

CDC: Bad Economy Takes Toll on DWI

By Thomas J. Carr

NY Has Lowest Rate of Alcohol-Impaired Driving Episodes, MA Has Third Highest

The economic downturn appears to have hit the brakes on drunk driving, resulting in a 30 percent decline in self-reported, alcohol-impaired driving episodes between 2006 and 2010, according to statistics from the Centers for Disease Control and Prevention.

2010 Rates of Self-Reported, Alcohol-Impaired Driving Episodes among Adults

Region/State

Episodes per 1,000 Population*

National

479

Northeast

396

Connecticut

567

Maine

295

Massachusetts

835

New Hampshire

309

New Jersey

270

New York

237

Pennsylvania

419

Rhode Island

N/A

Vermont

462

South

460

West

422

Midwest

Data from: Centers for Disease Control and Prevention, "Vital Signs: Alcohol-Impaired Driving Among Adults—United States, 2010," *Morbidity and Mortality Weekly Report*, Oct. 4, 2011.

* Confidence intervals for episode data varies from state to state.

By 2010, the number of self-reported episodes in which adults 18 years of age and older were alcohol-impaired reached an estimated 112 million – down from 2006's peak level of 161 million, according to a new CDC report

. The federal agency attributed this decline in episodes to "less discretionary driving as a result of the current economic downturn." Another explanation for the decline is that more adults are drinking while at home, reducing their risk of having to drive drunk from a location. For the telephone survey on which these findings are based, "alcohol-impaired driving" was defined as driving "when you've had perhaps too much to drink" in the past 30 days.

According to the report, there were 479 episodes of alcohol-impaired driving for every 100,000 adult population in 2010. New York had the lowest rate of self-reported alcohol-impaired driving episodes of 237 per 1,000 (see chart

). North Dakota had the highest rate of 988, followed by Delaware at 843 and Massachusetts at 835.

These statistics illustrate the impacts poor economic conditions have on DWI

occurrences. People who do drive while alcohol-impaired – especially on New York roads – need to know that their economic situation could suffer vastly more if they are convicted of DWI

For example, according to the New York Department of Motor Vehicles, the maximum fines for a conviction of driving while intoxicated (DWI

, blood alcohol content 0.08 percent and higher) or driving while ability-impaired (DWAI) ranges from \$1,000 for a misdemeanor first offense to \$5,000 for a class E felony second offense to \$10,000 for a class D felony third offense and subsequent offense. With a misdemeanor first offense conviction for aggravated driving while intoxicated (ADWI, BAC 0.18 and higher), the maximum penalty is \$2,500, but top fines for subsequent offenses are the same as those for regular DWI

and DWAI.

These fines do not incorporate conviction surcharges or crime victims' assessment fees. Nor do they include the estimated \$1,100-plus drivers convicted of DWI

or ADWI must spend to install and maintain the ignition interlock devices they are required for at least six months to have on any vehicle they own or operate.

Given these hefty fines – which could be accompanied with jail sentences or license revocations – it is crucial for drivers charged with DWI

, DWAI or ADWI to immediately contact a criminal defense attorney. Such an attorney can challenge prosecutors' attempts to violate due process rights' or to use shoddy evidence to get a quick conviction. A criminal defense attorney could also raise mitigating factors, such as age or good standing in the community, to get sentences or fines reduced.

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