



AAA Mid-Atlantic News Release

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VIRGINIA MOTORISTS URGED TO STILL CALL #77 TO REPORT DRUNK DRIVERS

*Call to Action Echoes Chief Justice Roberts' Remarks
on Controversial DUI Decision by Virginia Supreme Court*

Richmond, VA. (Thursday, October 22, 2009) – Following on the foot heels of this week's U.S. Supreme Court decision to not review a controversial Virginia Supreme Court decision involving the reporting of suspected drunk drivers and which U.S. Chief Justice John G. Roberts bemoaned as one which could give drunk drivers in Virginia "one free swerve," two Virginia traffic safety organizations are continuing to urge the public to report drunk drivers.

"Both courts' decisions had to do with whether or not an anonymous tip about an alleged drunk driver alone equaled reasonable suspicion for law enforcement to stop that driver," said Kurt Gregory Erickson, President of the nonprofit and Virginia-based Washington Regional Alcohol Program (WRAP). "There's nothing in the courts' rulings to dissuade the public from continuing to report drunk drivers. In fact, the reporting of suspected drunk drivers gives law enforcement a valued 'heads-up' to make their own observations on probable cause for a stop and or arrest."

"In fact, this kind of sought public involvement better allows law enforcement to 'fish where the fish are,'" continued Erickson.

This week, the U.S. Supreme Court declined to review a ruling by the Virginia Supreme Court in which a drunk driving conviction was dismissed citing that an anonymous tip about a suspected drunk driver was an insufficient reason for law enforcement to stop the reported suspect. The four-to-three decision by Virginia's Supreme Court (*Virginia v. Harris*, 08-1385) and this week's U.S. Supreme Court decision to not have the full court formally review this case resulted in Chief Justice Roberts' issuing a strong written dissent this past Tuesday.

Regarding his "one free swerve" comments contained in his dissent, Roberts also wrote that "it will be difficult for an officer to explain to the family of a motorist killed by that swerve that the police had an anonymous tip that the driver of the other car was drunk, but that they were powerless to pull him over, even for a quick check."

(More)

“Regardless of this recent judicial roadblock, the public needs to remain engaged on this issue and by serving as an extra set of eyes on Virginia’s roadways,” said Lon Anderson, Public and Government Affairs Director for AAA Mid-Atlantic. “The sad reality is that there are more persons arrested each year for drunk driving in Virginia than there are in law enforcement in the Commonwealth and they need our help to win this war.”

Both WRAP and AAA have long advocated the reporting of drunk drivers in Virginia by safely using the “#77” feature on wireless telephones used in the state. The #77 feature is the Virginia State Police equivalent of calling 911 and immediately dials through to the nearest Virginia State Police emergency communications center.

Founded in 1982, the non-profit and McLean, Virginia-based Washington Regional Alcohol Program is a two-time winner of Virginia’s prestigious Governor’s Transportation Safety Award as well project manager of the Commonwealth’s statewide *Checkpoint Strikeforce* campaign. As a public-private partnership, WRAP works to prevent drunk driving and underage drinking in the Washington-metropolitan area including in Northern Virginia however the organization may best be known to area residents via its popular free cab ride service for would-be drunk drivers, *SoberRide*. For more information, visit WRAP’s web site at www.wrap.org.

AAA Mid-Atlantic serves nearly 830,000 members in the Commonwealth of Virginia and is the nation’s fifth largest auto club with over 3.6 million members in Maryland, Delaware, the District of Columbia, Pennsylvania, New Jersey and Virginia. It provides a wide range of personal insurance, travel, financial and automotive services through its 50-plus retail branches, regional operations centers, and the Internet. For more information on AAA Mid-Atlantic, please visit our web site at www.AAA.com, and our blog at aaa.com/community.

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