



GOBIERNO DE PUERTO RICO
Departamento de Justicia

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UNIDAD DE PROCESAMIENTO DE CONDUCTORES EBRIOS

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Puerto Rico Department of Justice Impaired Driving Prosecution Unit

PRDOJ Impaired Driving Prosecution Unit

The Impaired Driving Prosecution Unit was created by an Administrative Order in 1995 in order to establish the PRDOJ guidelines for alcohol impaired driving prosecution due to the rise of cases of this nature. In particular, the Administrative Order stated that forty-three (43%) percent of the car crash fatalities were directly related to alcohol impaired crashes.

In actuality the Administrative Order create new guidelines emphasized in creating a standard protocol for alcohol and other substances impaired cases such as:

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| <ul style="list-style-type: none">• Inclusion of recidivism allegations (two or more convictions) |
| <ul style="list-style-type: none">• No plea agreements would be authorized involving dismissal of charges or re-classification to different charges |
| <ul style="list-style-type: none">• Prosecutors were instructed that apart of the conviction or payment of fees, the defendant complied with the requirements regarding, modification and/or suspension of its driver's license. Also, clear guidelines were established regarding the reduction of alcohol test percentages. |

Prosecution of Alcohol Impaired Cases

The mission of the PRDOJ is to give priority to cases of driving under the influence of alcohol, to prosecute felonies and misdemeanors to its ultimate extent, that is to obtain a criminal conviction with prison terms to those who commit these types of offenses.

Prosecution of alcohol impaired cases is complex and detailed oriented. It is a challenge because it requires, among other factors:

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| <ul style="list-style-type: none">• Comprehensive investigation beginning at the crash site | <ul style="list-style-type: none">• Expert witness' testimony |
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<ul style="list-style-type: none"> • Specialized training to analyze the scene (police officers and Prosecutors) 	<ul style="list-style-type: none"> • Identifying witnesses
<ul style="list-style-type: none"> • Interpretation of Scientific Evidence 	<ul style="list-style-type: none"> • Preparing testimony of leading investigator
<ul style="list-style-type: none"> • Protocols followed in alcohol impaired driving cases (breathalyzer, blood test) 	<ul style="list-style-type: none"> • Use of diagrams, illustrations, maps
<ul style="list-style-type: none"> • Evidence as to the accuracy of technical equipment for alcohol testing 	<ul style="list-style-type: none"> • Providing support services to surviving victims and family members

In order to solve these challenges, the PRDOJ teamed up with the Traffic Safety Commission (TSC) for an in-depth discussion and evaluation of the data of individuals charged for driving under the influence of alcohol, as well as related offenses in violations of Puerto Rico's Transit and Vehicle Law. Law 22-2000, Chapter 7. It was also discussed our need for successful prosecutions, as well as training for prosecutors and police officers.

As a result, the PRDOJ submitted a proposal to the TSC in order to obtain a grant to train and hire specialized traffic prosecutors to be assigned to all our thirteen (13) district offices.

PRDJ's Proposal was granted on November 16, 2017, by the TSC and the creation of the First Academy for the Prosecutions of Drivers Under the Influence of Alcohol. This proposal continues until the present.

The Unit

- 14 prosecutors to investigate and prosecute alcohol impaired cases
- The prosecutors receive intensive training at an Academy created for such purposes
- Specialized prosecutors will bring their expertise and training to all of the district offices
- 6 auxiliary investigators assigned to the jurisdictions with more cases they prepared the documents needed for the indictment and prosecution of the case
- Traffic Safety Resource Prosecutor (TRSP) to strengthen our prosecutor's skills, gave assistant training State and Municipal Police Officers and gave classes to students and community

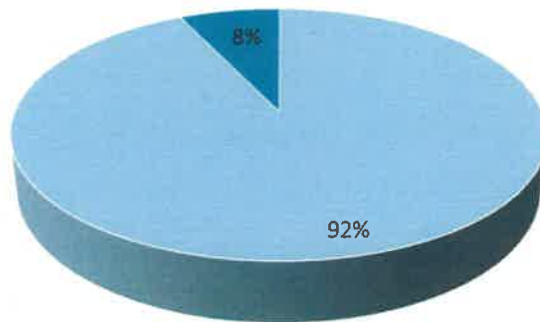
The Academy also included, as part of its program a Victims Impact Panel where prosecutors of the unit has the opportunity to listen to the testimony of the victims and their families and learn firsthand of the devastating effects that DUI has cause in their lives. As the result of the interaction prosecutors understood the responsibility we have with the victims and their families, and mostly important feel empathy for them.

Judicial Regions



At the end of 2019, a lethal virus of COVID-19 become a worldwide public health emergency. The Governor of Puerto Rico declared a state of emergency due to COVID-19 pandemic in March 2020. Through an Executive Order, the Governor ordered a general lockdown which was extended for the months of March, April and May of 2020. Only businesses that provide essential services may physically operate during this period such as supermarkets and hospitals. This lockdown has created many challenges, not only for public health or economy issues but also for law enforcement agencies. The pandemic has impacted many sectors in different ways. An example of this is the Police Department of Puerto Rico, which has been directly involved in the emergency. The nature of their work as first responders put them in a higher risk of getting infected. Therefore, a numerous police officers have been infected with COVID-19 and others has been in quarantine, following the protocols of security. This means that our streets have only a few police officers and the majority is putting their efforts to assure the fulfillment of the executive order. The government have taken emergency measures to protect the citizens and slow the spread of the virus. Some of this includes lockdowns, reducing the capacity of the persons in closed places as restaurants and bars “chinchorros” and implementing a local statute of alcohol sale prohibitions “Ley Seca”.

**TRIALS ATTENDED BY SPECIALIZED DUI
PROSECUTORS MARCH 1,2018 TO DECEMBER 31,2021**



• Convictions 6, 294 ■ Not Guilty and Dismissals 485

Since the unit its created with specialized prosecutors in 2017 the conviction rate increase more than 35% percent and the dismissals drop in more than 50%, showing the importance of maintain the current strategy in prosecuting impaired driver cases.