

Zero tolerance: Henderson County ranks high in DUI convictions

By Frank Boyett

Saturday, August 6, 2011

Getting behind the wheel in Henderson County with a high blood-alcohol content is dangerous in more ways than one.

In 2009 -- the most recent data available from the state attorney general's office -- Henderson County had one of Kentucky's most successful conviction rates for driving under the influence of intoxicants: 92.7 percent.

Technically, Henderson County ranked fifth in the state on percentage of convictions, but among the state's more populous counties Henderson County was at the top, edging out Fayette County by a few fractions of a percentage point.

Tiny Robertson County hit 100 percent in 2008-09, but it averages only five DUI cases per year. Other counties that ranked above Henderson were Harrison, Mason, Hancock and Lewis, but all average less than 70 DUI cases per year.

Henderson County, meanwhile, averaged 379 DUI cases annually between 2005 and 2009. During that period the county prosecuted 1,897 cases, of which 1,701 resulted in convictions and 196 got off -- still a respectable 90.5-percent conviction rate for the five year period, and up from 89.2 percent for the eight years between 2000 and 2007.

County Attorney Steve Gold was pleased to run across that data from the office of Kentucky Traffic Safety Resource Prosecutor Bob Stokes.

"We don't really keep score like that," Gold said, adding that he was "very happily surprised to see that Henderson -- among counties that have very many DUIs -- we were the top."

But Gold was quick to share the credit. "It's not just the prosecution. It starts with a good investigation. Good investigations make for successful prosecutions. Without those Henderson's rate wouldn't be that way.

"We have three law enforcement agencies in Henderson that all take DUI very seriously."

Local law enforcement officers agreed. "The common denominator is that we're all very pro-active in DUI enforcement," said Kentucky State Police Capt. Robert Shultz. "The statistics show that." He praised the "tremendous job" by local prosecutors. "That

conviction rate is just evidence of how they do that. Those cases are dealt with the way they should be."

Major Frank Cates of the Henderson Police Department also said solid investigations are the bedrock of successful prosecutions. "If you've got all the facts it's much easier," he said. "It has to do with conducting the complete investigation. We are very thorough in the field with our investigations."

"I think it comes down to professional training," said Henderson County Sheriff Ed Brady. "We have high quality training for officers in our areas."

But Brady pointed out that all of the Sheriff's Department's cruisers are equipped with high-tech gadgets to assist with that conviction rate.

Gold said those video cameras are invaluable. "That makes prosecution easier, and it makes it clearer. There's not as much to put before a jury and argue about when it's on tape." On some occasions, he said, just showing the defendant the arrest video prompts a guilty plea.

Gold also said Henderson County's judiciary deserve some of the glory. "The judges in Henderson take DUI very seriously. There are some counties where there are a lot of deferred prosecutions or there aren't a whole lot of convictions of any cases, much less DUI."

The data shows that Leslie County appears to consistently rank at the bottom, marking the state's lowest point in four out of five years. Between 2005 and 2009 that county convicted 357 people of DUI, while another 436 walked. Other poor performers were Clay, Knox, Monroe and Gallatin counties

Of Kentucky's 120 counties, Union County ranked 76th in successful 2009 DUI prosecutions, while Webster County ranked 82nd.



© 2012 Scripps Newspaper Group — Online