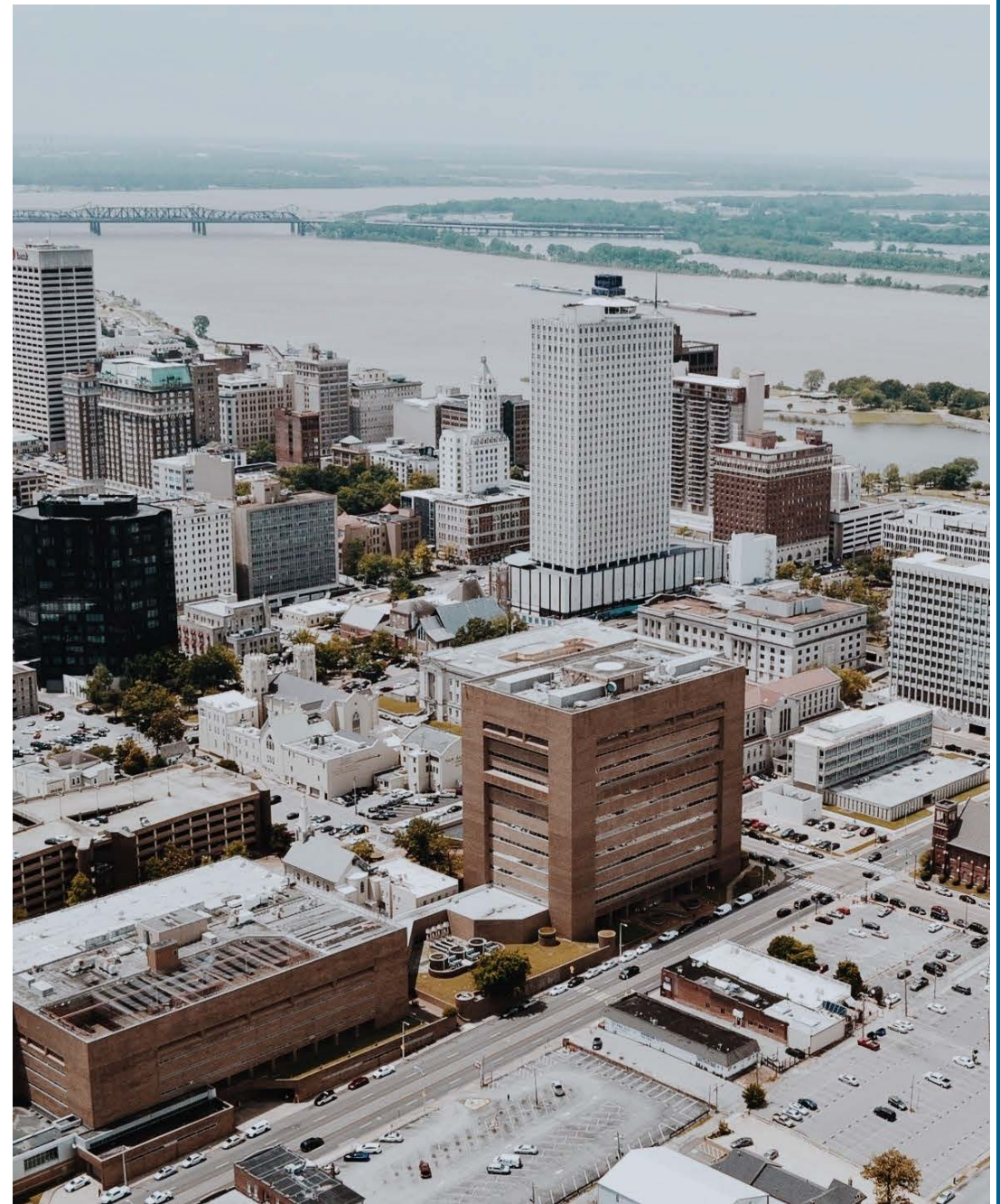
MY ROLE



DEPUTY DISTRICT ATTORNEY

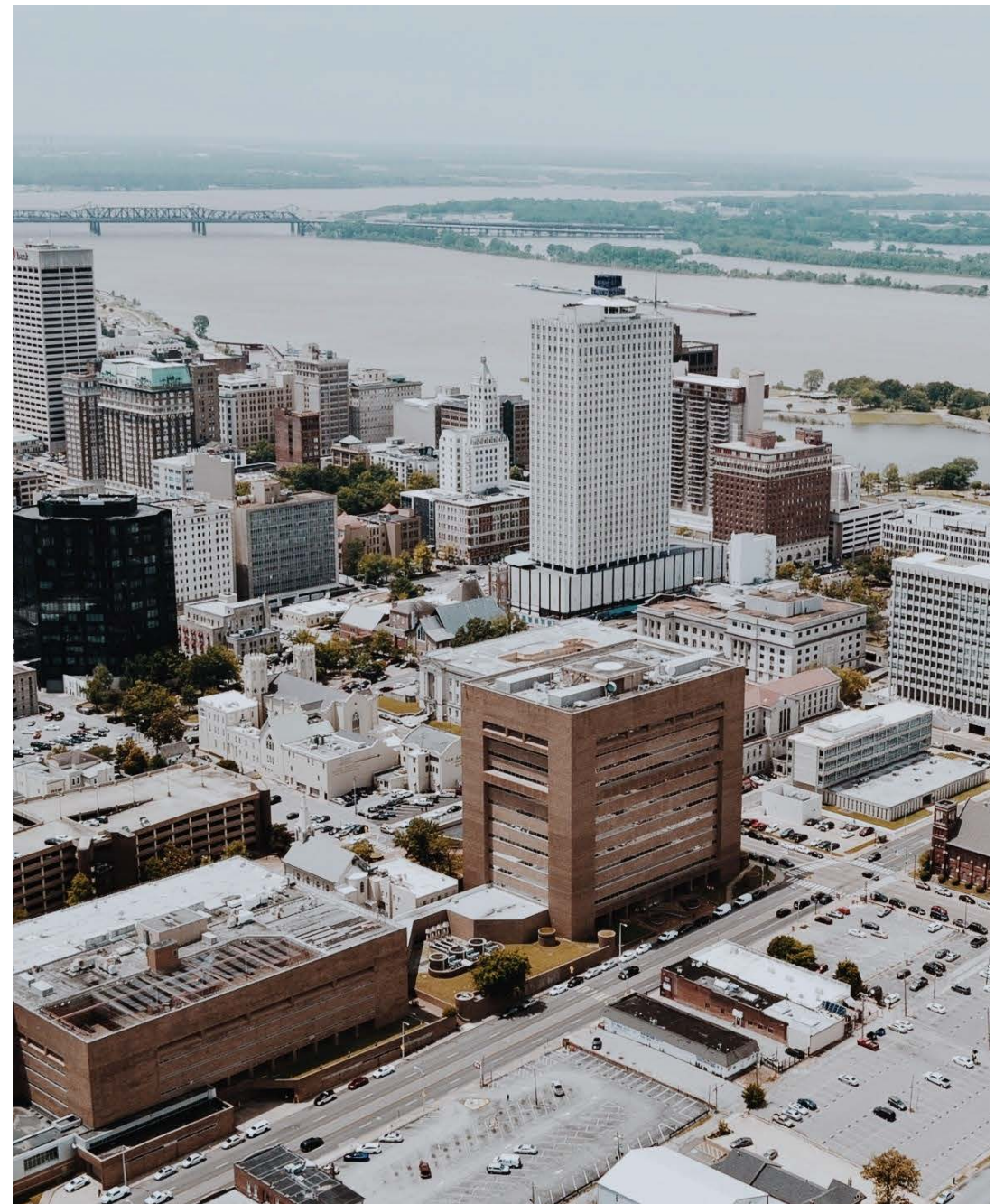
BEST PRACTICES

- PUBLIC SERVICE AND LEARNING FROM ONE ANOTHER...
- AN HONEST EVALUATION OF DECADES OF APPROACHES-"THAT IS JUST THE WAY WE HAVE ALWAYS DONE IT..."
- KNOWING YOU ARE NOT ALONE IN THIS FIGHT...
- TRYING TO DO THE RIGHT THING...
- CHANGE IS SCARY...



History of DWLSRC

- It is a crime in Tennessee- T.C.A 55-50-504
- First Offense: Class B Misdemeanor(\$500 fine and up to 6 months jail time)
- Second/Subsequent Offenses: Class A Misdemeanor(\$2500 fine and up to 11 months 29 days in jail)
- Arrest can be made
- How we prosecuted the offenses
- Court costs and fines
- High Volume-revolving door



Reasons for a New Approach

- **Thousands** of DWLSRC cases are docketed monthly.
- Each year, we see **increasing demands** in our office and no increase in resources to meet the demands.
- Shelby County has a high **poverty rate** and **violent crime rate**.
- An **evaluation** of how we were handling low level cases.
- Excellent drivers could have license suspended, revoked or cancelled merely for owing money.
- Regardless of the stance our office took on these cases, **public safety wasn't impacted**.
- **Victims of crime** deserve most of our attention.
- Many judges would handle felony cases after clearing misdemeanor docket -- meaning victims of violent crimes would sit in court all day to have their hearing while the judge handled DWLSRC cases.
- Resources from other agencies were being **wasted** -- jail, clerks, judges.

Policy

Persons who are driving on a license that is currently suspended, revoked or cancelled for any of the reasons cited in TCA 55-10-603 (Habitual Motor Vehicle Offender-**REPEALED**) will be prosecuted.

Those reasons are as follows:

- Voluntary Manslaughter resulting from the operation of a motor vehicle
- Vehicular Homicide
- Involuntary Manslaughter involving the operation of a motor vehicle
- Vehicular Assault
- A violation of statute concerning meeting or overtaking a school bus
- Leaving the scene involving injury or death
- Leaving the scene involving another vehicle that was driven or attended by another
- DUI

Policy (Continued)

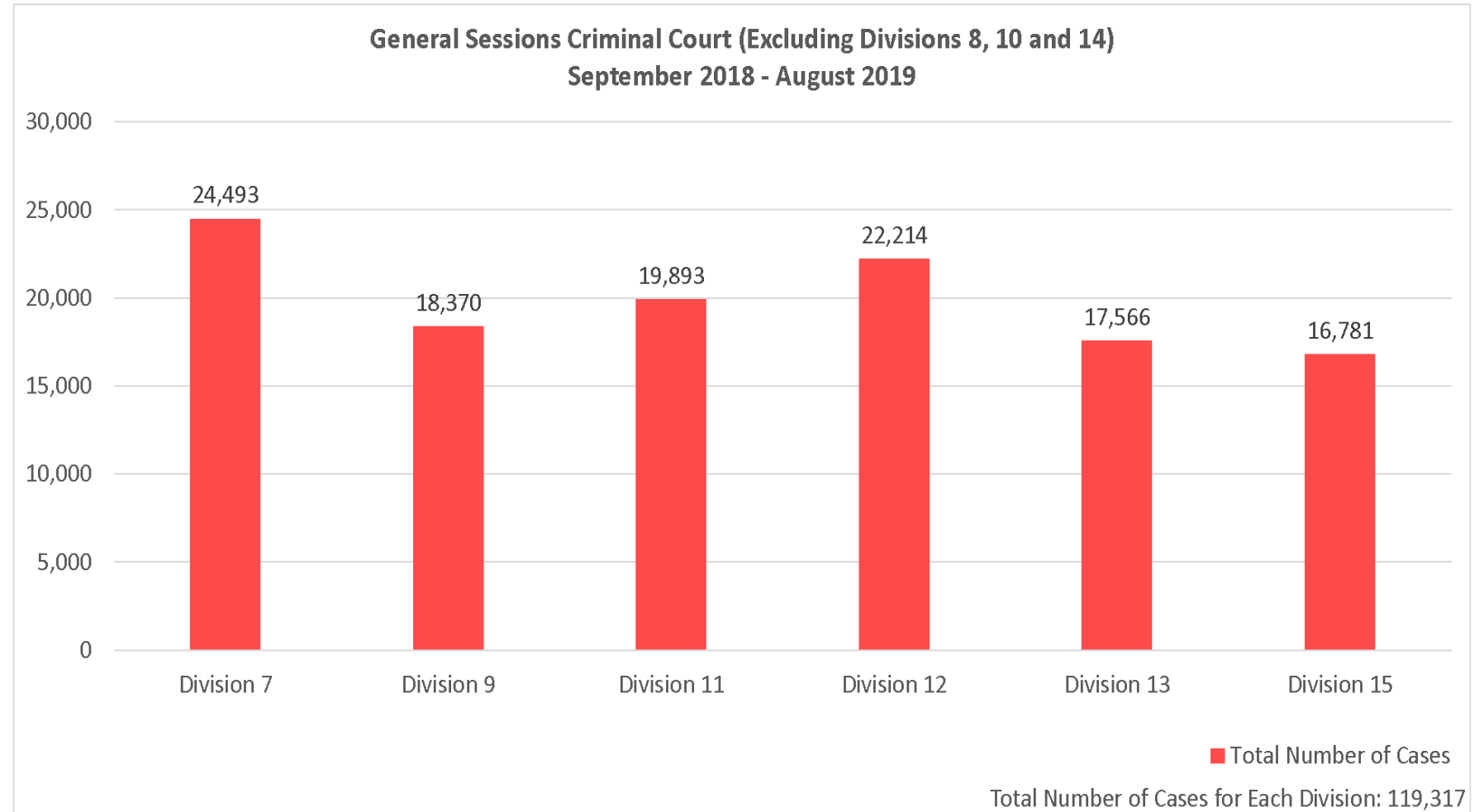
- Aggravated Vehicular Homicide
- Adult Driving While Impaired
- Reckless Driving
- Drag Racing
- Evading Arrest in motor vehicle
- Reckless Endangerment by use of motor vehicle

Persons who are driving on a license that is currently suspended, revoked or cancelled for any other reason will not be prosecuted for violation of TCA 55-50-504. There may be cases that, in your judgment, require deviation from this policy.

*Policy developed and implemented by District Attorney General Amy Weirich on August 27, 2018.

Without DWLSRC Policy:

Total Number of Cases: 119,317

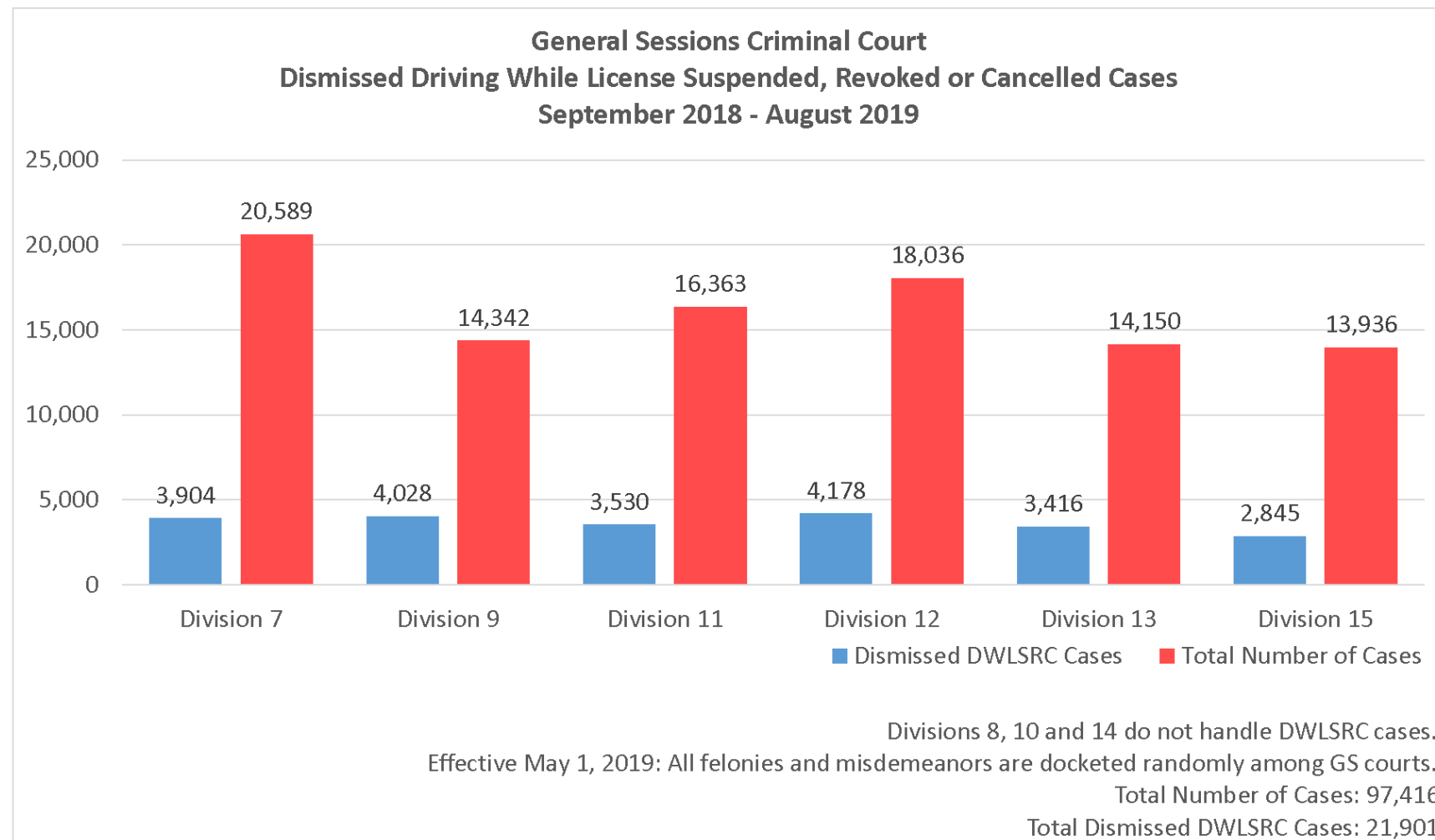


With DWLSRC Policy:

Total: 97,416

Dismissed: 21,901

22% of the docket was eliminated during the first year

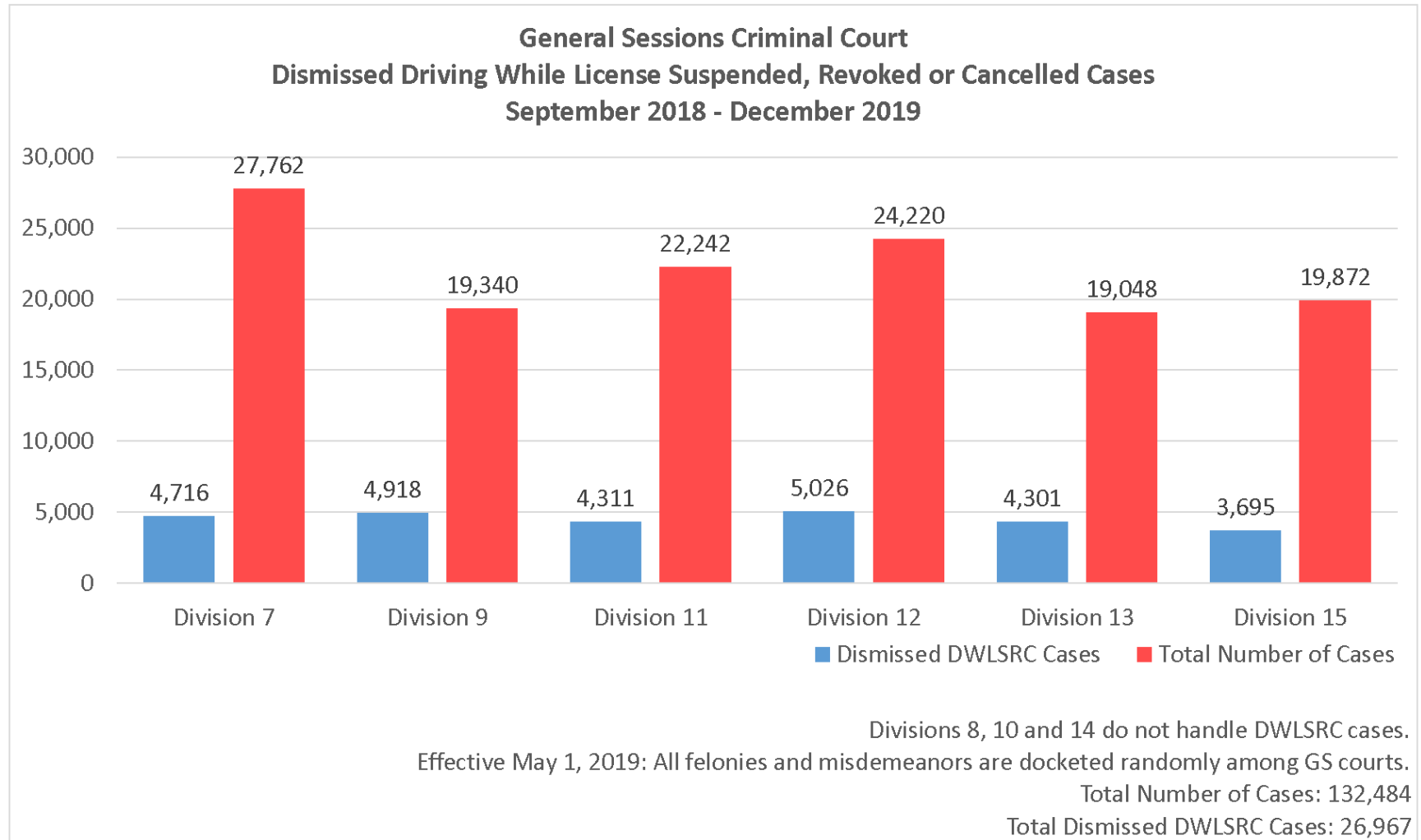


Current Numbers

Total: 132,484

Dismissed: 26,967

20% of the docket
has been eliminated



EFFORTS RE: PRIOR COURT COSTS AND FINES



Impact of New Approach

In 16 months, over 26,000 cases have been removed from the docket on arraignment date -- or 20% of all cases docketed.

- This represents...
 - Thousands of cases that didn't have to be continued, re-filed, pulled for court, take up docket space, prolong court or be handled by an ADA.
 - Thousands of individuals who are not sitting in jail, not increasing their debt owed, not missing work to appear in court, not taking up docket space, not missing court and risking warrants.
- Our office spearheads a quarterly community event called Restoration Saturday, which brings together the Department of Safety, clerks and our office to assist people who need help with driver's license issues, child support and/or expungements.
- ADAs now have time (and energy) to call every victim on every case on arraignment date.

QUESTIONS?