

IMPAIRED DRIVING SUCCESSES & CHALLENGES IN PENNSYLVANIA

TEAM DUI

PENNSYLVANIA DUI ASSOCIATION

Presented by

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TEAM DUI
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**DUI fatalities down in 2013 at 369,
lowest since traffic records began being
kept in 1928.**

- ▣ **Fatalities due to a drinking driver (defined as any driver suspected of drinking or with BAC greater than .01) down in 2013 at 342, lowest since PennDOT traffic records began in 1928 (does not include pedestrians, bikers).**

DUI fatalities down in 2013 at 369, lowest since traffic records began being kept in 1929

▣ Why?

- ▣ Social norming - drinking/driving no!
- ▣ PI&E (Public Information & Education)
- ▣ Safer vehicles
- ▣ High visibility enforcement -
PennDOT funded Impaired Driving
Grantees

DUI crashes continue to decline, slightly, each year

- ▣ While alcohol DUI crashes are declining, crashes cause by drug impaired all too often go undetected.
- ▣ Law enforcement needs to be better trained in recognizing the drug impaired driver.

DUI Arrests down in 2013 (54,121) compared to 56K + in 2011, 12.

Why?

- ▣ Officer complement is down due to budgets
- ▣ Traffic safety units are being dissolved;
- ▣ Answering more calls for service precluding them from proactively doing DUI;
- ▣ MAP-21 funding has been consistent, however costs for enforcement have increased.

DUI-Drug arrests are increasing each year.

In 2013 they reached all time high of 16,564 or 30.6% of total DUI arrests

Why?

- ▣ **More drugs are available.** Designer drugs, prescription drugs, illicit drugs, OTCs, “other drugs”.
- ▣ **More officers are being trained** to detect and/or evaluate drug impairment.
- ▣ **ARIDE** - after every class we have officers reporting DUI-D arrests they would never have previously made; have trained over 7,000 since 2007
- ▣ **DRE (Drug Recognition Expert)** - Success story: Comm. v. Tiche; Presently only 129 DREs today in PA. (87 PSP, 42 municipal)
- ▣ **Polydrug use** is being detected through more and better use of forensic toxicology (York Co. success in testing those BACs under .16 for drugs; 50% come back positive for just the common drugs of abuse.

BARRIERS TO BETTER SUCCESS IN IMPAIRED DRIVING REDUCTION

- ▣ **DUI-Drugs is a “new science” - new for police, new for prosecutors, new for judges.**
- ▣ While alcohol impairment has been studied ad infinitum and effects are well known, drugs have not been studied and their effects vary from person to person.
- ▣ Better officer training in the basics of DUI: PSP trains cadets in SFSTs while not all municipal academies do not.
- ▣ ARIDE (drugged driver recognition) training needs to be mandatory training for all cadet officers
- ▣ More Drug Recognition Experts needed to solidify DUI-Drug arrests and to enhance likelihood of successful prosecution; Must be parity between PSP and municipals

BARRIERS TO BETTER SUCCESS IN IMPAIRED DRIVING REDUCTION

- ▣ Prosecutors need to be better trained; large portion of DUIs are prosecuted by less experienced ADAs. Result: Too many “deals”.
- ▣ DOH must take a proactive leadership and advocacy role in developing approved, best practice forensic blood testing protocols.
- ▣ Preservation of blood for drugs needs to improve to minimize false negative toxicology.
- ▣ All Offices of District Attorneys need to use SOFT accredited forensic laboratories.
- ▣ More DUI courts are needed to reduce recidivism - current success rate is 90% but only available in approximately 15 PA counties

BARRIERS TO BETTER SUCCESS IN IMPAIRED DRIVING REDUCTION

- ▣ More effort needs to be focused on treatment of repeat offenders. The usual sanctions do not address addiction, highway safety school, ignition interlock, SCRAM, etc. **as evidenced by 60% recidivism.**
- ▣ First time DUI convictions must include ignition interlock as part of the sentence.
- ▣ Better ignition interlock technology must be advanced to prevent circumvention of devices.
- ▣ Seat belt use must be primary offense. The best defense in an impaired driving crash is seatbelt restraint.

Denouement

- ▣ Eliminate the three tiered alcohol DUI grading.
- ▣ The legal per se is .08 BAC. All impaired driving offenses should be graded the same so that pleas bargains are miniimized.
- ▣ Eliminate “baby DUIs” as the .08 BACs are often called.
- ▣ We only have one tier for victims of impaired driving.

Thank You!

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