

## DWI and Traffic Safety

By John L. Fossum, Rice County Attorney

The Wednesday before Thanksgiving is one of the biggest DWI nights of the year. Rice County Law Enforcement will be out in force to catch drivers who have been drinking, and there will be other enforcement sweeps as well.

According to the National Highway Traffic Safety Administration as of 2014, Minnesota had 633,000 residents with DWIs on their driving record. Of those, 367,000 have had one, and 25,000 have five or more.

If you drink, don't drive, ride with a friend, call a sober cab, find another way home. Rice County has established a sober cab ride with First Class Shuttle which will give you a ride for \$6. The costs of DWI convictions are long lasting in insurance rates, job opportunities and other expenses. Worse than that would be to take a life or lose your own as a result of drinking and driving.

The legislature has designed escalating responses to DWIs, it can be a misdemeanor, or gross misdemeanor with a maximum penalty of a year in jail and a \$3,000 fine for the first few depending on blood alcohol level. After four DWIs the driver is subject to felony prosecution. To go along with the criminal penalties; a driver will lose the driver license for escalating periods of time.

Higher blood alcohol level results in greater civil and criminal penalties and longer license revocations. Ultimately, the Department of Public Safety can cancel a driver's license as Inimical to Public Safety. In order to get the license back the driver has to prove they have been sober for at least two years and have completed treatment as required.

Despite these safeguards, the statewide death rate ticked up a bit in 2015 statewide numbers for 2016 are not complete. In Rice County, we have seen the number of DWIs decline from 232 in 2015 to 194 in 2016. Our roads have gotten safer over the years; in 2000, Rice County recorded 531 DWIs. This decrease has come about after increased public attention, more enforcement activity and the hard work of the Towards Zero Death Committee and the Rice County Safe Roads Coalition.

In 2000, Rice County saw 20 traffic deaths, 12 of which were attributed to alcohol. In 2016, we saw 6 traffic fatalities 4 of which were alcohol related. This is progress, but the challenge of multiple DWIs continues to cause problems. In 2015, 18 offenders in Rice County were on at least their fourth DWI, in 2016 there were 27 offenders in that category.

Misdemeanor and Gross Misdemeanor DWIs are generally prosecuted by the city attorneys in the city the crime occurred. Felony DWIs are prosecuted by my office. The Minnesota Department of Corrections reports that as July 1, 534 prisoners from across the state were serving sentences for Felony DWI convictions.

Punishment alone has not been the answer to deal with multiple DWIs, nor has license revocation or the ignition interlock program stopped the problem. Offenders can often get a reduced license suspension if

they agree to an ignition interlock system being installed in their car. This system requires the driver to breath into a tube to prove they have not been drinking before the car will start.

Rice County has also allowed some Felony DWI offenders into its treatment court program. Of those, three have already successfully graduated and completed intensive treatment and supervision. The best approach would be to prevent people from drinking and driving in the first place. Please don't become a statistic and help make our community safer by not drinking and driving.