



OFFICE OF THE DISTRICT ATTORNEY GENERAL

30th JUDICIAL DISTRICT ~ SHELBY COUNTY, TENNESSEE
201 Poplar Avenue, Eleventh Floor, Memphis, TN 38103-1947
Tel. 901-222-1300 ~ Fax 901-222-7971
www.scdag.com

AMY P. WEIRICH
District Attorney General

Driving While License Suspended, Revoked or Cancelled Policy
Shelby County District Attorney General's Office
Effective September 1, 2018

The policy of the District Attorney's office is to dismiss without costs all charges for Driving While License Suspended, Revoked or Cancelled on arraignment date if the sole reason for the revocation is money owed by the driver. Individuals whose privilege to drive has been taken away because they are a safety threat will still be prosecuted.

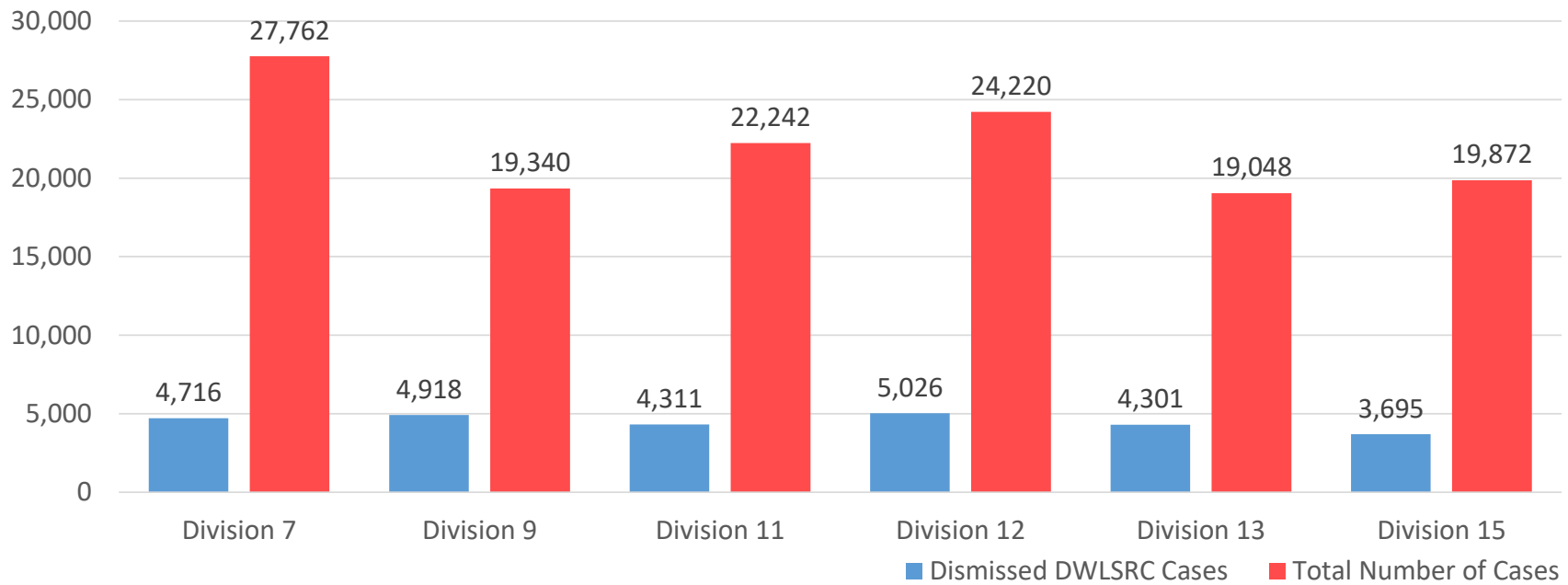
Reasons we needed a new approach

- We had struggled for years to find a solution to these cases.
- We strive to use our limited resources to prosecute those we are afraid of—not merely mad at.
- Thousands of DWLSRC cases are docketed monthly.
- Each year we see increasing demands on our office and no increase in resources to meet the demands.
- Memphis/Shelby County has a high poverty rate and violent crime rate.
- Excellent drivers could have license suspended, revoked or cancelled merely for owing money.
- Regardless of stance our office took on these cases, public safety not impacted.
- Victims of crime deserve most of our attention.
- Many judges would handle felony cases after clearing misdemeanor docket—meaning victims of violent crimes would sit in court all day to have their hearing while judge handled DWLSRC cases.
- These cases were a drain on office morale.
- Resources from other agencies were being wasted as well—jail, clerks, judges.

Impact of new approach

- In 16 months, over 26,000 cases have been removed from the docket on arraignment date—or 20% of all cases docketed.
- This represents thousands of cases that didn't have to be continued, re-filed, pulled for court, fill up docket space, prolong court, handled by an ADA.
- This represents thousands of individuals not sitting in jail, not increasing their debt owed with every continuance, not missing work to appear in court, not taking up docket space, not missing court and risking warrants.
- We also hold quarterly community events bringing together Department of Safety, clerks, and our office to assist people who need help with driver's license issues, child support and/or expungement.
- ADAs now have time (and energy) to call every victim on every case on arraignment date.

**General Sessions Criminal Court
Dismissed Driving While License Suspended, Revoked or Cancelled Cases
September 2018 - December 2019**



Divisions 8, 10 and 14 do not handle DWLSRC cases.

Effective May 1, 2019: All felonies and misdemeanors are docketed randomly among GS courts.

Total Number of Cases: 132,484

Total Dismissed DWLSRC Cases: 26,967

DWLSRC Policy

Effective August 27, 2018

Persons who are driving on a license that is currently suspended, revoked or cancelled for any of the reasons cited in TCA 55-10-603 (Habitual Motor Vehicle Offender) **will be prosecuted**. Those reasons are as follows:

- Voluntary Manslaughter resulting from the operation of a motor vehicle
- Vehicular Homicide
- Involuntary Manslaughter involving the operation of a motor vehicle
- Vehicular Assault
- A violation of statute concerning meeting or overtaking a school bus
- Leaving the scene involving injury or death
- Leaving the scene involving another vehicle that was driven or attended by another
- DUI
- Aggravated Vehicular Homicide
- Adult Driving While Impaired
- Reckless Driving
- Drag Racing
- Evading Arrest in motor vehicle
- Reckless Endangerment by use of motor vehicle

Persons who are driving on a license that is currently suspended, revoked or cancelled for any other reason **will not be prosecuted for violation of TCA 55-50-504**.

There may be cases that, in your judgment, require deviation from this policy.