**THE OHIO TRAFFIC SAFETY OFFICE**

**PRESENTS:**

 **PROSECUTING THE DRUGGED DRIVER**

**A FREE 6.0 HOUR CLE TRAINING**

**WHEN:** April 14, 2023 (9:00 am- 4:00 pm)

**WHERE:** Stark County Sheriff's Office Training Bureau, 143 1st St., SE, Massillon, Ohio 44646

**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. Funding is provided in part or solely by the National Highway Traffic Safety Administration.

**REGISTRATION:** Email TrafficSafety@dps.ohio.gov by April 1, 2023. ***PLEASE DO NOT DELAY…. WE ANTICIPATE A GOOD RESPONSE. SPACE IS LIMITED TO 20.*** This course has been approved by the Supreme Court of Ohio Commission on Continuing Legal Education for 6.00 total CLE hours, with 1.50 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 – 11:30 Substance Abuse/ Drugged Driver Enforcement**

**11:30 –12:00 Toxicology Lab Procedures**

**12:00 – 1:00 Lunch**

**1:00 – 2:00 Toxicology Challenges**

**2:00 – 3:00 Legal Issues/ Case Law Review**

**3:00 – 4:00 DRE Evaluation Demonstration**

***Drug Evaluation and Classification Program Introduction/Overview (******Certified DRE Instructors: Detective Heather Bilicic, Geauga County Sheriff’s Office, Lt. Schott 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 Instructors: Detective Heather Bilicic, Geauga County Sheriff’s Office, Lt. Schott Schmoll, Medina County Sheriff’s Office) – 60 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: (*OSHP Staff Lt. Chris Kinn, Erin Reed, *Legal Counsel Ohio Narcotics Intelligence Center) – 90 minutes***

Presenters will discuss toxicology lab procedures, pharmacology, pharmacokinetics, pharmacodynamics, tolerance, substance abuse causes and prevention, and the use of toxicology involving the drug impaired driver. There will be an in depth discussion on the status of Ohio’s Oral Fluid study.

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

Presenters 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.

***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.