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Double Justice in DWI Cases



Victor Torres



Barry Macken

ALBANY, NY - District Attorney P. David Soares announced today that two defendants have pleaded guilty in DWI cases.

VICTOR TORRES, 35, of Albany, pleaded guilty to (1) Count of Aggravated Driving While Intoxicated, a Class E Felony, before the Honorable Thomas A. Breslin in Albany Supreme Court.

On July 3, 2017, at 12:16 A.M. on the New York State Thruway, in the Town of Guilderland, in the County of Albany, TORRES was observed failing to maintain his lane as well as failing to signal. Officers pulled TORRES over as he displayed physical signs of intoxication. TORRES failed the field sobriety tests and approximately one hour after the stop registered a BAC level of .19. At the time of the stop, TORRES was required to have an Ignition Interlock Device and failed to have one installed.

TORRES faces 60 days in Albany County Jail, to be followed by 5 years of Probation. TORRES will also be subjected to having a mandatory Ignition Interlock Device for 5 years, license revocation for 18 months subject to DMV determination, and required completion of the Victim Impact Panel and Defensive Driving Program, when sentenced on December 14, 2017.

Bureau Chief Mary Tanner-Richer of the Vehicular Crimes Unit prosecuted this case.

Additionally, BARRY MACKEN, 66, of Guilderland, pleaded guilty to (1) Count of Aggravated Driving While Intoxicated, a Class E Felony, before the Honorable Thomas A. Breslin in Albany Supreme Court.

On December 2, 2016, at approximately 10:26 P.M. on Western Avenue, in the Town of Guilderland, County of Albany, MACKEN was observed swerving his vehicle over the fog and yellow lines. During the traffic stop MACKEN displayed physical signs of intoxication. MACKEN failed the field sobriety tests and registered a BAC of .23. MACKEN was also found to be driving with a revoked license from a prior DWI conviction.

MACKEN faces 6 months in Albany County Jail, to be followed by 5 years of Probation. MACKEN will also be subjected to a \$1000 fine, a mandatory Ignition Interlock Device for 5 years, license revocation for 12 months subject to DMV determination, and required completion of the Victim Impact Panel and Defensive Driving Program, when sentenced on November 30, 2017.

Assistant District Attorney David J. Szalda of the Vehicular Crimes Unit prosecuted this case.

For more information please contact the Albany County District Attorney's Office at AlbanyDA@albanycountyny.gov

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