

MADD's new state contract draws heat

By NATALIE STOREY | The New Mexican
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Critics say group won't take judges, courts to task for DWI dismissals, plea bargains

Mothers Against Drunk Driving has been awarded \$400,000 by the state of New Mexico to monitor DWI court cases in six counties, including Santa Fe County, but some say the organization doesn't have enough teeth to hold officials accountable when it comes to drinking and driving.

Following a drunken-driving crash last fall on Interstate 25 that killed five members of the Collins-Gonzales family, Gov. Bill Richardson announced a number of initiatives to tackle drunken driving. They included tracking DWI offenders through the courts. The court monitoring program will track randomly selected DWI cases to see where the system is breaking down and make recommendations on how to fix it, according to state DWI czar Rachel O'Connor.

Gerald Collins, the great uncle of the crash's sole survivor, Arissa Garcia, said monitoring the courts will be useful, but MADD and the governor continue to ignore measures that would have a greater impact on New Mexico's DWI problem. The Collins-Gonzales family favors curbing alcohol advertising and sales in gas stations.

"This is what they've always done," he said. "Monitor what someone else is doing. It's an easier path to take. I think, simply, you have to target the source. I think it's a lot more difficult to take on the liquor industry."

Collins also said his family has not had anything to do with MADD because the group did not support the family's efforts during the last legislative session. "I don't know why MADD keeps getting picked for these contracts other than they are always there to be the yes people," he said.

MADD was picked because of its history of court monitoring, O'Connor said. MADD previously had a court-monitoring contract with the state that expired in 2002.

"I think MADD has been doing court monitoring in other states, they have a history of court monitoring, and they have a well-developed tool for court monitoring," O'Connor said. "I think they can do the job."

Linda Atkinson, director of the DWI Resource Center, which also applied for the contract, said MADD does not have a history of taking judges and prosecutors to task for allowing DWIs to be dismissed or plea-bargained in New Mexico. Atkinson's group already does monitoring, she said, and has found many problems in the courts.

"They are intent on being politically correct," Atkinson said. "They have lost effectiveness when it comes to dealing with the system. Nobody will say that because they are MADD."

Terry Huertaz, executive director of MADD, said her organization is just beginning to implement a system for data analysis. She said it's too early to tell whether DWI dismissals

and plea bargains are widespread, but her group has already heard about some problems.

“We can’t really demand things as an organization or work with the courts, or with the criminal justice system, until we have the data to support what we are finding,” she said.

A New Mexican investigation published in January found that repeat offenders in Santa Fe County continue to get off, despite efforts by state lawmakers and the governor to stiffen penalties.

Atkinson said MADD’s selection was a political move by the governor, and his administration has close ties to the group.

Huertaz said her group has a working relationship with the governor because they both have the same goal: stop drinking and driving.

“I think it’s important that we are all working together,” she said. “Working together is not a political thing. It’s what the citizens of New Mexico would expect. And I don’t know if a political thing would be a negative thing if it’s what the citizens would want.”

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