



HUMBOLDT COUNTY DISTRICT ATTORNEY'S OFFICE
PAUL V. GALLEGOS • DISTRICT ATTORNEY

Criminal Division • tel (707) 445-7411 • fax (707) 445-7416 • 825 5th Street, Eureka, CA 95501
Victim Witness Assistance • tel (707) 445-7417 • fax (707) 445-7490 • 712 4th Street, Eureka, CA 95501

FOR IMMEDIATE RELEASE

Re: Kimberlee Walker Convicted of DUI with Refusal Enhancement

Date: September 14, 2011

Contact: District Attorney Paul Gallegos

Phone: (707) 268-2571, (707) 267-4400

On Wednesday, September 14, 2011, a Humboldt County jury found Kimberlee Alyson Walker, 47, of McKinleyville, guilty of driving under the influence of alcohol with a "refusal enhancement". She was also found guilty of hit and run.

Walker was sentenced to three years probation. During the term of probation, Ms. Walker must obey all laws, abstain from alcohol, stay away from places where alcohol is the primary item of sale, and submit to search and seizure for the detection of alcohol. Ms. Walker must get an AOD (Alcohol/Other Drugs) assessment and follow the recommendations. She must complete the 18 month multiple offender program. For 18 months, she must have an ignition interlock device (IID) installed on any car registered to her. This device requires a breath sample before the engine starts and prevents the engine from starting if alcohol is detected. The device also requires periodic breath samples while the car is operating to ensure the continued absence of alcohol in driver's system.

Walker also received a \$3,049 fine, \$100 restitution fund fine, and 20 days in jail. She was also fined \$479 for the hit and run and sentenced to thirty days in jail for violating probation (for a prior DUI offense).

The Honorable Judge Christopher Watson presided.

On January 20, 2011, Walker hit a neighbor's vehicle in residential area of McKinleyville while driving under the influence of alcohol. When CHP Officer Michael Campbell responded, Walker denied driving under the influence of alcohol and after her arrest, refused to submit to a chemical test to measure her blood alcohol content.

"Driving is a privilege, not a right," noted Assistant District Attorney Kelly Neel. "When you get behind the wheel of a vehicle you are responsible to fellow drivers and citizens. Part of that responsibility is submitting to a chemical test when there is probable cause to believe that you are driving under the influence of alcohol and/or other drugs." California DUI law contains an "implied consent" clause that states that drivers who are lawfully arrested for a California DUI are deemed to have given consent to chemical testing.

"A DUI with refusal conviction is particularly important because it means the offender has been held accountable. In this situation, Ms. Walker tried her level best to avoid accountability—and failed," said prosecuting attorney Ben McLaughlin.