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DMV pulls Judge Werner's license

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Newburgh – Town Justice Jeffrey Werner will need some help getting around for at least the next six months.

The state Department of Motor Vehicles has revoked Werner's driver's license for refusing to submit to a chemical test of his breath when he was arrested and charged with driving while intoxicated last May.

Werner was acquitted of the drunken driving charge at a trial in February, but was convicted of refusing to let his breath be tested for alcohol at the scene of his arrest.

At the time, Werner also refused to submit to a more specific test at police headquarters on a device called a Breathalyzer, which can determine the percentage of alcohol in the bloodstream. A hearing was held on that refusal last month, and it is that refusal that cost Werner his driving privileges.

DMV spokesman Joseph Picchi said Werner's license is revoked for six months, the minimum time set by law. After that period, Werner can apply to have his license reinstated. The fee for reapplying is \$50. He also has a right to appeal the revocation.

Neither Werner nor his lawyer, John Ingrassia, could be reached yesterday.

Werner's trouble began last May 25 when city police stopped his car on Leroy Place, shortly after he left a waterfront restaurant.

At a hearing last month before DMV Administrative Law Judge Irving Doynow, Werner said he was neither intoxicated nor impaired when police stopped him, and therefore police had no basis to ask him to take any test. Werner made a similar statement at his trial in February.

Doynow seemed puzzled during the hearing as to why Werner, if he was certain he was not under the influence of alcohol, would not take a test that would prove it. Doynow ultimately found no basis for Werner's refusal to take the test, and based on Doynow's recommendation the DMV suspended Werner's license.

Werner, who also maintains a law practice, was first elected a town justice in 1986. His current term expires next year.

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