Tough drunken-driving legislation unanimously approved by Senate

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BATON ROUGE — The Louisiana Senate passed 39-0 a bill to strengthen state drunken-driving laws after stripping away a provision allowing first offenders to choose their sentences.

The bill must return to the House for concurrence in amendments made by the Senate.

Senators spent 2 1/2 hours beating back amendments intended to dilute tougher new penalties in the bill, which is essentially the same bill that has been approved by the House.

If the House concurs with the Senate amendments and sends the bill to Gov. David C. Treen, first offenders would face one of three sentences left to the discretion of the judge:

- Ten days to six months in jail.
- Two days in jail and substance-abuse and driver education programs.
- Four days of community service work and substance-abuse and driver education programs.

As it goes back to the House, first offense DWI would also be punishable by a fine of $125 to $500.

Second and third offense provisions of the bill were never contested by the Senate, which showed more concern Wednesday for first offenders.

The bill increases the penalties for second and third offense DWI with the top penalty being one to five years in jail or a fine of up to $1,000, with at least six months of sentence mandatory.

In addition to the main penalty bill, the Senate passed six other bills relating to drunken-driving to complete the package of measures pushed by Gov. David C. Treen’s administration. The package was the result of a special administration task force’s study on drunken driving.

The other bills in the package include:

- Giving authority to the state Department of Public Safety to certify habitual drunken-driving offenders to the courts and eliminating present requirements that the district attorney take special steps to declare habitual offenders. It passed the Senate 38-1.
- A bill making it a crime to drive while intoxicated and under a license...
Neeson said Louisiana was second in the nation in alcohol-related deaths, with about 600 last year. He said alcohol was involved in accidents involving 40,000 traffic injuries. Alcoholic-related accidents, said Neeson, are the No. 1 killer of teen-agers.

Sen. Fritz H. Windhorst, D-Algiers, removed amendments he placed on the bill in committee last week which would allow convicted defendants to choose which of three possible sentences they could receive.

But Windhorst did not change the amendment which reduced one alternate sentence from 10 days to four days of community service work. He said four days of community service work was equivalent to two days of jail under another alternate.

The bill was further amended by Sen. Nat G. Kiefer, D-New Orleans, to provide that district attorneys, if they prosecute drunken-driving suspects for lesser offenses, must file an explanation in writing why they reduced the charge.

Braden tried one final amendment which would have allowed judges to suspend first-offense sentences if there was no property damage, death or injury resulting from the incident which caused the arrest.

That went down to a 13-24 defeat before the Senate finally passed the bill and sent it back to the House.