Louisiana Strategic Safety Plan
Impaired Driving Emphasis Area
Strategies and Objectives

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According to MADD & NHTSA

- Impaired driving will affect one in three Americans during their lifetime
- Every 2 minutes someone is injured by an impaired driver
- Every 50 minutes someone is killed by an impaired driver.
- Each year, alcohol-related crashes in the United States cost about $51 billion
The Louisiana Problem:

According to the Louisiana Highway Safety Commission & NHTSA:

- 48% of Louisiana’s traffic fatalities were alcohol related in 2009 and 43% in 2010

- Louisiana has the 4\textsuperscript{th} highest intoxilyzer refusal rate in the nation at 39%
2010 Louisiana Fatal Crashes

Pie charts showing non-DWI and DWI crashes.
The Impaired Driver Problem

- DWI is the nation’s most frequently committed violent crime; Impaired Driving is no accident.

- Alcohol is one the state’s leading cause of traffic deaths.
Figure ES.1 Contributors to Fatalities as Percent of Total Problem 2006-2008

Table 3.1 Percent Alcohol-Related Fatal Crashes
2006 to 2010

<table>
<thead>
<tr>
<th>Year</th>
<th>Total Fatalities</th>
<th>Alcohol-Related Fatalities</th>
<th>Alcohol-Related Fatalities as Percent of All Fatalities</th>
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<tbody>
<tr>
<td>2006</td>
<td>987</td>
<td>456</td>
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<tr>
<td>2007</td>
<td>992</td>
<td>484</td>
<td>48.8%</td>
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<td>2008</td>
<td>915</td>
<td>451</td>
<td>49.3%</td>
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<tr>
<td>2009</td>
<td>824</td>
<td>402</td>
<td>48.8%</td>
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<tr>
<td>2010</td>
<td>720</td>
<td>306</td>
<td>42.5%</td>
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</tbody>
</table>
Figure 3.2   Alcohol-Related Fatal Crashes and Fatalities
2006 to 2010
Figure 3.3 Alcohol-Related Serious Injuries
2006 to 2010
The goal for the Alcohol-Related Driving Emphasis Area Team is to reduce alcohol-related fatalities and injuries by no less than 50 percent by 2030.

To achieve these goals, the Alcohol-Related Driving Emphasis Area Team identified several strategies.
Figure 3.4 Benchmarks to Achieve a 50 Percent Reduction in Alcohol-Related Fatalities by 2030
Figure 3.5 Benchmarks to Achieve a 50 Percent Reduction in Alcohol-Related Injuries by 2030
Strategy 1: Conduct “No Refusal” initiatives throughout the state.

- The No Refusal program is an enforcement strategy that allows jurisdictions to obtain search warrants for blood samples from suspected impaired drivers who refuse breath tests. Participating jurisdictions allow officers to request warrants via phone from on-call judges or magistrates.

- This enables law enforcement to legally acquire a proper blood sample from drivers who refuse to give a breath sample. During these enforcement efforts, prosecutors and judges make themselves available to streamline the warrant acquisition process and help build solid cases leading to impaired driving convictions.
Strategy 2: Close the loophole in existing law that allows underage youth to be in bars.

- Louisiana has a Zero Tolerance law (.02 blood alcohol concentration (BAC)) for drivers less than 21 years of age;
- However, 18- to 20-year-olds are allowed to enter bars in Louisiana.
- Allowing minors into drinking establishments such as bars and nightclubs is, in the words of one enforcement official, “a regulator's nightmare.”
- It creates numerous difficulties for servers, who must conduct repeated identification checks and continuously track who is actually drinking the beverages being served.
- It allows minors to consume alcohol purchased from older individuals.
- And it encourages minors to drink as a way to socialize and become one with their peers.
National Statistics (According to the National Institute on Alcohol Abuse and Alcoholism):

- Thirty-two percent of drivers 16 to 20 with invalid driver licenses had BACs .08 or higher.
- Male drivers were roughly twice as likely as female drivers to have BACs of .08 or higher.
- Unrestrained drivers 16 to 20 were over 3 times as likely to be alcohol-impaired than restrained drivers of that age range.
Among high school students, during the past 30 days:

- 42% drank some amount of alcohol.
- 24% binge drank.
- 10% drove after drinking alcohol.
- 28% rode with a driver who had been drinking alcohol.
Other National Statistics:

- About 5,000 people under the age of 21 die each year as a result of underage drinking, 1,900 of those deaths are from auto crashes.
- Alcohol is involved in 31% of teenage car crash fatalities.
- There is a much better chance that an individual will drink and drive if they had their first drink prior to age 19.
- The average blood-alcohol level of intoxicated underage car crash victims was 0.40 percent, five times the legal limit for driving.
- Compared to every other age group, young people age 15-20 years old are more often involved in alcohol-related car crashes.
Strategy 3: Conduct prosecutor and judicial training programs

- Impaired driving prosecutions are some of the most highly litigated and contested cases within the criminal justice system.
- Additionally, impaired driving prosecutions are among the most complicated cases to handle. DWIs can be as difficult to win as homicide cases.
- Conduct prosecutor and judicial training programs, including expansion of current prosecutor training programs and more hands on training experiences for law enforcement officers.
- enhanced on-the-job training of new prosecutors in the complexities of DWI evidentiary issues, trial proceedings, and legislation in general;
- enhanced training of police officers at the academy in conjunction with more on-the-job experience in the collection of evidence to improve its quality and quantity; this is particularly important in the prosecution of the alcohol tolerant repeat offender; and
- continuing education for the judiciary to provide contemporary information on the effectiveness of alternative sanctions.
- Improving the knowledge related to DWI offenders and the role of the judiciary in these cases
Strategy 4: Conduct education and community outreach programs.

- Conduct education and community outreach programs, including responsible vendor programs and high-visibility enforcement campaigns.
- Utilize effective communication strategies to allow efficient and timely information sharing among all key stakeholders and the public.
It is important to prevent impaired driving in the first place.

According to NHTSA, greater public awareness of the problem and reductions in per capita alcohol consumption have played a role in reducing impaired driving.
Strategy 5: Reduce the number of repeat DWI offenders

- Reduce the number of repeat DWI offenders through mandatory evaluation for all DWI offenders, implementation of the ignition interlock law and other programs.
Drivers with prior DWI convictions are overrepresented in fatal crashes and have a greater relative risk of fatal crash involvement.

One study showed that about 3 percent of all licensed drivers had a prior arrest for DWI within the past three years, yet 12 percent of intoxicated drivers involved in fatal crashes had at least one prior DWI conviction in the past three years.

That same study showed that intoxicated drivers with prior DWI convictions had 4.1 times the risk of being in a fatal crash as intoxicated drivers without prior DWIs. Another study showed that fatal crash risk increases with the number of prior DWI arrests.
MADD called on states to pass all-offender ignition interlock laws.

Ignition interlocks are proven effective in stopping drunk driving. According to the Centers for Disease Control (CDC), ignition interlocks, on average, reduce drunk driving recidivism by 67 percent.
Screening and Brief Intervention

- NHTSA data show that over 50% of alcohol-involved drivers in fatal crashes have blood alcohol concentrations at or above .16 – twice the legal limit in most states.

- These are drivers who have alcohol use problems that could have been addressed.
Data shows that a significant portion of dependent drinkers will seek treatment if recommended by health care professionals.

Additionally, data show that the behavior of a significant percentage of at-risk drinkers can be positively changed by receiving counseling from a credible source, such as a health care professional.
Increased use of screening and brief intervention by health care professionals will increase behavior change and/or treatment initiation for those at-risk for alcohol abuse. This should reduce the number of drivers involved in alcohol-related crashes, particularly those at high blood alcohol concentration levels.
DWI Courts

- Modeled after Drug Courts, DWI Courts are designed to provide constant supervision to offenders by judges who closely monitor, on an ongoing basis, compliance with court-ordered sanctions and treatment.

- A study of repeat offenders, a population causing approximately ten percent of alcohol-related deaths annually, demonstrated that regular contact with a concerned person, such as a judge, positively impacted drinking and driving decisions.
Establishment of DWI Courts is a promising strategy for addressing the problem of impaired driving among these high-risk individuals who are most likely, of all DWI offenders, to have alcohol dependency problems and to recidivate.
Several studies have demonstrated the utility of DWI Courts and intensive supervision in reducing recidivism.

An intensive supervision program for repeat offenders in Milwaukee showed a 48 percent reduction in recidivism.

Similarly, a study of the imposition by Georgia courts of individualized sanctions showed a 43 percent lower recidivism rate for repeat offenders.
The program brings together the court, District Attorney's office, public defenders' office, probation department and mental health experts. Together, with law enforcement support, they provide a team approach to helping the participants change their behavior.

The ultimate goal of the program is to improve public safety by reducing the number of repeat impaired drivers on the road.

The program consists of five phases that are completed during the course of 18 months. Each phase emphasizes treatment, sober living skills and accountability.
Strategy 6: Increase the number of high visibility DWI Programs

- Increase the number of high-visibility DWI Programs, including DWI checkpoints and saturation patrols.

- Sobriety checkpoints are distinct law enforcement events during which officers stationed at particular locations stop each $n$-th vehicle (e.g., every 8th vehicle) to check for evidence of impairment.

- Saturation patrols are coordinated law enforcement efforts in locations known to have high concentrations of alcohol-related arrests, crashes, injuries, or fatalities.
Deterrence is based on the precept that fear of punishment will prevent persons from engaging in a proscribed behavior, in this case driving while impaired.

Enforcement action alone may be considered a punishment and create deterrence for some drivers. In this case, simply creating a greater fear of arrest without changing legal sanctions may increase deterrence.
Increased enforcement have contributed to the recent reduction in drinking and driving.

- Both sobriety checkpoints and saturation patrols are intended to create general deterrence, the success of which depends heavily on the public’s advanced knowledge of the enforcement activities.

- Because of the increased chance of interacting with law enforcement officers at checkpoints or as a result of saturation patrols, the perception of risk of being detected and arrested increases, thereby deterring impaired driving.

- Thus, publicity and media attention are critical prior to, during, and after enforcement events.
Evidence demonstrates that enhanced enforcement, particularly the use of sobriety checkpoints, increases the public’s perceived risk of arrest, thereby reducing impaired driving and alcohol-related fatalities and crashes.

Recent research confirms prior findings that multiple strategies, including sobriety checkpoints and saturation patrols, supported by strong public information and education efforts, effectively reduce surrogates of alcohol-related crashes (e.g., single vehicle nighttime crashes) by 10 to 30 percent.

Evaluations indicate that large-scale sobriety checkpoint programs alone can reduce alcohol-related crashes by 20 percent.
According to MADD

- High-visibility law enforcement tactics such as sobriety checkpoints and saturation patrols, conducted around key holidays and throughout the year, remain one of the most effective tools to catch and deter drunk drivers.

- Research shows that when publicized, increased enforcement reduces drunk driving fatalities by up to 20 percent.
Strategy 7: Reduce drugged driving

- Drugged driving is believed to contribute significantly to impaired driving crashes resulting in death and serious injury.
- One study from 2007 indicated that 33% of fatally injured drivers used drugs although this was based on the limited data available in FARS on drug use.
- The Governor’s Highway Safety Association and the National Highway Traffic Safety Administration have both acknowledged the growing magnitude and seriousness of the problem.
- Tools for law enforcement to detect and document drugged impaired driving are not as available as for alcohol.
- Prosecution of drugged involved impairment cases is complicated by the lack of protocol, clear laws regarding drug use and driving as well as a lack of training for prosecutors and judges confronted by complicated drugged driving cases.
- Need to provide tools in the short term to law enforcement, prosecutors, judges and the treatment community to more effectively respond to this growing problem.
- Failure to address the drug driving dilemma will result in increased impaired driving fatalities.
Questions ?????
Thank you!

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