



**Evaluation of the Prosecuting Attorneys'
Association of Michigan Traffic Safety
Training Program**

**Lidia P. Kostyniuk
Lisa J. Molnar
Amy L. Neumeyer**

November 2007

Technical Report Documentation Page

1. Report No. UMTRI-2007-38	2. Government Accession No.	3. Recipient's Catalog No.	
4. Title and Subtitle Evaluation of the Prosecuting Attorneys' Association of Michigan Traffic Safety Training Program		5. Report Date November 12, 2007	
		6. Performing Organization Code	
7. Author(s) Kostyniuk, L.P, Molnar, L.J., Neumeyer, A.L.		8. Performing Organization Report No. UMTRI-2007-38	
9. Performing Organization Name and Address The University of Michigan Transportation Research Institute 2901 Baxter Road Ann Arbor, Michigan 48109-2150 U.S.A.		10. Work Unit no. (TRAIS)	
		11. Contract or Grant No.	
12. Sponsoring Agency Name and Address Michigan Office of Highway Safety Planning 4000 Collins Road Lansing MI, 48909-8133		13. Type of Report and Period Covered Final 10/1/06 – 9/31/07	
		14. Sponsoring Agency Code	
15. Supplementary Notes			
16. Abstract <p>The purpose of the study reported here was to evaluate the Prosecuting Attorneys of Michigan Traffic Safety Training Program (TSTP). The main objective of the TSTP is to improve the ability of the state's prosecutors to effectively prosecute violations of traffic safety laws by training new prosecutors in basic skills of prosecution applied to traffic safety law, and by assisting experienced prosecutors with prosecution of more complex traffic safety violations. The program provides training seminars, up-to-date reference materials, newsletters, advice, consultation, and technical assistance to prosecutors. It fosters communication between prosecutors and the traffic safety community through meetings, a website, and a Listserv group. A review of the TSTP for FY 2001-FY 2006 indicates that activities were thoroughly documented and consistently carried out as planned. There were a total of 1,814 attendees at the training seminars in the 6 years from 2001 to 2006, with about one-third from law enforcement. Although quantitative measures for the effectiveness were explored and pilot tested, unwillingness of prosecutors to participate in reviews of their cases, because of busy schedules, precluded a quantitative assessment of program outcomes. Instead, a survey of prosecutors (40 respondents) was carried out. Survey results indicate that prosecutors, who participated in the program are very positive about the program, report that they have applied lessons learned in the seminars to their work, and feel more confident and comfortable prosecuting impaired driving cases. However, because self-reported measures were used, the study cannot conclusively state that the program resulted in more effective prosecution of impaired driving cases. Future evaluation efforts would benefit from further development of quantitative measures, and effective strategies for getting prosecutors to participate in a quantitative evaluation, which would require review of actual cases.</p>			
17. Key Words		18. Distribution Statement Unlimited	
19. Security Classification (of this report) Unclassified	20. Security Classification (of this page) Unclassified	21. No. of Pages 87	22. Price

The opinions, finding, and conclusions expressed in this publication are those of the authors and not necessarily those of the Michigan Office of Highway Safety Planning or the U.S. Department of Transportation, National Highway Traffic Safety Administration. This report was prepared in cooperation with the Michigan Office of Highway Safety Planning and U.S. Department of Transportation, National Highway Traffic Safety Administration.

Acknowledgements

The authors thank David Wallace and Carol Goodearl of the Prosecuting Attorneys Association of Michigan (PAAM) for providing PAAM reports, materials, and other program information for review by the study team. We also thank David Morse and Dan Rose of the Livingston County Prosecutors Office for taking the time to help us understand the processes involved in prosecuting alcohol-impaired driving cases, and explaining how case records are filed, accessed, and stored.

Special thanks are due to University of Michigan Transportation Research Institute (UMTRI) staff Jonathon Vivoda, Renée St. Louis, and Ben Kilmer for their help in the review of the PAAM Listserv and survey of assistant prosecuting attorneys, and to Judy Settles and Amanda Gaytan for taking care of the administrative tasks associated with this project.

Lidia P. Kostyniuk

Lisa J. Molnar

Amy L. Neumeyer

Evaluation of the Prosecuting Attorneys' Association of Michigan Traffic Safety Training Program

Executive Summary

The goal of the Michigan Office of Highway Safety Planning (OHSP) is to reduce deaths and injuries resulting from traffic crashes. Enforcement and adjudication of traffic safety laws are critical to achieving this goal. Police may issue citations and make arrests; however citations can be disputed, and defendants in many traffic law violation cases will employ various strategies to have the charges reduced or dropped. Effective prosecution of traffic law violations is essential, and to that end OHSP has supported the Prosecuting Attorneys' Association of Michigan (PAAM) Traffic Safety Training Program (TSTP) through annual grants since FY 2001.

The main objective of the PAAM TSTP is to improve the ability of the state's prosecutors to effectively prosecute violations of traffic safety laws, particularly those focused on operating while intoxicated or while impaired by alcohol or a controlled substance, operating on a suspended or revoked license, vehicular homicide, and vehicle crashes involving personal injuries.

To help prosecutors improve their ability to effectively prosecute traffic safety violations, the PAAM TSTP does the following:

- Provides continuing education seminars to help new assistant prosecuting attorneys develop skills to effectively prosecute traffic safety violations, and to help more experienced prosecutors increase their effectiveness in prosecuting more complex traffic safety violations such as vehicular homicide or felony drunk driving.
- Provides up-to-date reference materials to assist prosecutors in prosecuting traffic safety cases, including updates to the Operating While Intoxicated (OWI) manual, newsletters, legal memoranda, and other references to keep prosecutors current on the latest developments in traffic law.
- Serves as a dedicated liaison between the prosecutors and the traffic safety community by fostering communication among prosecutors, and between prosecutors and other traffic safety partners.

The TSTP program is well received; however, it has not been formally evaluated to date. The objective of the study reported here was to evaluate the PAAM TSTP with

respect to program implementation, as well as program outcomes related to the prosecution of traffic safety violations.

We reviewed the grant applications and quarterly reports from the program for FY 2001 through FY 2006, and found that activities were thoroughly documented and were consistently carried out as planned. In all, there were 1,814 attendees at the training seminars in the 6 years from 2001 to 2006. About one-third (615) of the seminar participants were from law enforcement. The *Green Light News*, a newsletter to keep prosecutors current on traffic safety matters, legislative bills, and court opinions has been published since 2001, and three supplementary newsletters with updates and information on underage drinking were added later. The Traffic Safety Training Attorney (TSTA) who directs the TSTP develops, coordinates, and leads the training seminars, responds to questions and inquiries from prosecutors and law enforcement, consults on legal and technical issues, and provides technical assistance when needed. The program maintains a website that gives prosecutors access to resource material, and also maintains a Listserv group that provides a discussion forum for members. The TSTA serves as a liaison between the prosecutors, law enforcement, and the traffic safety community, and maintains contact with similar programs in other states.

To examine if the TSTP increased the ability of prosecutors to effectively prosecute violations of traffic safety law, we surveyed a sample of prosecuting assistant attorneys and asked if the program helped them with basic skills for trial preparation, filing briefs, jury selection, cross examination of experts and others, jury communication, using visual displays, and responding to technical issues. We also asked them specifically how the program helped them. We asked about the usefulness of the newsletters, technical support, legal research, and Listserv, including specific ways in which it helped them as prosecutors. There were 40 respondents (average length of time as prosecutors, 7.7 years; average number of training sessions attended, 2.7; average number of cases per year, 110 impaired driving cases and 1,140 other cases).

Overall, the respondents indicated that the formal training of the TSTP helped them to prepare for prosecution of impaired driving cases whether in trial or in pretrial motions and plea arguments. They noted that the experienced prosecutors who spoke at the seminars were especially thought-provoking and informative about what to expect in court, and about current defense strategies, how to prepare opening and closing statements, and how to cross examine expert witnesses. Respondents mentioned that they: learned how impaired driving cases are investigated; gained technical understanding about the DataMaster, field sobriety tests, blood and breath testing; and felt more confident and comfortable with these technical topics. They also mentioned that they learned how to break down complex matters into series of simple facts that they could present to a jury and how to see things from the perspective of jurors.

Respondents who took seminars with law enforcement officers noted that these helped them appreciate the perspective of law enforcement officers. Many mentioned that they learned the importance of using visual displays in the courtroom.

Most of the respondents found the other resources of the TSTP useful as well. In particular, the “brief bank” was mentioned as extremely useful. The bank is available to them through the PAAM website and includes responses to common defense motions, defense transcripts, expert witness transcripts, and sample briefs. The respondents who used the Listserv found it very useful because it gave them access to the experience of others, including experts, almost instantaneously. Many respondents mentioned that the help, advice, and consultation that they received from the TSTA were invaluable.

Overall, the program appears to have a positive effect on improving the ability of new prosecutors to effectively prosecute traffic safety violations. The participants that were involved in the program were overwhelmingly positive. The program is also well attended by county prosecuting and assistant prosecuting attorneys. A total of 1,256 individuals attended the training seminars in 6 years of the program. Of these, 43 percent (535) were county prosecuting and assistant prosecuting attorneys, and almost one-half of them attended more than one seminar. At the time of this report there were 895 prosecuting attorneys and assistant prosecuting attorneys in Michigan. Although, the number varies from year to year, and individual attorneys enter and leave the ranks, it appears that about one-half of the county prosecuting and assistant prosecuting attorneys in the state have attended at least one traffic safety training seminar.

There are some limitations to the evaluation reported here. In the absence of quantitative measures of outcomes we relied on the self reports of those who participate in the program. If people report that they are more self confident and comfortable in the processes and procedures associated with prosecution, it is reasonable to expect that this would be reflected in stronger prosecution of cases. However, we cannot state conclusively that the prosecution is more effective. As part of this study we did explore quantitative measures and tried to review actual cases with prosecutors to see if they applied the lessons from the training in their cases. We were not able to conduct reviews, beyond a pilot test, because prosecutors were not willing to meet with us to review their cases due to busy schedules. In the future it would be desirable to look at the program outcome more quantitatively. To do so, however, it would be helpful to assess the reliability of proposed quantitative measures, and develop strategies to get prosecutors to cooperate in the review of cases.

Table of Contents

Executive Summary	vii
1 Introduction	1
2 Program Implementation	3
2.1 Training Seminars.....	3
2.2 Technical Assistance	15
2.3 Fostering Communications and Information Exchange	17
3 Traffic Safety Training Programs for Prosecutors in Other States.....	20
3.1 Program Funding	20
3.2 Administrative Structure.....	20
3.3 Services Provided.....	21
3.4 Assistant Prosecuting Attorney Training	23
3.5 Law Enforcement Training	24
3.6 Program Evaluation	25
3.7 Strategies and Resources for Program Development and Implementation	25
3.8 Challenges.....	26
4 PAAM TSTP Outcomes.....	36
4.1 Respondents.....	37
4.2 Usefulness of Formal Training	37
4.3 Usefulness of Other Resources	41
5 Discussion and Recommendations	46
6 References.....	50
Appendix A: PAAM Traffic Safety Training Program Activities - Planned and Implemented	A-1
Appendix B: Participation in Training Sessions	B-1
Appendix C: Questionnaire for Telephone Interviews with Other State TSRPs	C-1
Appendix D: Questionnaire for Assistant Prosecuting Attorney Survey.....	D-1

List of Tables

Table 1. Traffic Safety Training Program Seminar Objectives and Topics	3
Table 2. Training Seminar Attendance by Year	6
Table 3. Individuals Attending Training Seminars.....	7
Table 4. Seminar Follow-Up Surveys	10
Table 5. Number of Listserv Members by Year	18
Table 6. Number of Posts for 2006	18
Table 7. Listserv Post Activity for 2006.....	19
Table 8. TSTP Programs, Funding, and Administrative Structure	28
Table 9. Formal Training Provided.....	30
Table 10. Targeted Audience, Means of Recruitment, and Number of Prosecutors Represented at Trainings.....	33
Table 11. Publications and Frequency.....	35
Table 12. Current States with Newsletters.....	35
Table 13. Usefulness of PAAM TSTP	37
Table 14. Frequency of Use of Other Resources of the PAAM Traffic Safety Training Program	42
Table 15. Usefulness of Other Resources	42

List of Figures

Figure 1. Training Seminar Attendance by Year	7
---	---

1 Introduction

Police officers enforce traffic laws by issuing citations for violations and making arrests for more serious vehicular crimes. However, citations may be disputed and more serious crimes such as impaired driving and vehicular homicide can require lengthy prosecution. The goal of the Michigan Office of Highway Safety Planning (OHSP) is to reduce the deaths and injuries from traffic crashes, and to that end OHSP supports various programs that improve both enforcement and the adjudication process. Proper and successful prosecution of traffic law offenders can deter traffic law violations, remove dangerous drivers from the road, and also rehabilitate offenders. Since October 2000, OHSP has supported the Prosecuting Attorneys Association of Michigan¹ (PAAM) in providing a Traffic Safety Training Program (TSTP) for prosecutors and adjudicating partners on traffic safety issues, primarily the prosecution of alcohol-impaired drivers.

The stated objectives of the PAAM TSTP are to provide continuing professional educational opportunities for all new assistant prosecutors to improve their ability to effectively prosecute traffic safety violations; to provide continuing professional education opportunities for experienced prosecuting attorneys to improve their ability to effectively prosecute more complex traffic safety violations, such as vehicular homicide or felony drunk driving; to provide quality, up-to-date legal reference materials to assist prosecutors and other traffic safety professionals to more effectively prosecute traffic safety cases; and to provide a dedicated liaison between the state's prosecutors and the traffic safety community to work for better coordination in the prosecution of traffic safety violations (PAAM, 2006).

Although the PAAM TSTP has been in existence for 6 years and is viewed positively, it has not been formally evaluated. Accordingly, OHSP contracted with the University of Michigan Transportation Research Institute (UMTRI) to evaluate the program by assessing the effects of the PAAM TSTP on the prosecution of alcohol-impaired drivers and on traffic safety. OHSP asked UMTRI to:

- 1) Review how the program is functioning with respect to prosecutor training and education on impaired-driving cases, and the extent to which the program is being implemented as planned.

¹ PAAM is a voluntary association of Michigan's 83 elected prosecutors and their staffs. At the time of this report the membership was comprised of 895 prosecutors throughout Michigan. The PAAM president is one of the five members of the Michigan PACC Executive Committee.

- 2) Determine the effectiveness of the training program on the prosecution of impaired-driving violations.
- 3) Develop a set of recommendations based on the findings from this study to improve the program and to better incorporate evaluation into future training activities.

This report presents the findings of our evaluation. In addition to the introductory section, the following sections are included in this report. Section 2 reviews the activities of the program. Within this section we describe the training courses, summarize follow-up surveys conducted as part of the training program, and describe other technical assistance provided by the program. Section 3 presents an overview of traffic safety training programs for prosecuting attorneys in other parts of the U.S., based on telephone interviews with a sample of training program directors that were conducted as part of this project. Findings from these interviews provide a basis of comparison for the program in Michigan, and may offer insight and ideas for evaluation and program improvement. We also conducted a survey of assistant prosecuting attorneys to assess outcomes of the PAAM TSTP (i.e., effects of the program on actual prosecution practices, particularly in the courtroom). The findings from the survey are summarized in Section 4. Discussion of the findings and recommendations from this study are in Section 5. Technical details are described in the appendices to this report.

2 Program Implementation

The PAAM TSTP is funded through a grant from OHSP (with funds originating from the National Highway Traffic Safety Administration [NHTSA]) to PAAM, and is administered by the Michigan Prosecuting Attorneys Coordinating Council (PACC), an autonomous entity within the Department of Attorney General. The PAAM Traffic Safety Program is directed by David J. Wallace, a former Calhoun County Assistant Prosecutor with more than 15 years of active trial experience. In October 2000, he took on the challenge of the TSTP at PAAM, and serves as the Traffic Safety Training Attorney (TSTA). He is assisted by Carol Goodearl, whose responsibilities include coordinating the Traffic Safety Training Seminars, developing and maintaining the website, and overseeing the production and distribution of the newsletters.

The activities to be carried out each year in the TSTP are detailed in the annual grant applications to OHSP, and completed activities are documented in quarterly reports to OHSP. Our review of the program implementation from FY 2001 through FY 2006 is based on these documents. Overall, we found that the documentation of TSTP activities is thorough and complete, and the activities proposed in the annual grant applications are consistently carried out (see Appendix A). The main activities of the TSTP include conducting training seminars, providing technical assistance, and fostering better communications and exchange of information to improve the prosecution of traffic safety violations, especially alcohol-impaired driving violations. These activities carried out between FYs 2001 and 2006 are described below.

2.1 Training Seminars

Seminars on topics related to the prosecution of traffic safety violations were developed by the program and were offered to enhance the capability of the state's prosecutors and law enforcement officers. The seminars offered from FY 2001 - FY 2006 are listed in Table 1.

Seminar	Dates	Participants	Objective	Topics included
Advanced OUIL	2001—Aug 2002—Aug 2003—Aug 2004—Aug 2005—Aug	County Assistant Prosecuting Attorneys, Municipal Attorneys, Tribal Attorneys (PA) and law enforcement LE)	Learn more about presenting an OUIL case in court.	<ul style="list-style-type: none"> • Search warrant issues • Answering defense motions • Drug recognition experts • Effect of drugs on the body • 0.08 law • The visual trial • Cross examination of experts • The CSI effect

Advanced PowerPoint	2006—Mar	PA	Learn more advanced skills for effective visual presentations.	<ul style="list-style-type: none"> • PowerPoint presentations for OUIL and vehicular manslaughter trials
Basic OUIL Trial Advocacy Program	2001—May 2002—Jan	PA	Learn how to present an OUIL case in court.	<ul style="list-style-type: none"> • Standardized field sobriety testing (SFST) • The DataMaster • Blood alcohol and pharmacology
Cops in Court	2003—Jan 2003—Apr 2003— Apr 2003—Jun 2003—Jul 2004—Feb 2004—Mar 2004—Jul 2005—Jan 2005—Feb 2006—Mar 2006—Jun	LE	Learn how to work more effectively with prosecutors in traffic safety cases.	<ul style="list-style-type: none"> • Effective police report writing • How to present yourself in court • General defense attack issues • Effective use of in-car cameras
Crash Reconstruction	2001—Mar 2002—May	PA	Learn how to present accident reconstruction in court.	<ul style="list-style-type: none"> • Basics of accident reconstruction • What an accident reconstructionist does • How to use a trained accident reconstructionist as a witness
Cross Examination Seminar	2001—Jul 2004—Jan 2005—Feb	PA	Learn how to cross-examine defense witnesses, especially experts.	<ul style="list-style-type: none"> • Different methods of cross-examination • Participants watch a video and discuss a defense expert's testimony
Daubert and Crawford & Traffic Cases	2005—Jul	PA, LE	Learn about the new rules of evidence for admission of scientific evidence in OWI and vehicular homicide trials	<ul style="list-style-type: none"> • New rules of evidence for admission of scientific evidence in OWI and vehicular homicide trials
Legal Issues in Traffic Safety	2002—Feb	PA	Update participants on legal issues in traffic safety	<ul style="list-style-type: none"> • Vehicle forfeiture • Legal update on issues of the day with the Secretary of State's office • Driver licenses.
Lethal Weapon	2003—May 2004—Sep 2006—May	More experienced PA	Learn how to try vehicular homicide cases	<ul style="list-style-type: none"> • Crash reconstruction
Nuts and Bolts of OWI	2005—Oct	PA, LE	Learn basics of OWI cases.	<ul style="list-style-type: none"> • The DataMaster • How to read a driver license record • How to create a visual trial
OHSP Party Patrols Training		LE	Learn how to handle underage drinking.	

OUIL Vehicle Forfeiture seminar	2001—Feb 2001—Jul	PA	Learn about new vehicle forfeiture laws in OUIL cases	<ul style="list-style-type: none"> • New laws regarding forfeiting a car used in an OUIL case, • Court ordered immobilization, • Secretary of State hearings
OWI- The Science and the Law	2004—Mar 2004—Mar	PA	Gain experience with the DataMaster.	<ul style="list-style-type: none"> • Presentation by DataMaster company representative • Toxicology • Law enforcement topics
PowerPoint Pizzazz	2005—Jul	PAs already familiar with PowerPoint	Learn more about creating and using effective visual presentations.	<ul style="list-style-type: none"> • Advanced PowerPoint for use in presentations and trials.
PowerPoint Training	2001—Dec 2002—Feb 2002—May 2002—Jul 2002—Sep 2003—Jan 2003—Mar 2003—Apr 2004—Mar 2004—Jun 2004—Oct 2005—Apr 2005—Dec 2006—Jun	PA	Learn how to create and use effective visual presentations.	<ul style="list-style-type: none"> • PowerPoint presentations for OUIL and vehicular manslaughter trials.
Proactive Trial	2006—Apr	PA	Learn how to be more proactive before and during trial.	<ul style="list-style-type: none"> • Cross examination skills • Issues with Daubert • Rules of discovery • The CSI effect
Protecting Lives, Saving Futures	2002—Mar 2002—Oct 2004—May 2005—Nov	PA, LE	Learn about the detection, apprehension, and prosecution of intoxicated drivers.	<ul style="list-style-type: none"> • Making detailed observations during traffic stops • Writing police reports • Standardized field sobriety tests and horizontal gaze nystagmus • Effects of alcohol on a person • Relationship between the prosecutors and the police • Other legal issues in the courtroom
Talking to a Jury: Are you Getting Through?	2002—Jun 2003—Oct 2006—Jan	PA	Learn how to better communicate with a jury.	<ul style="list-style-type: none"> • Better communication skills • First impressions • Selecting a jury • Creating a visual trial
Vehicular Homicide	2001—Oct	PA	Learn how to prosecute OUIL causing death cases.	<ul style="list-style-type: none"> • The visual trial • Crash reconstruction • Trial preparation • Trace evidence • Effect of alcohol on a person
Working with the Media	2005—Mar	PA	To learn how to deal with the media	<ul style="list-style-type: none"> • How to get their message out on traffic safety issues

2.1.1 Seminar Attendance

The number of individuals attending the training seminars varied from year to year. In the first year, there were 210 participants. To date, the highest annual attendance was 573 participants in 2003. This was the first year for the *Cops in Court* seminar, and a large number of law enforcement officers attended. Also in 2003, the state of Michigan lowered the legal blood alcohol content limit from 0.10 to 0.08, requiring more training for both prosecutors and law enforcement. In 2006, the attendance at the seminars was 212 participants. Table 2 and Figure 1 show the number of seminar participants by year and by professional affiliation.

	2001	2002	2003	2004	2005	2006
County Assistant Prosecuting Attorneys	202 (96.2%)	224 (92.9%)	224 (39.1%)	150 (47.5%)	159 (60.5%)	102 (48.1%)
Law Enforcement	6 (2.8%)	11 (4.6%)	306 (53.4%)	104 (32.9%)	92 (35.0%)	96 (45.3%)
Municipal Attorneys	0 (0.0%)	0 (0.0%)	27 (4.7%)	7 (2.2%)	6 (2.3%)	12 (5.7%)
Tribal Attorneys	2 (1.0%)	2 (0.8%)	4 (0.7%)	0 (0.0%)	1 (0.4%)	1 (0.5%)
Other	0 (0.0%)	4 (1.7%)	12 (2.15)	55 (17.4%)	5 (1.9%)	1 (0.5%)
Total	210 (100%)	241 (100%	573 (100%)	316 (100%)	263 (100%)	212 (100%)

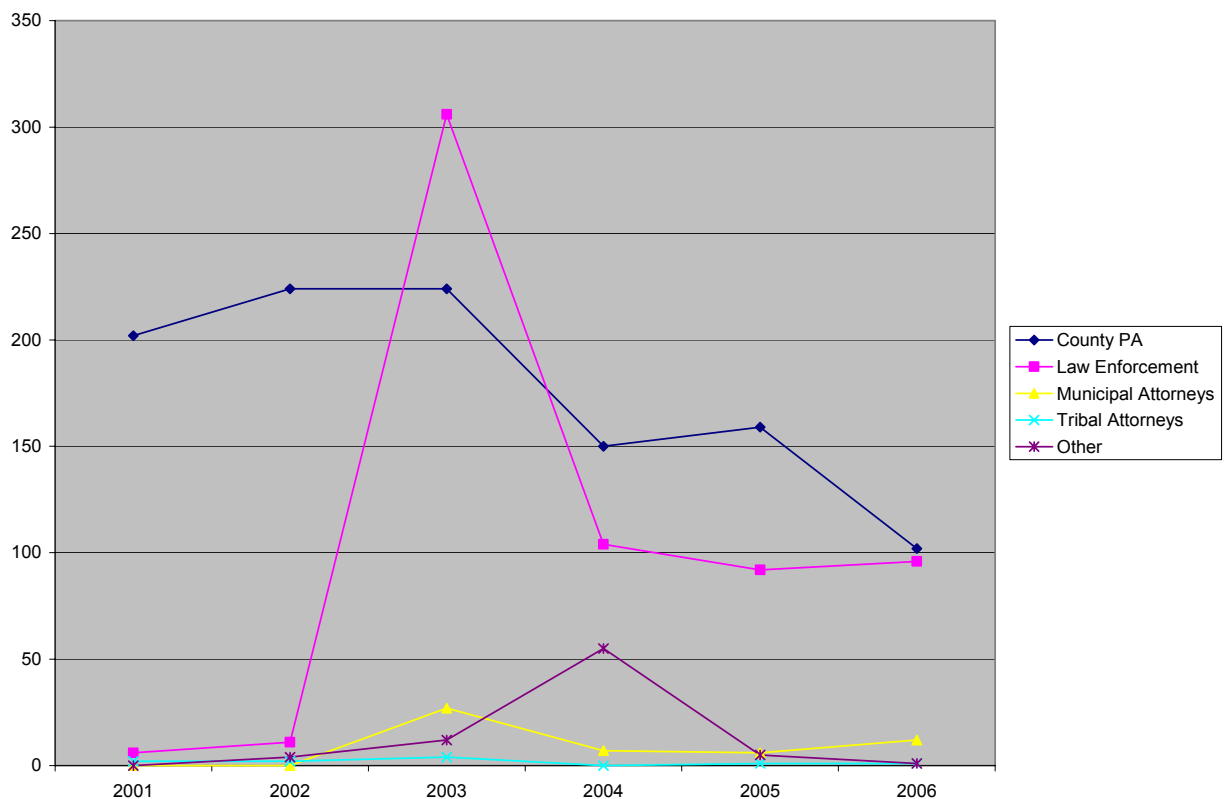


Figure 1. Training Seminar Attendance by Year

Table 3 shows the number of individuals who attended training seminars from 2001 to 2006 by their affiliation and the number of seminars attended.

Number of Seminars Attended	County Assistant Prosecuting Attorneys	Law Enforcement	Municipal Attorneys	Tribal Attorneys	Other	Total
1	285	571	40	2	64	962
2	120	26	3	4	7	160
3	62	0	1	1	1	65
4	36	0	0	0	0	36
5+	32	0	0	0	0	32
Total	535 (42.6%)	597 (47.5%)	44 (3.5%)	7 (0.6%)	72 (5.7%)	1,256 (100%)

In all 1,256 individuals attended training seminars from 2001 to 2006. Of these 43 percent were assistant prosecuting attorneys, and nearly one-half of them attended more than one seminar. At the time of this analysis, there were 895 county prosecuting and assistant prosecuting attorneys in Michigan. Given that total number of county prosecutors, and accounting for some turn over and variation in the number from year to year, it appears that about one-half of the county prosecuting and assistant prosecuting attorneys have attended at least one traffic safety training seminar. Of the individuals attending training seminars, 48 percent were from law enforcement. Most of them attended one seminar, *Cops in Court*. Only 4 percent of the individuals attending the seminars were municipal attorneys, less than 1 percent were tribal attorneys, and 6 percent were classified as others.

2.1.2 Training Seminar Follow-up Surveys

TSTP conducts two surveys to evaluate each seminar. At the end of each training seminar session, seminar participants are asked to fill out a questionnaire, which asks for their opinions about the seminar (e.g., the quality of the presentations, the speakers, the course materials, the facilities, and the food). We examined these questionnaires and found that collectively, they are overwhelmingly positive.

Six months after a seminar, participants are sent a follow-up survey which asks if the material presented was of benefit to them, and whether they had applied what they learned to their work. They are also asked about what specifically they found useful from the seminar, and for suggestions and recommendations about how the seminar could be improved. We have analyzed the survey data and present the summary below.

In general, the majority of seminar participants do not complete the follow-up surveys. However, the survey response rate is about what might be expected for similar types of follow-up surveys. Table 4 shows the attendance for each seminar, gives the number of responses (and response rate) to the follow-up survey, and shows the proportion of respondents who reported that the information from the seminar was beneficial in their work, and that they had a chance to usefully apply it. The comments about how material was applied and recommendations are summarized for each seminar.

Advanced OWI

Seminars on *Advanced OWI* were held every August from 2001 to 2005. A total of 153 individuals attended. Of these, 92 percent were county prosecutors, 5 percent were from law enforcement, and 3 percent were municipal attorneys. Follow-up survey

respondents (47) reported that the course helped them to better understand technical issues, such as the DataMaster, toxicology, and standardized field sobriety testing. Overall, the respondents indicated that they had developed a better understanding of what is needed for a successful prosecution of an OWI case. They stated that they use the manual and written materials from the seminar to prepare for trials and during negotiations. They also noted that they use the information for examining expert witnesses and that it is very helpful. Many respondents suggested that more involvement from law enforcement in the seminar would help foster communication between prosecutors and law enforcement officers. Other suggestions included conducting a live simulation of different trial techniques and holding more seminars in the northern part of the state.

Advanced PowerPoint

One *Advanced PowerPoint* seminar was held in spring of 2006. It was attended by five county assistant prosecutors. Follow-up survey respondents (2) mentioned that they learned new things about PowerPoint and how to effectively use it in a courtroom. Training on the insertion of DVDs, videos, and tapes into the PowerPoint presentation was mentioned as being especially beneficial.

Basic OUIL

The *Basic OUIL* seminar was held on two occasions, in 2001 and in 2002. A total of 37 individuals attended. Of these, one was a tribal attorney and the rest were county prosecutors. Respondents (9) reported that information gained in this course prepared them with case law and the basic knowledge needed to prosecute an OUIL case. Several mentioned the usefulness of the handbook, which they consulted consistently when preparing for trial. Suggestions were made to place more focus on expert witnesses and testimony, as well as reviewing the procedures for obtaining blood samples for alcohol tests.

Seminar	Number of sessions 2001-2006	Number of participants 2001-2006	No of respondents to follow-up survey (% participants)	Survey respondents who found seminar information beneficial in their work	Survey respondents who applied seminar information in their work
Advanced OWI	5	153	47 (28.7%)	43 (92%)	40 (85%)
Advanced PowerPoint	1	5	2 (40%)	2 (100%)	2 (100%)
Basic OUIL Trial Advocacy Program	2	37	9 (23.8%)	9 (100%)	9 (100%)
Cops in Court	12	484	65 (13.4%)	62 (94%)	46 (68%)
Crash Reconstruction	2	34	11 (35%)	9 (82%)	10 (90%)
Cross Examination Seminar	3	90	24 (26.9%)	23 (97%)	24 (100%)
Daubert and Crawford & Traffic Cases	1	32	9 (28.1%)	8 (89%)	5 (56%)
Lethal Weapon	3	45	14 (48.6%)*	12 (86%)	12 (86%)
Nuts and Bolts of OWI	1	20	6 (30%)	5 (83%)	5 (83%)
OWI- The Science and the Law	2	33	0 (0.0%)**	-	-
PowerPoint Pizzazz	1	8	2 (25.0%)	1 (50%)	1 (50%)
PowerPoint Training	14	162	40 (32.7%***)	39 (98%)	23 (58%)
Proactive Trial	1	28	8 (28.6%)	8 (100%)	8 (100%)
Protecting Lives, Saving Futures	4	107	24 (23.4%)	20 (85%)	23 (97%)
Talking to a Jury	3	93	27 (31.2%)	24 (88%)	26 (96%)
Traffic Safety Legal Update	1	9	2 (22.2%)	0 (0.0%)	0 (0.0%)
Vehicle Forfeiture and Immobilization	2	54	12 (27.7%)	7 (58%)	9 (75%)
Vehicular Homicide	1	18	2 (11.1%)	2 (100%)	2 (100%)
Working with the Media	1	15	4 (26.7%)	4 (100%)	4 (100%)

* Follow-up survey was conducted for 2 of the 3 sessions

** Either no follow-up survey was conducted, or no responses were received

*** Follow up survey conducted for 10 of the 14 sessions

Cops in Court

The *Cops in Court* seminar was held on 12 occasions from 2003 to 2006. In all, 484 individuals attended. The majority of participants were law enforcement officers (89 percent), 10 percent were from the Michigan Department of State, and 1 percent were assistant prosecuting attorneys. Respondents (65) reported that the course highlighted the importance of good police reports in taking cases to trial and that the report writing techniques taught in the seminar helped them put more detail into reports. Other respondents stated that they learned helpful techniques to use when testifying and preparing to testify in the courtroom. Suggestions offered by respondents including more mock-trial practicing, better report examples, and more material on defense lawyer cross examination tactics.

Crash Reconstruction

Crash Reconstruction seminars were held twice, once in 2001 and once in 2002. The seminars were attended by a total of 34 individuals, all county prosecutors. Respondents (11) to the follow-up survey noted that they gained a better understanding of accident reports and cases in which impaired driving caused death. They noted that they learned how to analyze photos and police reports, and how to explain evidence to defendants, which often resulted in plea agreements.

Cross Examination Skills

The *Cross Examination Skills* seminar was held three times from 2001-2005, and was attended by 90 individuals. Of these, 94 percent were county assistant prosecutors, 1 percent were municipal attorneys, and 4 percent were designated as "other." The respondents (24) mentioned that the seminar was helpful to them in cross examining both expert and lay witnesses. They noted that the seminar improved their cross examination skills by providing a format for approaching cross examination in an organized, focused way. Several respondents stated that they have applied what they learned from the seminar in court.

Daubert, Crawford and Traffic Safety

The seminar on *Daubert, Crawford, and Traffic Safety* was held once in the summer of 2005. There were 32 individuals in the seminar of whom 97 percent were county prosecutors and 3 percent were municipal attorneys. The survey respondents (9) noted that the seminar gave them a basic understanding of Daubert and Crawford issues, and prepared them for the time this issue would come up. They reported that they were

doing a better job questioning expert witnesses, and had a better understanding of the evidentiary rules of hearsay statements.

Lethal Weapon

The *Lethal Weapon* seminar was held three times from 2003—2006. Of the 45 total participants, 78 percent were county prosecutors and 20 percent were municipal attorneys. Survey respondents (14) stated that they used information learned in the seminar to prepare for trial and on-scene crash investigations. They indicated that they have a better understanding of crash reconstruction reports and can analyze crash scene photos. They mentioned that the seminar promoted better coordination between police officers, attorneys, toxicologists, and other witnesses. Suggestions were made to spend more time on law enforcement information.

Nuts and Bolts of OWI

The *Nuts and Bolts of OWI* seminar was held once in 2005. Of the 20 attendees, 75 percent were county prosecutors, and 25 percent were law enforcement officers. Respondents (6) stated that after this seminar they have used visual aids, have a better understanding of the science behind the DataMaster, and are better able to explain a case to a jury.

OWI: The Science and the Law

In 2004, a 2-day *OWI: The Science and the Law* seminar was held with 33 participants. Of these, 85 percent were county prosecutors and 15 percent were municipal attorneys. Either a follow-up survey was not sent for this course, or no attendees responded with the completed survey.

PowerPoint Pizzazz

The *PowerPoint Pizzazz* seminar was held once, in the summer of 2005. Eight individuals attended; 88 percent were county prosecutors and 12 percent were tribal attorneys. One respondent reported developing a standard OWI PowerPoint presentation for the county office to use in jury trials. Another respondent noted that his/her office was not promoting technology at this point, and the PowerPoint training was not useful yet.

PowerPoint Training

The *PowerPoint Training* seminar is one of the most popular and most frequently offered seminars. It was offered 15 times from 2001-2006, with a total of 162

participants, of which 93 percent were county prosecutors, 2 percent were classified as “other,” 1 percent were law enforcement officers, and 1 percent were municipal attorneys. Survey respondents (40) found the seminar useful in showing them ways that PowerPoint presentations could be used in the courtroom, in administrative office situations, and when dealing with the community. Most respondents had not had the opportunity to apply their training yet, but felt it was a good skill to have acquired. Others shared their new knowledge of PowerPoint with the rest of their office. Some reported that they developed their own PowerPoint presentations and used them in a trial. Suggestions were made to have more time to practice delivering a presentation and receive feedback from the instructor and the class. Another suggestion was made to take a few moments to explain how to hook up the equipment necessary to use the technology in the courtroom.

Proactive Trial

One *Proactive Trial* seminar was held in 2006. Of the 27 participants, 71 percent were county assistant prosecutors, 21 percent were municipal attorneys, and 4 percent were tribal attorneys. Many respondents (8) reported that they had applied information from the seminar in preparing for trial, in jury selection, and in cross examination. Several respondents mentioned that they incorporated PowerPoint presentations into their trial presentations, and reported feeling more confident in the courtroom setting. A suggestion was made to present the seminar by experience level, because some of the material might have been missed by less experienced prosecutors.

Protecting Lives, Saving Futures

The seminar on *Protecting Lives, Saving Futures* was held four times, twice in 2002, once in 2004, and once in 2005. In all, 107 individuals attended the 2-day training. Of these, 58 percent were county assistant prosecuting attorneys, 39 percent were law enforcement officers, and 1 percent were municipal attorneys. Respondents (24) reported that the joint training of attorneys and law enforcement officers helped them to learn how to better communicate with each other. Attorneys stated that they learned new ways to prepare themselves and police officers for trial. Other attorneys noted that they gained basic knowledge of technical issues and have been able to convey that information clearly to a jury. Respondents also mentioned that they learned about different types of sobriety testing, and how to determine which is most effective and why. Suggestions were made to include more case law in the seminar and to devote more time to the role reversal exercise.

Talking to a Jury

The seminar, *Talking to a Jury* was held three times from 2002-2006, with 93 individuals attending. Of these, 91 percent were county assistant prosecutors and 4 percent were municipal attorneys. Follow-up survey respondents (27) noted that the seminar improved their skills related to voir dire (the questioning process by which attorneys select or reject jurors to hear a case) and jury selection. They mentioned that the portion of the seminar on figuring out the different personalities in the jury and how to tailor the presentations to these personalities was particularly interesting. Suggestions were made to include the input of judges into the seminar, and extend the program to include a second day of practice.

Traffic Safety Legal Update

A *Traffic Safety Legal Update* course was held once in 2002. Nine county prosecutors attended the seminar. Survey respondents (2) reported that they had not used the information in their work or found it beneficial.

Vehicle Forfeiture and Immobilization

The seminar on *OUIL Vehicle Forfeiture and Immobilization* was held in 2001, with 54 participants; 98 percent were county assistant prosecutor and 2 percent were law enforcement officers. Survey respondents (7) stated that the course manual and materials were helpful in their work, and that they often referred to them. Suggestions were made to train police on this issue so they will know how to immobilize vehicles at arrest.

Vehicular Homicide

A seminar on *Vehicular Homicide* was held once, in 2001. Of the 18 attendees, 94 percent were county assistant prosecutors and 6 percent were tribal attorneys. Respondents (2) to the follow-up survey noted that the seminar helped them understand the various reports (e.g., from police, experts) and better prepared them to talk to experts. They also mentioned that the resource guide distributed in the seminar was very useful and they have used it in their practice.

Working with the Media

The seminar on *Working with the Media* was held once in 2005. There were 15 participants; 87 percent were county assistant prosecutors and 13 percent were law enforcement officers. Survey respondents (4) said that they found the media guide,

sample press releases, and the “wallet card” to be very useful in their work. They noted that the strategies presented in the course were helpful in framing responses to the press, determining what should and should not be disclosed, and how to use the media to send a message to the community.

2.2 Technical Assistance

The TSTP provides technical assistance to prosecuting attorneys in the form of updates, reference materials, newsletters, consultations, and by fostering communications and exchange of information among prosecutors. The TSTP updates the OWI manual, and makes changes concurrent with legislative and case law changes. The TSTP distributes newsletters, legal memoranda, and other reference materials to prosecutors to keep them current on the latest developments in traffic safety law. The program also provides consultation and advice to prosecutors to help with the prosecution of traffic safety violations, conducts regular and special regional meetings, and maintains a website and a Listserv group.

2.2.1 Newsletters

A series of newsletters is published by the TSTP and sent to all prosecutors in the state. Among these are *The Green Light News*, *Red Light Alert*, *Yellow Light legal Update*, and the *Artful Dodger*. *The Green Light News*, first published in FY 2001², is a quarterly newsletter intended to keep prosecutors up-to-date on traffic safety matters by providing information on new legislative bills and court opinions. The *Red and Yellow Light* newsletters, both supplements to the *Green Light News*, were added in FY 2002. The *Red Light Alert* is distributed as needed to provide additional updates, and the *Yellow Light Legal Update* provides case law and statutory updates. The *Artful Dodger*, developed in FY 2004, addresses issues related to underage drinking.

Other information on alcohol-impaired driving matters including NHTSA brochures, booklets, and CDs are sent to prosecutors and law enforcement officials. Materials that have been sent out include:

You Drink. You Drive. You Lose. This CD was sent to all elected prosecutors and contains forms for letters to the editor, articles, posters, and talking points on the mobilization campaign.

² The Green Light News, originally published twice a year, became a quarterly publication in mid 2002.

Underage Alcohol Investigations. A booklet written by St. Clair County Prosecutor Michael Wendling was printed and sent to all prosecutors and many law enforcement officials across the state.

Underage Drinking PowerPoint. The Training Attorney developed this presentation for prosecutors to take into the community to discuss the importance of underage drinking issues.

Legal memorandums. These memorandums were sent to all elected prosecutors. One memorandum provided ways to effectively obtain blood from a person arrested under OWI laws. Another addresses an individual's right to an independent blood test.

Community Group PowerPoint. The Training Attorney created and distributed this presentation for prosecutors and traffic safety officials to use when speaking to community groups. Two guides for working with the media were also enclosed.

2.2.2 PAAM TSTP Website

PAAM maintains a website for the TSTP as a resource for prosecutors (<http://www.paamtrafficsafety.com>). Prosecutors can access the site to obtain references, all copies of the newsletters, schedule and description of training seminars. They can also link to the PAAM and PACC websites and access the "brief bank", which contains responses to common defense motions, defense transcripts, expert witness transcripts, and sample briefs. Access to the brief bank requires appropriate permission.

2.2.3 Consultations

The TSTA and TSTP personnel assist prosecutors with consultations, and respond to calls and inquiries from prosecutors. Over the years from 2001-2006, they have consulted and answered inquiries on many topics including: cross examination of experts, locating counter-defense experts, interpretation of OUIL and OWI statutes, locating out-of-state OUIL and OWI statutes, OUIL and OWI case strategies, implied consent hearings, obtaining costs for OUIL and OWI prosecutions, procedures for digital pictures, responses to OWI defense motions, questions on legal defense issues being raised, the new MIP and new .08 law, legal defenses, jury instruction, search warrants, and the DataMaster.

2.3 Fostering Communications and Information Exchange

Communications and exchange of information are very important when working toward a common goal. The program facilitates communication among the states prosecutors, between prosecutors and law enforcement, and also between the PAAM TSTP program and other TSTP programs in other states.

2.3.1 Regular Meetings

The TSTA meets regularly with prosecutors from around the state to discuss traffic-related matters. The TSTA brings information to prosecutors who cannot attend the seminars, and the meetings provide good opportunities for prosecutors from different counties to discuss traffic safety issues, share information on different policies, and learn how other offices handle traffic safety cases. Regional Prosecuting Attorney meetings were held in 2001, 2003, and 2005. A total of 138 attorneys attended these meetings. Topics discussed included OUIL/UBAL, Child Endangerment, Fleeing and Eluding, Civil Infractions, Office Reimbursement, Second Degree Murder, Vehicle Forfeitures, Negligent Homicide, Zero Tolerance and MIP, and Legislative Suggestions and Issues. Follow up surveys, similar to those used in the training seminars, were sent to participants. A follow-up survey asking if the material covered was beneficial and useful was sent to participants of the 2001 meetings. Of the 55 individuals who attended these meetings, 20 percent returned the follow up survey. Of these respondents, 64.0 percent had applied information from the meeting in their work, and all stated that they found the information beneficial.

The TSTA also organizes TSTP Mentors Meetings. These are periodic meetings of assistant prosecutors and law enforcement officers with the objective of improving communications among counties. The training attorney provided information about Schedule One Controlled Substances in OWI cases, the EDR used in Crash Reconstruction at these meetings.

2.3.2 Listserv Message Group

The TSTP Yahoo Group Listserv message group on the Internet is a very useful forum for information exchange. To use it, a prosecutor simply has to contact the TSTA and sign up. Access is limited to members, so prosecutors can freely and share information about cases, motions and other legal issues

The Listserv group was started in 2003 with 49 members and has grown steadily. Table 5 shows the increase in the number of members of the Listserv group.

	New Members	Total Members
2003	49	49
2004	55	104
2005	59	163
2006	46	209
2007	54	263

To evaluate how the Listserv is being used, we examined the exchange of information in 2006. We calculated the total number of posts made by members during 2006 by counting all original posts as well as the total number of responses to those posts. All messages identified on the website as a “topic” were included in the count as an original post. The results are shown in Table 6.

Descriptor	Number
Original posts	317
Total posts (including responses)	730
Total Responses	413
Average responses per post	2.3
Posts with no responses	172

We grouped the original posts from 2006 into categories depending on the nature of the communication. The results are shown in Table 7. The most frequent type of posting was one in which someone was making an announcement or sharing general information with others. These postings typically did not have many (or any) responses. The next most common type of posting was when someone had a specific case with which that he or she needed help. Other members of the listserv would then respond with information and/or suggestions about a similar case. News stories of interest were ranked next; these usually were “copied and pasted” from an online newspaper site. Questions to the group about information gathering (i.e. where to look to find a list of points by citation type) were the fourth most common type of posting. Tied for fifth were posts about new laws or how an existing law has been interpreted (that could affect prosecutors in Michigan), and posts about expert witnesses. Posts unrelated to traffic safety were next, followed by DataMaster posts and finally automatic reminders from the website calendar.

Category	Number	Percent	Ranking
Announcements/General Information	71	24.15%	1
Help w/ specific cases	62	21.09%	2
News stories of interest	43	14.63%	3
Information gathering	32	10.88%	4
New laws/new case results or interpretations - questions/comments	22	7.48%	5
Expert witness information	22	7.48%	5
Non-traffic safety	20	6.80%	7
DataMaster/Daubert Hearing	18	6.12%	8
Calendar reminders	4	1.36%	9
Total	294 ³		

³ The total shown here does not match the total from Table 6 because some posts that the user created as an original post were counted as such during the second part of the analysis (shown in Table 6), but were excluded during part three of the evaluation.

3 Traffic Safety Training Programs for Prosecutors in Other States

The directors of Traffic Safety Training Programs in 15 states outside of Michigan were interviewed by telephone to learn about their experiences with the program. States were chosen randomly from the existing programs, and included California, Connecticut, Idaho, Illinois, Indiana, Kentucky, Massachusetts, Minnesota, Missouri, Mississippi, New Jersey, New Mexico, South Dakota, Texas, and Wisconsin. For almost all of the states, the program director interviewed held the position of Traffic Safety Resource Prosecutor or Attorney. In two states (Connecticut and Texas), the program directors held titles of Statewide DUI Prosecutor/DUI coordinator and DWI Resource Prosecutor, respectively, reflecting the heightened focus on impaired driving prevention in their programs. Connecticut and Wisconsin reported having the most longstanding programs, established in 1990 and 1992, respectively (see Table 8). All other programs were established between 2002 and 2007. Results from the interviews are summarized below.

3.1 Program Funding

Table 8 depicts how the traffic safety training programs in various states are funded. It should be noted that Texas is the only state to still receive a matching grant from the state. This grant covers 60 percent of the director's salary, and administrative assistance. This funding system is considered to be beneficial because it allows prosecutors to attend the trainings without being charged a fee. Two states that were originally funded in part through the National Association of Prosecutor Coordinators (NAPC) are now fully federally funded.

3.2 Administrative Structure

Most states have a similar administrative structure, with funding coming initially from NHTSA and then distributed to the state's highway safety office, which funds the program directly or through the state's prosecuting attorneys' association (see Table 8). Three states, Wisconsin, South Dakota, and New Jersey, have unique administrative structures. Wisconsin's program is housed within the law school at the University of Wisconsin as part of the Continuing Legal Education program. In approximately 1992, the DUI Resource Center was developed, which provides a number of resources related to all aspects of DUI. Prior to 2003, the DUI Resource Center employed attorneys who took on the program director title after the idea of the TSTP was brought to attention. South Dakota's program is administered through a private office, which acts as the Executive Director of the State Attorneys' Association. This is a dues-based organization that receives no state funding. Support staff is provided by the law office

staff, but the program director reports to the state's highway safety office. New Jersey's program receives funding through the Division of Highway Traffic Safety, and is part of the Division of Criminal Justice as a part of the Prosecutor Supervision and Coordination Bureau. This program director focuses mainly on coordinating prosecutors throughout the state on traffic safety issues.

The majority of program directors reported working without support staff, although a few had administrative help available to them through their state Prosecuting Attorneys' Association. Indiana employs a part-time assistant and a fiscal agent and California has media assistance from a Public Information officer. Mississippi's program director has the assistance of a part time law clerk enrolled in the law school. New Mexico was the only state interviewed with a full time assistant. This assistant runs the program when the program director is traveling, helps with training courses, and helps manage grants and funding.

3.3 Services Provided

Most TSTPs offer a variety of services, including group trainings and personal consultation. Training, for both police and law enforcement, is the main service provided by nearly all of the programs. Program directors develop, schedule, and lead these courses. Although some program directors will travel around the state to prosecute special cases, many serve as a contact that is available to answer questions and provide technical assistance when needed. Many prosecuting attorneys will call their state TSTP right before or even during a trial to ask questions. Some programs conduct legal research on common issues or for a particular case, and may review a brief or a motion to determine whether or not it can prove a point. TSTPs also act as a resource not only to prosecutors and law enforcement, but to other state agencies and the community as a whole regarding the legal issues surrounding traffic safety. Some TSTPs provide input into what goes on at the legislative level by developing and reviewing highway safety legislature, participating in the development of DUI task forces, and participating in highway safety planning meetings. Many programs try to act as a clearinghouse of resources that can be accessed by prosecutors and law enforcement, in order to foster communication and cooperation between prosecutors and law enforcement, as well as keep all county prosecution offices up-to-date on legal issues. In addition, TSTPs act as a liaison between prosecutor officers, law enforcement, and prosecutors, and between prosecutors and state agencies. Many develop sample briefs, motions and other trial materials, gather expert testimony, and try to keep all involved up-to-date through newsletters.

3.3.1 Formal Training Courses

Formal training varies greatly by program and by the needs of the prosecutors and law enforcement officers in a particular state (see Tables 9 and 10 for a listing of training courses offered by each state). In states that have Continuing Legal Education requirements for prosecutors, these courses can be used to get CLE credit.⁴ However, in general, these courses address effective ways to prepare and succeed in the prosecution of impaired driving cases, whether in the cases involving the conduct of a trial or the preparation of pre-trial motions and plea agreements.

3.3.2 Publications, Listservs, and Websites

Five of the 15 programs have newsletters focusing on alcohol-impaired driving and traffic safety issues. Four other programs expressed interest in developing newsletters when time and resources become available (see Table 12 for information on states with newsletters, including the audience and content).

Three of the 15 states have Listservs devoted to traffic safety issues. Two of the states with Listservs did not feel they were as effective as they could be. One program director noticed that many prosecutors preferred to call and get an immediate answer to a question without having to wait for a response. Another associated the lack of activity with the lack of effectiveness, as only about 10 percent of prosecutors in the state were signed up, and currently only about one message a week is posted. On the other hand, the program director in a large rural state found the Listserv to be extremely effective, especially as a way for prosecutors in rural areas to communicate with colleagues across the state.

Several states that do not have a Listserv have a website which acts as a central meeting point for prosecutor questions. In many states where the TSTP is related to the state prosecuting attorneys association, this website is part of that main site. Some websites have a forum or bulletin board for users to ask questions, provide answers, and discuss topics. Others have uploaded a number of resources, including current newsletters, training manuals, expert witness information, legal briefs, and general traffic safety prosecution information.

⁴ Michigan does not require CLE of its prosecutors.

3.4 Assistant Prosecuting Attorney Training

Basic skills training was considered to be the most effective means of preparing prosecutors to prosecute alcohol-impaired driving cases. Several program directors reported that new prosecutors, who usually work on these types of cases, need to be better prepared and more practiced before going into the courtroom. Others reported that newer prosecutors need encouragement to recognize the importance of impaired driving prosecution, especially given that these cases are not very exciting to prosecute.

Basic trial advocacy training was mentioned as the best way to help new prosecutors through the actual trial. This type of training teaches prosecutors about motions, what to expect in court, and how to perform opening and closing statements. Program directors reported that training topics should be closely tied to the kinds of issues that come up most frequently in the court setting. One program director found it effective to provide new prosecutors with a “DWI toolkit” at the beginning of their careers, and then continue to answer their questions and provide them with support as long as they are prosecuting DWI case.

Mentoring was mentioned as being the ideal means of preparing assistant prosecuting attorneys. For example, one program director stated that with unlimited resources, he would team up every experienced assistant prosecuting attorney with a novice. Another strategy identified was the development of a DWI manual for assistant prosecuting attorneys to use as resource, in addition to seminars which reinforce information and provide updates.

Many stressed the importance of providing hands-on training and observed that adults “learn better by doing.” Practice, especially in the form of mock trials, was considered to be especially useful. This type of training allows prosecutors to practice skills used specifically in alcohol-impaired driving cases, as well as be critiqued by more experienced prosecutors.

In addition to learning basic skills, several program directors reported that prosecutors need to learn how to focus and prepare for individual cases. One program director observed that prosecutors fare better in the courtroom when they know the case “backwards and forwards,” including the facts and circumstances, and strengths and weaknesses. A technical understanding of what is involved in impaired driving cases was also considered to be important. With this knowledge, prosecutors are more confident and knowledgeable about the case and the issues involved, and can more effectively convey the case to the jury. Familiarity with the law, and being up-to-date on

case law, were also considered essential for a successful prosecution by some program directors.

Strong communication with law enforcement was also reported as a necessary and effective way to prepare prosecutors. One way to promote this communication is to have prosecutors become more aware of the work performed by law enforcement. One program director found it helpful to bring in law enforcement to prosecution offices to demonstrate field sobriety testing. Others preferred to have prosecutors join officers in the field to learn how they perform their jobs so that they would be better able to communicate with officers, and prepare them to testify on the witness stand. Similarly, visits to scientific labs to observe how breath and blood testing is performed was also considered to be effective.

3.5 Law Enforcement Training

Many of the same issues raised by program directors relative to prosecuting attorney training were reported here. Basic skills training and practice were considered to be the best and most effective means of training law enforcement. Although law updates were considered important, most program directors felt strongly that police officers needed to be taught how to testify, and to gain experience by practicing testifying. Hands-on training, especially mock trials, was emphasized as an effective strategy. By sitting on the witness stand, officers become familiar with the types of questions that will be asked in the courtroom, and are able to prepare confident answers. One program director also felt that the sharing of “war stories” among officers helped them to prepare and become familiar with commonly experienced case scenarios.

Communication between prosecutors and law enforcement was also mentioned as important. Several strategies for strengthening communication were discussed including providing opportunities for law enforcement to understand what prosecutors do on a daily basis, training police officers and prosecutors together, and facilitating the joint trial preparation by prosecutors and law enforcement by providing opportunities for them to sit down before the trial, become familiar with each other, and go through the case to make sure they are on the same page. It was noted however, that law enforcement officers do not always want to be trained by prosecutors, but if officers understood the elements necessary to prosecute a case, they might be more willing to cooperate.

Other effective strategies for training police officers included the mentoring of new officers by more experienced officers and developing teams of police officers and prosecutors. The importance of training for judges was also noted. This type of training

usually involves meeting with defense attorneys, updating judges on case law and current state issues, and practicing mock motions.

3.6 Program Evaluation

Most of the program directors indicated that their programs had not been formally evaluated. Four were not sure and one reported that an evaluation was undertaken but was not completed because of problems trying to analyze trial data due to inaccurate record keeping. Some states noted that they conduct course evaluations and/or send monthly reports to their state department of transportation; thus, there is some informal monitoring that occurs. In one state, a representative from NHTSA visits regularly and sits in on her training sessions. One program was evaluated by an external agency, but the program director was not sure what the findings were.

3.7 Strategies and Resources for Program Development and Implementation

Most program directors considered their fellow program directors to be their most valuable resource for developing and running their program. Being able to ask other program directors for help and for ideas on how to respond to various issues was considered extremely valuable. Many of the program directors mentioned Michigan's program director by name, considering him to be a great help to them and their programs. The Listserv for program directors received high marks in terms of providing an excellent forum to communicate in general, and to see what has and has not worked in other places. It has also been helpful in networking with agencies in other states, or directing attorneys to the program director of another state who might be encountering a similar problem.

The sharing and development of ideas among program directors was considered to be essential. For example, a PowerPoint presentation developed by one program director might be shared with another, and then improved based on his or her feedback, benefiting everyone. Similarly, program directors often visit each other, sitting in on training sessions and sharing ideas.

Newer program directors rely heavily on their more experienced counterparts. Programs just starting out are often modeled after successful components of programs in other states, building on the best of what is already in place elsewhere. One newer program director expressed gratitude for the number of resources developed for new program directors, making her job much easier. She indicated that because she lacks support staff, she relies on the previous program director and directors in other states. Another mentioned the benefits of the *Train the Trainer* classes. These classes were

helpful when taken early in her appointment, and provided her with an opportunity to bond with other program directors and learn from them.

Some program directors noted that other agencies and individuals were also helpful to them. For example, one program director works with the Department of Health on alcohol-impaired driving research and sits in on meetings and discussions regarding providing alcohol to minors. With many different agencies working together toward the same goal, they can help each other and continually re-evaluate to determine whether or not their activities are helping cut down on alcohol-related problems. Two program directors emphasized the value of teamwork with experts from around the state, law enforcement officials, and others. Another found national and state networking with other prosecutors and experts to be helpful, as well as a source for finding people to teach the training courses.

Other program directors indicated that support from their local prosecuting attorneys' association or highway safety office was especially helpful. One mentioned that the manager of the highway safety office has the program director train a variety of people including judges to ensure that they are informed about alcohol-impaired driving issues, as well as alerts her to new issues she may want to add in her trainings. Others noted that the freedom that these organizations gave the program directors to do their job was very much appreciated. Finally, program directors recognized police officers and prosecutors who were open, interested, and wanting to do their job right as being instrumental in helping them run their programs effectively. One program director was especially appreciative of police officers who take the time to call and ask for advice, even though alcohol-impaired driving stops are already extremely time consuming for them.

3.8 Challenges

Overall, the most common challenges mentioned were geographic or time related. This is not surprising as many of the program directors come from large states and run their programs without help. One program director indicated that traveling through the state to get to know all the county prosecutors was particularly time consuming. Another tried to use local prosecutors as regional coordinators to help manage the state and reach all regions of prosecutors. However, local prosecutors who help out in this way do so on their own time, and do not receive any funding through the grant.

Two prosecutors, both the first to hold the position in their perspective states, were having problems managing the extra work involved in developing the program. These prosecutors found it challenging to define the needs of prosecutors and law

enforcement in their states, and develop ways to address their problems. Another program director with a different background was adjusting to work in traffic safety, and also struggled with the workload. This prosecutor felt there was too much to be done for one person, and the prosecutors in the state were paying the price, for example, by not receiving a newsletter.

Others found it difficult to get the word out about their position. Though his program was only a few months old, one prosecutor felt many assistant prosecuting attorneys are still unaware that he is there as a resource for them. Another also reported difficulty making others aware of his position and getting counties to realize the resources available to their prosecutors, especially when each county gets a new batch of prosecutors each election. One program director cited the high turnover of prosecutors who try impaired driving cases as a reason for the difficulty in keeping all prosecutors informed. Despite other struggles in developing awareness of the position, one found the program's newsletter to be helpful in drawing in questions from prosecutors. As with any grant-funded program, many program directors struggled with administrative and funding issues. One program director found it difficult to recruit highly experienced, specialized prosecutors to teach at classes, due to lack of funding. Another could not go to conferences or leave the state to go to other trainings because her funding system requires her to pay out of pocket for expenses and then request reimbursement, which can sometimes take a long time. In a state that is trying to fill five regional program director positions, problems have been encountered filling the positions due to the relatively low salary permitted by the budget compared to the high cost of living. Another program director reported that the grant process was time-consuming, tedious, and stressful. One program director noted that it has been difficult at times to satisfy the interests of both the state traffic safety office and the Attorney General's office in terms of what is done with the grant funding. Other concerns had to do with a perceived lack of emphasis on traffic safety, limited financial resources, and the challenges associated with bringing together different constituencies, including elected prosecutors, assistant prosecuting attorneys, law enforcement officials, and judges, and sometimes convincing especially the prosecuting attorneys of the value of the training.

Table 8. TSTP Programs, Funding, and Administrative Structure			
State	Start	Funding	Administrative Structure
CA	2007	NHTSA → California State Office of Highway Safety → California District TSTD → TSTP	Funding covers one TSTP director for the entire state, 5 regional TSTPs, and a Public Information officer. No support staff, but CA DA Association is available.
CT	1990	NHTSA → Governor's Highway Safety Office → TSTP	TSTP → NHTSA and Chief State's Attorney No support staff, though will occasionally use the staff of other agencies (e.g. police) when needed
ID	2006	NHTSA → Idaho Transportation Department → Idaho Prosecuting Attorneys' Association → TSTP	TSTP → Idaho Prosecuting Attorneys' Association
IL	2006	NHTSA → IDOT and Highway Safety Office → TSTP	TSTP → Director of Highway Safety Officially employed by IDOT, but "loaned" to Highway Safety Office
IN	2002	NHTSA → Indiana Criminal Justice Institute → Indiana Prosecuting Attorneys Council → TSTP	TSTP → Indiana Prosecuting Attorneys' Council (IPAC) Support staff includes IPAC staff, part time assistant, and a fiscal agent
KY	2007	NHTSA → Traffic Safety Cabinet	TSTP → Prosecutor's Advisory Council (PAC) → Attorney General's Office Support staff available from PAC.
MA	2003	NHTSA → Governor's Highway Safety Office → MA District Attorneys' Association → TSTP Part time funding since 2003, full time started in 2006	TSTP → MA District Attorneys' Association → Governor's Highway Safety Office
MN	2007	NHTSA → Minnesota Office of Traffic Safety → MN District Attorneys Association → TSTP	TSTP → Minnesota District Attorneys' Association
MO	2004	NHTSA → Division of Highway Safety	TSTP → Missouri Office of Prosecution Services

			No support staff.
MS	2004	Through Highway Safety Office	TSTP → Prosecutors Training Division → Attorney General's Office. No support staff, but part time law student as clerk
NJ	2004	Originally, partially funded by National Association of Prosecutor Coordinators. Now fully funded by Division of Highway Traffic Safety	TSTP → NJ Division of Criminal Justice, Prosecutor Supervision and Coordination Bureau
NM	2005	NHTSA → Traffic Safety Bureau Prior to 2007, ½ salary and training programs from Traffic Safety Bureau, and ½ salary from National Association of Prosecutor Coordinators	TSTP → Traffic Safety Bureau Full time assistant.
SD	2005	NHTSA → Highway Safety Office → TSTP	TSTP → Executive Director of the State Attorneys' Association (run through private office) → Highway Safety Office
TX	2004	NHTSA → TX DOT → TX District and County Attorneys' Association (TDCAA) → TSTP Also, matching grant from state of TX	TSTP → Program Education Director → Executive Director of TDCAA → Board of Trustees at TDCAA
WI	1992? 2003-TSTP	NHTSA → University of Wisconsin Law School → TSTP	As part of the Continuing Legal Education office at the University, TSTP is supervised by Dean of Law Department. University support staff is paid through NHTSA grant for time spent on TSTP program.

Table 9. Formal Training Provided				
State	Training Held	Frequency/ Attendees Per Course	Courses Offered	Course Details
CA	Regionally	Quarterly, but intensive seminar once a year	12 one-day quarterly seminars	Variety of DWI Topics
			2.5 day intensive seminar	DWI cases and Vehicular Manslaughter
			Ad hoc training at local DA offices	Topic specified by DA office
CT	Prosecution: Centrally	Held afternoon /morning	Drugged Driving	
	Police: Police academies	Well attended	Toxicologist Interviewing	
			Scientific Aspects of DUI	Lectures by experts about blood/ breath testing, measuring instruments, etc)
ID	Regionally	Varies, but usually 30 per course	Trial Advocacy	
			Impaired Driver	
			Drug Recognition	
			Lethal Weapon	
			Train the Trainer	
			Underage Drinking	Target to law enforcement
IL	Regionally	Varies by course	Nuts and Bolts	Basic DUI training for police and prosecutors, teaches basics of SFST and toxicology
			Basic Crash Investigators Course	
			Cops in Court	1 day, lecture and practice testifying for police
			Practice and Procedure	For law enforcement only, teaches how to write reports, etc.
			Drug Impairment Course	
IN	Multi-day courses: Centrally	Varies by course	Traffic and OWI Legal Update	Held after legislature has met and new laws are passed
	Special classes: Regionally		Trial Advocacy	Held for 3 days, biannually
			Visual Trial	
			Toxicology for Prosecutors (OUI Laws)	Discusses rules, regulations, and legal implications
			Lethal Weapon	Vehicular homicide
			Cops in Court (with Trial Advocacy school)	Teaches how to be a witness and testify
			Lunchtime lectures	By invitation only

KY	Regionally	Courses have been full, accommodate 30-40 people	Protecting Lives, Saving Futures	Held 3 times a year
			Mentorship Program	New prosecutors will get 1 day training
MA	Regionally (by county) and centrally	20-25 courses held per year	Trial Advocacy	
			Crash Reconstruction	
			County Trainings	On topic of county's choosing
			Judge/Law Enforcement Training	Issues specific to judges/law enforcement
MN	Regionally Also scheduling course via satellite	First course had not yet been given at time of interview	DWI	
			Criminal Vehicular Operation	
			General Traffic Safety	
MO	Centrally and Regionally	Annual DUI conference-125 Periodic other courses- 30	DUI Conference	Lectures given over 2 days on topics related to DUI
			Trial Advocacy	Held for new police and prosecutors
			Protecting Lives, Saving Futures	
			Topical Courses	Regional courses held by request on topics chosen by the region, 1 or ½ day sessions
MS	Regionally (north/south/central)	50-100 present at individual courses Hundreds attend main conferences	2 Main Conferences for all attorneys	
			County and City Attorney Conference	
			ADA and DA Conference	
			Field Sobriety training for law enforcement	
			Cops in Court/Mock Trial	Held at police academy
NM	Regionally	One training every two months or so	DWI Training	1 day, includes lectures on case law update, lab issues, victim's rights and constitutional issues, Ignition Interlock issues, administrative vs. criminal DWI hearings, and sometimes training from experts
			Crash Reconstruction	3 Day, NHTSA-funded training
SD	Regionally Main conference held centrally	30 participants per course	State Attorneys' Conference	
			Field Sobriety Testing	Courses are taught by both police officers and state attorneys
			Intro to DWI prosecution	
			Trial Practice	Law enforcement courses are more specifically police-related (e.g. legal updates, reasonable suspicion stops, testifying in court)

TX	Regionally	18-21 programs/year Averages about 65 per group	Modules: Region holding the training can pick segments they wish to be trained on	
			The Stop	4 th Amendment Issues
			Contact	Investigations during initial contact
			Story Telling	Direct Examination for Officers and Prosecutors
			Meeting the defense	Preparing for and surviving cross examinations
			Blood will Tell	Involuntary blood draws/blood search warrants
			Visual Trial	Using video/visual evidence in trial
			Worst Case Scenario	Intoxication assault and intoxication manslaughter
WI	Regionally and Centrally	Twice a year, many in attendance	DUI/Traffic Safety Programs	2 day training, mainly lectures and discussion
		Once or twice a month, by request	Legal Updates	Held regionally
			In-service training	Training on various topics takes place at specific offices
		Regionally, 2-3 times a year	SFST and DRE Trainings	Training of police officers regarding SFST and DRE
			Trial Advocacy	For new prosecutors, part lecture from experienced prosecutors and part mock trial, where new prosecutors are critiqued by more experienced ones

Table 10. Targeted Audience, Means of Recruitment, and Number of Prosecutors Represented at Trainings			
State	Audience	Recruitment Means	Prosecutors Represented
CA	Prosecutors Law Enforcement Experts	<ul style="list-style-type: none"> • Website Announcement • Newsletter Announcement • Word of Mouth • Fliers 	50% of offices so far
CT	Police Recruits In-service Police Instructors Prosecutors of all Levels	<ul style="list-style-type: none"> • Police are required to attend and have a certain number of hours of DWI training • DWI training offered to prosecutors as continuing education classes 	200 individual prosecutors
ID	Prosecutors Law Enforcement	<ul style="list-style-type: none"> • Idaho Prosecuting Attorneys' Association (IPAA) sends announcements • Separate invitations to non IPAA offices • Website announcement • IPAA is housed at police academy, which helps bring in law enforcement for training 	80-85% of prosecutors attend trainings at major conferences
IL	Prosecutors Law Enforcement	<ul style="list-style-type: none"> • Email everyone • Invitation to each office 	50% of prosecutors
IN	Prosecutors Law Enforcement	<ul style="list-style-type: none"> • Brochures to elected PA • Website announcement • Newsletter announcement • Mentor Group announcement • Word of Mouth 	Varies by topic and course
KY	Prosecutors Law Enforcement	<ul style="list-style-type: none"> • Letters sent to each office • Attempts to restrict attendance so each region can be represented 	Cannot determine
MA	Prosecutors Law Enforcement Judges	<ul style="list-style-type: none"> • Emails to all prosecutors and law enforcement • Announcement sent to county offices • Word of mouth 	100%

MN	Prosecutors Law Enforcement	<ul style="list-style-type: none"> • N/A 	Courses had not yet been held at time of interview
MO	Prosecutors Law Enforcement	<ul style="list-style-type: none"> • Announcement in newsletter • Emailed to group • Mailed to each PA office and selected law enforcement offices 	Approximately 50%
MS	Prosecutors Law Enforcement	<ul style="list-style-type: none"> • Police are required to take training courses • Grant permits prosecutors to attend for free 	Difficult to say
NM	Prosecutors Law Enforcement Occasionally parole officers, county and state DWI coordinators, and tribal officers	<ul style="list-style-type: none"> • Prosecutors are sent an email about upcoming courses • Announcement made on Traffic Safety websites • Main police trainer spreads word to law enforcement 	About 10% of offices are represented at trainings
SD	Prosecutors Law Enforcement	<ul style="list-style-type: none"> • Written invitation sent to all offices • Training announced at highway patrol meetings 	About 90% of all prosecutors are represented at some training in a given year
TX	Prosecutors Law Enforcement	<ul style="list-style-type: none"> • Usually, local prosecution offices contact TSRP requesting training • Also promotion materials sent to PA offices, state DOT, and MADD • Advertisement in police training academies 	About 5% attend regional courses About 30% receive training some sort of training throughout the state
WI	Prosecutors Law Enforcement	<ul style="list-style-type: none"> • Announced on website • Newsletter announcement • Brochures mailed to offices 	Approximately 50-60% receive some training in a given year

Publication	Frequency	States
Case Law Update	Weekly	TX
Prosecution Manuals	Updated when needed	TX, MA, WI, CA MO, KY, ID (in progress)
Newsletter	Quarterly	WI, CA, IL, ID
Newsletter	Every 2 months	MO
None yet		CT, SD, MS, NM, MN, NJ, IN

State	Frequency	Audience	Content
ID	Quarterly	Prosecutors, Law Enforcement, Interested Community Members	<ul style="list-style-type: none"> - Case Law Updates - Success Stories - Articles on specific topics (for example, cross examination of crash reconstructionists)
IL	Quarterly	Prosecutors	<ul style="list-style-type: none"> - Case law updates - Serious cases - Crash reconstruction information - Non-DUI noteworthy ideas in traffic safety - Problem issues
MO	Every 2 months	Prosecutors and Law Enforcement	<ul style="list-style-type: none"> - Case law updates - Answers to arising questions - General defense information - Articles from other TSRPs
CA	Quarterly	Prosecutors	<ul style="list-style-type: none"> - Topical articles - Technical, legal, or practical articles related to DUI and vehicular homicide cases
WI	Quarterly	Prosecutors, Law Enforcement, Judges	<ul style="list-style-type: none"> - Recent case law and changes in law - Articles from State Laboratory of Hygiene (blood test provider) and MADD - Breath test articles and other traffic safety issues of interest - Training announcements

4 PAAM TSTP Outcomes

The purpose of the PAAM Traffic Safety Training program is to provide opportunities for new and experienced prosecuting attorneys to improve their ability to effectively prosecute traffic safety violations. Determining the extent to which this has been achieved is not without its challenges. Although conviction rates may at first glance appear to measure effectiveness of prosecution, the measure is neither direct nor objective because there are many factors beyond control of the prosecutors that affect the final resolution of a case (e.g., judges, courts, police officers). More appropriate indicators of success of the educational and training program would be evidence that the prosecutors are applying their training successfully to their impaired driving cases. Initially, it was decided that structured interviews would be conducted with assistant prosecuting attorneys. The idea was that a set of quantitative outcomes of the training program could be identified through careful review of specific cases. To that end, we developed a structured interview and pilot tested it by reviewing two impaired driving cases with one assistant prosecuting attorney. However, recruiting a sample of assistant prosecuting attorneys for such reviews proved to be very challenging. After multiple attempts we could not recruit assistant prosecuting attorneys to participate in the study⁵.

We therefore turned to a survey of assistant prosecuting attorneys as an alternative approach to assess the effectiveness of the PAAM TSTP in prosecuting impaired driving cases. We developed a short survey instrument that asked respondents about the relevance of the training, how useful it had been to them in prosecuting impaired driving cases, what they valued about the program, what additional topics would be helpful to them, and recommendations for improvement (see Appendix C for the instrument). The survey is different from the follow-up survey conducted by the program because we are an outside organization; we are not asking about specific seminars, but rather about the effect of the seminars collectively on prosecution of traffic safety violations.

The survey of assistant prosecuting attorneys was conducted in September 2007. UMTRI researchers contacted potential respondents by telephone and asked them to participate in a telephone interview or complete a written survey. A request was posted to the membership of the PAAM Listserv to complete the survey.

⁵ We were successful in recruiting one respondent. We believe that the time required for a review made it difficult to schedule an appointment. The review of two impaired driving cases during pilot testing took two hours.

4.1 Respondents

In all, 40 responses were received; 38 were from assistant prosecuting attorneys, 33 of whom had attended at least one PAAM traffic safety training course from 2001 through 2006, and five who had not, but were members of the Listserv. Of the remaining two respondents, one was from the Michigan State Police, and one from an “other” affiliation. The number of PAAM traffic safety training sessions attended by those who had attended at least one session in the past 6 years ranged from one to seven with an average of 2.7 sessions. The respondents had been assistant prosecuting attorneys in their current offices from 0.75 to 29 years, with an average of 7.7 years. The respondents prosecuted an average of 110 DWI cases per year (with a range of zero to 485 cases, although one respondent stated “thousands”). On average, 7.1 of their impaired driving cases went to trial (the reported range was zero to 45 cases, one respondent reported “hundreds”). The respondents also indicated that on average they prosecuted about 1,140 other cases per year.

4.2 Usefulness of Formal Training

Table 13 shows the distribution of responses to the question asking about the usefulness of the formal PAAM training to the prosecution of DWI cases.

Thinking about the formal PAAM training you have participated in, how useful has it been in helping you in terms of the following:				
	Not at all useful	A little useful	Somewhat useful	Very useful
Trial Preparation	0	2	6	24
Filing briefs	0	2	8	19
Jury selection	2	8	7	12
Cross exam (Expert Witness)	1	0	3	25
Cross exam (Other Witness)	1	3	9	15
Jury communication	2	5	11	11
Visual displays	2	4	7	19
Technical issues	1	0	6	25

The distribution of responses indicates that in all but one topic area, the majority of the respondents stated that the training they received from the program was very useful.

The two areas that for which the program appeared to be the most useful were cross examination of expert witnesses and technical issues.

Respondents were specifically asked how TSTP was useful to them in each of the areas listed in Table 13.

Trial Preparation

Nearly all respondents reported that the PAAM training helped prepare them for trial, although several mentioned that most of their traffic safety violation cases do not go to trial. Participants stated that they learned how to: organize files for specific charges, assemble exhibits before trial, and prepare for certain witnesses and defenses. Participants also learned how to “think outside of the box” to anticipate impaired driving issues ahead of time and “ferret out” potential defenses the defendant might raise. By understanding the changing issues related to impaired driving, these prosecutors felt they were better able to anticipate issues and unexpected defenses.

Respondents reported that listening to experienced prosecutors who spoke at the seminar gave them insight into identifying potential issues that would come up in a trial, such as new defense arguments and motions used by the defense and ways to respond to them. They stated that they learned about issues regarding pretrial motion filing and defense, and that they learned how to cross examine witnesses more effectively, especially defense experts.

The sharing of ideas among prosecutors, the discussion forum for sharing legal citations and ideas for deferent defenses, the ability to tap into other resources, and case law updates also were mentioned by prosecutors as being extremely helpful when preparing for trials.

Filing Briefs

Many prosecutors found PAAM training to be helpful with filing briefs. They mentioned the importance of staying up-to-date on: case law, legal citations, new defense arguments and motions, and trends in certain courts. The prosecutors also mentioned that TSTP provided useful briefs on new issues. Much of PAAM’s brief bank, which includes responses to common defense motions, defense transcripts, and a number of sample briefs, is available online for easy access. The exchange of experiences about expert witnesses and court experiences proved useful. Also mentioned was that the information exchange facilitated by the TSTP helped them solve problems more quickly and keep legal positions consistent among the prosecutors.

Some respondents reported that the PAAM training provided a useful guide for filing proactive briefs as well as responding to defense briefs. They stated that TSTP provides answers to questions concerning legal issues that are especially helpful with new defense attacks. Respondents also felt training was helpful in terms of making arguments and responding to motions in court, especially regarding technical aspects of how impaired driving cases are investigated, as well as technical issues such as the DataMaster.

Jury Selection

Jury selection is an important part of any trial. Respondents said that TSTP helped them with jury selection by showing them how to identify certain biases and providing insight into who should and should not sit on a jury. TSTP provided them with a guide for questioning jurors, including good ideas on topics to cover during questioning, and the exchange of voir dire questions has been extremely useful. Several prosecutors interviewed also mentioned that training on jury selection helped them better understand jurors and their perspectives on issues developing during trials.

Cross Examination (Expert Witness)

Effective cross examination of expert witnesses is essential to a successful prosecution. Many of the prosecutors mentioned the value of PAAM's expert witness transcript library and brief bank. This bank includes transcripts of expert witness that frequently appear in Michigan. TSTP also obtains transcripts and other information about out-of-state experts when they come to Michigan. In preparation of trials, prosecutors can review these transcripts, read about other's experiences cross examining a particular witness, and evaluate the weaknesses of a specific witness or argument regularly presented by the witness. Technical rebuttals can be used at trial.

Prosecutors reported that they learned techniques for cross examining experts as well as the fundamentals of the witness's subject of expertise. They noted that they learned how to ask questions in a way that does not alienate the jury while neutralizing the expert witness's affect on the jury. Others found videotaped practice with mock witnesses to be beneficial. Many prosecutors also found the PAAM forum, Listserv, and newsletters to be effective ways to share ideas, meet with people who have already cross examined specific witnesses, and stay updated on the changing law, especially the evolving state of Daubert and other legal issues.

Cross Examination (Other witnesses)

In addition to experts, respondents reported that they also learned some new techniques for cross examining other witnesses, especially defendants. Respondents indicated that the training was helpful in determining the best way to approach the cross examination of witnesses. One prosecutor found it especially helpful in eliciting those one or two important points to use from cross-examinations of defense witnesses, and another learned ways to question witnesses in ways that help avoid asking one question too many. Participants in these trainings also learned how to use the defendant and other witness's testimony to build their case against them.

Jury Communication

Many respondents reported that TSTP training helped them with jury communication in many ways. Several respondents appreciated the training in how to deconstruct seemingly complex issues to make them more understandable to the jury. Specifically, techniques to help explain the science behind blood alcohol content and the DataMaster, and the background and foundation of police procedures like breath testing and field sobriety testing were helpful. TSTP also provided prosecutors with suggestions on how to keep juries focused on the issues and the facts of the case, and how to read the jury's responses to witnesses and arguments. Respondents mentioned that they learned general theories of closing arguments that they have been able to apply to their cases.

Visual Displays

Many respondents mentioned that TSTP emphasized the overall importance of presenting information visually, and that visual information can keep the jury's attention, as well as help the jury and the judge follow along with the case presented by the prosecution. They learned how to incorporate PowerPoint presentations, maps, element boards, and scene reconstruction into their presentations. They reported that use of visuals in the trial offset the "CSI effect", in which jurors are influenced by the technical scientific jargon presented by the defense.

PowerPoint training is heavily emphasized by TSTP and is one of the most popular and frequently attended training sessions. Most prosecutors felt that PowerPoint is modern, efficient, and effective. Many survey respondents mentioned the TSTA helps with both technical and practical issues in visual displays. Even prosecutors who did not feel technologically confident enough to use PowerPoint in their trials have used some of the techniques in other visual presentations. TSTP has distributed sample PowerPoint presentations to prosecutors across the state, as well as to those in the training

sessions, so prosecutors who have not attended specific training on PowerPoint are also incorporating it into their trials.

Technical Issues

Many of PAAM's training courses focus on educating the prosecutor on the technical issues involved with impaired driving cases. This is especially important because prosecutors are not scientifically trained on technical issues. As one survey respondent stressed, technical training is essential because it is easier to convince a jury that evidence is compelling when the prosecutor understands the evidence and is also convinced it is compelling. Prosecutors trained to understand these issues can use this technology to their advantage in the courtroom.

Survey respondents agreed that PAAM training helped prosecutors learn the technical aspects of blood and breath testing, lab results, Standard Field Sobriety Test (SFST), and the use of videotape. Learning about the DataMaster and DNA was mentioned as being particularly useful. Presentations on the Michigan State Police lab and on the administration of field sobriety tests were also mentioned as being helpful in understanding what goes on at the lab or in the field.

The respondents mentioned that the TSTP staff assisted them in any way possible, from answering questions on driver license records and reciprocity between states to distributing helpful information at training sessions. Several prosecutors found it helpful to be continually kept up-to-date on the changing laws surrounding these technical issues. They also mentioned that posting a technical question on the Listserv led not only to responses from other prosecutors who may have encountered the same issues, but also from Michigan State Police representatives, lab scientists, agents, and police officers.

4.3 Usefulness of Other Resources

The respondents were asked how often they used the other resources of the PAAM Traffic Safety Training program and if they found them useful in prosecuting traffic safety violations. Tables 14 and 15 summarize their responses.

Table 14. Frequency of Use of Other Resources of the PAAM Traffic Safety Training Program				
Assistant prosecuting attorney from the formal PAAM training courses, how often have you used the following PAAM resources?				
	Never	Rarely	Sometimes	Often
Listserv	6	1	6	24
Newsletters	0	0	12	28
Technical support	2	3	16	15
Legal Research	0	7	15	15

Table 15. Usefulness of Other Resources				
How useful have you found the following in helping you prosecute DWI cases?				
	Not at all useful	A little useful	Somewhat useful	Very useful
Listserv	6	2	4	25
Newsletters	0	3	14	20
Technical support	2	3	12	18
Legal Research	1	6	7	22

Those who responded that resources were useful were asked to provide further details about how they were useful. Their open ended responses are summarized below.

Listserv

Survey respondents overwhelmingly found the use of the Listserv to be somewhat or very useful. It should be noted that a posting about the survey went out on the Listserv, so the respondents to this question may be somewhat biased about this topic.

Many respondents referred to the Listserv as the best and most valuable tool available to prosecutors in Michigan. They noted that the Listserv provides them with instant access and communication to prosecutors throughout the state who likely have encountered similar situations or defense strategies. An individual can send out an urgent request and get quick feedback from many experienced prosecutors. Access to certain individuals who would not be easily available to them was mentioned by several respondents as being a benefit of the Listserv, as it allows the user to ask the questions directly to these individuals who had the answer. This is also one of the few forums where prosecutors can speak to each other freely about defense issues without concern of members of the defense bar listening in.

The exchange of ideas allows for the development of new approaches, rapid answers to questions, and updates on “hot” issues and defense tactics. Updates made by David Wallace from his communications with TSRPs in other states keep prosecutors aware of other issues going on around the nation.

Newsletters

Quarterly newsletters distributed on a variety of issues were also commonly cited as being useful. These newsletters keep prosecutors up-to-date on new and changing laws, court decisions, and popular defendant arguments. Many prosecutors mentioned the benefits of being updated on these ever-changing issues in their often overwhelmingly busy schedule. Respondents found the new and different perspectives useful, as well as information concerning vehicle interlock devices or other sentencing options. Constant updates on changes in traffic law helped one individual to incorporate more information into motion responses. Others found the tips and techniques on prosecution strategy helpful.

Technical Support

Respondents generally found the technical support provided by PAAM TSTP to be useful. Many mentioned David Wallace specifically. These individuals viewed Mr. Wallace as the technical expert and someone who is extremely accessible and knowledgeable in traffic safety law. He has also helped them reach contacts in the Secretary of State, Michigan State Police, and other crime labs.

Several prosecutors surveyed rely on the Listserv for technical advice. Here they find a number of resources, including information on technical issues and where to get further assistance, information regarding expert testimony, and access to and assistance with visual aids. One prosecutor found this especially beneficial regarding alcohol and toxicology issues, and another used the technical support provided by PAAM to learn about breath testing and the many issues related to the DataMaster

Legal Research

Many prosecutors found the immediate assistance available through PAAM to be invaluable. Respondents felt they could contact the TSTP staff at any time, whether before or during a trial, and get quick answers to questions and suggestions on case strategies, with staff often recommending a good case to turn to or at least a starting point in thinking about issues related to traffic safety. Others found the sample motions and briefs provided by PAAM to be extremely useful for working on important legal issues, such as Heidi’s law or for use when responding to defense motions. The

preparation of these briefs has decreased unnecessary research efforts and allowed prosecutors to spend their time more efficiently.

Other, (specify)

Although many prosecutors responding to this survey cited David Wallace's constant assistance as a tremendous resource, one respondent mentioned emergency phone calls specifically. This respondent noted that prosecutors can call David Wallace and his staff for help on issues before or during a trial. If he does not have an answer or a suggestion, he will find help or provide contact information for someone who can help. Another respondent specified that all aspects of the program saved an immense amount of time.

What further training or information would be most useful for you in prosecuting impaired driving cases?

Several prosecutors responding to the survey had suggestions they felt would be useful in prosecuting DWI cases. One respondent indicated he would prefer the basic DUI training to be held more often because it always seemed to fall on a time that this individual could not attend. Another wanted more frequent updates on defense trends so the prosecution can be better prepared to develop counter arguments. Several prosecutors mentioned that the continued training options was essential, and wanted more training on search and seizure issues, jury selection, getting through to the jury, and overcoming defense tactics with a jury. One respondent felt the issue of causation in DWI causing death cases needed to be stressed.

Other suggestions included the development of a comprehensive list of all of the most common defense arguments broken down by area along with appropriate responses with legal support citations and the development of a comparison chart on MCL 257 Code and MCL 324 (DNR) code OUIL/UBAL as it relates to statutory sections, penalties such as fines, costs, ability to recover officer and prosecution fees, license sanctions/suspensions, etc. One respondent indicated it would be helpful to have more access to the Driver's License Appeal Division's resources, as well as resources that can keep prosecutors up-to-date with the happenings in other states, especially the defense expert trends.

Another suggestion given by a prosecutor involved getting feedback from jurors. This individual thought opinion surveys of potential jurors and/or jurors who have actually sat on OWI trials would be helpful to determine what aspects of a case (for example, chemical testing, field sobriety testing) are most influential in making decisions.

The most common suggestions, however, were related to the prosecution of driving under the influence of controlled substances, which seem to be more prevalent. Many prosecutors were interested in more training in “drugged” driving and help with the prosecution of these cases without having to call in a pharmacist or Michigan State Police. Others felt officers needed further training to seek search warrants for drugs when the signs of drug use are present.

Is there anything else you would like to add about PAAM training and other services that we have not covered?

Overall, many prosecutors reported that PAAM was doing a terrific job providing support to prosecutors involved in the prosecution of traffic crimes. One respondent mentioned the program had been very helpful in training new assistant prosecuting attorneys, especially in large offices with constant personnel changes. Another prosecutor appreciated the legal memos and bullet point issue responses that can be distributed to local police officers, and felt the use of experts from Michigan State Police to be extremely helpful.

One respondent mentioned she was impressed with the caliber of people that PAAM had to assist them in prosecution, and many prosecutors had wonderful things to say about David Wallace. Prosecutors stated that “he does it all,” “is an effective and intelligent trainer,” and “is extremely helpful.” He has made training for OWI cases available to prosecutors who cannot attend the training seminar by developing materials that can be downloaded from the PAAM website. They also noted that David Wallace is a clearinghouse for briefs, and can put these prosecutors in touch with scientific and legal experts who can help on cases. He is accessible to answer questions, and can find an answer to a question even if he has to search for it. Others mentioned that he has always recognized what training opportunities are needed to keep up with the changing law and evolving defense theories.

One prosecutor warned against measuring the TSRP program’s value in terms of trial work, since this prosecutor found that most of what TSRP offers him is in pre-trial and general education so that he is prepared in the future. Another was concerned that budget cuts might lead to a reduction in valuable traffic safety training. Several respondents stressed the importance of the TSRP at a county level. Since smaller counties and offices may not have specialized divisions that larger counties have, they must have and aim to have quick access to information and resources that TSRP provides.

5 Discussion and Recommendations

An important goal of the traffic safety community and society in general is to reduce deaths and injuries resulting from traffic crashes. Enforcement and adjudication of traffic safety laws are critical to achieving this goal. Police may issue citations and make arrests; however, citations can be disputed, and defendants in many traffic law violation cases will employ various strategies to have the charges reduced or dropped. Effective prosecution of traffic law violations is essential.

Many challenges arise in prosecuting traffic safety violations. The youngest and most inexperienced assistant prosecuting attorneys are usually assigned to traffic cases, and heavy caseloads limit the amount of time that they or even experienced prosecutors can spend on any one case. Furthermore, some of those charged with impaired driving and other serious traffic safety violations are able to afford experienced, highly paid defense attorneys with substantial resources making these cases more challenging to prosecute.

The main objective of the PAAM TSTP is to improve the ability of the state's prosecutors to effectively prosecute violations of traffic safety laws, particularly those focused on operating while intoxicated or while impaired by alcohol or a controlled substance, operating on a suspended or revoked license, vehicular homicide, and vehicle crashes involving personal injuries.

To help prosecutors improve their ability to effectively prosecute traffic safety violations, the PAAM TSTP does the following:

- Provides continuing education seminars to help new assistant prosecuting attorneys develop skills to effectively prosecute traffic safety violations, and to help more experienced prosecutors increase their effectiveness in prosecuting more complex traffic safety violations such as vehicular homicide or felony drunk driving.
- Provides up-to-date reference materials to assist prosecutors in prosecuting traffic safety cases, including updates to the OWI manual, newsletters, legal memoranda, and other references to keep prosecutors current on the latest developments in traffic law.
- Serves as a dedicated liaison between the prosecutors and the traffic safety community by fostering communication among prosecutors, and between prosecutors and other traffic safety partners.

The objective of the present study was to evaluate the PAAM TSTP with respect to program implementation, as well as program outcomes related to the prosecution of traffic safety violations.

The TSTP is funded through annual grants from the Michigan OHSP, which require submission of quarterly reports summarizing activities carried out in each quarter of the year. We reviewed the grant applications and quarterly reports from the program for FY 2001 through FY 2006, and found that activities were thoroughly documented and were consistently carried out as planned. In all, there were 1,814 attendees at the training seminars in the 6 years from 2001 to 2006. The number of individuals who attended at least one training seminar in that time was 1,256. Of these, 43 percent were county prosecuting attorneys and assistant prosecuting attorneys, with about one-half of them attending more than 1 seminar, and 48 percent were from law enforcement. At the time of this report, there were 895 prosecuting attorneys and assistant prosecuting attorneys in Michigan. Although, the number of assistant prosecuting attorneys varies from year to year, and individual attorneys enter and leave the ranks, it appears that about one-half of the county assistant prosecuting attorneys in the state have attended at least one traffic safety training seminar

The *Green Light News*, a newsletter to keep prosecutors current on traffic safety matters, legislative bills, and court opinions has been published since 2001, and three supplementary newsletters with updates and information on underage drinking were added later. The Traffic Safety Training Attorney (TSTA) who directs the TSTP develops, organizes, and leads the training seminars, responds to questions and inquiries from prosecutors and law enforcement, consults on legal and technical issues, and provides technical assistance when needed. The program maintains a website that gives prosecutors access to resource material, and also maintains a Listserv group that provides a discussion forum for members. The TSTA serves as a liaison between the prosecutors, law enforcement, and the traffic safety community, and maintains contact with similar programs in other states.

We interviewed program directors from TSTPs in 15 states outside of Michigan about their programs. Training for prosecutors and police are the main services provided by nearly all programs, and the program directors also provide technical assistance, advice, consultation, and serve as a clearinghouse for resources that can be accessed by prosecutors and law enforcement. Most act as liaisons between prosecutors and the traffic safety community. Many provide up-to-date information to the prosecutors, and a few have regular newsletters. A few states have also initiated Listserv groups.

There is much similarity between most of these programs and the PAAM TSTP. However, most of the programs are newer than the PAAM program, and the PAAM program is more developed and comprehensive than most of the other programs. The PAAM TSTA, David Wallace, has been a resource for many of the programs in other states, and several of the program directors interviewed had high praise for him for helping them with their programs. It was very clear from comments from the TSTPs in other states that Michigan is very fortunate to have someone as dedicated, knowledgeable, and energetic as David Wallace at the helm of the program.

To examine if the TSTP increased the ability of prosecutors to effectively prosecute violations of traffic safety law, we surveyed a sample of prosecuting assistant attorneys and asked if the program helped them with basic skills for trial preparation, filing briefs, jury selection, cross examination of experts and others, jury communication, using visual displays, and responding to technical issues. We also asked them specifically how the program helped them. We asked about the usefulness of the newsletters, technical support, legal research, and Listserv, including specific ways in which it helped them as prosecutors. There were 40 respondents (average length of time as prosecutors, 7.7 years; average number of training sessions attended, 2.7; average number of cases per year, 110 impaired driving cases and 1,140 other cases).

Overall, the respondents indicated that the formal training of the TSTP helped them to prepare for prosecution of impaired-driving cases whether in trial or in pretrial motions and plea arguments. They noted that the experienced prosecutors who spoke at the seminars were especially thought-provoking and informative about what to expect in court, and about current defense strategies, how to prepare opening and closing statements, and how to cross examine expert witnesses. Respondents mentioned that they: learned how impaired driving cases are investigated; gained technical understanding about the DataMaster, field sobriety tests, blood and breath testing; and felt more comfortable with these technical topics. They also mentioned that they learned how to break down complex matters into series of simple facts that they could present to a jury and how to see things from the perspective of jurors. Respondents who took seminars with law enforcement officers noted that these helped them appreciate the perspective of law enforcement officers. Many mentioned that they learned the importance of using visual displays in the courtroom.

Most of the respondents found the other resources of the TSTP useful as well. In particular, the "brief bank" was mentioned as extremely useful. The bank is available to them through the PAAM website and includes responses to common defense motions, defense transcripts, expert witness transcripts, and sample briefs. The respondents who used the Listserv found it very useful because it gave them access to the

experience of others, including experts, almost instantaneously. Many respondents mentioned that the help, advice, and consultation that they received from the TSTA were invaluable.

Overall, the program appears to have a positive effect on improving the ability of new prosecutors to effectively prosecute traffic safety violations. Most of the training is tailored for inexperienced prosecutors and stresses the basics of prosecution with specific application to traffic safety. Not many of the seminars are designed for the experienced prosecutor. However, other aspects of the program, such as the consultations and technical assistance from the TSTA are particularly helpful in the more complex cases.

The TSTP solicits feedback about the formal training seminars by surveying participants immediately after the training and through a follow up survey. This is a good practice and should continue. However, the response to the follow-up survey is low which may be in part due to the long interval between participation and the follow-up survey, usually about 6 months. Reducing the interval to about 3 to 4 months may increase the response rate and still allow for enough time for participants to have applied the lessons learned from the training to their practice. The open-ended design of the questions on how participants have applied knowledge gained in the training may discourage some prosecutors from responding, given the other demands on their time. Revising the survey instrument with regard to how the questions are asked may reduce the respondent burden thereby increasing the response rate. At the same time the revised instrument could still collect useful information about the benefits of the program.

The Listserv appears to be an effective mechanism for fostering communication among prosecutors and other members. Membership in the Listserv group should be encouraged so that more prosecutors can take advantage of this network. There is also potential to expand the ways in which the Listserv is used, for example it could be used to identify topics for future training or even as a way to solicit feedback from participants.

There are some limitations to the evaluation reported here. In the absence of quantitative measures of outcomes, we relied on the self reports of those who participate in the program. If people report that they are more self confident and comfortable in the processes and procedures associated with prosecution, it is reasonable to expect that this would be reflected in stronger prosecution. However, we cannot state conclusively that the prosecution is more effective. As part of this study we did explore quantitative measures and tried to review actual cases with prosecutors to see if they applied the lessons from the training in their cases. For example, did they

use visual displays and presentations in the courtroom; did they review a defense expert's testimony in previous cases when preparing to cross examine him/her; are their questions for witnesses clearly worded and broken down into simple single concepts? We were not able to conduct actual reviews, beyond a pilot test, because prosecutors were not willing to meet with us because of their busy schedules. In the future it would be desirable to look at the program outcome more quantitatively. To do so, however, it would be helpful to test the reliability of quantitative measures, and develop strategies to get the prosecutors to cooperate in the review of cases.

6 References

Prosecuting Attorneys Association of Michigan. (2006). Traffic Safety Training Program. Available at <http://www.paamtrafficsafety.com>. Accessed June 12, 2006.

Appendix A: PAAM Traffic Safety Training Program Activities - Planned and Implemented

2000—2001

Objectives

1. To provide continuing professional education opportunities for all new assistant prosecutors to improve their ability to effectively prosecute traffic safety violations.
2. To provide continuing professional education opportunities for experienced prosecuting attorneys to improve their ability to effectively prosecute more complex safety violations, such as vehicular homicide or felony drunk driving.
3. To provide quality, up-to-date legal reference materials to assist prosecutors and other traffic safety professionals to more effectively prosecute traffic safety cases.
4. To provide a dedicated liaison between the state's prosecutors and the traffic safety community to work for better coordination in the prosecution of traffic safety violations.

Planned Training Programs	Implemented Training Programs
Two presentations of a three or four day OUIL Trial Advocacy program	<ul style="list-style-type: none"> • Basic OUIL Trial Advocacy program • Advanced OUIL
A three or four day Trial Advocacy Program focused on Vehicular Homicide.	
A one day training program on Accident Reconstruction.	<ul style="list-style-type: none"> • Accident Reconstruction seminar
Two presentations of a one day program on Vehicle Forfeiture and Immobilization.	<ul style="list-style-type: none"> • OUIL Vehicular Forfeiture seminar
A one day training program on Countering Defense Experts.	<ul style="list-style-type: none"> • Cross- Examination seminar
Four regional policy workshops for Prosecution Management Personnel on developing a comprehensive community approach to traffic safety, including the development of investigative protocols and case settlement policies.	<ul style="list-style-type: none"> • Regional Meetings
Planned Research, Publications and Technical Assistance	Implemented Research, Publications and Technical Assistance
The training attorney will consult with prosecutors by phone or in person on traffic safety questions, policies, and procedures.	<ul style="list-style-type: none"> • Consultations
The training attorney will prepare a quarterly traffic safety newsletter for prosecutors.	<ul style="list-style-type: none"> • The Green Light News was developed.
The training attorney will provide a legal column for the OHSP traffic safety newsletter.	
The training attorney will update PACC/PAAM's OUIL manual.	<ul style="list-style-type: none"> • Manual was revised and updated.
The training attorney will prepare model briefs for use by prosecutors on recurring traffic safety issues.	

The training attorney will prepare amicus briefs on traffic safety issues pending in MI's appellate courts.	
Planned Traffic Safety Liaison	Implemented Traffic Safety Liaison
The training attorney will serve as a liaison between prosecutors and OHSP, the SOS, MI's courts and Law Enforcement agencies on traffic safety issues.	<ul style="list-style-type: none"> • OHSP, SOS, MI State Police, MI Association of Chiefs of Police, MI's Sheriff's Association
The training attorney will participate in state and national traffic safety conferences	<ul style="list-style-type: none"> • Prosecution of Driving Under the Influence • Train the Trainer • Secondary Road Patrol Conference • S.T.O.R.M. (Sobriety Trained Officers Representing Michigan)
The training attorney will work with a representative from PACC, OHSP, and SOS to determine training and other grant priorities in succeeding budget years.	

2001—2002

Objectives

1. To provide continuing professional education opportunities for all new assistant prosecutors to improve their ability to effectively prosecute traffic safety violations.
2. To provide continuing professional education opportunities for experienced prosecuting attorneys to improve their ability to effectively prosecute more complex safety violations, such as vehicular homicide or felony drunk driving.
3. To provide quality, up-to-date legal reference materials to assist prosecutors and other traffic safety professionals to more effectively prosecute traffic safety cases.
4. To provide a dedicated liaison between the state's prosecutors and the traffic safety community to work for better coordination in the prosecution of traffic safety violations.

Planned Training Programs	Implemented Training Programs
Two presentations of a two or three day OUIL Trial Advocacy program	<ul style="list-style-type: none"> • Basic OUIL Prosecution • Advanced OUIL prosecution
Two presentations of a two or three day Vehicular Homicide Advocacy Program.	<ul style="list-style-type: none"> • Vehicular Manslaughter
A three day presentation of NDAA's <i>Protecting Lives, Saving Futures</i> .	<ul style="list-style-type: none"> • Protecting Lives, Saving Futures
A two day training on Accident Reconstruction	<ul style="list-style-type: none"> • Crash Reconstruction
Six half day trainings on the effective use of PowerPoint in the courtroom.	<ul style="list-style-type: none"> • PowerPoint Training • Corel Presentations
Half day trainings on the repeat offender laws, Standardized Field Sobriety Tests, and vehicle forfeiture and immobilization issues.	<ul style="list-style-type: none"> • Legal Issues in Traffic Safety

Two one day presentations on Secretary of State matters.	<ul style="list-style-type: none"> • Legal Issues in Traffic Safety
Other	<ul style="list-style-type: none"> • OHSP Party Patrols Training • Talking to a Jury: Are you Getting Through?
Planned Research, Publications and Technical Assistance	Implemented Research, Publications and Technical Assistance
The training attorney will consult with prosecutors by phone or in person on traffic safety questions, policies, and procedures.	<ul style="list-style-type: none"> • Consultations
The training attorney will prepare a bi-monthly traffic safety newsletter for prosecutors.	<ul style="list-style-type: none"> • Green Light News • Red Light Alert • Yellow Light Legal Update
The training attorney will provide a legal column for the OHSP traffic safety newsletter.	<ul style="list-style-type: none"> • Legal column written for Winter 2001, Spring 2002, and Summer 2002.
The training attorney will prepare model briefs for use by prosecutors on recurring traffic safety issues.	
The training attorney will prepare amicus briefs on traffic safety issues pending in MI's appellate courts.	
The training attorney will develop and maintain a web page for the Traffic Safety Training Project.	<ul style="list-style-type: none"> • Expanded to contain past editions of newsletters, registration forms for updated programs, and a calendar of events.
The training attorney will update, as needed, PACC/PAAM's OUIL manual.	
The training attorney will develop and distribute a PowerPoint training CD containing sample presentations and jury instructions on vehicular homicide and OUIL cases.	<ul style="list-style-type: none"> • CD created for traffic safety issues
Planned Traffic Safety Liaison	Implemented Traffic Safety Liaison
The training attorney will serve as a liaison between prosecutors and OHSP, the SOS, MI's courts and Law Enforcement agencies on traffic safety issues.	<ul style="list-style-type: none"> • Meetings with OHSP, Secretary of State, State Police, PACC/PAAM, Chief of Police Traffic Safety Committee, Governor's Traffic Safety Advisory Commission • Standardized Field Sobriety Test Seminar
The training attorney will participate in state and national traffic safety conferences.	<ul style="list-style-type: none"> • Train the Trainer seminar • Michigan Association of Traffic Accident Investigators • National Association of Prosecuting Coordinator's conference • Drugged Driver program • Lethal Weapon program • Michigan Alcohol Forum • Michigan Association of Chief of Police Summer/Winter Conferences • Michigan Traffic Safety Summit

	<ul style="list-style-type: none"> • Lifesavers • NHTSA Working Committee • Drunk Driving Defense Update
The training attorney will work with a representative from PACC, OHSP, and SOS to determine training and other grant priorities in succeeding budget years.	
In recognizing that Municipal Attorneys also prosecute OUIL and DWLS cases, an effort will be made to have municipal attorneys attend the training programs.	

2002–2003

Objectives

1. To provide continuing professional education opportunities for all new assistant prosecutors to improve their ability to effectively prosecute traffic safety violations.
2. To provide continuing professional education opportunities for experienced prosecuting attorneys to improve their ability to effectively prosecute more complex safety violations, such as vehicular homicide or felony drunk driving.
3. To provide quality, up-to-date legal reference materials to assist prosecutors and other traffic safety professionals to more effectively prosecute traffic safety cases.
4. To provide a dedicated liaison between the state's prosecutors and the traffic safety community to work for better coordination in the prosecution of traffic safety violations.
5. To develop a standardized OUIL packet that would minimize the time officers spend completing OUIL paperwork.
6. To coordinate and supervise two youth-alcohol prosecutor liaisons.

Planned Training Programs	Implemented Training Programs
A one or two day OUIL Trial Advocacy program	<ul style="list-style-type: none"> • Advanced OUIL
One presentation of a three day Vehicular Homicide Advocacy Program.	<ul style="list-style-type: none"> • Lethal Weapon
Two three day presentations of NDAA's <i>Protecting Lives, Saving Futures</i> .	<ul style="list-style-type: none"> • Protecting Lives, Saving Futures
Two half day trainings on the effective use of PowerPoint in the courtroom	<ul style="list-style-type: none"> • PowerPoint and Corel Presentations Training (2)
Four one day training sessions on writing a police report and how to testify.	<ul style="list-style-type: none"> • Cops in Court (4)
Four regional policy workshops for Prosecution Management personnel on a discussion on traffic safety policy matters.	<ul style="list-style-type: none"> • Regional Meetings
Other	<ul style="list-style-type: none"> • 0.08 Update Training

Planned Research, Publications and Technical Assistance	Implemented Research, Publications and Technical Assistance
The training attorney will consult with prosecutors by phone or in person on traffic safety questions, policies, and procedures.	<ul style="list-style-type: none"> • Consultations
The training attorney will prepare a quarterly traffic safety newsletter for prosecutors.	<ul style="list-style-type: none"> • Green Light News • Red Light Alert • Yellow Light Legal Update
The training attorney will provide a legal column for the OHSP traffic safety newsletter.	<ul style="list-style-type: none"> • Provided in Winter 2002, Spring and Summer 2003 • Additional column on the new 0.08 law
The training attorney will prepare model briefs for use by prosecutors on recurring traffic safety issues.	
The training attorney will prepare amicus briefs on traffic safety issues pending in MI's appellate courts.	
The training assistant, under the Attorneys' supervision, will develop and maintain a web page for the Traffic Safety Training Project.	<ul style="list-style-type: none"> • Website Expansion, newsletters now online
The training attorney will update, as needed, PACC/PAAM's OUIL manual.	
The training attorney will develop an OUIL Vehicle Forfeiture and Immobilization manual for prosecutors.	
Other	<ul style="list-style-type: none"> • Prosecution of Driving While Under the Influence Review • A Guide to Sentencing DUI Offenders Review
Planned Traffic Safety Liaison	Implemented Traffic Safety Liaison
The training attorney will serve as a liaison between prosecutors and OHSP, the SOS, MI's courts and Law Enforcement agencies on traffic safety issues.	<ul style="list-style-type: none"> • Meetings with Secretary of State, MACP, MAMAs, GTSAC, OHSP, State Police, Department of Corrections officials
The training attorney will work with a representative from PACC, OHSP, and SOS to determine training and other grant priorities in succeeding budget years.	
The training attorney will work with prosecutors and/or their representatives on issues and concerns of traffic safety.	<ul style="list-style-type: none"> • Regional meetings, phone conferences
The training attorney will work with assistant prosecutors on issues of traffic safety.	

The training attorney will attend, when scheduling permits, any PAAM Committee meetings when traffic safety/enforcement related issues are on the agenda.	<ul style="list-style-type: none"> • Meetings with PACC/PAAM officials • Committee meetings- Board of Directors, Legislative committee, Public Education, Law Enforcement • PAAM semi-annual conferences
The training attorney will participate in state and national traffic safety conferences to remain current on the latest knowledge and issues in traffic safety.	<ul style="list-style-type: none"> • National Association of Prosecuting Coordinator's conference • <i>Prosecuting the Impaired Driver</i> faculty • <i>Lethal Weapon</i> faculty • <i>Basic DUI</i> faculty • OHSP Safety Forum • Michigan Traffic Safety Summit • Michigan Association of Municipal Attorneys • NHTSA Working Committee of the National Association of Prosecutor Coordinators.
OUIL Paperwork Reduction Activities (Year 1)	Implemented Activities
Collect sample OUIL reports from around the country and form a task force.	<ul style="list-style-type: none"> • Committee created, reports collected
Youth Alcohol Prosecutor Liaison	
Test pilot project in two counties.	<ul style="list-style-type: none"> • Three prosecutors acting as liaisons • Began organizing a judicial liaison for the youth alcohol programs

2003—2004

Objectives

1. To provide continuing professional education opportunities for all new assistant prosecutors to improve their ability to effectively prosecute traffic safety violations.
2. To provide continuing professional education opportunities for experienced prosecuting attorneys to improve their ability to effectively prosecute more complex safety violations, such as vehicular homicide or felony drunk driving.
3. To provide quality, up-to-date legal reference materials to assist prosecutors and other traffic safety professionals to more effectively prosecute traffic safety cases.
4. To provide a dedicated liaison between the state's prosecutors and the traffic safety community to work for better coordination in the prosecution of traffic safety violations.

Planned Training Programs	Implemented Training Programs
Two presentations of a two or three day OUIL Trial Advocacy program	<ul style="list-style-type: none"> • OWI- The Science and the Law • Advanced OWI
One presentation of a two-day Vehicular Manslaughter Advocacy program.	<ul style="list-style-type: none"> • Lethal Weapon

One three day presentation of NDAA's <i>Protecting Lives, Saving Futures</i> .	
Four one day trainings on the effective use of PowerPoint and Presentations in the courtroom.	<ul style="list-style-type: none"> • PowerPoint Training • Presentations for Prosecutors
Two one day presentations on a variety of issues open to anyone interested in traffic safety.	
A one day training on cross examination skills and countering defense experts.	<ul style="list-style-type: none"> • Cross Examination Skills
Four one day trainings sessions on writing a police report and how to testify will be held around the state.	<ul style="list-style-type: none"> • Cops in Court (3)
Planned Research, Publications and Technical Assistance	Implemented Research, Publications and Technical Assistance
The training attorney will consult with prosecutors by phone or in person on traffic safety questions, policies, and procedures.	<ul style="list-style-type: none"> • Yahoo Message Group created • Consultations
The training attorney will prepare a quarterly traffic safety newsletter for prosecutors.	<ul style="list-style-type: none"> • Green Light News • Red Light Alert • Yellow Light Legal Update
The training attorney will provide a legal column for the OHSP traffic safety newsletter.	<ul style="list-style-type: none"> • Column for Winter 2003
The training attorney will prepare amicus briefs on traffic safety issues pending in MI's appellate courts.	
The training assistant, under the Attorneys' supervision, will develop and maintain a web page for the Traffic Safety Training Project.	<ul style="list-style-type: none"> • Newsletters online • Links to You Drink & Drive You Lose campaign, Click It or Ticket
The training attorney will update PACC/PAAM's OWI manual due to the legislative changes done this past year.	
Other	<ul style="list-style-type: none"> • Traffic Injury Research Foundation • NHTSA's Lethal Weapon Program Review • Prior Convictions in Impaired Driving Prosecutions
Planned Traffic Safety Liaison	Implemented Traffic Safety Liaison
The training attorney will serve as a liaison between prosecutors and OHSP, the SOS, MI's courts and Law Enforcement agencies on traffic safety issues.	<ul style="list-style-type: none"> • Meetings with Secretary of State, OHSP, State Police and PACC/PAAM officials, Governor's Traffic Safety Advisory Commission, Representatives from MADD and MSP • Standardized Field Sobriety Test Lecture
The training attorney will work with a representative from PACC, OHSP, and SOS to determine training and other grant priorities in succeeding budget years.	

The training attorney will work with prosecutors and/or their representatives on issues and concerns of traffic safety.	
The training attorney will work with assistant prosecutors on issues of traffic safety.	<ul style="list-style-type: none"> • Assistant Prosecutors attended training programs and are included on the Yahoo! Message list
The training attorney will attend, when scheduling permits, any PAAM Committee meetings when traffic safety/enforcement related issues are on the agenda.	<ul style="list-style-type: none"> • PAAM Legislative committee, Public Education committee • PAAM semi-annual conferences
The training attorney will participate in state and national traffic safety conferences to remain current on the latest knowledge and issues in traffic safety.	<ul style="list-style-type: none"> • Train the Trainer seminar • Defense of Drunk Driving Seminar • National Association of Prosecuting Coordinator's conference • Protecting Lives, Saving Futures faculty • NHTSA Working Committee of the National Association of Prosecutor Coordinators • Michigan Association of Municipal Attorneys' Conference • Lifesavers • OJJDP- National Leadership Conference on Underage Drinking
OUIL Paperwork Reduction Activities (Year 2)	Implemented Activities
Expand task force to include other law enforcement agencies.	<ul style="list-style-type: none"> • Rough Draft for standardized OWI police report was completed • Software companies contacted to create possible software for law enforcement to use on OUIL cases.
Youth Alcohol Prosecutor Liaison	
Prosecutors and Judges that are currently familiar with the OHSP Youth-Alcohol Programs will be trained on the program.	<ul style="list-style-type: none"> • Meetings held to discuss new MIP law and underage drinking programs • OJJDP- National Leadership Conference on Underage Drinking

2004—2005

Objectives

1. To provide continuing professional education opportunities for all new assistant prosecutors to improve their ability to effectively prosecute traffic safety violations.
2. To provide continuing professional education opportunities for experienced prosecuting attorneys to improve their ability to effectively prosecute more complex safety violations, such as vehicular homicide or felony drunk driving.
3. To provide quality, up-to-date legal reference materials to assist prosecutors and other traffic safety professionals to more effectively prosecute traffic safety cases.
4. To provide a dedicated liaison between the state's prosecutors and the traffic safety community to work for better coordination in the prosecution of traffic safety violations.

5. To develop a standardized OWI packet that would minimize the time officers spend completing OWI paperwork.
6. To increase prosecutors' awareness of the OHSP youth-alcohol programs dealing with underage drinking.

Planned Training Programs	Implemented Training Programs
One presentation of a two or three day OWI Trial Advocacy program	<ul style="list-style-type: none"> • Advanced OWI • Nuts and Bolts of OWI
One three day presentation of NDAA's <i>Protecting Lives, Saving Futures</i> .	
Three one day trainings on the effective use of PowerPoint and Presentations in the courtroom	<ul style="list-style-type: none"> • PowerPoint Training (5) • PowerPoint Pizzazz (2)
Two one day presentations on a variety of issues open to anyone interested in traffic safety.	<ul style="list-style-type: none"> • Daubert and Crawford & Traffic Cases • Working with the Media • Working with the DataMaster
A one day training on cross examination skills and countering defense experts.	<ul style="list-style-type: none"> • Cross Examination Skills
The training attorney will develop a "Mentor Program" for prosecutors around the state.	<ul style="list-style-type: none"> • TSTP Mentors
Four one day trainings sessions on writing a police report and how to testify will be held around the state.	<ul style="list-style-type: none"> • Cops in Court (2)
Five regional policy workshops for prosecution management personnel on a discussion of traffic safety matters.	<ul style="list-style-type: none"> • Regional Meetings
Planned Research, Publications and Technical Assistance	Implemented Research, Publications and Technical Assistance
The training attorney will consult with prosecutors by phone or in person on traffic safety questions, policies, and procedures.	<ul style="list-style-type: none"> • Meetings with prosecutors, regular calls and inquiries. • "You Drink, You Drive, You Lose" Packet • "Community Group PowerPoint"
The training attorney will prepare a quarterly traffic safety newsletter for prosecutors.	<ul style="list-style-type: none"> • Green Light News • Red Light Alert • Yellow Light Legal Update • The Artful Dodger
The training attorney will provide a legal column for the OHSP traffic safety newsletter.	
The training attorney will prepare amicus briefs on traffic safety issues pending in MI's appellate courts.	

The training assistant, under the Attorneys' supervision, will develop and maintain a web page for the Traffic Safety Training Project.	<ul style="list-style-type: none"> • Online Program Registration • Members only section • Calendar of events • Articles on variety of legal issues • Information on past programs
The training attorney will update PACC/PAAM's OWI manual due to the legislative changes done this past year.	
Other	<ul style="list-style-type: none"> • Traffic Injury Research Foundation (TIRF)
Planned Traffic Safety Liaison	Implemented Traffic Safety Liaison
The training attorney will serve as a liaison between prosecutors and OHSP, the SOS, MI's courts and Law Enforcement agencies on traffic safety issues.	<ul style="list-style-type: none"> • Meetings with Secretary of State, MACP, MAMAs, GTSAC, OHSP, State Police, MADD, • MSP Mock Trial • OHSP Alcohol Assessment in Michigan
The training attorney will work with a representative from PACC, OHSP, and SOS to determine training and other grant priorities in succeeding budget years.	
The training attorney will work with prosecutors and/or their representatives on issues and concerns of traffic safety.	<ul style="list-style-type: none"> • Regional meetings, phone conferences, consultations
The training attorney will work with assistant prosecutors on issues of traffic safety.	<ul style="list-style-type: none"> • TSTP Mentors
The training attorney will attend, when scheduling permits, any PAAM Committee meetings when traffic safety/enforcement related issues are on the agenda.	<ul style="list-style-type: none"> • Meetings with PACC/PAAM officials • Committee meetings- Board of Directors, Legislative committee • PAAM semi-annual conferences • PAAM mid-western conference
The training attorney will participate in state and national traffic safety conferences to remain current on the latest knowledge and issues in traffic safety.	<ul style="list-style-type: none"> • National Association of Prosecuting Coordinator's conference • Train the Trainer • NHTSA's Working Committee of the National Association of Prosecutor Coordinators • Party Patrol • F.A.C.T. Team creation • Michigan Association of Drug Court Professionals • NHTSA's Great Lake Region • Annual International Association of Chief of Police DRE • Traffic Safety Resource Prosecutor Symposium • MADD Strides for Change Walk • Drunk Driving Defense Seminar
Other	<ul style="list-style-type: none"> • Training attorney won Adjudication Award given by NCADD

OUIL Paperwork Reduction Activities (Year 2)	Implemented Activities
Expand task force to include other law enforcement agencies.	<ul style="list-style-type: none"> Meetings held with software/programming companies to determine the possibilities for creating software that could be used on OWI Cases
Youth Alcohol Prosecutor Liaison	
Test pilot project in two counties.	<ul style="list-style-type: none"> Training Attorney member of GTAC Youth Driving Action Team Meetings held with prosecutors in counties across the state

2005—2006

Objectives

- To provide continuing professional education opportunities for all new assistant prosecutors to improve their ability to effectively prosecute traffic safety violations.
- To provide continuing professional education opportunities for experienced prosecuting attorneys to improve their ability to effectively prosecute more complex safety violations, such as vehicular homicide or felony drunk driving.
- To provide quality, up-to-date legal reference materials to assist prosecutors and other traffic safety professionals to more effectively prosecute traffic safety cases.
- To provide a dedicated liaison between the state's prosecutors and the traffic safety community to work for better coordination in the prosecution of traffic safety violations.
- To develop a standardized OWI packet that would minimize the time officers spend completing OWI paperwork.
- To increase prosecutors' awareness of the OHSP youth-alcohol programs dealing with underage drinking.

Planned Training Programs	Implemented Training Programs
One presentation of a two or three day OWI Trial Advocacy program	
One three day presentation of NDAA's <i>Protecting Lives, Saving Futures</i> .	<ul style="list-style-type: none"> Protecting Lives, Saving Futures
Three one day training programs on the effective use of PowerPoint and Presentations in the courtroom	<ul style="list-style-type: none"> PowerPoint Training (5) Advanced PowerPoint Training
Two one day presentations on a variety of issues including, but not limited to: the DataMaster, Blood Draws, Effective Communication, Secretary of State Matters, How to Read a Driver License Record, and others as issues arise.	<ul style="list-style-type: none"> Talking to a Jury: Are you Getting Through? The Proactive Trial
One presentation of a two-day Vehicular Manslaughter Advocacy program.	<ul style="list-style-type: none"> Lethal Weapon

The training attorney will continue to “Mentor Program” for prosecutors around the state.	<ul style="list-style-type: none"> • TSTP Mentors Meeting
Three one day trainings sessions on writing a police report and how to testify will be held around the state.	<ul style="list-style-type: none"> • Cops in Court (4)
Planned Research, Publications and Technical Assistance	Implemented Research, Publications and Technical Assistance
The training attorney will consult with prosecutors by phone, email, or in person on traffic safety questions, policies, and procedures.	<ul style="list-style-type: none"> • “You Drink. You Drive. You Lose” CD • Legal Memorandums • Calls and Inquiries • Regional Meetings
The training attorney will prepare a quarterly traffic safety newsletter for prosecutors.	<ul style="list-style-type: none"> • Green Light News • Yellow Light Legal Update • Red Light Alert • The Artful Dodger
The training attorney will provide a legal column for the OHSP traffic safety newsletter.	
The training attorney will prepare amicus briefs on traffic safety issues pending in MI’s appellate courts.	
The training assistant, under the Attorneys’ supervision, will develop and maintain a web page for the Traffic Safety Training Project.	<ul style="list-style-type: none"> • Yahoo! Message Group • Website Maintenance
Other	<ul style="list-style-type: none"> • Letter to the Editor in Michigan State Bar Journal
Planned Traffic Safety Liaison	Implemented Traffic Safety Liaison
The training attorney will serve as a liaison between prosecutors and OHSP, the SOS, MI’s courts and Law Enforcement agencies on traffic safety issues, including developing a Drug Evaluation and Classification Program (DEC) for the State of Michigan.	<ul style="list-style-type: none"> • Meetings with Secretary of State, MACP, GTSAC and GTSAC Action Teams, OHSP, State Police
The training attorney will work with a representative from PACC, OHSP, and Secretary of State’s office to determine training and other grant priorities in succeeding budget years.	
The training attorney will work with prosecutors and/or their representatives on issues and concerns of traffic safety.	<ul style="list-style-type: none"> • Calls and Inquiries
The training attorney will work with assistant prosecutors on issues of traffic safety.	
The training attorney will attend, when scheduling permits, any PAAM Committee meetings when traffic safety/enforcement related issues are on the agenda.	<ul style="list-style-type: none"> • Board of Directors Meeting • Legislative Meeting • Mid-Winter PAAM conference • PAAM Annual Conference

<p>The training attorney will participate in state and national traffic safety conferences to remain current on the latest knowledge and issues in traffic safety.</p>	<ul style="list-style-type: none"> • NHTSA Working Committee • National Committee for the Prevention of Alcoholism and Drug Dependency (NCPADD) • MADD/NHTSA Leadership Summit • LEL NHTSA Regional Conference • National Association of Prosecuting Coordinator's Conference
<p>OUIL Paperwork Reduction Activities (Year 3)</p>	<p>Implemented Activities</p>
	<ul style="list-style-type: none"> • A summary was submitted to OHSP with program recommendations and cost. Currently awaiting response.
<p>Youth Alcohol Prosecutor Liaison</p>	
<p>Training Attorney will meet with prosecutors and judges in the counties who have received funding to implement OHSP Youth Alcohol Program. He will provide information about the importance of program participation and encourage prosecutors to attend planning meetings with law enforcement.</p>	<ul style="list-style-type: none"> • PowerPoint Presentation distributed • Issue discussed at regional meetings • Artful Dodger distributed • Underage Alcohol Investigations booklet
<p>A newsletter will be distributed to prosecutors in the participating counties</p>	<ul style="list-style-type: none"> • Artful Dodger

Appendix B: Participation in Training Sessions

Class	Date	Attendance	County PA	Law Enforcement	Municipal Attorney	Tribal Attorney	Other
Protecting Lives/Saving Futures	2002- Mar	34	24	10	0	0	0
	2002- Oct	19	13	6	0	0	0
	2004- May	29	13	14	0	0	1
	2005- Nov	25	12	12	1	0	0
PowerPoint Training	2001- Dec	21	20	0	0	0	1
	2002- Feb	13	13	0	0	0	0
	2002- May	24	23	1	0	0	0
	2002- Jul	7	7	0	0	0	0
	2002- Sep	14	14	0	0	0	0
	2003- Jan	9	9	0	0	0	0
	2003- Mar	17	15	0	0	0	2
	2003- Apr	5	5	0	0	0	0
	2004- Mar	3	3	0	0	0	0
	2004- Jun	11	11	0	0	0	0
	2004- Oct	12	7	0	0	0	0
	2005- Apr	6	5	0	0	0	1
	2005- Dec	9	9	0	0	0	0
	2006- Jun	11	10	1	1	0	0
Talking to a Jury	2002- Jun	32	29	0	0	0	3
	2003- Oct	22	21	0	0	0	1
	2006- Jan	39	35	0	4	0	0
Crash Reconstruction	2001- Mar	13	13	0	0	0	0
	2002- May	21	21	0	0	0	0

Cross Examination Skills	2001- Jul	30	30	0	0	0	0
	2004- Jan	37	33	0	0	0	4
	2005- Feb	23	22	0	1	0	0
Working with the Media	2005- Mar	15	13	2	0	0	0
Advanced PowerPoint	2006- Mar	5	5	0	0	0	0
Cops in Court	2003- Jan	65	0	65	0	0	0
	2003- Apr 4	41	0	41	0	0	0
	2003- Apr 7	22	0	20	0	0	2
	2003- Jun	30	0	30	0	0	0
	2003- Jul	29	0	29	0	0	0
	2004- Feb	53	3	49	0	0	1
	2004- Mar	46	0	0	0	0	46
	2004- Jul	34	0	34	0	0	0
	2005- Jan	52	0	52	0	0	0
	2005- Feb	33	0	33	0	0	0
	2006- Mar	48	0	48	0	0	0
	2006- Jun	31	0	31	0	0	0
Proactive Trial	2006- Apr	28	20	0	6	1	1
OWI The Science and the Law	2004- Mar 16	19	17	0	2	0	0
	2004- Mar 17	14	11	0	3	0	0
Lethal Weapon	2003- May	12	12	0	0	0	0
	2004- Sep	18	12	5	0	0	1
	2006- May	15	11	4	0	0	0
Vehicular Homicide	2001- Oct	18	17	0	0	1	0

Nuts and Bolts of OWI	2005- May	20	15	5	0	0	0
Basic OUI	2001- May	17	17	0	0	0	0
	2002- Jan	20	19	0	0	1	0
Power Point Pizzazz	2005- Jul	8	7	0	1	0	0
Daubert, Crawford, & Traffic Cases	2005- Jul	32	31	0	1	0	0
Advanced OWI	2001- Aug	41	36	5	0	0	0
	2002- Aug	28	28	0	0	0	0
	2003- Aug	39	39	0	0	0	0
	2004- Aug	21	17	2	2	0	0
	2005- Aug	24	21	0	3	0	0
Regional PA Meetings	2001- Sep	55	53	0	0	2	0
	2003- Sep	45	42	0	3	0	0
	2005- Sep	38	38	0	0	0	0
Traffic Safety Legal Updates	2002- Feb	9	9	0	0	0	0
Forfeiture and Immobilization	2001- Feb	39	39	0	0	0	0
	2001- Jul	15	14	1	0	0	0

Appendix C: Questionnaire for Telephone Interviews with Other State TSRPs

Hello, my name is -----from the University of Michigan Transportation Research Institute.

We are conducting an evaluation of the of the Prosecuting Attorneys Association of Michigan (PAAM) OWI training program for the Michigan Office of Highway safety Planning. As part of this project we are looking at similar programs in other states. We would like to ask you a few questions about you program of training and support for OWI prosecution.

This interview will take about 30 minutes.

1. First, what is the official name of your program?
 2. Can you tell me when this program was started?
 3. How is it funded?
 4. How is your program structured administratively?
-Support Staff?
 5. What type of services does it provide?
 6. Prior to this program, what types of resources were available for prosecuting DWI cases?
Prompts – Formal training
 Technical assistance
 Publications
 Legal research
 Networking
- If formal training is part of the program:
7. What courses do you offer?
- Frequency
- Average number of attendees
 8. Who is the audience (assistant prosecuting attorneys, police, others/)?
 9. What percentage of the total prosecutors' offices agencies are represented at these courses?
Number of attorney offices or counties?
 10. Where are the courses held (in various places in the state – or centrally)?
 11. How do you recruit prosecutors and police officers to attend these training programs?
 12. List of courses, frequency, and average number of attendees for each course (just an estimate)
 13. Do you help with legal research for alcohol-related cases?
- If publications
14. What type, frequency?
 15. Do you have a Listserv where ASSISTANT PROSECUTING ATTORNEY can discuss DWI issues and ask questions?
Do you think that it is effective?
How many people participate?
Do you have a Website? What kind of information is posted on it?

16. What type of training and technical support do you think that prosecutors need to effectively prosecute DWI cases?

Ask only if program includes police

17. What type of training and technical support do you think that police officers need to effectively help in the prosecution of DWI cases?

18. What do you consider to be the best and most effective means of preparing assistant prosecuting attorneys for prosecuting DWI cases?

Ask only if program includes police

19. What do you consider to be the best and most effective means of preparing police officers for DWI trial involvement?

20. Has your program ever been evaluated?

If yes,

How was the evaluation conducted?

Prompt -

Was it an evaluation of the process of the program?

Did it look at trial outcomes or trial processes?

What was the outcome of the evaluation?

21. What has been most helpful in developing and running your program?

22. What obstacles have you encountered?

Is there anything else that you would like to tell us about your program?

Thank you for your time and effort in answering our questions.

Appendix D. Questionnaire for Assistant Prosecuting Attorney Survey



Hello:

The Michigan Office of Highway Safety Planning and the Prosecuting Attorneys' Association of Michigan (PAAM) have asked the University of Michigan Transportation Research Institute (UMTRI) to conduct an evaluation of PAAM's traffic safety training program and its effects on the prosecution of impaired driving. As you may know, this program is intended to provide assistant prosecuting attorneys (assistant prosecuting attorneys) with resources to assist in the prosecution of traffic safety violations.

This survey asks about your experiences prosecuting impaired driving cases. Results will be summarized across respondents and your name will not appear in any reports of survey results. If you have any concerns or questions about the evaluation or this survey, you can call the project director Dr. Lidia Kostyniuk at (734) 763-2466.

Please answer these questions to the best of your ability. Use an "X" to indicate your response(s) as appropriate. The survey should take about 10 minutes. When completed, please save the completed survey as a Word document and email it to aneumey@umich.edu. Thank you for assisting us in this important effort.

- 1) How long have you been an assistant prosecuting attorney in your current office? Years
 Months
- 2) In the past year, how many DWI cases were you involved in prosecuting?
- 3) How many of these went to trial?
- 4) How many other non-DWI cases were you involved in prosecuting?

5) Thinking about the formal PAAM traffic safety training you have participated in, how useful has it been in terms of the following:

	Not at all	A little	Somewhat	Very
Trial preparation				
Filing briefs				
Jury selection				
Cross exam (exp. Witness)				
Cross exam (other)				
Jury communication				
Visual displays				
Technical issues				
I have not participated in any PAAM traffic safety training.				

6) What was it about the PAAM traffic safety training that made it useful for the following?

Trial preparation:

Filing briefs:

Jury selection:

Cross exam (exp. Witness):

Cross exam (other):

Jury communication:

Visual displays:

Technical issues:

7) Assistant prosecuting attorney from the formal PAAM training courses, how often have you used the following PAAM resources?

	Never	Rarely	Sometimes	Often
Listserv				
Newsletters				
Technical support				
Legal research				
Other, please specify:				

8) How useful have you found the following in helping you prosecute DWI cases?

	Not at all	A little	Somewhat	Very
Listserv				
Newsletters				
Technical support				
Legal Research				
Other, please specify				

8a) If you found any of these *Somewhat* or *Very* useful, what specifically did you find useful?

Listserv:

Newsletters:

Technical support:

Legal Research:

Other, please specify:

9) What further training or information would be most useful for you in prosecuting DWI cases?

10) Is there anything else you would like to add about PAAM training and other services that we have not covered?