

Drug-Related Crash Deaths in New Mexico:

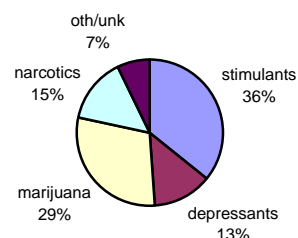
A report from the DWI Resource Center

Drug-Related Crash Deaths Are a Major New Mexico Problem For 1995-1999, 276 persons died in New Mexico crashes where one or more drivers, pedestrians, or bicyclists was reported as testing positive for one or more drugs other than alcohol, according to the Fatality Analysis Reporting System [FARS]¹ of the National Highway Traffic Safety Administration [NHTSA].

Many innocent persons were killed by drugged drivers in New Mexico For 1995-1999, 75 of these persons were not themselves reported as drivers positive for drugs but were killed in crashes involving other persons who were. The other 201 persons who died were drivers or non-occupants reported as themselves testing positive for drugs.¹

Many young people were killed by drug-related crashes in New Mexico Eight of the 276 persons killed were children age 0-12, 36 were teenagers age 13-19, and 67 were young adults 20-29.¹ That's nearly one teen drug-related crash death for every four alcohol-related teen crash deaths in the period, and nearly one young adult drug-related crash death for every four alcohol-related young adult crash deaths.

Many drugs were involved in New Mexico drug-related crashes 222 drivers or nonoccupants reported as testing positive for drugs other than alcohol were involved in these 276 deaths in fatal crashes. Among those 222 individuals, 91 tested positive for stimulants including cocaine, 74 tested positive for marijuana, 37 for narcotics, 33 for depressants, and 18 for other or unspecified drugs.¹ Some were positive for more than one drug.



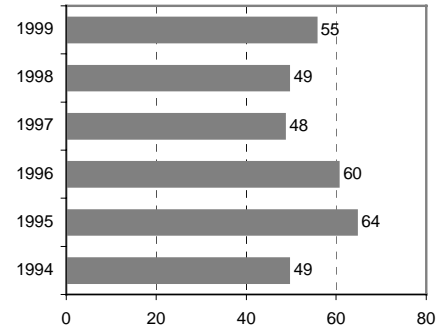
Many of the drug-impaired persons were also alcohol-impaired Among the 222 drivers and nonoccupants reported as positive for drugs other than alcohol, eight were not tested for alcohol, 92 were tested and found not to have alcohol present, and 122 were tested and found positive for both drugs and alcohol. Drivers under the influence of both alcohol and other drugs are much more dangerous to others and themselves than drivers on either one alone². Among the 122 individuals found positive for both drugs and alcohol, 109 were at a BAC of 0.08 or higher, and 13 were at a BAC below .08.¹

These counts are high and yet understate the problem State drug testing for crashes throughout the study period included marijuana testing only for most drivers who died. Before 1994 a special state project also tested for marijuana involvement in drivers who survived fatal crashes where drug impairment was suspected by law enforcement, reporting marijuana involvement in drivers in New Mexico fatal crashes more than twice as often as in current processes. In 1993 with the enhanced testing process, marijuana was detected in 62% of drivers and non-occupants testing positive for drugs, versus 29% since, for 1995-1999¹. If the testing had continued to allow detection (and prosecution) of these drug-impaired individuals, and presuming that same 62% level in subsequent years, an estimated 389 drivers in fatal crashes would have been detected as drug impaired, and 484 deaths would have been identified as drug-related (rather than the 276 that were identified). The Johnson administration's decisions not to invest some of its increased federal or state drug abuse or traffic safety program funds to reinstate marijuana this testing for surviving drivers has let marijuana involvement in on the order of 108 crash fatalities slip through the cracks undetected.

Testing needs to be improved, so trends can be judged. The State Scientific Laboratory needs more resources and staff to assess with New Mexico's drug-related crash problems so that a strong, stable testing program will allow assessment of trends from year to year. The Johnson Administration let "drug recognition training" programs languish from 1996-2000, so that the number of police officers trained to deal with drug-impaired drivers fell from 35 in 1996 to 21 by 2000³, when it finally sponsored a significant training effort. In the absence of state investment in stronger and more stable testing efforts, the best judgment that can be made from available data is that drug-related crash deaths in New Mexico occur at a

high level and have not been improving. Over 2,000 drivers and non-occupants in 1995-1999 NM fatal crashes -- 64% of the total -- were not tested for drugs¹. Driver testing for drugs in non-fatal crashes in New Mexico is even more rare and inconsistent, but the Center estimates -- based on proportions shown above -- that on the order of 1,800 persons suffer non-fatal injuries in drug-related crashes each year in New Mexico, including on the order of 450 that result in permanent disability.⁴ Based on state DWI cost estimates⁸ the Center estimates proportionate annual economic loss of \$171 million from NM crashes involving drugs other than alcohol, or \$397 million when also including crashes that involve both alcohol and other drugs.

NM Reported Drug-Related Crash Deaths



Governor Johnson's Drug Program Would Increase Drug Crash Deaths Governor Johnson's campaign to promote legalizing medical marijuana and minimal penalties for all marijuana use will produce increased incidence of marijuana-related drug-related crash deaths and injuries, according to Center estimates. A number of studies showed that ending prohibition for under-21 alcohol consumption reduced alcohol-related fatalities among those drivers by on the order of 28%⁵, and extensive studies of alcohol-related crime and health data showed a 30%-50% reduction in alcohol-related mortality with the enactment of alcohol prohibition in 1919^{6,7}. Presuming the conservative 30% increase figure from ending prohibition, the drug-related death and injury drug counts above, and the 60% prevalence of marijuana in New Mexico drug-positive drivers, the Center estimates 300 additional marijuana-related crash non-fatal injuries annually from the proposals, eighty more permanent disabilities, and 17 more drug-related crash deaths annually in the state. The economic cost to New Mexico government and society for those crashes would be on the order of \$74 million annually, based on proportionate economic loss calculations for this increase over current DWI levels.⁸ This estimate, for the cost of the Governor's proposals for marijuana crashes alone, more than exceeds the estimated \$43 million annual state cost for enforcing all drug laws recently produced by UNM⁹ under sponsorship of the private foundation that also sponsors the Governor's crusade.

¹ *Fatality Analysis Reporting System*, National Highway Traffic Safety Administration, September 2000, analyzed by software programs prepared by the DWI Resource Center. FARS data on drug presence in New Mexico drivers is entered into FARS by New Mexico Highway and Transportation Department staff drawing upon forensic toxicology and other drug analyses for each crash from the New Mexico Scientific Laboratory Division, the New Mexico Office of the Medical Investigator, and law enforcement agencies.

² See for example *Low Doses of Marijuana and Alcohol Severely Impair Driving When Taken Together* Ramaekers J.G., Lamers C.T.J., Robbe H.W.J., O'Hanlon J.F. Proceedings of the 15th International Conference on Alcohol, Drugs and Traffic Safety T2000, Stockholm Sweden, May 2000

³ *New Mexico Highway Safety and Performance Plan 2001-2005*, NM State Highway and Transportation Department, September 2000, pp. 53-54.

⁴ Based on applying the ratio of estimated drug-related fatalities to reported total alcohol-related fatalities in the state for 1995-1999 to the reported count of alcohol-related non-fatal injuries or the state, using NM State Highway and Transportation Department counts. Permanent disabilities are estimated from the NHTSA estimate of five permanent disabilities for each death in crashes.

⁵ *Underage Drinking Safety Facts*, Insurance Institute for Highway Safety, December 2000.

⁶ *Temperance and Prohibition in America: A Historical Overview*. Aaron, P., and Musto, D., 1981, in M. Moore and D. Gerstein (eds.), *Alcohol and Public Policy: Beyond the Shadow of Prohibition*, Washington DC, National Academy Press, pp. 127-181

⁷ *Confronting Drunk Driving: Social Policy for Saving Lives*, H. Laurence Ross, Yale University Press, 1992, pp. 80-87

⁸ *Driving While Impaired New Mexico 1998*, Division of Government Research, University of New Mexico, p. 3

⁹ *An Estimation Of Drug-Related Criminal Justice Costs In New Mexico, 1997* Brumbaugh, S., Rouse, A., and Birkbeck, C., Institute for Social Research, University of New Mexico, February 2001