

Texas Traffic Safety eGrants Fiscal Year 2016

GENERAL

Organization Name: Collin County – District Attorney’s Office

Legal Name: Collin County

Project Title: DWI No-Refusal Mandatory Blood Draw Program

ID: 2016-CollinDA-G-1YG-0070

Period: 10/01/2015 to 09/30/2016

Project Description: Reduce DWI offenses and prevent alcohol-involved crashes through provision of health care professionals to perform blood draws on weekend nights and holidays.

Proposing Agency Authentication

The following person has authorized the submittal of this proposal

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County: Collin County – Dallas District

Political Districts Served:

U.S. Congress Congressional District 3
 Congressional District 4
 Congressional District 32

Texas Senate Texas Senate District 8
 Texas Senate District 30

Texas House Texas House of Representatives District 33
 Texas House of Representatives District 66
 Texas House of Representatives District 67
 Texas House of Representatives District 70
 Texas House of Representatives District 89

GOALS AND STRATEGIES

ALCOHOL AND OTHER DRUG COUNTERMEASURES

Select goal(s) and strategy/strategies:

- To reduce the number of alcohol impaired and driving under the influence of alcohol and other drug-related crashes, fatalities, and injuries.**
 - Increase and sustain high visibility enforcement of DWI laws.
 - Improve BAC testing and reporting to the State's crash records information system.
 - Improve anti-DWI public information and education campaigns including appropriate bilingual campaigns.
 - Increase the number of law enforcement task forces and coordinated enforcement campaigns.
 - Increase training for anti-DWI advocates.
 - Increase intervention efforts.
 - Improve and increase training for law enforcement officers.
 - Improve DWI processing procedures.
 - Improve adjudication and processing of DWI cases through improved training for judges, administrative license revocation judges, prosecutors, and probation officers.
 - Increase the use of warrants for mandatory blood draws.**
 - Educate the public and stakeholders on the use of interlock devices and other alcohol monitoring technologies for DWI offenders.
- To reduce the number of DUI-related crashes when the driver is under age 21
 - Improve education programs on alcohol and driving for youth.
 - Increase enforcement of driving under the influence by minors laws.
 - Increase public education and information, concentrating on youth age 5-13 and 14-20, including parent education on drinking and driving.

PROBLEM IDENTIFICATION AND SOLUTION

I. Problem Identification

Problem Statement and Documentation of Data: Describe the nature and magnitude of the current traffic safety problem(s) using current statistical data (cite source and date of the information). Sufficient data must be provided to prove that the problem is significant and should be addressed (Supporting data must include 2012 data or newer. Data older than 2012 can be included to show trends).

Drinking and driving is a major public safety threat, resulting in DUI-related accidents and making DWI enforcement critical. The number of vehicles and drivers in Collin County (pop. 854,778) has increased corresponding to the 74.2% population increase since 2000. According to Texas Department of Transportation statistics, Collin County has consistently ranked in the top 10 counties for alcohol-involved crashes over the past decade, peaking at 681 crashes in 2009. While alcohol-involved crashes increased for both the county and state in 2012, the percent increase was greater in Collin County (21.5%) than in Texas (6.1%). Additionally, the percentage of alcohol-related fatal crashes has been higher in Collin County as compared to Texas for the past two years. In 2012 and 2013, DUI-related fatal crashes in Collin County accounted for 36% and 35.9%, respectively, of all fatal crashes while only accounting for 32.0% in Texas. Over the 4 year period from 2010 to 2013, the number of alcohol-involved crashes in Texas increased by 0.8%, while Collin County saw an increase of 8.9%. Additionally, over the same 4-year period, the number of alcohol-involved crash related injuries decreased for Texas by 8.4%, while injuries increased by 6.3% in Collin County.

1. US Census Bureau. "Collin County QuickFacts." State and County QuickFacts, 8 Jul 2014. Web. [Accessed 3 Dec 2014]. <http://quickfacts.census.gov/qfd/states/48/48085.html>
2. Texas Department of Transportation. "Texas Motor Vehicle Crash Statistics, 2003 – 2013." Crash Records Information System (CRIS), 7 May 2014. Web. [Accessed 3 Dec 2014]. www.txdot.gov/government/enforcement/annual-summary.html

II. Project Plan

Problem Solution:

In an effort to reduce the number DWI offenses and resultant roadway accidents, Collin County will continue our “No Refusal” program, originally implemented in 2010, which weaves together public awareness, enforcement, and effective prosecution. According to 2013 data, more alcohol involved crashes are reported from Friday to Sunday and between midnight to 3 am than any other days or times (Texas Department of Transportation, 2014), while the 2007 National Roadside Survey (NRS) showed that 12.4% of drivers on weekend nights have a positive blood alcohol concentration (BAC) exceeding .08 g/dL (Lacey et. al., 2009).

Through the “No Refusal” program, Collin County provides increased public awareness through public/press releases, coordinates on-call judges, funds health care professionals on weekend nights and holidays at two local jails, and ensures local law enforcement officers are aware of judicial and health care professional availability. The program provides law enforcement entities in the county the opportunity to obtain blood samples from drivers who refuse BAC testing, once a warrant is obtained. These “No Refusal” policies in turn provide prosecutors with objective, scientific evidence confirming the driver’s blood alcohol concentration when it would otherwise not have been available, thus improving prosecution.

Definitive evidence, such as BAC, improves DWI case conviction rates and enables prosecutors to recommend the most just and fair punishment available under law. Data from the Collin County District Attorney’s (DA) Office shows that cases with no BAC evidence (“refusals”) result in a substantially higher percentage of trials being requested and have higher acquittal rates as compared with cases where BAC data is obtained. In the past four years (January 2011 to September 2014), Collin County has prosecuted 7,057 DWI cases. Of those, BAC data was not collected for 1,411 (20.0%) defendants. Trial was requested for 26% (n=367) of these “refusal” cases, which resulted in 68.1% (n=250) being acquitted. Comparatively, for cases where BAC evidence was available, only 7.6% (n=428) requested trials with 50.7% (n=217) being acquitted. This data demonstrates that a larger percentage of defendants who know scientific BAC evidence will be used during criminal proceedings are likely to plead guilty, and cases without BAC evidence are more likely to be acquitted by judges and juries.

Since the inception of the program, Collin County has reduced the number of suspected DWI cases being prosecuted without BAC data from 29.2% in 2011 to 15.6% in 2013 as both blood consent and blood warrant cases have increased. As the overall conviction rate (96.2%) for cases with BAC data are higher than for those without BAC data (82.3%), extrapolation of program data indicates that 220 additional acquittals would have been expected since program inception without the “No Refusal” program. However, DA Office statistics show that the overall DWI conviction rate has actually increased from 91% in 2011 to 95% in 2014.

The “No Refusal” program has ensured that DWI offenders in Collin County are penalized to the extent possible with fewer requests for trial and higher conviction rates resulting from scientific BAC evidence. As most (72.8%) weekend night drivers are classified as normative drinkers, as opposed to having an alcohol use disorder (Lacey et. al., 2009), and the anticipated increasing severity of punishment resulting from subsequent DWI convictions reduces recidivism for first time offenders (Hansen, 2013), enforcement through conviction with documented blood alcohol concentration (BAC) data should reduce the number of repeat DWI offenses and prevent future alcohol involved crashes.

1. Collin County District Attorney’s Office. “DWI Stats.” 2011 – 2014.
2. Hansen, Benjamin. “Punishment and Deterrence: Evidence from Drunk Driving.” 2013. Social Science Research Network. http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1956180
3. Lacey, J.H., Kelley-Baker, T., Furr-Holden, D., Voas, R.B., Moore, C., Brainard, K., Tippetts, A.S., Romano, E., Torres, P., Berning, A. 2009. “2007 National Roadside Survey of Alcohol and Drug Use by Drivers: Alcohol Results.” National Highway Traffic Safety Administration, Washington, DC. www.nhtsa.gov/DOT/NHTSA/Traffic%20Injury%20Control/Articles/Associated%20Files/811237.pdf
4. Texas Department of Transportation. “Texas Motor Vehicle Crash Statistics, 2003 – 2013.” Crash Records Information System (CRIS), 7 May 2014. Web. [Accessed 3 Dec 2014]. www.txdot.gov/government/enforcement/annual-summary.html

III. Project Evaluation

How will your organization evaluate the project to prove success?

Program success will be measured through a reduction in the number of annual alcohol-involved crashes in Collin County as reported through the Texas Department of Transportation's Crash Records Information System (CRIS). Additionally, DWI case data will be collected and evaluated for trends. Case data will be analyzed by BAC type (refusal/none, breath, blood consent, blood warrant, and urine), as well as by case procedure (plea, jury trial, bench trial) and disposition (conviction or acquittal).

OBJECTIVES, PI&E, PERFORMANCE MEASURES AND ACTIVITIES

Objectives must follow "To verb, target number, performance measure by date" format.

Objective Statement: To achieve 80% blood alcohol content (BAC) data collection rate for all suspected DWI offenses by 9/30/2016

Activity

- Coordinate with local law enforcement and judicial officers each weekend and major holiday to enforce campaign.
- Increase the number of BAC samples obtained from suspected DWI drivers through blood warrants, if necessary.
- Provide health care professionals at 2 local jails for 10-hour shift every Friday, Saturday, and holiday evening to perform blood draws.

Objective Statement: To maintain 90% minimum conviction rate for all DWI cases by 9/30/2016

Activity

- Obtain objective, scientific evidence (BAC data) thus increasing the number of guilty or no contest pleas.
- Obtain objective, scientific evidence (BAC data) thus reducing the number of trials requested.

Objective Statement: To prevent 3% of alcohol-involved crashes in Collin County as compared with previous year by 9/30/2016

Activity

- Conduct increased public awareness regarding "No Refusal" mandatory blood draw campaign.
- Coordinate with local law enforcement and judicial officers each weekend and major holiday to enforce campaign.
- Reduce repeat offenses through prosecution and conviction of intoxicated drivers.

Objective Statement: To conduct 12 public awareness events detailing the "No Refusal" campaign by 9/30/2016

Activity

- Provide press releases and other information regarding mandatory blood draw campaign.
- Participate with Mothers Against Drunk Driving (MADD) during public awareness events.
- Maintain updated DWI enforcement information on the Collin County District Attorney's website.

Budget

Item	Description	Grant Award	20% Match	Total
<i>Personnel & Fringes</i>				
Accountant / Auditor	75 hours @ \$27.260/hr + 25.88% fringe benefits	\$ -	\$ 2,573.62	\$ 2,573.62
Chief Felony Prosecutor	65 hours @ \$45.469/hr + 20.54% fringe benefits	\$ -	\$ 3,592.10	\$ 3,592.10
Chief Misdemeanor Prosecutors	100 hours @ \$32.473/hr + 24.20% fringe benefits	\$ -	\$ 4,033.15	\$ 4,033.15
Misdemeanor Prosecutors	115 hours @ \$27.759/hr + 25.87% fringe benefits	\$ -	\$ 4,018.13	\$ 4,018.13
<i>Contractual</i>				
Health Practitioners	Health Care Professionals @ \$26/hr for 1,065 hours annually * 2	<u>\$ 55,380.00</u>	<u>\$ -</u>	<u>\$ 55,380.00</u>
		\$ 55,380.00	\$ 14,216.99	\$ 69,596.99