

DUIs: More Than a Ticket

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Lt. Andrew Rubin

April 17, 2024



2022 DUI Arrests - Delaware

New Castle County:	1800
Kent County:	900
Sussex County:	1896

TOTAL: 4596



**Driving
Under the
Influence of
Drugs or
Alcohol
21 Del. C. §
4177**

Under the Influence

No person shall drive a vehicle:

- (1) When the person is under the influence of alcohol;
- (2) When the person is under the influence of any drug;
- (3) When the person is under the influence of a combination of alcohol or any drug;
- (4) When the person's alcohol concentration is .08 or more;
- (5) When the person's alcohol concentration is, within 4 hours after the time of driving .08 or more. [continues]
- (6) When the person's blood contains, within 4 hours of driving, any amount of an illicit or recreational drug that is the result of the unlawful use or consumption of such illicit or recreational drug or any amount of a substance or compound that is the result of the unlawful use or consumption of an illicit or recreational drug prior to or during driving.

Prohibited Content

Each DUI arrest is an opportunity -

- To engage the public
- To prevent death, injury, and property damage
- To ultimately provide treatment and education to drivers
- To implement license restrictions and/or monitoring through IIDs
- To prevent this from happening again

What Makes a Great Case?

Detailed report

Witnesses and contact information

SFSTs

Pictures and video

Statements and admissions

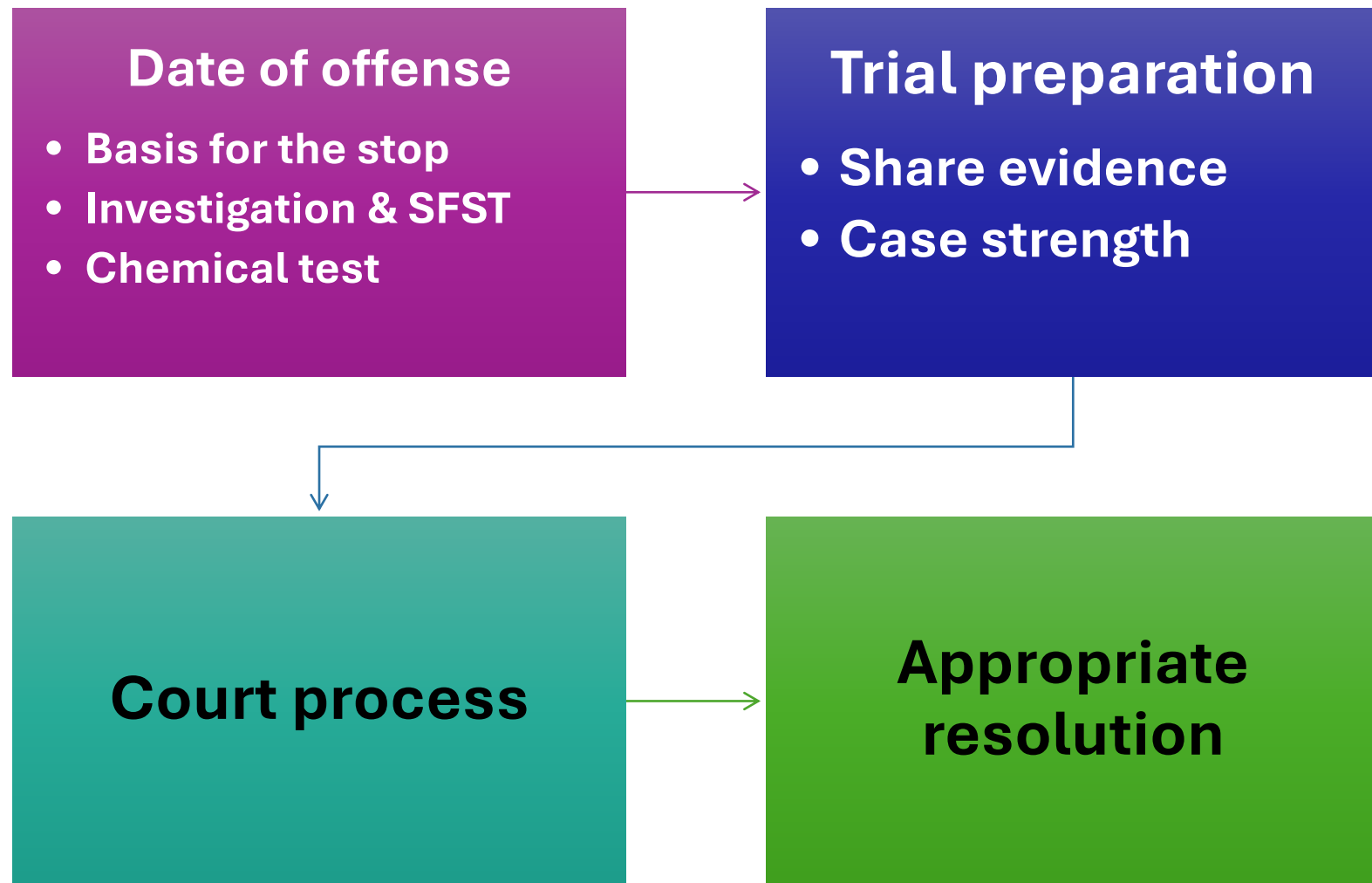
Physical evidence

Chemical analysis of blood/ breath/ urine

Taking your time



Steps of DUI Prosecution





¹ A Westlaw search of “two beers” with the words “alcohol” and “driving” yields its mention in some 2,000 cases nationwide. If Budweiser is the king of beers, then surely “two beers” is the king of explanations.

Cedeno v. State, 2023 WL 6323598 (Del. Super. Sept. 27, 2023)

Bodyworn Camera in Impaired Driving Cases



Primary goal is evidence collection, not a Hollywood Production



Can't capture everything



Lighting



Play by Play



Assist report writing




Other Drugs Besides Alcohol

Chemical Tests

Old & New



KIT NO: Z - 0100



Delaware State Police

BLOOD ALCOHOL EVIDENCE COLLECTION KIT

FOR POLICE PERSONNEL

COMPLAINT NUMBER: _____

SUBJECT'S NAME: _____

TYPE OF CASE: _____ ALCOHOL DRUG

INVESTIGATING OFFICER'S NAME: _____

WITNESS' NAME: _____

CHAIN OF POSSESSION

LOCATION: _____

DATE IN: _____ TIME IN: _____ am/pm

NAME/IBM: _____

DATE OUT: _____ TIME OUT: _____ am/pm

NAME/IBM: _____

RELOCATING KIT TO: _____

LOCATION: _____

DATE IN: _____ TIME IN: _____ am/pm

NAME/IBM: _____

DATE OUT: _____ TIME OUT: _____ am/pm

NAME/IBM: _____

RELOCATING KIT TO: _____

LOCATION: _____

DATE IN: _____ TIME IN: _____ am/pm

NAME/IBM: _____

DATE OUT: _____ TIME OUT: _____ am/pm

NAME/IBM: _____

RELOCATING KIT TO: _____

Questions?

