


MADD seeks scrutiny of DUI bench trials

[2:14 AM, Dec 16, 2012](#)

Mothers Against Drunk Driving was founded in California after the death of Carrie Lightner, a 13-year-old girl who was struck down by a repeat DUI offender. Losing her daughter was just the beginning of a movement that Candy Lightner began calling MADD. When the case went to court, a grieving Candy was shocked to find that justice would not prevail.

This scenario played out in courtrooms across the country daily.

A portrait of Lois Windhorst, a woman with dark hair, wearing a grey blazer, looking slightly to the right of the camera.

Losing two of my family members in 1980 to a repeat DUI offender, we had the same disappointment with the justice system as the Lightner family. In 1980 our justice system viewed felony DUI crashes that resulted in serious injury or death not as a crime but as an "accident." Because of my family's loss and the way it was viewed by our courts I founded MADD Kentucky in November 1981.

In October 1981, I started monitoring traffic court in Jefferson County. I soon found that the DUI law was not being followed in our courtrooms. The legal limit for DUI at that time was .10 blood alcohol content and routinely defendants with levels up to .15 were amended to public intoxication, a charge that had nothing to do with driving, nor would it show up on your driving record.

Lois Windhorst

Due to the lack of stringent prosecution the DUI conviction rate in Jefferson County at that time was 37 to 48 percent. Many volunteers came forward and a court watch program for DUI cases was successfully implemented in Jefferson County. Because of the court watch program we began to see a difference in the way DUI cases were addressed by the courts. MADD chapters made up of victims and concerned citizens sprang up across the commonwealth. In 1984, we successfully passed the first DUI legislation that would close loopholes and ultimately make DUI offenders responsible for their choices.

Over the years we have worked with enforcement, prosecutors, legislators and volunteers to make a difference in how our community viewed the crime of DUI. With the change of opinion and stepped-up enforcement and prosecution, we saw a reduction in fatalities and injuries caused by DUI. Most importantly our community was able to identify with our loved ones who were victims of DUI offenders.

Reading the Dec. 3 *Courier-Journal* article addressing bench trials in Louisville is very disappointing for the community that relies on the justice system in Jefferson County to protect us. The 27 percent conviction rate for bench trials since 2007 is unacceptable and calls for immediate change. This is a violation of public trust.

After speaking with all parties (judges, attorneys, prosecutors, and members of law enforcement) in addressing problems with the ridiculously low 27 percent bench trial conviction rate and in spite of fingers pointing in every direction, it is apparent that there is much room for improvement on everyone's part. The bottom line is we must take action by implementing a court watch program for bench trials. Our courts should spend more time protecting the citizens of our community and less time manufacturing reasons not to find a defendant guilty. With the court watch we will be supporting strict enforcement of the current DUI laws and a strong criminal justice system that can't be manipulated easily.

Sadly, after seeing improvement through a successful court watch program in the 1980s, it seems we have gone back to the days of old. Speaking on behalf of many victims who lost precious loved ones, this is too important, too significant, and too life-altering to be overlooked by our community. Please contact the national MADD hot line to volunteer at (877) 275-6233.

LOIS WINDHORST

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