

N.C. DUI Law To Be Even Tougher

An Open Letter to Students of Chowan College On Driving Impaired:

As of October 1, 1983, North Carolina will have a new set of laws to deal with drivers who operate a vehicle under the influence of impairing substances.

Much has been made of provisions in the Safe Roads Act of 1983 to raise the drinking age and how that affects students in North Carolina institutions of higher learning.

There is, however, much else in the act which will have a profound effect on students attending colleges and universities in this state. At this writing, the Senate and House must iron out some differences on the act, but there is a general outline of just what the North Carolina laws will be and what their affects will be on students.

Perhaps the best way to explain them is to follow a hypothetical case involving a student—we'll call him Joe—stopped by a State Highway Patrolman for suspicion of driving under the influence of an impairing substance.

Under the new law, Joe can be arrested and charged under the single offense of impaired driving. There are no lesser and included offenses, such as

careless and reckless driving after drinking, in the new law. There is only one charge, and it can be proved in one of two ways:

(1) by showing the driver's physical or mental faculties are impaired by an impairing substance or;

(2) by showing the driver's blood alcohol concentration is 0.10 percent or more.

If Joe refuses to submit to a chemical test, his license will be revoked for one year. He can only apply for limited driving privileges after serving six months of the revocation.

If Joe registers 0.10 blood alcohol content or more on a chemical test, he will be taken before a magistrate and his license will be immediately suspended for 10 days. This is mandatory. No one gets off. Out-of-state students will have their license suspended for 10 days, just the same as in-state students.

Next, Joe will get a court hearing on the charge. If Joe is convicted of driving while impaired, the law requires the judge to hold a sentencing hearing where Grossly Aggravating Drunk Driving (GADD) factors, aggravating factors and mitigating factors are presented by the prosecutor and defense attorneys for the judge to weigh in imposing sentence.

If two GADD factors (prior impaired driving offense in past 10 years, speeding to elude arrest, speeding 25 mph over posted speed limit, driving with revoked license for impaired offense, causing accident resulting in serious injury to another) are present, there is a mandatory minimum jail term of 14 days and Joe can be fined up to \$2,000. If one GADD factor is present, Joe faces a mandatory minimum seven days in jail and a fine up to \$1,000.

If no GADD factors are present, the judge weighs the aggravating and mitigating factors. If aggravating factors outweigh mitigating factors, Joe can be sentenced to a minimum of 72 hours in jail, or 72 hours of community service or 90 days without driving or a combination of all. He also faces a fine of up to \$500. If aggravating and mitigating factors balance out, Joe faces a sentence of 48 hours in jail, 48 hours community service or 60 days without driving or a combination of all. Plus, Joe can be fined up to \$250. If the mitigating factors outweigh the aggravating factors, Joe faces a jail term of 24 hours, or 24 hours of community service or 30 days without driving or a combination of all. Joe can be fined up to \$100.

Some aggravating factors are: Gross impairment or a blood alcohol concentration (BAC) of 0.20 or more; especially reckless driving; accident causing \$500 damage or personal injury; driving while license revoked; refusal to take chemical test; prior conviction less than 10 years old; abusive conduct at or after arrest.

Some mitigating factors are: slight impairment, BAC of 0.11 or less; slight impairment and no chemical test available; generally safe driving at time of offense; no serious traffic of offenses within past 5 years; good conduct at time of arrest, impairment caused by lawfully prescribed drug, voluntary submission to treatment before trial.

If it's Joe's first impaired driving offense, he will lose his driving privileges for one year. He is eligible for severely curtailed limited driving privileges—school, work, maintenance of household, medical—after he has served his full sentence. If it's Joe's second offense, he loses his license for four years. Revocation is permanent after the third offense.

In matters of license revocation for out-of-state students, North Carolina has reciprocity with most states for im-

paired driving crimes. The North Carolina Division of Motor Vehicles would send the results of your sentence to your home state and that state would apply the sanction.

If Joe is under 18 and he registers any amount of alcohol on a chemical test, he will lose his license until he turns 18 or for 45 days, whichever is longer.

If Joe registers 0.20 or more on a chemical test, he will be referred to the appropriate public agencies or private facilities for treatment and counseling. BAC levels in those ranges are indicative of problem drinkers. Problem drinkers cause the majority of accidents involving impaired drivers.

If Joe is caught driving after his license is revoked, he faces forfeiture of his vehicle.

In addition to the criminal and administrative sanctions mentioned above, Joe faces a host of other problems arising from a conviction for driving while impaired. If he is a first offender, he will be required to go and pay for schooling at one of the state's Alcohol Drug Education Traffic Schools. His car insurance will climb precipitously. Whatever it cost before conviction, it will now cost him 395 percent more. That increase will be 395 percent each year for three years.

It is not worth it to drink and drive. Your personal costs are too high. The costs to society are too high. If you drink, don't drive. If you drive, don't drink.

Sincerely,

Heman R. Clark
Secretary, N.C. Department
Of Crime Control and Public Safety



Secretary Clark

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Graduation Set For Sunday, May 15th

By Wanda Bishop

Sunday, May 15, graduation candidates will line up in the North Colonnade of the Helms Center for their last gathering in the gym. Feelings of relief, apprehension, and sadness will penetrate the group. A sense of freedom is followed by a sense of responsibility that is brought on by that freedom.

Practices for graduation will be at 4:00 p.m., April 27 and May 4, in the Helms Center Gym. Final rehearsal will be Sunday morning, May 15, at 9:00. Those not attending this rehearsal cannot participate in the ceremonies.

Caps, gowns, and hoods can be picked up from the bookstore within two weeks prior to graduation day. The gowns and hoods will need airing and pressing. Men should wear dark suits and shoes and women wear dresses and dark shoes.

Baccalaureate Service will begin at 11:00 following the President's Coffee Hour in the cafeteria at 9:30. The speaker for the service will be Dr. Ben Fisher, retired Executive Director-Treasurer of the Education Commission of the Southern Baptist Convention. Lunch will follow at 12:00 in the

cafeteria. At 1:45 the candidates will line up for the Commencement Exercises to begin at 2:00. The guest speaker will be Dr. John Phillips, President of the National Association of Independent Colleges and Universities.



Summer School Offerings

MURFREESBORO, N. C.—Chowan College will offer 26 courses in nine professional fields during the first term of its summer session June 6 - July 8.

Registration is scheduled for June 6 from 1-4 p.m. in Camp hall. Examinations will be held July 8. The second term will be offered from July 11-Aug. 12.

All facilities - classrooms, men's and women's residence halls, library and cafeteria - are air conditioned.

Expenses for the four-week term are \$60 tuition per hour, \$1500 for room, \$215 for meals, and \$12 for insurance.

Courses will be offered in the following professional fields: business, science, mathematics, religion and philosophy, history, English, physical education, social sciences, and photography.

Dr. B. Franklin Lowe, Jr., Dean of the College and Summer School Director, said the normal maximum load per term is two academic courses plus one physical education course.

"I would urge all students who will have deficiencies at the end of Spring Semester or who want to work ahead to attend summer school," said Lowe.

Dead Flowers?

GAINESVILLE, FL (CPS)—A University of Florida student is hoping to make a little extra money at the end of the semester by helping disgruntled students send dead flowers to their least-favorite professors.

"We figure this will be a big time for teacher orders," says Ken Farkas, a fast-talking finance major at Florida. "It sure beats filling out teacher evaluations."

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Chowan's Social Science Club believes in becoming involved in the community. Recently the club purchased bedding for a local woman who lost all of her possessions in a fire. Sherri Ward, club president, presents the check for fifty dollars to Alice Sharp, the local director of Choanoke Area Development Association (CADA). Looking on are Danny Leenas, Nettie Reid, Cindy Stanley, and Dr. John Gosnell, faculty advisor.

Campus Question:

What are your plans after Chowan?

What are your plans after leaving Chowan in May?

Steve Davis, Murfreesboro: "I'm going to UNC-G for a BA in drama and a minor in music."

Eval Price, Washington D.C.: "Hopefully I'll be attending Howard University majoring in accounting."

Calvin Atwell, Charlottesville, VA: "I'm either going to James Madison or the University of Utah."

Carl Blair, Roanoke, VA: "Attend a four year university like ECU majoring in commercial art."

Keith Lynch, Carmel, NY: "I'm going to ECPI in Norfolk for Computer Technology."

Mike Elks, Washington, NC: "Go to ECU and major in commercial art."

Jeff Ervin, Lenoir, NC: "I'll probably go to Coastal Carolina in Myrtle Beach or NCA&T"

Rita Bridgett, Windsor, NC: "To further my education at ODU in Norfolk."

Janet Towle, Greensboro, NC: "I'm going to go to Campbell University and study fashion merchandising."

Keven Tompson, Raleigh: "Go to N.C. State and major in design."

Charles Davis, Orange, VA: "Continuing my education at a four year institution studying sports medicine and eventually teach high school."

Kathy Scott, Waverly, VA: "I will take computer classes at Richard Bland College at home and work for a lawyer."



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Rita Bridgett



Janet Towle



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