City To Seek State Funds To Fight Drunk Driving

By KATHLEEN THAMES
Advertiser Staff Writer

Lafayette may be able to obtain state funds for a selective enforcement program designed to get drunk drivers off the road, Mayor Dud Lastrapes said yesterday.

During an interview with The Advertiser, he said the program would be similar to the defunct LATAP program. LATAP was funded by the state for three years, but under the administration of former Mayor Kenny Bowen, the city did not pick up the tab to continue it.

"We're looking at the October budget," Lastrapes said, explaining that the state's fiscal year begins in October.

If the city were to accept state funding for a selective enforcement program for the remainder of this fiscal year, it would count as a full year's funding, he said. So, city officials are hoping to obtain money for three complete years rather than seeking funds this fiscal year.

List Of Recommendations
"We've just got to make sure we (the city) have got a budget to keep it going after three years," the mayor said, noting that he doesn't intend to drop the program, if it is successful, when state funding runs out.

Lastrapes said the city must first present a plan to the State Highway Safety Commission, which has money available for the program.

The LATAP program consisted of a special unit of law enforcement officers trained to spot drunk drivers. It also included a rehabilitation program.

Lastrapes attended a meeting of the City/Parish Task Force on Drunk Driving, but did not formally address the group.

Jimmy Hayes, an assistant district attorney who prosects OWI cases in city court, presented to the task force a list of recommendations of ways to better prosecute OWI laws.

Number Of Trials To Increase
He stressed that the improvements are imperative because the number of OWI cases which will go to trial will increase since the legislature has passed a mandatory jail sentence for conviction of first and second offenses of OWI.

He predicted that the new law will cause the existing OWI trial rate in City Court to soar from one per week to as many as 30 per week.

Hayes noted that about one third of the 1,200 OWI cases heard in City Court involve unemployed citizens. Those people are assigned defense attorneys at no cost to them.

"You've got 400 people it's not going to cost a dime," he said, explaining that there

(Continued on Page 5, Col. 1)

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(Continued From Page 1)

will be a tendency for them to appeal more cases to the State Supreme Court.

More Staff Needed

Hayes proposed that the office of the Assistant District Attorney prosecuting OWI's in City Court be made a full-time office. That district attorney's office should be staffed with a full-time secretary and it should have the assistance of a coordinator, he said.

According to Hayes, state law says an offense punishable by a fine of more than $500 or a potential jail sentence in excess of six months results in the right to a trial by jury.

"For this reason, the committee should not recommend harsher penalties for OWI first or second offense convictions since harsher penalties enacted through a City Ordinance would result in the right to a jury trial. Such consequences would wreak havoc on the city court system which makes no provisions for trial by jury and would in fact make a city ordinance useless," Hayes said.

Hayes Urges Swift Changes

He did suggest, however, a strong city ordinance which does not require incarceration. That would enable some OWI cases to be handled in city court rather than district court, he said.

Hayes also proposed a full-time coordinator to help provide defense attorneys with required documents.

Those changes should be implemented before the new law requiring a mandatory sentence for first or second offense convictions of OWI goes into effect, he said.

POFC Johnny Huval told the Task Force it would cost about $85,000 to pay the salaries of a five-man special enforcement unit which would be on the lookout for drunk drivers.

He estimated it would cost another $2,000 to get back in shape the city's van which carries alcohol/blood level testing equipment. An additional $4,000 would be needed to purchase videotape equipment to film drunk drivers. Those videotapes could then be used in court for prosecution of drunk drivers.