

Man Held for 'Attempted Drunkenness'

DA 6/26/66
A six-month suspended sentence for "attempted public drunkenness" may be the basis for a Constitutional test case — if a lawyer interested in the case can find the man who was sentenced.

The sentence was handed down by General Sessions Judge Charles W. Halleck Friday in another slap at the Court's prosecutors, who often reduce felony charges to the lesser offense of attempting the felony.

The Court's prosecutors

have said they are forced to do so because the District Court refuses to try many lesser felonies, expecting them to be broken down into two or three misdemeanor charges in the Court of General Sessions.

Halleck sentenced Virgil Collins, address unknown, after Collins told the judge that he had been drinking and

intended to get drunk when he was arrested.

"In effect, you are pleading guilty to attempted public drunkenness," Halleck told Collins. "I accept your plea."

Halleck acted under the general attempt status that provides a maximum sentence of a year for the attempt of any act that is a crime under the D.C. Code. The maximum

sentence for public intoxication is 90 days.

Civil liberties attorney Monroe H. Freedman heard about the case and told a reporter he would be interested in testing the constitutionality of the attempt statute.

But first he has to find Collins. And, as of last night, Freedman had not been able to do so.