

## **NEWS:**

# **New Law Will Limit Misdemeanor DUI Defendants to One Trial**

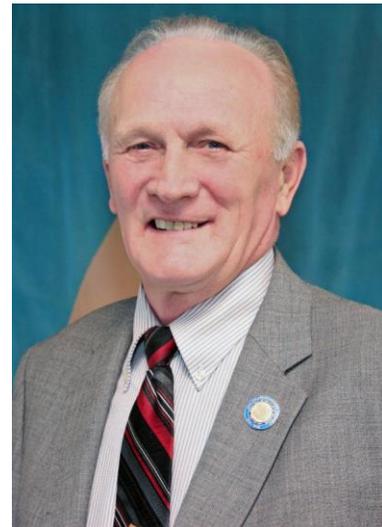
**JULY 14, 2017** – Delaware drivers charged with misdemeanor Driving Under the Influence (a first or second offense) will now receive only a single opportunity for a criminal trial.

Until recently, DUI defendants who were convicted in Justice of the Peace Court could have their case retried on the merits in the Court of Common Pleas.

The change is the result of bipartisan legislation, [House Bill 207](#), which was enacted June 30th and took effect immediately.

Under the new law, Justice of the Peace Court will be able to accept guilty pleas in DUI cases, but only the Court of Common Pleas will be able to hear trials for those defendants who choose to go to trial. This change, advocated by both the Department of Justice and the judiciary, streamlines the criminal justice system, provides consistency in the disposition of these serious offenses, and alleviates the impact of multiple trials on civilian witnesses, police, and prosecutors.

"The passage of this law was important for two reasons," said Delaware Attorney General Matt Denn. "The first was justice. Everyone is entitled to a trial, but there should not be a special group of defendants who are entitled to two trials. The second reason was effective use of the criminal justice system's resources. ... Police, prosecutors, and DOJ staff will be able to dedicate their attention to other cases at a time when government services are short staffed, and police officers will be able to get back on the road and prevent other crimes."



**State Rep. Dave Wilson**

State Rep. Helene Keeley, D-Wilmington South, was the bill's prime sponsor. State Rep. Dave Wilson, R-Cedar Creek Hundred, was also a prime sponsor of the legislation. State Reps. Ruth Briggs King, R-Georgetown; Joe Miro, R-Pike Creek Valley; and Danny Short, R-Seaford, supported the measure as co-sponsors.

The Delaware Fraternal Order of Police and the Delaware Police Chiefs Council both praised the enactment of law.

To read the complete Department of Justice news release from which this story was drawn, [click here](#).