

DWI

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The challenges have provoked enough legal controversy that the N.C. Supreme Court agreed in August to review the law on an expedited basis. The affidavit issue and several other challenged provisions of the law are under consideration by the court.

"It make all the difference in the world of you can't use the affidavit," Jones said. He said requiring the operator's testimony slows case-for example, to 15 minutes instead of five minutes.

But many defense attorneys see the legal challenges as justified efforts to soften what they say are overwhelmingly harsh provisions. Raleigh attorney Johnny S. Gaskins said the new law makes his job a lot harder.

"It's tough to win," Gaskins said. "I think what the legislature has done is to create a presumption of guilt. The burden is on the defendant to prove he's innocent."

A few other citizens are also finding the law less than desirable.

Mitchell J. Hazouri, owner of a tavern opposite N.C. State University on Hillsborough Street, is not quite so pleased with the new law, but thinks it is working as intended.

"People drink one or two beers whereas they used to drink four or five," he said. Despite the downward trend in sales, Hazouri said he was not suffering because his tavern is in a good location.

"Neighborhood places are busier," he said. "People can walk, or they don't have to drive too far."

But James C. Drennan, associate director of the Institute of Government in Chapel Hill and one of the law's architects, isn't as sure that the law has changed people's habits quickly.

"Those habits weren't formed overnight," Drennan said. He said a major intent of the law was to make motorists think twice about the penalties before drinking and driving.

"A law that has enough bite... so that when they've had two drinks and reach out for the third, a bell goes off in their head," he said.

"If in three or four years from now, people are still thinking about this law and its effects, it will have worked," he said.

Although the law's initial success in reducing arrests and deaths from drunken driving appears to be tapering off, most officials are not discouraged.

John H. Lacey, a member of the Highway Safety Research Center at the University of North Carolina at Chapel Hill, said the recent increase may be the product of economic recovery, which he says promotes more driving and more accidents in general. Compared with two years ago—before heavy publicity about drunken driving began—drunken driving accidents are still on the decrease, he said.

"The effect hasn't disappeared," Lacey said. "It's still dramatically lower than it was two years ago, so I'm not disconsolate yet."

He said he would continue to hammer home the message of the new law.

"There's a real reason—just from a pragmatic point of view—not to drink and drive," Lacey said. "If you get caught, you'll get punished."

Arrests

In noting that traffic deaths are up by approximately 12 percent over 1983, Matthews said factors other than D.W.I. must be considered. "Gasoline sales are up, which indicate that people are driving more as the economy improves; accidents caused by excessive speed have increased drastically, almost 26 percent in July; and vehicle occupants are not wearing seat belts," he said. He also pointed out that fewer people were killed on the state's highways last year than any other year since 1960.

"Hopefully, the increase in alcohol-drug related accidents will be temporary and the present trend in traffic deaths can be reversed," Matthews said. "We plan to closely monitor our operation and continue our efforts to make the highways safe by removing every impaired driver possible and strictly enforcing all traffic laws. We encourage all motorists to support this effort," he concluded.

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Does anyone out there know ROBERT SLAKE?

Mr. Slake has paid for a year's subscription to The News Record, but we are unable to deliver it to him because we have an incorrect address.

Mr. Slake gave his address as Route 5, Marshall, but the postman reports as there is no one with that name in the route. If you know Robert, please let him know he is being sought by calling 489-2281.

Asheville Symphony To Perform

Pianist Ruth Geiger will perform with the Asheville Symphony Orchestra on Nov. 8 at 8:15 p.m. in the Thomas Wolfe Auditorium.

Geiger will perform Beethoven's "Piano Concerto No. 3 in C Minor." The orchestra will open the concert with the overture to Glinka's opera, "Russian and Ludmilla." They will also perform Rimsky-Korsakov's Symphony No. 2, "Antar", and the prelude to Wagner's comic opera, "Die Meistersinger."

Tickets are \$8 for adults, \$4 for students. Tickets are available in advance by calling the symphony box office at 254-7046. Tickets go on sale at the Civic Center box office on Nov. 5.

Lunsford Promoted

U.S. Army Private Sammy Lunsford, Jr. has been promoted to Private E-2. Lunsford, the son of Mr. and Mrs. Sammy Lunsford of Marshall, has been assigned as an assistant recruiter in Asheville since completing basic training and advanced individual training at Ft. Leonard Wood.

A 1983 graduate of Madison High School, the 19-year old Lunsford will report for duty at Fort Devins, Mass. on Nov. 12.



PVT. SAMMY LUNSFORD, JR.

Low-Income Energy Program Accepting Applications

The Low Income Energy Assistance Program will be accepting applications at the food stamp office on Main Street in Marshall through Nov. 30.

Eligibility is based upon household income during the month of Oct. All eligible households will receive an assistance payment in February.

In addition to the main office in Marshall, workers will be accepting applications at Senior Citizen Meal

Sites throughout the county.

The workers will be accepting applications from 11 a.m. until 2 p.m. at Greater Ivy on Nov. 2; Ebbes Chapel on Nov. 3; Hot Springs on Nov. 7 and 21; Spring Creek on Nov. 18; Shelton Laurel on Nov. 13; and in Marshall on Nov. 15.

A worker will also accept applications at the Mars Hill Town Hall on Nov. 1 and 8 between 9 a.m. and noon.

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