

Traffic Safety 2022

Project Purpose

Problem Statement and Data that Supports the Problem

(Briefly describe the problem and solution, including how the program will contribute toward reducing traffic fatalities, injuries & crashes in Nevada.)

Alcohol impaired drivers (BAC=.08+) always present a significant risk of death and/or serious bodily harm to themselves and the community at-large. On average, an alcohol impaired driver will drive 87 times under the influence before their first arrest. The consequences of such impairment can clearly be seen in the data collected by the National Highway Traffic Safety Administration in its 2018 Fatality Analysis Reporting System. Clark is the largest county in Nevada with about 70% of the state's population. According to the Nevada SHSP, between 2013 and 2017, 71% of impaired driving fatalities and serious injuries occurred in Clark County. Impaired drivers frequently have substance use disorders, which left untreated, may result in their continuing to drive while under the influence. Las Vegas Justice Court DUI Treatment Court (DUI Court) is designed to work with misdemeanor offenders with substance use disorders as an underlying cause for their arrest. The court's mission is to effectively reduce incidents of driving under the influence by providing access to rigorous treatment services and court supervision while requiring accountability. It operates in accordance with the 10 Key Components of NADCP. Higher visibility is essential to increasing program participants and decreasing their likelihood of re-offending and/or escalating from misdemeanor to felony offenses that may result in loss of life. Year-over-year low termination and recidivism rates demonstrate the effectiveness of the program.

DUI Court participants are identified through a substance abuse evaluation process or case negotiations. NRS requires 1st time DUI offenders with recorded blood alcohol content greater than .18 at time of offense and all 2nd DUI offenders to submit to a substance abuse evaluation to determine if any substance use disorder is indicated. It further provides for the sentence, if recommended, to include treatment in DUI Court. The target population is the misdemeanor repeat DUI offender. Generally, DUI Court participants are expected to pay their own program costs, which includes case management fees, drug and alcohol assessment, House Arrest, counseling, drug testing, Breath Ignition Interlock Device (BIID). Part of the accountability of participating DUI offenders is fulfilling their financial responsibilities during the program. At the same time, treatment expenses can present a major obstacle for those of limited financial means. Defendants are required, per statute, to pay for treatment costs, but recently-awarded federal grant funding covers electronic monitoring and random drug testing of DUI Court participants a minimum of two times a week to be compliant with national standards.

Local data that supports the problem -

NHTSA releases data on traffic fatalities by person/crash type by state and county. In Nevada between 2014 and 2018, there were 469 alcohol-impaired driving fatalities. In Clark County during that time period, there were 307 fatalities in impaired driving (BAC=.08+) crashes.

Approximately one-third of all crash fatalities in Clark County have an alcohol misuse or abuse component. Of Nevada fatal and serious injury crashes, 71% occur in Clark County. Alcohol and/or drug impaired crashes account for around 34% of Nevada's traffic-related deaths and 39% of serious injuries in 2018. According to the 2019 Nevada Strategic Highway Safety Plan, between 2013 and 2017, 71% of impaired driving fatalities and serious injuries occurred in Clark County. The annual crash trend for impaired driving fatalities has dropped by 4% 2016 to 2018. As a tourist destination, Clark County faces a substantial double challenge of impaired drivers who are visiting and those who are local. According to the Clark County Coroner's Office, from

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2008 to 2013 about 20% of the people who died in crashes were from other states compared to tourist-heavy Orange County Florida (Disney World) at only 5%.

Cause(s) of the problem -

Clark County can be a challenging place for individuals with substance misuse and abuse disorders because it provides access to alcohol twenty-four hours a day, seven days a week. The atmosphere gives a glamorous aura to the consumption of alcohol, which can be difficult to resist. However, the hard science behind substance abuse disorders explains how difficult it is for alcohol impaired individuals to make rational decisions to protect themselves and others. The most significant problem with reducing DUI is the bio-chemical effect of alcohol on the brain. Alcohol initially acts as a stimulant then becomes a sedative. The frontal lobe responsible for judgment is the least available as the blood alcohol level rises. This is when an impaired driver needs access to it the most as the emotional state of the brain is directing behavior and tends to lead to bad decisions. DUI offenders, with treatment, can learn to assimilate this information and abstain from further consumption of alcohol or, if not, plan before drinking, such things as who is going to drive (designated driver), or how to get home (cab is safer). The statistics reports that of the drinking adults, 10% are actually dependent, while 80% drink moderately and rarely abuse, and 10% are sliding into dependency. DUI will not be entirely eradicated because the brain cannot always distinguish fact from perception. However, it may be possible to substantially reduce the numbers of impaired drivers on the road by holding all DUI offenders responsible for their actions and requiring treatment, when appropriate. For those who are moderately or severely dependent, the only action is long term abstinence, treatment, and replacing old habits with new habits. For those who are abusers, they may learn to drink more responsibly. However, harm reduction has only been demonstrated to work for abusers, not alcohol addicts. It takes a team of professionals to tease out the abusers from the defendants moderately or severely dependent and identify and counsel the underpinnings of what is driving the excessive drinking.

Using the Highway Safety Countermeasures Guide link below, reference the countermeasure title and numbers chosen to address the identified problem.

The DUI Court program utilizes the following countermeasures to address the risk presented by impaired drivers:

- LVJC maintains an on-site Evaluation Center licensed through the State of Nevada, Substance Abuse Prevention & Treatment Agency (SAPTA) to provide substance abuse evaluations. Referrals to the Evaluation Center may be received from any Clark County Court, attorney, and/or services providers. Private individuals and/or businesses can self-refer. DUI Court participants are identified through the substance abuse evaluation process or case negotiations.
- One of the goals of DUI Court is to move repeat DUI offenders into substance abuse and behavioral treatment programs rather than have them enter into plea agreements that just impose jail or minimal requirements. This is because the availability to plea with lesser requirements allows too many offenders to avoid much needed treatment.
- Consistent with the National Center for DWI Courts national standards, the minimum length of time an offender is required to participate in the program is one (1) year.
- Each DUI Court participant must successfully complete a designated number of individual and group

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counseling sessions as well as a criminal thinking behavior modification program.

- DUI Court participants are encouraged to attend Alcoholics Anonymous and/or a similar sober support group and must demonstrate their attendance.
- At the beginning of the program, participants are placed on electronic monitoring for up to 90 days. Electronic monitoring and/or continuous alcohol monitoring may also be used as a sanction throughout the program.
- All DUI Court participants are required to submit to random observed drug testing at least two times a week.
- Each DUI Court participant must attend a live Victim Impact Panel.
- Installation of Breath Ignition Interlock Device is required on all vehicles DUI Court program participants use for the duration of the program.
- DUI Court participants are court-ordered to abstain from using alcohol, drugs or other mood altering substances.
- Regular appearances in DUI Court are mandated to monitor compliance and to assure program participant understand they are accountable to the court.
- Non-compliance is addressed by the imposition of timely sanctions.
- DUI Court participants are required to pay program fees and costs. The standard costs are \$3,449 - \$5,439.