

DWI Crime and Punishment

January, 2011

Globally

- 21 – USA - State Law, national standard
 - Federal funding
- 18 – Most countries
- Enforcement
 - France – Crash - mandatory Breathalyzer
 - Mexico – Crackdown – deaths 719 to 300
- Similar sanctions across countries

New York State

- 1910 – 1st to Criminalize DWI
- 1972 – BAC to .10%
- 1981 – STOP-DWI program
- 2002 – BAC to .08%
- 2005 – Vehicular Manslaughter
- 2006 – Aggravated DWI = .18%
- 2009 – Ignition Interlock / <16= Felony

Nassau County DWI Stats

	<u>2010</u>	<u>2009</u>
■ DWI Arrests	3,641	3,918
■ Average Age	31	32
■ Average BAC	.13%	.14%

** 10% of arrestees < 21 yrs.

DWI Car Stop

- Officer observes traffic violation typical of DWI
- Car stop with interview
- Reasonable Suspicion
- Standardized Field Sobriety Test
 - Series of tests done curb side
- Portable Breathalyzer – optional
- Probable Cause = Arrest

Central Testing

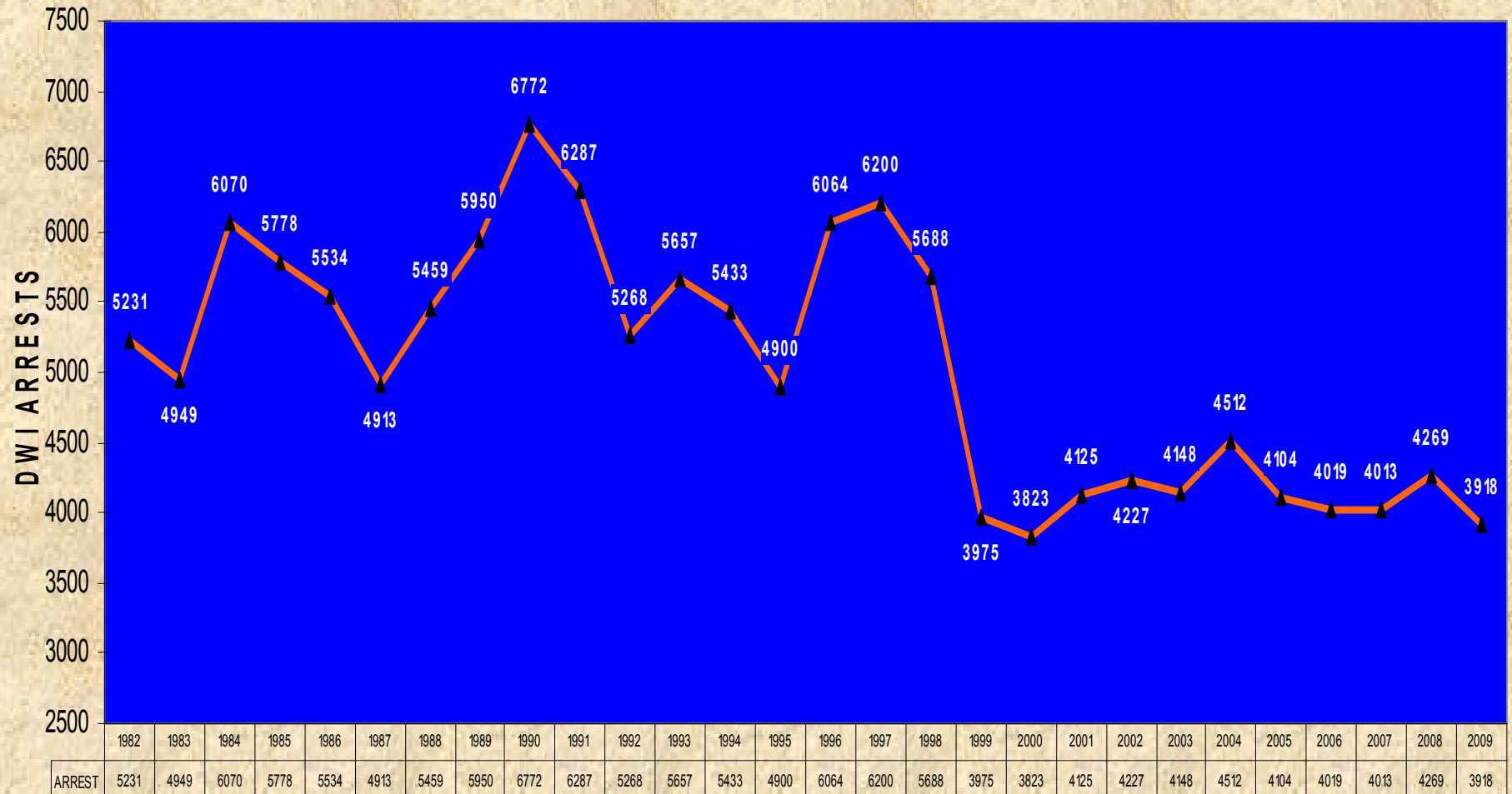


Police Detention





Nassau County DWI ARRESTS 1982-2009



YEARS/TOTAL

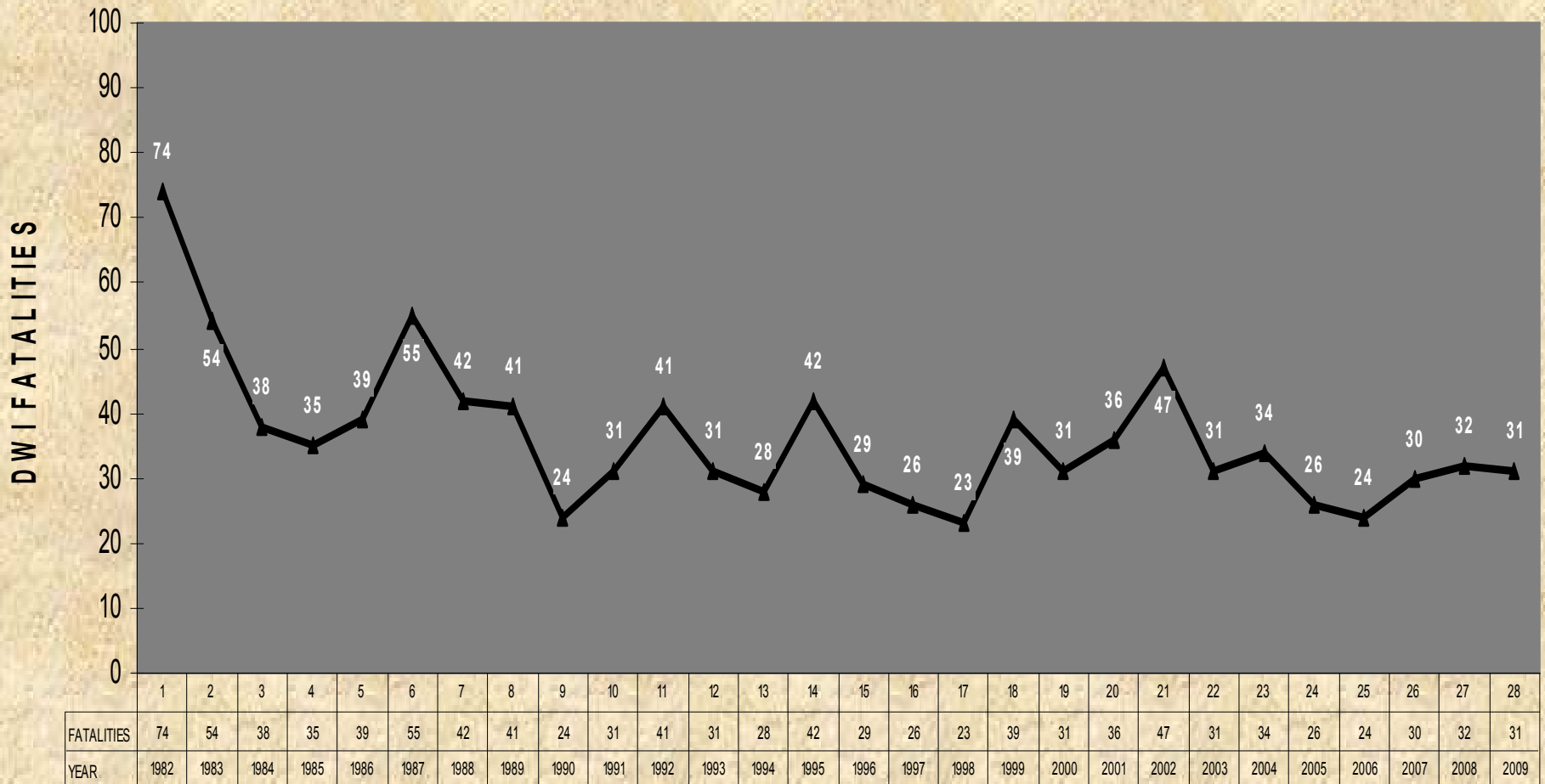
Nassau County DWI Crash Stats

	<u>2010</u>	<u>2009</u>
DWI crashes	657*	663
DWI Fatalities	16 *	31

* Pending toxicology finals



Nassau County DWI FATALITIES 1982-2009



YEARS/TOTAL

Philosophy

- Deterrence
 - Treatment
 - License Sanctions
 - Education

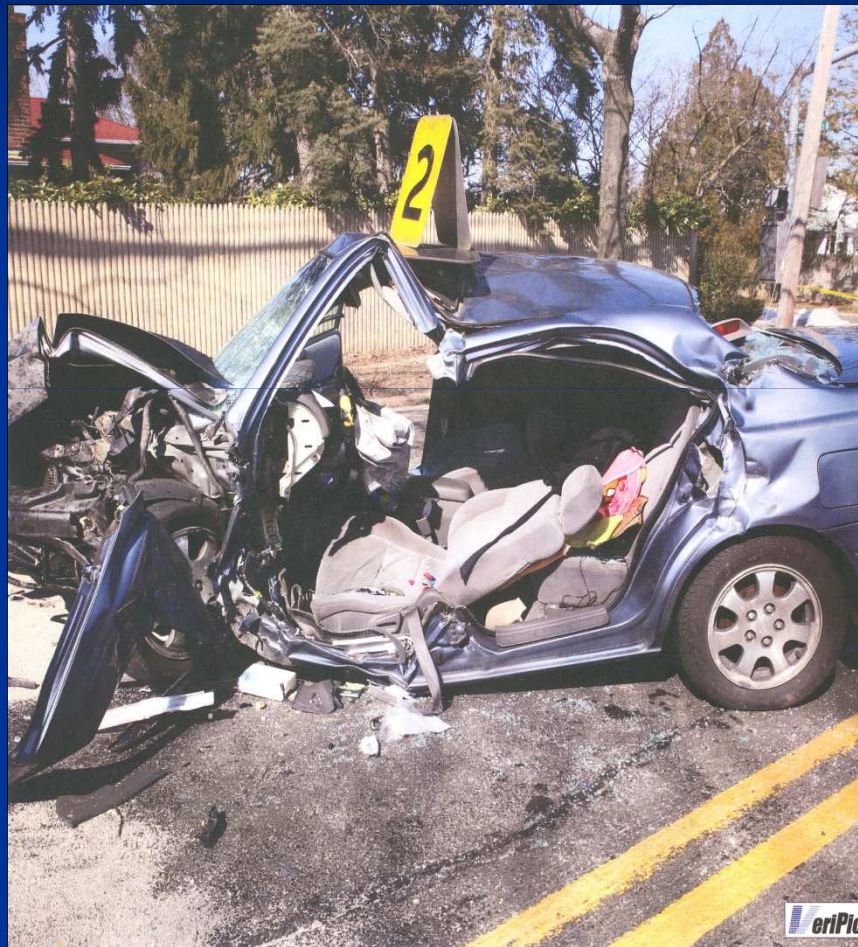
Deterrence

- License suspension / revocation
- Legal Fees
- Criminal Conviction
- Ignition Interlock Device
- Probation
- Jail
- Injury / Death

Summary

- Good progress; Still too many
- General resistance to DWI as “Criminal”
- Education
- MADD – since 1980
- Increased consequences = increased deterrence
 - Continued law changes
 - Requires popular support

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