**THE OHIO TRAFFIC SAFETY OFFICE**

**PRESENTS:**

 **PROSECUTING THE DRUGGED DRIVER**

**A FREE 8.0 HOUR CLE TRAINING**

**WHEN:** January 31, 2023 (8:45 am- 6:00 pm)

**WHERE:** Ohio State Highway Patrol Training Academy, 740 E. 17th Avenue, Columbus, Ohio, 43211

**WHO:** Municipal and County Prosecutors and Law Enforcement

**HOW:** This course is being hosted by the Ohio Traffic Safety Office/ Traffic Safety Resource Prosecutor/ Ohio Drug Evaluation and Classification program, and the Ohio State Highway Patrol. Funding is provided by the National Highway Traffic Safety Administration.

**REGISTRATION:** Email TrafficSafety@dps.ohio.gov by January 15, 2023. This course has been approved by the Supreme Court of Ohio Commission on Continuing Legal Education for 8.00 total CLE hours, with two and a half hours of attorney professional conduct instruction. It is free for prosecutors and law enforcement. Please contact Holly Reese, Traffic Safety Resource Prosecutor @ hreesetsrp@ gmail.com or (330)904-8971 with any questions.

**COURSE DESCRIPTION:** ***Prosecuting the Drugged Driver*** is a course designed to provide prosecutors and law enforcement officers with the knowledge and skills necessary to successfully investigate and prosecute drug impaired driving cases. The course is designed to encourage a team building approach between prosecutors and officers to aid in the detection, apprehension, and prosecution of drug impaired drivers. Attendees will participate in interactive sessions taught by a multidisciplinary faculty. Topics will include: signs & symptoms of drug impairment including identifying causes and prevention of addiction, drug impairment detection, and treatment alternatives, the Drug Recognition Expert (D.R.E.) process, the role of the toxicologist, effectively litigating and presenting a DUID case at trial, qualifying the DRE as an expert in court, and responding to common defense challenges in DUID cases.

The joint training approach allows all the involved disciplines to learn from each other inside a classroom rather than outside a courtroom just minutes before trial. Each profession will learn firsthand the challenges and difficulties the others face in impaired driving cases. This allows for greater understanding on the part of police officers as to what evidence prosecutors must have in an impaired driving case. It also gives prosecutors the opportunity to learn what they can reasonably expect from officers at the arrest scene and to learn to ask more useful questions in the courtroom. Both prosecutors and officers will be able to learn firsthand from toxicologists about the proper use and limitations of breath, blood and urine tests.

COURSE AGENDA:

**8:45 – 9:00 Registration and opening remarks**

**9:00 – 10:30 Drug Evaluation and Classification Program Introduction/Overview**

**10:30 – 12:00 Substance Abuse/ Drugged Driver Enforcement**

**12:00 –1:00 Lunch**

**1:00 – 3:00 Toxicology/ Substance Abuse**

**3:00 – 4:00 Legal Issues/ Case Law Review**

**4:00 – 5:00 Common Defenses**

**5:00 – 6:00 DRE Evaluation Demonstration/ Wet Lab Observation**

***Drug Evaluation and Classification Program Introduction/Overview (******Certified DRE Instructor******s Detective Kyle Groves, Dublin Police Dept./ Reginal Coordinator Sgt. Scott Schmoll, Medina County Sheriff’s Office) – 90 minutes***

Instructors will provide an overview of the Drug Evaluation and Classification Program (DECP). This will include current topics regarding Standardized Field Sobriety Testing (SFST) updates, Advanced Roadside Impaired Driver Education (ARIDE), and the Drug Recognition Expert (DRE) Program. Attendees will have the opportunity to engage in open discussion regarding ARIDE and DRE trained officers.

***Substance Abuse and Drugged Driver Enforcement (Certified DRE Instructor/ Regional Coordinator Trooper Josh Craft, OSHP) – 90 minutes***

Instructors will be providing detailed information on how officers are determining drug impairment regarding OVI enforcement. This session will provide a more comprehensive understanding on how ARIDE and DRE trained officers are being utilized. There will be a discussion of the seven drug categories and their impairing effects.

***Toxicology (Forensic Toxicologist Joseph Jones, Louisiana State Crime Lab/ Erin C. Reed, Legal Counsel Ohio Narcotics Intelligence Center, S.Lt. Chris Kinn, OSHP) – 120 minutes***

Presenters will discuss pharmacology, pharmacokinetics, pharmacodynamics, tolerance, substance abuse causes and prevention, and the use of toxicology involving the drug impaired driver. Presenters will describe the oral fluid testing project for the state of Ohio. Attendees will have the opportunity to engage in open discussion regarding the use and limitations of toxicology reports and the testimony toxicologists can provide.

***Legal Issues (Holly Reese, Ohio Traffic Safety Resource Prosecutor)– 60 minutes***

The TSRP and DRE Instructor will discuss current impaired driving statistics and resources, substance abuse treatment alternatives through sentencing and OVI/ Drug Courts, case law trends within the State of Ohio regarding the DRE program, *Daubert* hearing preparation, and prosecution of drugged drivers. Attendees will have the opportunity to engage in open discussion regarding trends in their local courts of jurisdiction.

***Common Defenses (Sierra Williams, Ohio Traffic Safety Resource Prosecutor) – 60 minutes***

The TSRP will address common defense tactics and attacks on the program and witnesses specifically, and discuss effective ammunition to defeat them.

***DRE Evaluation Demonstration (All Instructors) – 60 minutes***

Attendees will observe and participate in the administration of Standardized Field Sobriety Tests along with a full DRE evaluation. Prosecutors will develop a stronger understanding of how SFSTs and DREs are used to detect impairment, a better grasp on how to question officers in the courtroom, and how to defeat common defense tactics.