

THE DWI NEWSLETTER

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THE TEXAS CENTER FOR
THE JUDICIARY *and*
THE TEXAS DEPARTMENT
OF TRANSPORTATION



December 2012 Newsletter

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IN THIS ISSUE



Save a Life™
Texas Department of Transportation

In the December 2012 Edition of the DWI Newsletter will be found a report from Judge Mark Atkinson, Judicial Resource Liaison, on his recent activities and plans for the future as he says goodbye to his position as Texas Judicial Resource Liaison.

Information on how to apply for the soon-to-be-open position of Judicial Resource Liaison is provided.

Harris County Criminal Courts at Law celebrate Impaired Driving Prevention Month with an event centered on their SOBER Court graduation.

Judge Randy Gray, Comal County Court at Law #1, asks for your help as he prepares his presentation on blood search warrants for the Winter Regional Conferences.

Future conferences containing DWI Curriculum are listed including information on how to apply for April's DWI Court Team Training for new DWI Courts.

The Traffic Safety Grant Program welcomes the 2012-2013 DWI Curriculum Committee with an introduction from Committee Chair, Judge Diane Bull, Harris County Criminal Court at Law #11.

Ms. Holly Doran, TxDOT Traffic Safety Grant Program, Program Director, encourages participation in an expanded DWI Listserv.

In the News provides a link to recent news articles involving impaired driving issues from sources local, statewide, national and international.

We hope you find information in this Newsletter interesting and helpful.

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REPORT FROM THE JUDICIAL RESOURCE LIAISON

Judge Mark D. Atkinson, TxDOT Judicial Resource Liaison



As most of you know, my time as Texas Judicial Resource Liaison is coming to an end. Thankfully, I won't be going far and will still have a chance to work with many of you in my new role as Executive Director of the Texas Center for the Judiciary.

Two years ago, after 24 years on the Bench of a Harris County Court at Law, I had the good fortune to be chosen to succeed Judge David Hodges as Texas Judicial Resource Liaison. I have enjoyed every minute of it. These two years have been full of exciting opportunities to work with Texas judges and others on impaired driving matters. However, the time has come to embark upon a new journey, filled with challenges and new opportunities, this time concerning judicial education on a broad scale.

It has been a pleasure serving the judges of our state in my judicial liaison capacity. The Judicial Resource Liaison position has allowed me to serve both as a conduit of information between judges and policy-makers, as well as a repository of information gathered. I have had the opportunity to attend and speak at numerous educational and policy conferences, both statewide and national, over the last two years. I have been very proud to say that I was a Texas judge and that my colleagues were the hardest working, most professional and conscientious judges imaginable.

It has been a great honor for me to serve the State of Texas and the state's judges in this role.

I thank all of you for making these last two years a time of which I will always have fond memories.

A handwritten signature in black ink, appearing to read "Mark Atkinson". The signature is written in a cursive, flowing style.

Mark Douglas Atkinson

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JOB OPENING - JUDICIAL RESOURCE LIAISON



As Judge Atkinson embarks upon his new adventure, the Traffic Safety Grant Program is looking to fill the position of Texas Judicial Resource Liaison. If you are interested in learning more about the position, contact Judge Atkinson at matkinson@yourhonor.com. If you are interested in applying for the position, the complete job posting can be found on the Texas Center's website [here](#).

The Judicial Resource Liaison is a contract position that fulfills a requirement of a one-year grant from the Texas Department of Transportation.

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A DWI COURT PROGRAM FOR THE HARRIS COUNTY CRIMINAL COURTS AT LAW

S.O.B.E.R. Court: Saving Ourselves By Education & Recovery



(Commissioners' Court proclamation recognizing National Impaired Driving Prevention Month and the outstanding contribution of the Harris County SOBER Court program for increasing public safety.)

December has been designated National Impaired Driving Prevention Month, a time to raise awareness about the consequences of driving under the influence of alcohol and drugs. To underscore this effort, DWI Courts throughout the nation are demonstrating their support by highlighting their unparalleled success at making the community safer, reducing repeat drunk driving and saving money. Harris County Courts took this opportunity to showcase their efforts with a media event centered around their SOBER Court graduation.

On December 3, in recognition of National Impaired Driving Prevention Month, the Harris County DWI

SOBER Courts held a press conference in conjunction with their commencement ceremony. Seventeen participants from the three Harris County DWI Court dockets graduated from the program. The ceremony marked the participants' completion of an intensive two-year program of comprehensive alcohol treatment, close supervision, and full accountability. Elected officials, dignitaries and numerous community partners, along with TV cameras and the local newspaper, were in attendance. Helen Harberts, a nationally known expert in Drug/DWI Court programs and currently the Chief Probation Officer for the Harris County Community Supervision and Corrections Department delivered the keynote address. The uplifting commencement ceremony spotlighted the tremendous impact that the Harris County SOBER Court program has had on the community and on the lives of the individual graduates.

The next day, Judge Natalie Fleming, County Criminal Court at Law No. 3, Judge Diane Bull, County Criminal Court at Law No. 11, and Judge Robin Brown, County Criminal Court at Law No. 12, appeared before the Harris County Commissioners' Court, as the Court issued a proclamation recognizing the contribution of the SOBER DWI Court Program and National Impaired Driving Prevention Month.

To read more about Harris County's DWI SOBER Courts, click [here](#). [Back To Top](#)

A CALL TO ACTION - A REQUEST FROM JUDGE GRAY



Dear Judges:

Help!!! I am preparing a presentation on Discovery in Blood Search Warrant cases. I know many of you have had Hearings regarding Blood Search Warrants, and specifically Blood Testing at the DPS Lab, and I would appreciate any information regarding 1) what Motions were filed; 2) the resulting Order that was entered; and 3) whether your ruling was appealed.

Additionally, I know that some of you preside in jurisdictions in which the Prosecutors and Defense Attorneys have an "Agreed Discovery Order" regarding blood testing. If you are one of those fortunate souls, then I would really appreciate copies of any Motions and Orders that are being used. (Faxes appreciated).

Thank you for all your help.

Judge Randy Gray
Comal County Court at Law #1
email: rcqlaw@hotmail.com
fax: 830 620-3424

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UPCOMING EDUCATIONAL ACTIVITIES

Winter Regional Conference A *(for judges in Regions 1,2,5 & 8)*



January 7-8, 2013

Hyatt Lost Pines

The Traffic Safety Grant will sponsor two one-hour DWI breakout sessions.



Winter Regional Conference B *(for judges in Regions*

3, 4, 6, 7 & 9)

February 7-8, 2013

Omni Corpus Christi

The Traffic Safety Grant will sponsor two one-hour DWI breakout sessions.



DWI Court Team Training *(for new DWI Court teams)*

April 29-May 3, 2013

Doubletree El Paso

Please click [here](#) for more information.



Criminal Justice Conference *(for judges)*

May 23-24, 2013

Hilton Bella Harbor, Rockwall

The TxDOT Traffic Safety Grant will sponsor three one-hour DWI technology breakout sessions.

DWI College for DWI Court Teams and Student Conduct Officers *(for DWI Court teams)*



July 1 – July 2, 2013

Omni Downtown Austin

All members of DWI Court Teams are invited to attend: judges, prosecutors, defense attorneys, probation officers, treatment providers, court administrators, law enforcement officers, researchers and evaluators. Teams may also attend without their judges.

2013 Annual Judicial Education Conference *(for judges)*

September 3-6, 2013

JW Marriott, San Antonio

The Texas Traffic Safety Grant will sponsor three one-hour DWI breakout sessions.

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WELCOME 2012-2013 DWI CURRICULUM COMMITTEE

with introduction by Judge Diane Bull, Harris County Criminal Court at Law #11



Over the past two years I've thoroughly enjoyed serving on the Texas Center's DWI Curriculum Committee and I am honored to be the incoming 2012-2013 Chair. We're very proud of the excellent speakers and high quality of DWI education that we have brought to the Texas judiciary. As a big believer in the CASE method (Copy And Steal Everything), I confess my best ideas have been "borrowed" from my colleagues around the State. I encourage each of you to become active participants with TCJ: attend conferences, read the online newsletter, and contribute to the listserv—all are excellent resources. In my 18 years on the bench, there have been so many profound and exciting changes in the way judges learn and communicate. We have so much to learn from each other and so many ways in which we can improve, innovate and serve in our rapidly changing world.

Judge Diane Bull

The 2012-2013 DWI Curriculum Committee includes the following dedicated judges:



Chair, Judge Diane Bull, Harris County Criminal Court at Law #11
Judge Elizabeth Crowder, Dallas County Criminal Court at Law #7
Judge Randy Gray, Comal County Court at Law #1
Judge Mark Hocker, Lubbock County Court at Law #1
Judge Daniel Leedy, Austin County Court at Law
Judge Lori Rickert, Brazoria County Court at Law #3
Judge Barbara Roberts, Galveston County Court at Law #2
Judge Liza Rodriguez, Bexar County Court at Law #8
Judge Thomas A. Spieczny, El Paso County Court at Law #7
Judge Timothy Wright, Williamson County Court at Law #2

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NEW DWI LISTSERV

Approximately one year ago, we at the Traffic Safety Grant Program instituted a Listserv for the exclusive use of the Texas judges operating DWI Courts. This Listserv was used extensively by the judges to ask and answer questions and exchange ideas for bettering their programs. The DWI Curriculum Committee has suggested that the DWI Listserv now be open to all judges handling DWI cases. If you would like to be added to the Listserv please send an email to hollyd@yourhonor.com.

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IN THE NEWS



DPS labs face backlog in DWI blood tests

(Austin American-Statesman, 12/07/2012)

In recent years, as police across Texas have increasingly turned to blood tests to build their drunken driving cases, the state crime labs charged with analyzing the samples have stayed the same size.

SOBER courts help drunk drivers find their way

(myFoxHouston, 12/03/2013)

HOUSTON (FOX 26) - The holiday season means more giving, more get-togethers, and more people getting behind the wheel drunk.

There are several reasons you should think twice before drinking and driving. Thousands of people are killed and thousands of lives are ruined every year by drunk drivers.

Drugged driving: Court sets precedent

(Missoula Independent, 11/29/2012)

On Jan. 18, 2010, Leigh Paffhausen took a shot of Fireball Whisky while on shift as a bartender at the Elbow Room. Soon after, she began acting strangely.

"She was fine," says Paffhausen's lawyer, William McCarthy. "And then she wasn't."

Man Gets Life In Prison After 8th DWI Conviction

(CBS HOUSTON, 11/21/2012)

A Guadalupe County man arrested for his eighth DWI has been sentenced to life in prison after being pulled over last February with a Blood Alcohol level equivalent to consuming 23.5 beers.

The National Partnership on Alcohol Misuse and Crime's December Issue of "The Voice" can be found [here](#).

For more news stories please visit the DWI Resource Website News page [here](#).

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CONTACT US

This newsletter has been provided by the Texas Center for the Judiciary pursuant to a grant from TxDOT. If you have suggestions for items to be included in this Newsletter, or wish to be removed from the Newsletter mailing list, please contact:

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