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Albany County DA David Soares Announces Traffic Safety Policy Change



ALBANY, NY - District Attorney P. David Soares announced today that as an addition to the DWI policy that exists in Albany County, the District Attorney's Office will no longer allow plea reductions to charges of Vehicle and Traffic Law 1198, Circumventing an Ignition Interlock Device. This Class A Misdemeanor is punishable up to one year in custody. In addition, an awareness effort and action plan has been launched to highlight the compliance efforts for the criminal offense of circumventing an Interlock Ignition Device.

In 2016, Judges in Albany County ordered 659 mandatory installation of Interlock Ignition Devices. Interlock devices are installed on the ignition of a vehicle in order to prevent the operator from starting and/or operating the vehicle if they've been drinking. An individual must first blow into the device, which can then prevent the vehicle from starting if the presence of alcohol is detected. Drivers also must provide additional breath samples during their operation of the motor vehicle as well. These mandates are issued by Judges after an offender pleads guilty to an intoxicated or impaired driving crime. Yet despite these mandated Court orders, offenders continue to circumvent these conditions by various methods, including: not installing these devices at all, or tampering with the devices so that they do not work.

“Be aware – local law enforcement has received training on how to identify violations of this law, and will be cracking down on the roadways this summer. In addition, these criminal offenses will no longer be plead down in Albany County courts handled by my office. We can simply no longer allow repeat offenders to share our roadways without sanctions.”

According to the state Department of Motor Vehicles statistics, there has been an increase statewide in the number of violations of this charge. Arrests more than quadrupled from 2011 to 2016: There were 817 charges in 2011, as compared with 3,726 in 2016 across New York State.

Due to these increases in arrests, the Governor's Traffic Safety Committee (GTSC) and Division of Criminal Justice Services (DCJS) developed a program to address this matter. Albany County was selected by the GTSC as one of three counties in New York State to participate in a coordinated training by DCJS this summer, with a goal to increase compliance with DWI laws. The coordinated effort specifically trained law enforcement to identify and make the proper arrest of those individuals attempting to operate a motor vehicle without a court ordered interlock device. The program also included funding for coordinated sweeps that will be aimed at catching offenders this summer between the Memorial Day and Labor Day holidays.

Participating local law enforcement agencies include the Albany County Sheriff's Office, the Colonie and Guilderland Police Departments, and the Albany County Department of Probation.

A press release was previously sent out from DCJS and GTSC detailing the program. [Please click here for a link to their press release.](#)

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