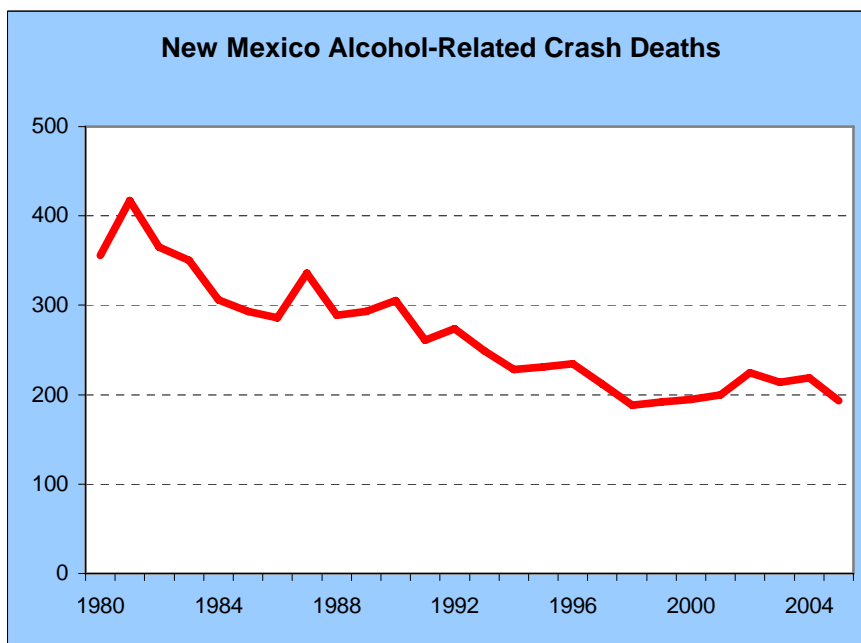


## The Two Percent Solution

By Steven Flint

As the accompanying graphs show, New Mexico made some impressive progress against alcohol-related crash deaths between 1980 and 1985, from 1989 to 1993, and again between 1993 and 1998. However, since 1998, there has been no further progress. It appears that reduced levels of DWI enforcement have contributed to the lack of progress in recent years.

The Institute of Transportation Studies at the University of California, Berkeley, reports that the national benchmark for DUI arrests is 2.0 percent of licensed drivers, a figure commonly used in police traffic services planning and assessment nationally for decades<sup>1</sup>. Comparing New Mexico arrest trends to that benchmark, Figure 2 shows that DWI arrests since 1998 are at a historically low level, and that prior to that they at times even exceeded the 2% benchmark.

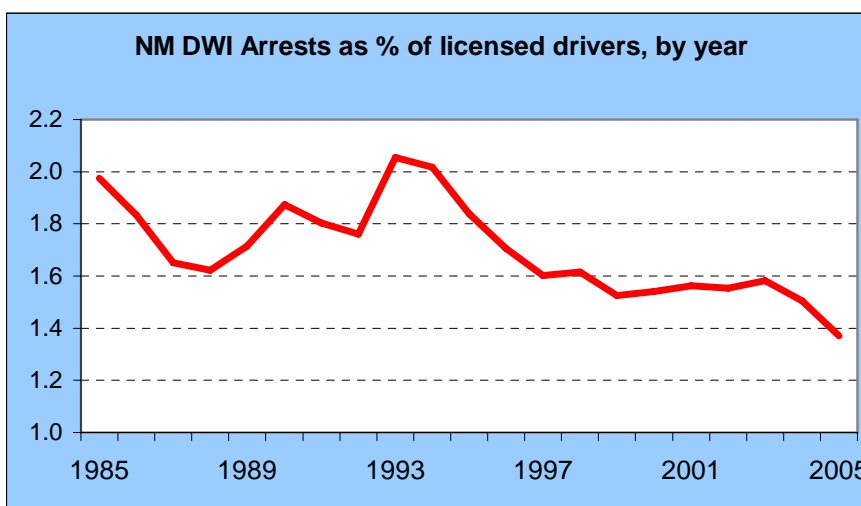


**Figure 1 - New Mexico Alcohol-Related Crash Deaths**

Source: NM Traffic Safety Bureau. 2005 Value is preliminary.

Table 1 provides arrest counts and percentages involved. Licensed driver counts are from the UNM Division of Government Research, except the 2005 value is estimated from the 2003-2004 levels and growth rates. DWI arrest counts are from the January 2006 NM Motor Vehicle Division's DWI Citation Tracking System, except that the 2005 level was estimated from arrests in Dec. 2004-Nov. 2005 due to incomplete arrest counts for some agencies for December, 2005.

To resume progress against DWI, New Mexico needs to do several things, including restarting the trend of increased occupant restraint usage (which also has progressed little in recent years), revitalizing its statewide high-visibility DWI checkpoint program (which has lost some visibility in recent years from its co-mingling with occupant restraint and speed



**Figure 2 - New Mexico DWI Arrests as % of Licensed Drivers**

Source: NM Motor Vehicle Division & UNM Div. Of Government Research. 2005 Value is preliminary, projected from Dec. 2004-Nov. 2005 arrest counts.

enforcement in a "Superblitz" concept), and making current enforcement work more targeted using data and more visible to the impaired-driving population through innovative visibility efforts.

But to resume progress against DWI, New Mexico also needs to return to high-level general DWI enforcement, as a key component of high-level general deterrence of DWI. The evidence is that this is quite feasible.

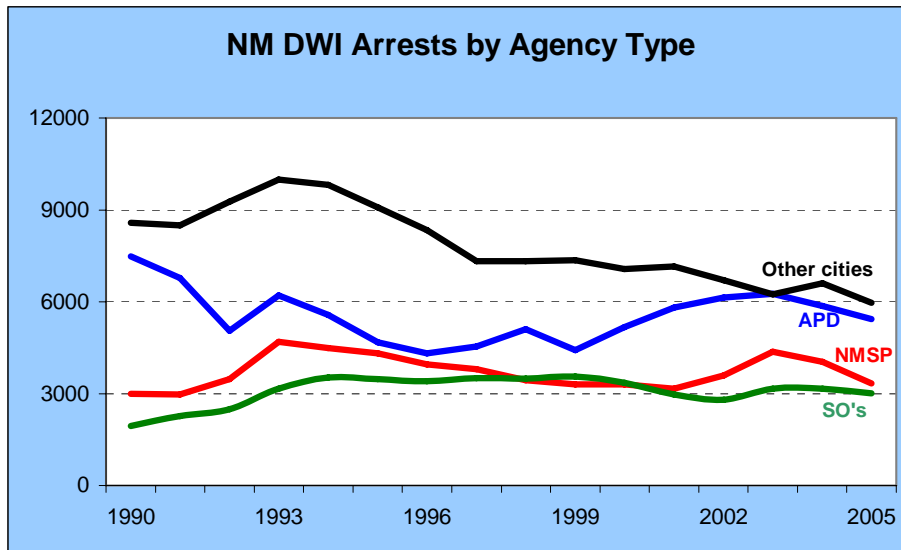
Figure 3 shows DWI enforcement levels by agency type (NM State Police, Albuquerque Police, Other Municipal Police, and Sheriffs' Departments). In each case, historical arrest levels have varied dramatically over time, reflecting competing priorities of political or law enforcement leaders, varied funding from federal, state, and local levels, and other factors. Table 2 shows the arrest statistics underlying Figure 3.

While Table 1 shows a shortfall of 8,338 DWI arrests in 2005, a dramatic quantity, but from Table 2 one observes that to achieve that level, no agency type would need to exceed its historical peak. Table 3 shows total arrests that would result if each kind of agency repeated its strongest historical level of DWI enforcement. The total nearly matches the 2% benchmark level.

What would the agencies require in order to repeat their past achievements? There are several factors. Many agencies have suffered funding cutbacks or diversions, leaving insufficient staff

Year	Licensed Drivers	DWI Arrests	Arrests as % of Drivers	Amt. % is short of 2%	# of arrests short of 2%
1985	1,056,778	20,873	1.98	0.025	263
1986	1,067,910	19,581	1.83	0.166	1,777
1987	1,079,158	17,810	1.65	0.350	3,773
1988	1,090,526	17,692	1.62	0.378	4,119
1989	1,102,013	18,888	1.71	0.286	3,152
1990	1,113,621	20,866	1.87	0.126	1,406
1991	1,125,351	20,292	1.80	0.197	2,215
1992	1,137,205	20,016	1.76	0.240	2,728
1993	1,149,184	23,597	2.05	-	-
1994	1,161,289	23,419	2.02	-	-
1995	1,173,521	21,572	1.84	0.162	1,898
1996	1,179,324	20,125	1.71	0.294	3,461
1997	1,194,366	19,145	1.60	0.397	4,742
1998	1,203,934	19,461	1.62	0.384	4,618
1999	1,227,875	18,719	1.52	0.475	5,839
2000	1,234,086	19,000	1.54	0.460	5,682
2001	1,225,793	19,141	1.56	0.438	5,375
2002	1,237,499	19,238	1.55	0.445	5,512
2003	1,253,905	19,852	1.58	0.417	5,226
2004	1,289,089	19,400	1.50	0.495	6,382
2005	1,325,260	18,167	1.37	0.629	8,338

**Table 1 - New Mexico DWI Arrests as % of Licensed Drivers**  
*Source: NM Motor Vehicle Division & UNM Div. Of Government Research. 2005 Value is preliminary, projected from Dec. 2004-Nov. 2005 arrest counts.*



**Figure 3 - New Mexico DWI Arrest Trends by Agency Type**  
*Source: NM Motor Vehicle Division data as of January 2006. 2005 Value is preliminary, projected from Dec. 2004-Nov. 2005 arrest counts.*

for high-level DWI enforcement. Others face drastic recruiting-and-retention shortfalls due to demographic and labor-force trends. State traffic safety programs have highly emphasized overtime-based DWI enforcement and blitz-period time variations, which has perhaps diverted staff and other resources away from general DWI enforcement. Meanwhile, the State has not highly emphasized general DWI enforcement or full-time DWI unit approaches, instead concentrating on training. In some cases, state traffic safety funders even forbade using state funds for full-time DWI officer positions. The State likewise has not recently promoted or enforced a "seed-money" concept for local continuation of past state-funded full-time officer positions.

All of these factors can be addressed, given strong State priorities to stop DWI and insightful leadership to resolve them. Among the opportunities:

- Funding aspects can be resolved by moving some existing DWI funds toward law enforcement, reflecting the supreme injury-prevention prowess of high-visibility general deterrence methods. All local and state traffic safety planning should incorporate formal analysis of injury-prevention potential as a key evaluation factor for grant awards. In addition, new funds can be dedicated to the cause, as the NM Department of Transportation and the Governor have made DWI prevention a top state priority, and there is a backlog of unspent funds and a correctable under-collection of earmarked funds for DWI prevention.
- Recruiting and retention issues can be addressed through State involvement, creating a task force of law enforcement and legislative and executive leaders to aid agencies with creative approaches like seed-money assistance for police salary increases to the neediest local governments, partial or total student loan forgiveness for candidates, scholarships for law enforcement students, public promotion from highest-level leaders for law enforcement careers, outreach to school counselors, etc. Some of these strategies are underway by particular large agencies, with some success but with considerable damage from a resulting competitiveness among agencies that has them in effect raiding one another's staffs. A coordinated statewide effort would lift all boats.

Year	Total	Albuq. PD	NM State Police	Other Cities	Sheriffs Dept's.	Other Agencies
1985	21,037	7,444	3,935	7,984	1,547	127
1986	19,747	6,496	3,815	7,609	1,654	173
1987	17,979	6,247	3,209	6,979	1,409	135
1988	17,920	6,078	2,864	7,380	1,479	119
1989	19,099	6,524	3,279	7,626	1,545	125
1990	21,127	7,472	3,000	8,586	1,940	129
1991	20,612	6,776	2,975	8,490	2,271	100
1992	20,466	5,060	3,479	9,274	2,496	157
1993	24,446	6,211	4,694	9,995	3,164	382
1994	23,933	5,569	4,489	9,816	3,527	532
1995	22,101	4,677	4,323	9,085	3,479	537
1996	20,688	4,315	3,958	8,334	3,409	672
1997	19,662	4,534	3,799	7,329	3,510	490
1998	19,956	5,104	3,440	7,329	3,488	595
1999	19,256	4,425	3,308	7,354	3,560	609
2000	19,514	5,183	3,294	7,070	3,361	606
2001	19,676	5,810	3,161	7,146	2,973	586
2002	19,800	6,132	3,585	6,709	2,807	567
2003	20,485	6,261	4,372	6,246	3,156	450
2004	20,179	5,855	4,037	6,608	3,158	521
2005	18,167	5,437	3,330	5,963	3,004	433

**Table 2 - New Mexico DWI Arrests by Agency Type**

Source: NM Motor Vehicle Division data as of January 2006. 2005 values are preliminary, projected from Dec. 2004-Nov. 2005 arrest counts.

Agency Type	Maximum Annual Level	Year Of Max.
Albuquerque PD	7,472	1991
NM State Police	4,694	1993
Other City Police	9,995	1993
Sheriffs' Departments	3,560	1999
Other Police	672	1996
<b>Total</b>	<b>26,393</b>	

**Table 3 - Maximum DWI Arrests by Agency Type**

Source: NM Motor Vehicle Division data as of January 2006.

- State leaders can return to promoting an expectation of aggressive DWI enforcement by local police as part of first-rate policing. Policies of seed-money grants to institute specialized DWI officers where appropriate, can help. State and federal leaders should reach out to local leaders through the Association of Counties and the Municipal League to convey the concept that strong local leadership and local resource commitments to DWI prevention can bring big dividends in public safety and public recognition. State traffic safety officials should revive its past, very successful programs of local police program assessments, because they convey the status and potential of such efforts in an effective, unthreatening way to local police and political leaders, and they also cultivate and reinforce mid-level police managers with a personal and professional commitment to strong traffic enforcement as part of best-practices.
- Courts and prosecutors have sometimes reacted strongly against increased DWI enforcement, in part to leverage anti-DWI public sentiment toward increasing their own funding. While every court successfully handled past high levels of DWI arrests with the lesser resources of those times, many now say that they would be unable to handle those levels now because the increases have gone toward addressing other needs, such as domestic violence or civil caseloads. Where funding to meet caseloads are not adequate, courts should be provided with appropriate added staff and resources, but with a condition that they first participate in a vigorous peer-review assessment of their programs and needs. The State can and should organize a program for such assessments with the National Center for State Courts, the Administrative Office of the Courts, the Judicial Education Center, NHTSA, and others versed in state-of-the-art court management.

Some State officials have at times suggested that DWI progress is down because it has been reduced as far as is possible or because the State just reflects similar alarming trends at the national level. In fact, though, New Mexico cannot afford to remain at the current levels, because of the high costs to New Mexico families from doing so. New Mexicans suffer alcohol-related crash deaths at far higher levels than do citizens of neighboring states, as shown in Table 4. Since those states are each similar to New Mexico in varying ways, and since Figure 1 shows many years of progress has already been achieved, the evidence is clear that New Mexico can do better, and must do better.

State	2004 Rate per 100,000 Population	NM's 2004 Deaths Given State's Rate
New Mexico	9.74	219
Arizona	6.54	147
Texas	6.30	142
Colorado	4.89	110
Utah	2.95	66

**Table 4 - NM Crash Deaths If NM Had Neighbor State's Death Rates, 2004**

*Source: Reductions from NM reported deaths using rates of NHTSA FARS Imputed Levels of Involvement of one or more high-alcohol drivers in fatal crashes, Sept. 2005, and 2004 US Census Population Estimates*

In summary, New Mexico can and should return to strong, high-visibility general DWI enforcement as a key component of re-energized efforts to reduce DWI injuries, returning to a path of progress against DWI injuries. The effort should emphasize insightful actions to remove barriers to achieving past high levels of enforcement among each type of agency. While it is not reasonable to propose that every county should reach a 2% benchmark of DWI arrests as a percentage of licensed drivers, it is fair to say that the state should achieve that level statewide. DWI enforcement by county and State Police should be a particular emphasis, since currently 90% of DWI arrests are in urban areas while 80% of state DWI deaths are in rural ones; Governor Richardson's five-county effort is one stop on that path. However, many of the rural incidents originated from urban-area drinking, and for that reason as well as high DWI injury levels in cities, increased urban attention to DWI prevention is highly warranted. The State has the means, motive, and opportunity to make this happen, and should do so at once.

<sup>1</sup> See, for example, "A Blueprint for Police Traffic Services", California Office of Traffic Safety, July 2002, [http://www.ots.ca.gov/grants/files/blueprint\\_pdf/poltraf.pdf](http://www.ots.ca.gov/grants/files/blueprint_pdf/poltraf.pdf)