

Readers: We need to rethink sentences for drunken drivers

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As an attorney who has specialized in representing people charged with drunken driving for more than 40 years, I was surprised to read the Free Press article where it was reported that Gov. Rick Snyder had pardoned a defendant for a non-felony conviction of first offense impaired driving in the 48th District Court.

While news reports suggest that attorney Alan Gocha Jr. was pardoned because he was politically connected and a valued contributor to the Republican Party, the governor's reported reasoning for the pardon of this sole misdemeanor conviction should not be dismissed. It addresses a real need in these cases for a more fair-minded and commonsense approach.

Michigan must be concerned with our employment climate and shortage of jail space when considering these issues. The governor's recent pardoning action to unburden this citizen from financial hardship, limited employment opportunity, international travel restrictions, etc., illuminates a need that rightfully should be afforded to tens of thousands of other similarly situated defendants for the economic and social benefit of our state, not to mention equal treatment under the law.

These ends could be more accurately and justly achieved for thousands of Michigan citizens convicted of the same if the Legislature would reinstate the ability of sentencing judges to expunge these violations upon request after five years. Statistics demonstrate that two-thirds of these first-offense impaired drivers never violate again. Currently, these violations stay on a person's record for life.

This pardon underscores the need for the State of Michigan to change the law allowing for violations of the state motor vehicle code to be expunged and prohibiting a judge from jailing first offense impaired drivers practiced almost exclusively in Michigan by Gocha's sentencing judge.

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