

New Mexico's Comprehensive Impaired-Driving Program: A Case Study



U.S. Department of Transportation
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Administration**



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16. Abstract In late 2004, the National Highway Traffic Safety Administration provided funds to the New Mexico Department of Transportation to demonstrate a process for implementing a comprehensive State impaired-driving system. NHTSA also contracted with the Pacific Institute for Research and Evaluation to measure the effect of that system on various factors including driving-while-impaired (DWI) crash, injury, and fatality rates; DWI arrest rates; DWI conviction rates; blood alcohol concentration (BAC) patterns; and public awareness. New Mexico's core activities include high-visibility impaired-driving law enforcement operations, increased paid and earned media concerning New Mexico's law enforcement efforts, and prosecutorial and enforcement training in the six counties with the highest rates of alcohol-related fatalities. Other components of the comprehensive system include the creation of a DWI Leadership Team that provides support and direction to the system and the participation of a traffic safety resource prosecutor to assist on DWI prosecution and other traffic safety law training. The five counties initially participating in the project were Bernalillo, Doña Ana, McKinley, Rio Arriba, and San Juan. Santa Fe County joined that group in 2007. NHTSA's objective was to transfer this model to other States experiencing a high number or rate of alcohol-related traffic fatalities or both. Overall, New Mexico's multi-faceted efforts appeared to have benefits for the State.					
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List of Acronyms

Acronym	Meaning
ADA	assistant district attorney
BAC	blood alcohol concentration
BAT Mobile.....	breath alcohol testing vehicle
BLM	bureau of land management
CATI.....	Computer-Assisted Telephone Interviewing
CDWI	Community Driving While Impaired Program
CSIDS.....	New Mexico Comprehensive State Impaired Driving System
CTS.....	New Mexico Citation Tracking System
DRE	drug recognition expert
DWI.....	driving while impaired
EMS	Emergency Medical Services (EMS)
IIDA.....	Ignition Interlock Data Analysis
LDWI.....	Local Driving While Impaired Program
LEA	law enforcement agency
MADD.....	Mothers Against Drunk Driving
MST.....	Mobile Strike Team
NHTSA.....	National Highway Traffic Safety Administration
NMDOT	New Mexico Department of Transportation
ODWI	Operation DWI
PBT.....	portable breath tester
PAS.....	passive alcohol sensor
PDA	personal digital assistant
PSAs	public service announcements
SFST	Standardized Field Sobriety Test
SID.....	Special Investigations Division
SOP.....	standard operating procedure
SRBI	Schulman, Ronca, & Bucuvalas, Inc.
STEP.....	Selected Traffic Enforcement Programs
TraCS.....	Traffic and Criminal Reporting Software
TSB.....	Traffic Safety Bureau (New Mexico's)
TSRP.....	traffic safety resource prosecutor

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Executive Summary

Background

Since the fall 2004, New Mexico has implemented a number of enhanced activities to its comprehensive impaired-driving system. This case study describes how New Mexico used National Highway Traffic Safety Administration funding and technical assistance, in conjunction with State and other resources, to improve that system, and details the challenges, successes, and lessons learned as New Mexico moved through this process.

Figure 1 compares the percentage of crash fatalities involving alcohol-impairment¹ in New Mexico and the United States between 1998 and 2009. During that period, the percentage of crash fatalities in which at least one driver was alcohol-impaired in the United States stayed around 30%, while the percentage of crash fatalities in which at least one driver was alcohol-impaired in New Mexico declined after hitting a peak in 2002. That is, in 2002, 35% of crash fatalities in New Mexico were alcohol-impaired, while in 2009, 32% of crash fatalities in New Mexico were alcohol-impaired. In 1998, New Mexico had the ninth highest alcohol-related fatality rate in the country. In 2004, New Mexico's ranking had risen to seventh. By 2009, New Mexico's alcohol-related fatality rate had dropped to nineteenth.

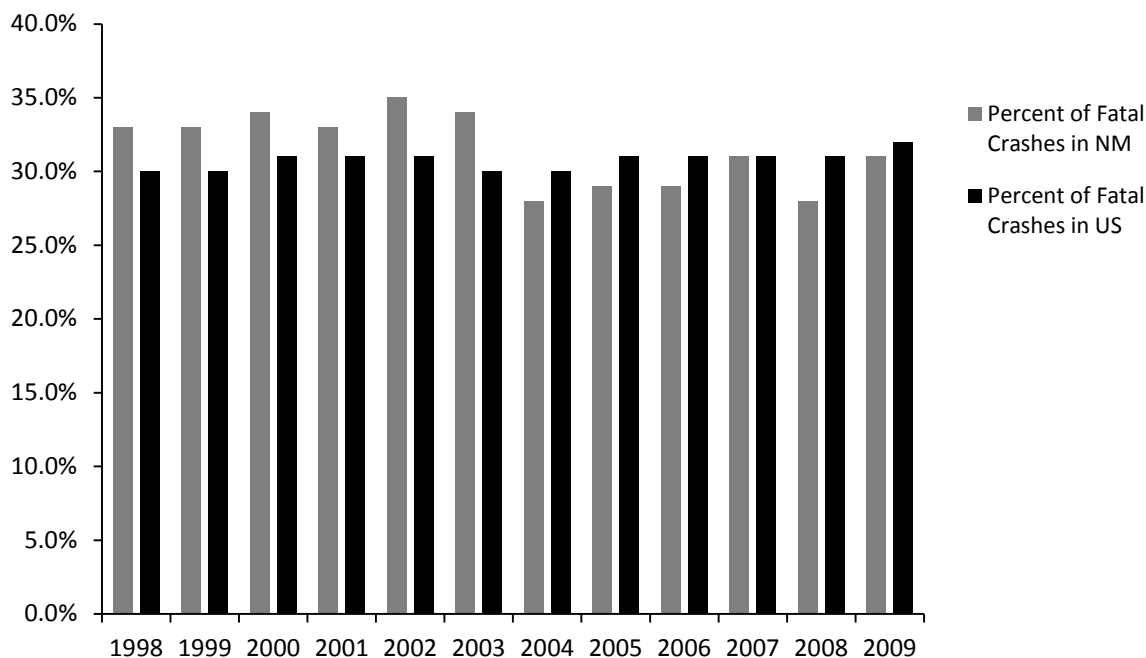


Figure 1. Percentage of Alcohol-Impaired Crash Fatalities in New Mexico and the United States, 1998–2009
(Source: NHTSA FARS 2010)

¹ From the Fatality Analysis Reporting System Encyclopedia, which defines alcohol-impaired crashes as those involving at least one driver or motorcyclist with a BAC of .08 g/dL or higher. Retrieved at www-fars.nhtsa.dot.gov/Crashes/CrashesAlcohol.aspx.

Program

In September 2004, NHTSA entered into a cooperative agreement² with New Mexico to implement activities to enhance the State's comprehensive alcohol-impaired driving reduction effort with a primary focus on increasing high-visibility enforcement in six counties. Enforcement efforts for the Comprehensive State Impaired Driving System (CSIDS) were coordinated by two (and later four) deputies in each sheriff's office in the six counties. These deputies were to focus solely on impaired-driving enforcement activities to combat alcohol-related impaired driving, such as sobriety checkpoints, saturation patrols, and inactive/phantom checkpoints. The deputies were to record their activities (number of operations, arrests, etc.) daily into a Web-based database designed for this project, which would measure the amount of enforcement activity.

New Mexico's comprehensive program included media efforts in support of enforcement activities and several coordinated enforcement and media campaigns known as "*Superblitzes*." New Mexico also established a leadership group known as the "DWI Leadership Team" that coordinated all driving-while-impaired (DWI) efforts throughout the State. The team included key members of both governmental and nongovernmental entities and was co-facilitated by the "DWI czar," a cabinet-level position within the governor's office, and the director of the Traffic Safety Bureau (TSB) in the New Mexico Department of Transportation. Additionally, the program included efforts to better train prosecutors on both handling DWI cases and on working with both the legislature and the judiciary to address DWI-related legal matters.

NHTSA awarded a cooperative agreement to the TSB in September 2004, and the project continued through March 2009 (54 months), with funding flowing to the five target counties during different periods, in part due to the time it took for each Sheriff's Office to negotiate and ratify agreements with the TSB. The five counties were Bernalillo, Doña Ana, McKinley, Rio Arriba, and San Juan. Later, Santa Fe County joined the project.³

Evaluation Methodology and Limitations

Also in 2004, NHTSA awarded the Pacific Institute for Research and Evaluation (PIRE) a contract to measure the effects of the enhanced activities of New Mexico's comprehensive alcohol-impaired-driving reduction efforts on rates of alcohol-related crashes, injuries, and fatalities. However, several limitations contributed to difficulties in evaluating the high-visibility enforcement activities of New Mexico's CSIDS in the six counties where the special emphasis was placed, including:

- Limited "pre-data" on enforcement activities which limited comparison of enforcement activities prior to implementation of high-visibility enforcement to activities after program implementation.
- County enforcement activities started on different dates.

² Cooperative Agreement #DTNH22-04-H-05108.

³ Santa Fe was originally a control site for this project, but in early 2007, the Santa Fe County Sheriff's Office was given additional funds by the New Mexico Traffic Safety Bureau, so it became the sixth and final target county. In this document, we will refer to the six counties even though Santa Fe County came aboard at a later date than the original five counties.

- Limited data entered in a Web-based reporting system developed for the target counties related to their DWI enforcement activities. Information was not entered uniformly into the Web database, and counties did not enter sufficient data to allow for statistical analyses.
- Funding for the CSIDS was in addition to funding given to the five participating sheriffs' offices from various State or Federal resources to conduct DWI operations and other traffic safety initiatives. These sheriffs' offices typically did not separate operations conducted under the CSIDS grant from the DWI operations conducted as part of other funding sources. One DWI operation might have been reported on multiple reporting forms; thus, the same enforcement activity would then be counted more than once. Conversely, an operation might not have been reported to the appropriate funding authority as it was reported elsewhere.
- Statewide efforts took place, including planning efforts, leadership initiatives, enforcement, public information, law changes and increased use of ignition interlocks, which may have overshadowed effects due solely to the enhanced enforcement in the targeted counties.

In light of these limitations, it was difficult to evaluate New Mexico's enforcement activities in the targeted counties and to isolate their impact. This report presents a case study of New Mexico's efforts, documenting several activities in New Mexico's comprehensive anti-DWI program and "telling the story" of that process so that other States might benefit from New Mexico's strategies, successes, and lessons learned. Overall, New Mexico's multi-faceted efforts appeared to have benefits for the State.

The information obtained for this case study came from several sources. We met with prosecutors, judges, law enforcement officials (specifically those deputies involved in the project), DWI Leadership Team members, and program management staff. We attended DWI Leadership Team meetings, took notes of meeting proceedings, and tracked the work conducted by the DWI Leadership Team. We also used a newspaper clipping service to track earned media, and we tracked paid media by looking at media buy times.

Highlights

State Coordination

- At the beginning of the project in 2004, New Mexico had the seventh highest alcohol-related fatality rate in the country. By the end of the project in 2009, New Mexico's alcohol-related fatality rate had dropped to nineteenth.
- The Governor of New Mexico provided strong support for DWI issues, making DWI one of his top priorities. He developed a cabinet-level position (DWI czar) to coordinate statewide efforts on the issue, and kept the issue at the forefront of public attention.
- The DWI Leadership Team was a leading force in moving DWI issues forward, at both State and local levels. The Team was a strong group as it was composed of leaders in State government and community agencies, as well as the Governor's "DWI czar" cabinet-level position. Decision makers regularly attended the meetings, and the

group's recommendations were heard directly by the Governor's DWI czar, who was in a position to move ideas forward.

- The DWI Leadership Team was a catalyst for implementing the recommendations made in New Mexico's 2003 DWI Strategic Plan, including developing statewide DWI prevention media campaigns, increasing funding for equipment and personnel working on DWI issues, and supporting an ignition interlock law for all DWI offenders.
- The DWI czar served a vital role. The czar, along with the Traffic Safety bureau director, co-led the DWI Leadership Team and made recommendations on the use of impaired driving and alcohol abuse prevention funds available through various State agencies. Having the DWI czar coordinate impaired-driving reduction activities across State agencies led to greater returns on investments of the State's resources and stronger collaboration among all key players involved in impaired driving.
- New Mexico spent nearly \$1 million annually on radio and television DWI enforcement advertisements, including media campaigns occurring during *Superblitzes*, periods with high-intensity law enforcement operations combined with high-intensity media campaigns, both paid and earned.
- Outreach coordinators were a benefit to high-visibility enforcement operations. Three of the six sheriffs' offices reported that having an active outreach coordinator who met regularly with deputies was beneficial to the program. They provided maps of crashes, created and distributed DWI information packets to the public, assisted with checkpoints, and ensured that the topic was on the public agenda for discussion.
- The State organized a 36-member State-Tribal DWI Task Force, which included representatives from each of the 22 tribes located in New Mexico, with a goal of strengthening State and law enforcement agencies' working relationships with Tribal governments and their respective law enforcement agencies.

Law Enforcement

- Bernalillo County Sheriff's Office was able to maintain a consistent number of officers on sobriety checkpoints and reduce time transporting arrestees to jail by using a breath alcohol testing (BAT) Mobile facility, which served as a processing center and holding facility. Officers were able to arrest drivers for DWI and hold them at the site, so that they could return to the sobriety checkpoint rather than transport arrestees individually to jail. Then, once the BAT Mobile was full, a deputy sheriff transported the vehicle with arrestees to jail. San Juan County Sheriff's Office received its BAT Mobile in 2007 and dubbed it an "office on wheels" because it allowed deputies to process and hold DWI arrestees at the sobriety checkpoint site, rather than transport arrestees individually to the central jail which, in such a large and rural county, could take up to 2 hours. Thus, in both Bernalillo and San Juan Counties, having the BAT Mobile onsite allowed for quicker turnaround times for officers.
- Between October 2005 (when participating law enforcement agencies began implementing enforcement activities) and March 2009 (the end of the CSIDS project), there were 4,464 DWI arrests reported by the sheriffs' deputies participating in this

project. These numbers came from the Web-based database specifically created for this project that tracked additional law enforcement activities besides DWI arrests. These activities included hours worked by the deputies, types of impaired-driving operations conducted, and tracked other traffic-related citations given by the sheriffs' deputies. Each sheriff's office entered DWI enforcement operation-related data into this database but only for those operations where deputies assigned to this project participated. In contrast, the sheriffs' deputies participating in this project reported 6,313 DWI arrests in their reports that were filed with the program manager for the New Mexico State Traffic Safety Bureau. These reports did not track the comprehensive information that was asked for in the Web-based database. The difference in arrest numbers indicates that the sheriffs' deputies did not fully use the Web-based database that was created for this project.

- Inactive or phantom checkpoints, used in combination with saturation patrols, showed promise in rural counties. McKinley County Sheriff's Office frequently combined both operations. Unfortunately, there were no data to determine their effectiveness.
- McKinley County Sheriff's Offices signed a cross-commissioning agreement with the Navajo Nation so that law enforcement officials in both jurisdictions could enforce impaired-driving laws in each other's jurisdictions.
- Several sheriffs' offices used new devices in impaired-driving efforts, including digital flashlights capable of producing video footage (to use as evidence to demonstrate a driver's intoxication), and car signage (similar to signs placed on pizza delivery vehicles) placed on top of cars being towed away from a DWI arrest. To increase visibility of impaired-driving enforcement activities, the car was then towed through highly populated areas on its way to the impound lot.
- The governor's office funded a specialized enforcement unit to address the issues of alcohol sales to minors, underage alcohol consumption, source investigations, sales to intoxicated patrons, and adherence to State laws. This unit, known as the Mobile Strike Team (MST), was part of the Special Investigations Division (SID) in the Department of Public Safety.
- In 2006, the New Mexico Regulation and Licensing Department adopted the "three strikes" rule, under which revocation actions could be taken against liquor establishments found guilty of three counts of overserving intoxicated people or selling alcohol to underage customers within one year. In 2008, the State began to hold hearings and revoke licenses of those establishments with three strikes.

Court/Prosecution

- New Mexico hired a traffic safety resource prosecutor (TSRP) in June 2005. The TSRP was seen as a vital and helpful position to both DWI prosecutors and law enforcement officers, both of whom reported relying on the TSRP for assistance with cases, training, finding resources, and also advice on how to proceed with cases.

- The TSRP developed and facilitated training and education on DWI issues for prosecutors, judges, law enforcement officers, and others involved in the criminal justice system.
- San Juan Sheriff's Office had a prosecutor based in its office, which reportedly cut down on court time for officers and, in the process, saved funds and increased conviction rates in the county.
- All judges contacted stated that they either liked the concept of DWI courts or had participated in DWI courts and viewed them as valuable. The judges felt that DWI courts worked well as long as compliance monitors stayed on top of the program, and that DWI courts, although expensive, could be highly effective in reducing repeat offenders. Likewise, treatment facilities could be effective in reducing repeat offenders, but numbers of treatment facilities in the State were insufficient.
- Judges commented that the sheer volume of DWI cases could overwhelm the court system. In particular, judges in rural counties noticed that when law enforcement agencies stepped up enforcement activities, the number of DWI cases on court dockets increased. Additionally, most counties did not have enough prosecutors to handle increased DWI cases, which slowed the process.

Media

- Since 2006, the Traffic Safety Bureau has contracted with various media outlets to air advertisements related to New Mexico's DWI initiatives. The contracts paid for television and radio media ads and other material, such as posters, pamphlets, and Internet campaigns. These campaigns were spread throughout the year. From 2006 to 2008, 11,120 paid television ads and an additional 22,626 bonus television ads were aired. From 2006 to 2008, 72,921 paid radio ads and 65,920 bonus radio ads were aired.
- From July 2005 to June 2008, there were more than 1,500 earned media hits (newspaper articles and television stories) about DWI issues in the six participating counties.

Other Initiatives

- *DrunkBusters*, the State's toll-free hotline to report suspected impaired drivers, allowed individuals to report suspected impaired drivers to law enforcement immediately. When a call came in to *DrunkBusters*, an operator at the Department of Public Safety obtained as much information about the suspect's vehicle as possible and then notified the nearest law enforcement agency. In 2006, public use of the hotline increased substantially: *DrunkBusters* received 2,579 calls to the hotline, 64 of which resulted in officer contacts and 36 of which resulted in the arrest of DWI offenders. In 2007, 16,282 calls were made which resulted in 400 officer contacts and 142 DWI arrests. By the end of 2009, 20,953 calls to the hotline resulted in 1,814 contacts made by law enforcement officials and 418 DWI arrests.

Lessons Learned

- *Strong leadership is essential:* New Mexico Governor Bill Richardson made DWI one of his signature issues and devoted resources to the issue. When he created the DWI czar position, he signaled his commitment to recognition of the DWI issue as important, and provided an avenue that could oversee and coordinate all DWI issues within New Mexico. The DWI czar actively pursuing the State's DWI agenda with all stakeholders, including grassroots organizations, law enforcement agencies, local governments, State agencies, legislators, judges, prosecutors, and DWI offenders.
- *Conduct an assessment:* New Mexico conducted three NHTSA-facilitated impaired-driving program assessments from 1991 to 2002 which helped the State identify and prioritize DWI issues.
- *Develop a strategic plan:* In 2003, a group of stakeholders developed a comprehensive New Mexico DWI strategic plan, based in part on recommendations of the June 2002 impaired-driving assessment. Developing the comprehensive DWI strategic plan was a lengthy process and involved many stakeholders. The assessment served as a framework for a statewide implementation strategy because it helped the State identify and prioritize DWI issues.
- *Cross-cutting State coordination is important:* The DWI Leadership Team was the central communication center for all impaired-driving projects and issues in New Mexico. Although many different agencies also worked on alcohol-impaired-driving issues, they were no longer working in isolation, duplicating services, or competing for scarce resources. The DWI Leadership Team created a forum for all agencies working on impaired driving to inform others of their work, and allowed room for coordination. Key stakeholders and decision-making personnel from relevant agencies were frequent participants, and many of them had authority to act or make key decisions within their respective agencies.
- *Agreements and contracts take time to implement:* Planning is often a slow, steady process, and achieving agreement between various agencies or contracting to hire services can take time to implement, especially at the local/county level. Others should be realistic about when people can be hired and when projects can get started.
- *Ensure that grantees understand protocols for the project:* The Web-based database was created to be a useful tool to help law enforcement, the State, and evaluators track enforcement activities. It is important that all understand the importance of the protocols established for the program.
- *New devices are highly valued and appreciated, especially in rural areas:* The sheriffs' offices in rural areas were willing to try new devices to aid them in their alcohol-impaired-driving operations. These devices included digital video flashlights and innovative vehicle signage. The BAT Mobiles were also highly prized additions for special operations, such as sobriety checkpoints, and encouraged increased law enforcement participation in special operations.

- *Collaboration is a key component to enforcement operations:* When conducting impaired-driving enforcement activities, a single law enforcement agency valued the assistance of other law enforcement agencies and non-law enforcement groups. Law enforcement, especially in rural areas, relied on collaborating with city police departments, Federal law enforcement agencies (such as the Bureau of Land Management), tribal law enforcement agencies (cross-commissioning agreements), and other sheriffs' offices. They also valued the assistance that community groups can provide, such as mapping capabilities, support at sobriety checkpoints, or talking with the media in support of enforcement operations.
- *Alcohol law enforcement can be a useful partner in impaired-driving operations:* Alcohol law enforcement agencies were important partners in helping reduce impaired driving, because they could conduct specialized enforcement operations in conjunction with impaired-driving operations, including over service operations (ensuring that bars/restaurants did not serve already intoxicated patrons), and compliance checks (ensuring that liquor stores did not sell to minors).
- *An active traffic safety resource prosecutor is helpful in teaching and engaging officers, prosecutors, and judges on DWI issues:* The TSRP was seen as a vital and helpful position both to DWI prosecutors and to law enforcement officers. Both groups reported that they relied on the TSRP for help with cases, training, finding resources, and giving advice on how to proceed with cases.
- *Having a prosecutor based in a sheriff's office has benefits:* San Juan Sheriff's Office had a prosecutor based in its office. Deputies reported that the prosecutor not only cut down on court time for officers but also saved funds and improved conviction rates in the county.
- *Increased law enforcement efforts have an effect on the judicial system:* If law enforcement agencies plan to increase their enforcement efforts, there should be coordination with the judicial system, including weighing the effect on prosecutors (whether there are enough on staff), weighing the effect on the court docket, and deciding whether prosecutors and judges need increased support (either financial support or training). This may be especially true in smaller counties with fewer resources.
- *Coordinated media campaigns should be used in conjunction with enforcement operations:* The *Superblitz* and the *100 Days and Nights of Summer* campaigns saturated the media airwaves with messages about law enforcement and prevention, which were aired before and during large enforcement operations.
- *The use of a hotline to report impaired drivers can be an effective tool for the public:* The *DrunkBusters* hotline received much media attention. Signs placed along freeways and highways throughout the State were constant public reminders that individuals could report potential impaired drivers directly to law enforcement officials.

Introduction

In late 2004, the National Highway Traffic Safety Administration provided funds through a competitive cooperative agreement to the New Mexico Department of Transportation's Traffic Safety Bureau to demonstrate a process for developing and implementing an enhanced comprehensive State impaired-driving system, and to the Pacific Institute for Research and Evaluation to measure the effect of those enhancements on the existing system on alcohol-related crash, injury, and fatality rates. Guided by a development, planning, and implementation process, which occurred a few years earlier and involved outside assessments of the State's anti-DWI (driving-while-impaired) efforts, a State task force developed a strategic plan and recommended that the governor appoint a DWI czar to coordinate efforts among State agencies and across the State.

In 2005, New Mexico created a DWI Leadership Team to assist in implementation and refinement of the strategic plan. Activities called for under the plan included high-visibility impaired-driving law enforcement operations, increased paid and earned media concerning law enforcement efforts, and prosecutorial training in five counties with high alcohol-related fatality rates. The five counties funded by NHTSA to participate in the project were Bernalillo, Doña Ana, McKinley, Rio Arriba, and San Juan. Santa Fe and San Miguel Counties were initially chosen to be control communities. However, in 2007, New Mexico decided to provide funds to Santa Fe County, thus Santa Fe County became part of the implementation group making a total of six counties in the implementation group. San Miguel remained a control county.

The objective was to document and evaluate the enhanced impaired-driving countermeasures and determine their effectiveness in New Mexico. Although the primary emphasis of our evaluation was on enforcement efforts, we also looked at other elements, including the State's comprehensive State program process, DWI Leadership Team activities, enhanced prosecutorial efforts, public awareness and publicity, and other initiatives. This case study report provides detailed reviews of New Mexico's efforts to accomplish these tasks and is presented in seven sections.

Section I, New Mexico's Comprehensive State Program Process: This section provides a brief history of impaired driving in the State and describes New Mexico's State assessment process, program management structure, and funding for the various impaired-driving programs. It also details the DWI Leadership Team that was created as part of this project, covering the role of the team, membership, and issues discussed during DWI Leadership Team meetings.

Section II, Enforcement Efforts: This section describes the enhanced high-visibility enforcement efforts conducted by the six sheriffs' offices participating in the Comprehensive State Impaired-Driving System Project.⁴ The data collection activities covered are the results accumulated from a Web-based reporting system that was used by all six sheriffs' offices, such as the number of officer hours dedicated to DWI enforcement, number of sobriety checkpoints, and number of DWI arrests. We also discuss enforcement planning, types of DWI operations, cooperation with other enforcement agencies, and alcohol service enforcement.

⁴ In New Mexico, the project is also known as the "Five County Project" and, by the sheriff's deputies, as the "FTE (Full-Time Employee) Project."

Section III, Prosecution/Court Involvement: This section focuses on prosecutor and court involvement, discussing the work of the traffic safety resource prosecutor, judicial training, information from structured discussions with DWI prosecutors and judges, and information from discussions with law enforcement officials directly involved in the project.

Section IV, Publicity and Public Awareness: This section describes public awareness and publicity information, including paid and unpaid media efforts to highlight enhanced enforcement activities. It also addresses the public's knowledge about DWI as determined through extensive telephone surveys.

Section V, Other Initiatives: This section summarizes other initiatives that New Mexico conducted during the timeframe of this project that could affect impaired driving.

Section VI, Blood Alcohol Concentrations at Arrest: This section looks at the average BACs at arrest for DWI arrests made by all law enforcement agencies and sheriffs' offices in the participating counties.

Section VII, Conclusions: This section provides concluding remarks.

New Mexico's Comprehensive State Program Process

Alcohol-related driving has been recognized as a major traffic safety problem for decades, both in New Mexico and nationally. NHTSA considers a crash to be alcohol-involved when any driver or nonoccupant (e.g., pedestrian or cyclist) had a BAC of .01 g/dL or more. NHTSA defines impaired-driving crashes as those involving a driver or motorcyclist with a BAC of .08 or higher. All States have an illegal per se BAC limit of .08 g/dL.

In 1979 and 1980, there were more than 400 alcohol-involved fatalities⁵ per year in New Mexico (Allena & Scott, 2003). From 1982 to 1993, New Mexico had the highest rate among all States of alcohol-involved fatalities per 100,000 population (Allena & Scott, 2003). Alcohol-involved fatalities in New Mexico declined steadily from 1979 to 1998, falling from 413 in 1979 to 188 in 1998, although the population of New Mexico grew by almost 50% over that period. In 1998, the number of alcohol-involved fatalities began to rise slowly, both in New Mexico and nationally (Allena & Scott, 2003) and then began to drop again.

In 2004, NHTSA sought to test enhancements to a comprehensive approach in one State that had a high number or rate of alcohol-related fatalities and demonstrated a willingness and ability to work closely with NHTSA to address its impaired-driving problem comprehensively. NHTSA conducted a competitive procurement process among States that had a high number or rate of alcohol-related fatalities, and selected the State of New Mexico, principally because of its demonstrated willingness and ability to work closely with NHTSA and to conduct a comprehensive program.⁶

Through this program, NHTSA and New Mexico sought to make improvements in the State. NHTSA also sought to accomplish a number of additional objectives, including:

- Demonstrate a process for the development of an enhanced comprehensive impaired-driving program;
- Measure the effectiveness of the comprehensive program on impaired-driving outcomes in the State; and
- Assess the contribution of individual components to the overall initiative in the State.

State Assessments

New Mexico conducted a series of impaired-driving assessments under which teams of outside experts visited the State to assess its impaired-driving program based on comprehensive criteria established by NHTSA. New Mexico first conducted an impaired-driving assessment in 1991, and then conducted reassessments in 1995 and 2002. The 2002 assessment contained 87 recommendations, including 28 priority recommendations.

In 2003, Governor Bill Richardson of New Mexico convened a statewide DWI task force to develop a DWI strategic plan. The task force included 70 stakeholders from within and outside of New Mexico State government who represented diverse perspectives. The strategic plan was built on the foundation laid by the 2002 assessment report and contained recommendations that

⁵ Any motor vehicle fatality where a driver or non-occupant (e.g., pedestrian or cyclist) had a BAC of .01 g/dL or more.

⁶ Cooperative Agreement #DTNH22-04-H-05108.

were consistent with that report. Like the 2002 assessment report, the strategic plan took a comprehensive approach to improving the State's impaired-driving program and contained recommendations in four core strategic areas: prevention, law enforcement, adjudication, and treatment and rehabilitation. The priority initiatives of the four core strategic areas:

- Prevention
 - Develop and implement evidenced-based substance abuse curriculum
 - Implement year-round after and out of school supervised prevention programs
 - Conduct a study on the effect of directing liquor excise tax to prevention and treatment
 - Develop Statewide DWI prevention media campaign
- Law Enforcement
 - Increase DWI checkpoints and operations
 - Streamline the DWI process with electronic scheduling
 - Increase funding for equipment and personnel for Scientific Lab Division/Department of Health and law enforcement
 - Standardize license training (for owners and employees of alcohol establishments) and increase enforcement of alcohol laws
- Adjudication
 - Revise the 6-month rule so that DWI-related cases are not automatically dismissed if a trial does not start within 6 months after the arrest
 - Educate players in the judicial system about the interlock
 - Balance funding for State agencies involved in DWI process
 - Fund costs of mandatory sentencing to criminal justice system
 - Enact vehicle forfeiture
- Treatment and Rehabilitation
 - Develop regional treatment pilot project
 - Develop and implement early interventions for first-time high-risk offenders
 - Enact ignition interlock for all DWI offenders
 - Identify standard treatment protocols/trained providers

An additional five strategic initiatives were identified as affecting or strengthening all of the four core strategic areas.

- Create cabinet-level position of DWI coordinator
- Establish performance for treatment and other interventions

- Develop intergovernmental agreements
- Expand DWI/drug courts
- Establish comprehensive DWI data system

Of the 22 strategic initiatives identified in the plan, known as the “2003 DWI Strategic Plan,” 11 strategies were prioritized by the task force. The top priority rankings were to:

- Develop a comprehensive DWI data system;
- Create a position of a statewide DWI coordinator;
- Balance funding for all State agencies in DWI process;
- Fund the costs of mandatory sentencing to the criminal justice system;
- Develop a statewide vehicle forfeiture initiative;
- Increase funding for law enforcement equipment and personnel;
- Increase DWI checkpoint operations;
- Establish performance criteria for treatment and other DWI interventions;
- Develop an electronic scheduling process to streamline DWI adjudication;
- Develop a statewide DWI prevention media campaign; and
- Expand DWI/drug courts.

The 2003 DWI Strategic Plan served as a framework for a statewide implementation strategy, and New Mexico began forward movement on some of the priorities. For example, statewide DWI prevention media campaigns were developed and implemented, and the position of a statewide DWI coordinator was created. In 2004, Governor Richardson named Rachel O’Connor as DWI czar.

In September 2004, NHTSA awarded a cooperative agreement to implement and conduct a comprehensive impaired-driving program. As part of this grant and program, the State developed a Comprehensive Impaired-Driving Work Plan and a Comprehensive Law Enforcement DWI Plan. The 2003 DWI Strategic Plan was useful in guiding both the work plan and the law enforcement DWI plan.

The steps in the Comprehensive Impaired Driving Work Plan were organized into four categories, including:

- *Strategic Planning and Program Management:* The components of this category included discussion on task forces, strategic planning, program management, data and records, evaluation, and resource identification.
- *Prevention:* The components in this category included communication strategies, responsible alcohol service, community-based programs, and traffic safety programs.

- *Criminal Justice System*: The steps in this category included general and specific deterrence using laws, enforcement, publicity, and visibility to enhance general deterrence, prosecution, adjudication, administrative sanctions, and driving licensing programs.
- *Alcohol and Other Drug Misuse*: The steps in this category included screening, assessment, treatment, rehabilitation, and monitoring both through the criminal justice system and through medical and health care settings.

The Enhanced Law Enforcement Plan described how the specific law enforcement departments in New Mexico were chosen to participate and receive additional assistance, and also provided information on the law enforcement contracts and oversight process. The plan detailed the type of training that each participating law enforcement officer had to undergo to participate. The plan also discussed planning and coordination of enforcement activities, the selection process for DWI operation sites, and the data collection and analysis process.

The Traffic Safety Bureau also prepared a communication plan that outlined strategies for reaching targeted high-risk individuals and the general driving public. Both paid media and earned media messages were developed and distributed for television, radio, and print markets.

Program Management

The CSIDS was a multi-faceted project (see Appendix A for an organizational chart of the project). To oversee the project, the Traffic Safety Bureau contracted with Bency and Associates to hire a program manager, who came onboard in December 2005 and became the primary point of contact between the various components of the project and the funding agency, NHTSA.

The project was initially contemplated to concentrate additional enforcement efforts in five counties (Bernalillo, Doña Ana, McKinley, Rio Arriba, and San Juan) with two control counties (San Miguel and Santa Fe). However, a catastrophic alcohol-related fatal crash in late 2006, which occurred in Santa Fe County and involved San Miguel County residents, stimulated an expansion of the program to include Santa Fe County.

Development of the New Mexico project management team evolved during the project planning process. The initial project manager was the acting bureau chief, who was responsible for both this large project and the management of the TSB. At the project's inception, the initially proposed plan needed significant revision to capture the comprehensive nature of the overall project that NHTSA contemplated. New Mexico's initial proposal had focused primarily on well-publicized DWI enforcement in the five high-risk counties in New Mexico. However, the project was widened to include other aspects of DWI prevention and sanctioning in order to reflect a comprehensive approach to combating DWI. As this became more apparent, TSB engaged a full-time project manager on a contractual basis. There was a brief interruption in the project manager's participation in the project because of a break in the contract period. Another program management issue was the necessity of negotiating individual contracts with each of the five (later six) program counties. Some of these negotiations were protracted. Consequently, the additional law enforcement activity started at different times in individual counties, sometimes as far apart as a year.

The comprehensive approach in New Mexico was reflected in the many components that were implemented, including:

- High-visibility impaired-driving enforcement operations in targeted counties;
- Community outreach to complement the work of law enforcement agencies;
- Adjudication issues, including looking at the role of prosecutors and adjudication rates; and
- Media outreach (including both paid campaigns and working with community groups on earned media).

As a part of the overall management of the comprehensive DWI control system, a DWI leadership team was formed to foster coordination of anti-DWI efforts across the various governmental and nongovernmental organizations involved in combating impaired driving in New Mexico. This group was co-chaired by the Governor’s DWI czar and the director of the Traffic Safety Bureau, thus elevating its level of influence to the cabinet level.

At the county-level, each county’s sheriff’s office designated a lead person to coordinate its efforts and the efforts of the program manager at the State level. The lead deputy was responsible for tracking funds, hiring and training deputies for the project, scheduling enforcement operations, and tracking enforcement-related data.

The Traffic Safety Bureau also contracted with the DWI Resource Center to hire community outreach coordinators in each of the implementation counties. The outreach coordinator was the prevention, public awareness, and support arm of each county’s enhanced DWI enforcement efforts. Each outreach coordinator provided data assistance, coordinated media activities, participated in planning meetings with law enforcement, and attended community events to highlight the enhanced enforcement efforts.

Funding Sources

Over the past decade, New Mexico made a concerted effort to dedicate more funds to combat DWI. Table 1 shows the amount of funds distributed since 2004, highlighting the distribution and source of the funds. Since 2004, the largest source of funds for DWI enforcement efforts in New Mexico came from Federal grants and contracts, including the funds for this comprehensive demonstration project. State funds were also devoted to enforcement efforts, including Operation DWI (ODWI) that funded law enforcement to participate in ODWI, special ODWI enforcement operations, and sustained enforcement activities. Special ODWI enforcement operations included *Superblitz* enforcement campaigns and the *100 Days and Nights of Summer* campaigns. Counties also received some funds for DWI operations through the Community Driving While Impaired (CDWI) Program, a statewide program that distributed funds to the cities and counties from which they were generated. These funds came from a \$75 fee that judges imposed on individuals convicted of DWI.

A large part of the annual budget for DWI related to media and outreach. In 2004, \$855,170 was dedicated to media efforts, but in 2008, the amount dedicated to media rose to \$2,607,000. The media line item covered both television and radio PSAs that were broadcast throughout the State, billboards, posters, and other outreach items. Other funded DWI-related items included a court-monitoring project, DWI court-related items (such as the resource prosecutor and judicial training), and the ignition interlock programs.

Table 1. Funding for DWI-Related Items, 2004-2008⁷

Category	Source (Project or Agency)	Source (Federal/ State)	Funding in Dollars				
			2004	2005	2006	2007	2008
Enforcement (including evaluation, equipment, training and salaries)	NMDOT ⁸ - Traffic Safety Bureau (TSB)	Federal	4,304,372	4,949,563	9,649,750	9,085,330	10,111,958
Enforcement (including equipment, training and salaries)	NMDOT-TSB	State	768,639	702,249	897,772	662,868	563,563
DWI Court-related (DWI resource prosecutor and judicial training)	NMDOT-TSB	Federal	-	175,000	230,000	125,000	125,000
DWI court-related (court monitoring)	NMDOT-TSB	State	-	115,800	-	396,542	396,542
DWI Interlock (sanctioning and technology)	NMDOT-TSB	State	363,392	716,434	1,260,849	1,217,193	1,032,967
Media and outreach (creative, production, collateral, placement)	NMDOT-TSB	Federal	855,170	1,208,870	1,529,449	2,489,900	2,607,000
Native American (law enforcement and liaison)	NMDOT-TSB	State	-	-	265,000	265,000	265,000
Strategic Prevention Framework State Incentive Grant (SPF-SIG)	NM Department of Health	Federal	2,350,965	2,350,965	2,350,965	2,350,965	2,350,965
Enforcement (including equipment, training and salaries)	NM Department of Public Safety	State	359,703	203,247	430,116	658,309	894,116
Enforcement (including equipment, training and salaries)	NM Department of Finance and Administration	State	99,524	104,159	121,189	59,609	75,748
Enforcement (including equipment, training and salaries)	NMDFA	State thru County	72,044	32,950	55,500	46,699	46,599
DWI court	NMDOT-TSB	Federal	-	215,000	215,000	400,000	400,000

The DWI Leadership Team

As part of the CSIDS, the DWI Leadership Team reviewed the Comprehensive Impaired Driving Program Work Plan and discussed progress toward accomplishing the initiatives outlined in the Governor's DWI Strategic Plan created in 2003. The DWI czar, Rachel O'Connor, in coordination with former TSB Director Michael Sandoval, convened and led the DWI Leadership Team.

The DWI Leadership Team roster included 70 names, with average meeting attendance ranging from 16 to 41 participants. Team members included leaders from several State agencies, such as the Governor's Office; the DWI czar's office; the Department of Health; the Motor Vehicle Division; the Department of Corrections; the Department of Tax and Revenue; the District

⁷ New Mexico Traffic Safety Bureau.

⁸ New Mexico Department of Transportation.

Attorney's Office; the Administrative Office of the Courts; the Children, Youth, and Families Department; the TSB; and New Mexico's Department of Transportation.

Enforcement representation on the DWI Leadership Team included members from the Special Investigations Division, the New Mexico State Police, the Albuquerque Police Department, and each of the six participating sheriffs' offices. Nongovernmental representation included leadership from Mothers Against Drunk Driving (MADD), Impact DWI, Bency and Associates, University of New Mexico-Institute of Public Law, and the DWI Resource Center.

The DWI Leadership Team responsibilities were to be a driving force behind the New Mexico DWI Strategic Plan, by getting recommendations implemented and by tracking progress of recommendations that had already been implemented. During meetings, the DWI czar consistently sought suggestions, comments, and feedback on the plan; and early in 2007, she emphasized revisiting the plan and began making progress on the plan's implementation.

The DWI Leadership Team's first meeting was held in September 2005 and it met almost monthly thereafter. Primarily, the meetings focused on information sharing and strategic planning. Members were updated at each meeting through progress reports on CSIDS, DWI-related issues from the various State agencies, and DWI-related legislation. The New Mexico Legislature was in session January through March, and the DWI Leadership Team meetings devoted time to updating legislative members on the progress of DWI-related bills. Legislative issues were also discussed at meetings held in the months before the start of the legislative session annually in January.

Frequently mentioned items at the meetings included ignition interlock, Liquor Control Act changes, updated data on alcohol-related crashes and fatalities, DWI enforcement activities, other liquor law arrest and citation data, and updates related to specific judicial cases.

Infrequently, experts presented on new research at the meetings. Presentations included information on screening processes for DWI drivers, DWI treatment/incarceration programs in specific New Mexico counties, consumer protection, and social norms research.

On several occasions, leadership team members, when asked to undertake action items, were responsive. For example, in 2007, the DWI Leadership Team was asked to decide how to divide unallocated State DWI resources totaling \$600,000. The group decided to allocate the money for three initiatives: (1) additional equipment for DWI enforcement, (2) overtime funds for officers working with the newly formed Special Investigations Division, and (3) an evaluation of best practices and cost-effectiveness of DWI/drug courts. On another occasion, a discussion focused on whether the TSB should fund a merchant education program created by another State agency; the Leadership Team members voted unanimously to request funding for the program.

Other examples of efforts that arose from the DWI Leadership Team included:

- Increased enforcement operations aimed at arresting DWI offenders with outstanding bench warrants. This issue arose during a review of the law enforcement priorities in the strategic plan and, during the meeting, several ideas were put into motion resulting in the Division of Finance and Administration authorizing county impaired-driving program administrators to conduct local warrant roundups.

- An agreement to pilot test new transdermal alcohol testing units⁹ using a court-based, enhanced supervision program for DWI first offenders and a county-based treatment program as initial test sites.

The DWI Leadership Team served as a basis for prioritizing, coordinating, and maximizing resources on impaired-driving efforts, including:

- Formed a subcommittee of members to coordinate the anti-DWI activities initiated by various State agencies in the target counties. TSB, the Department of Health, and the Department of Tax and Revenue all provided funding to support community efforts against impaired driving. This subcommittee was tasked to ensure that those efforts were coordinated, and that the subcommittee communicated regularly.
- Formed a subcommittee to “clean up” several provisions in the State’s impaired-driving statute.
- Sponsored a Law Enforcement Leaders’ Summit in an effort to better understand the challenges faced by law enforcement agencies relative to impaired driving, and to determine additional State resources to assist law enforcement in confronting these challenges.
- Compiled existing DWI treatment and prevention activities in the State in an attempt to diversify and expand New Mexico’s current DWI strategic portfolio. The inventory was compared against a matrix of accepted, evidence-based impaired-driving prevention strategies, and a list of recommendations was developed.

Although a large portion of time during the DWI Leadership Team meeting was devoted to information sharing and hearing various agency updates, the DWI czar also made the 2003 DWI Strategic Plan a focus of the meetings. Beginning in 2007, DWI Leadership Team meetings devoted more time to two of its core functions: (1) getting 2003 DWI Strategic Plan recommendations implemented and (2) tracking progress of recommendations that were implemented.

Specific initiatives and recommendations that were part of the 2003 DWI Strategic Plan and that were discussed at DWI Leadership Team meetings are discussed in Tables 2 to 6. Table 2 looks at the prevention recommendations, including the media component, one of the core focuses of the DWI Leadership Team.

⁹ The transdermal alcohol-testing unit provides continuous, 24-hour monitoring of alcohol concentration through the skin. The unit is attached to the ankle and communicates with a modem, which is installed in the home using a regular telephone line. The unit is fitted with secure straps and alarms that detect an attempt to tamper with the device.

Table 2. DWI Leadership Team Actions on Prevention Recommendations

Prevention Recommendation	Actions	Accomplishments	Status
Develop and implement evidence-based substance abuse curriculum	Prevention Subcommittee met and discussed challenge of reconciling preferred approaches favored by various disciplines. Provided recommendations: Increase alcohol tax; decrease alcohol outlet density; research random breath testing; mobilize communities for environmental strategies; continue media campaigns.	Media campaigns continue to be implemented; no other initiatives in place.	Ongoing discussions about which projects to implement.
Implement year-round after and out of school supervised programs	Worked with MADD New Mexico to implement <i>Protecting You/Protecting Me</i> program and conducted multimedia presentations at schools.	MADD provides about 40 multimedia presentations to NM schools reaching over 16,000 students per year.	Ongoing
Conduct study on effect of directing liquor excise tax to prevention and treatment	Subcommittee formed to look at impact.	Alcohol industry lobbied State to direct current alcohol taxes toward prevention programs rather than increasing alcohol taxes as a way to fund prevention programs.	
Develop statewide DWI prevention media campaign	Created several DWI prevention campaigns as well as underage drinking campaigns.	The State has developed and implemented the following media campaigns: <i>Superblitz</i> ; <i>100 Days and Nights</i> ; <i>You Drink, You Drive, You Lose</i> campaign; a Native American-focused media campaign; and an underage drinking media campaign.	State continues to develop various media campaigns and is geared toward season (winter holidays), specific groups (i.e., Native Americans, adults who provide alcohol to youth), and special campaigns (<i>100 Days and Nights of Summer</i>).

Table 3 shows the law enforcement recommendations that were identified in the 2003 DWI Strategic Plan. One of the main items discussed during the Strategic Plan meetings was to increase DWI checkpoints and operations; consequently, the DWI Leadership Team devoted much effort to ensuring that funds were distributed for DWI enforcement efforts. These efforts included the comprehensive demonstration project, Operation DWI, and Community DWI. They also included efforts to coordinate specific campaigns, such as *Superblitzes* and *100 Days and Nights of Summer*, and to incorporate other enforcement agencies, such as the Special Investigations Division that handled alcohol/liquor license law violations.

Table 3. DWI Leadership Team Actions on Law Enforcement Recommendations

Law Enforcement Recommendation	Actions	Accomplishments	Status
Increase DWI checkpoints and operations	Supported <i>100 Days and Nights of Summer</i> campaign	Campaign began in 2007 and has continued. Per campaign, State is averaging more than 700 saturation patrols, more than 230 sobriety checkpoints, and nearly 2,000 DWI arrests per campaign. More than 65 State and local enforcement agencies participate in campaign.	Ongoing campaign
Increase DWI checkpoints and operations	Work with TSB to ensure funds for law enforcement to participate in Operation DWI, special ODWI enforcement operations, and sustained enforcement activities.	Funds distributed to 93 law enforcement agencies to conduct DWI enforcement activities, participate in <i>Superblitz</i> operations, and other DWI enforcement activities.	Ongoing annual funding
Increase DWI checkpoints and operations	Work with TSB to distribute funds to cities and counties from which they are generated in a program known as "Community Driving While Impaired." These funds come from a \$75 fee that judges impose on a person convicted of a DWI.	Funds distributed to counties.	The Institute of Public Law conducts site monitoring to ensure that cities and communities are allocating their funds for DWI efforts.
Electronic scheduling to streamline DWI process	Group proposed to fund study on which courts should handle DWI cases—municipal versus magistrates; another study proposed to see how many trials actually occur; Administrative Office of the Courts researching effort to change courts computer systems to include an events code for tracking whether offenders receive mandated treatment.	Group still working on streamlining DWI process.	No studies have been implemented, and group is still working on streamlining DWI process.
Increase funding for equipment and personnel for Scientific Lab Division/Department of Health and law enforcement	Team pushed for and provided support to find \$500,000 for to Scientific Lab Division for equipment purchases.	Scientific Lab Division purchased update equipment to be used for evidentiary purposes.	Lab continues to provide expert testimony in court.
Increase funding for equipment and personnel for Scientific Lab Division/Department of Health and law enforcement	\$600,000 identified in State budget in 2006 carried over to Fiscal Year 2007-08 and group agreed and advocated for \$300,000 to be set aside for law enforcement equipment; additional funds provided from State to purchase equipment.	Law enforcement agencies are provided funds to purchase DWI enforcement trailers, video cameras, IR 8000 breath testers, surveillance vans, and other needed equipment.	Ongoing

Law Enforcement Recommendation	Actions	Accomplishments	Status
Standardize license training and increased enforcement of laws	Create the Mobile Strike Team (MST) to increase efforts on enforcement of alcohol serving practices and training. The MST is a specialized enforcement unit, based in the Department of Public's Safety Special Investigations Division, created to address the issues of alcohol sales to minors, underage alcohol consumption, source investigations, sales to intoxicated patrons, and adherence to State laws.	MST conducts continual enforcement operations related to alcohol sales; provide trainings to alcohol license holders; prosecutor hired at Regulations and Licensing Department to prosecute DWI over serving/minors citations; increased funding to adjudicate cases from SID; holding Three Strike Rule hearings in various parts of State.	Enforcement and adjudication of alcohol law violations continue. Three Strike Rule hearings continue and establishments have lost their liquor license as a result of the hearings.

Table 4 shows the adjudication recommendations that were identified in the 2003 DWI Strategic Plan. The major focus of these recommendations was to educate players in the judicial system on ignition interlock laws and on DWI issues in general. Through the traffic safety resource prosecutor and the Judicial Education Center, the DWI Leadership Team has pushed through efforts to conduct trainings, seminars, and workshops to educate prosecutors, judges, officers, and defense attorneys on DWI issues including ignition interlock.

Table 5 shows the treatment and rehabilitation recommendations that were identified in the 2003 DWI Strategic Plan. The greatest focus from this category has been ignition interlocks. New Mexico State law required that all DWI offenders (including first-time offenders) receive an ignition interlock. The DWI Leadership Team coordinated efforts between several State government agencies to track how ignition interlocks were implemented, and was instrumental in championing a bill through the legislature that provided penalties for tampering with the ignition interlock device.

Table 4. DWI Leadership Team Actions on Adjudication Recommendations

Adjudication Recommendations	Actions	Accomplishments	Status
Revise the 6-month rule ¹⁰	Administrative Office of the Courts file a recommendation that includes changing the 6-month rule to reduce dismissal rates (mostly in Bernalillo County Municipal Courts)	Proposal to place this issue on the legislative agenda.	Issue has not been placed on legislative agenda.
Interlock: educate players in the judicial system	In conjunction with the Judicial Education and Training Advisory Committee, the Institute of Public Law's Judicial Education Center developed education seminars and conferences for judges, defense attorneys, police officers, and prosecutors.	The Judicial Education Center has developed an online DWI resource and training component on DWI. It also updated the New Mexico DWI Benchbook and distributed 300 copies to courts in the State. Holds weeklong training for newly elected municipal judges; has held an annual 4-day conference that includes sessions on DWI laws and procedures for municipal court judges; conducts regional DWI seminars for players in the judicial system.	On-going training.
Balance funding for State agencies involved in DWI process	There was a discussion about increasing the alcohol excise tax to help fund specific State agencies to work on DWI-related activities.	No current bill to increase alcohol excise tax.	No current bill to increase alcohol excise tax.
Fund costs of mandatory sentencing to criminal justice system	Subcommittee has discussed ideas to fund costs of mandatory sentencing to criminal justice system.	No progress on this issue.	No progress on this issue.
Vehicle forfeiture	The program, which allows courts to seize the vehicle of people arrested for multiple DWI offenses, exists in six jurisdictions and the city of Albuquerque.	Albuquerque Police Department reports more than 2,000 vehicles seized/impounded per year.	Albuquerque and the six other jurisdictions continue with program. No other expansion at this time.

¹⁰ Unless the court orders and/or the parties agree to an extension, the State must begin a DWI arrestee's trial within 182 days of his/her arraignment or the filing of a waiver. If the State fails to do this, then the charges are dismissed and may not be brought against the arrestee again for this particular DWI.

Table 5. DWI Leadership Team Actions on Treatment and Rehabilitation Recommendations

Treatment and Rehabilitation Recommendations	Actions	Accomplishments	Status
Develop regional treatment pilot project	The Leadership Team requested funds for treatment to duplicate a project implemented in San Juan County.	Legislature did not fund request to replicate project in other jurisdictions.	No other movement at this time.
Early interventions for first-time high-risk offenders	Worked with TSB to fund Bernalillo County Metro Court's DWI First Offender Enhanced Supervision Project. The DWI First Offender Enhanced Supervision Project monitors progress of first-time offenders.	Project began in 2007 and was modified in 2008. The project is designed to enhance supervision on true first DWI offenders that were previously unsupervised. Offenders are placed into three categories: high-risk unsupervised; high-risk supervision; and high-risk intermediate supervision.	Projects continue to be implemented in Bernalillo County.
Ignition interlock for all DWI offenders	New Mexico State Law requires all DWI offenders to receive ignition interlock.	In FY08, the Ignition Interlock Data Analysis (IIDA) project was incorporated into existing State reporting systems. The IIDA project is a statewide system that allows automated data (such as offender compliance) submissions from ignition interlock manufacturers to a central repository. The Legislature passed a bill in 2008 that provided penalties for tampering with an ignition interlock device.	TSB is responsible for administering the Ignition Interlock Indigent Device Fund and for the licensing of ignition interlock providers. The IIDA system is currently capturing interlock device information from the seven certified manufacturers authorized to provide services in New Mexico.
Identify standard treatment protocols/trained providers	Worked with TSB to fund Bernalillo County Metro Court's DWI First Offender Enhanced Supervision Project.	Looking to see results of early interventions for first time high-risk offenders and using any positive outcomes (if any) as a basis for standardizing treatment protocols of that specific population for the rest of the State.	Projects continue to be implemented in Bernalillo County.

Table 6 shows other top priorities that were identified in the 2003 DWI Strategic Plan and that were discussed and action taken during the DWI Leadership Team meetings. The DWI Leadership Team coordinated efforts from various governmental agencies to better track DWI-related data, including enforcement efforts, implementation of ignition interlocks, and tracking of first-time DWI offenders. The DWI Leadership Team meetings were also the medium through which the efforts of different governmental agencies were coordinated to eliminate duplication.

Two items listed in Table 6 were not part of the 2003 DWI Strategic Plan, but are items on which the DWI Leadership Team took a lead role, including the *DrunkBusters* hotline and Native American Outreach. The *DrunkBusters* hotline was the State's toll-free number to report suspected impaired drivers; it was a popular feature in the State. Another big push from the DWI czar and the DWI Leadership Team was reaching out to Native American communities and

assisting those groups with their DWI-related issues. The DWI Leadership Team took a leading role in helping create a State-Tribal DWI Task Force.

Table 6. DWI Leadership Team Action on Other Identified Top Priorities

Additional Items	Actions	Accomplishments	Status
Create cabinet-level position of DWI Coordinator	DWI Coordinator, known as DWI czar, created as cabinet-level position.	DWI czar coordinates all DWI activity throughout the State.	Continues to be a cabinet-level position.
Establish Comprehensive DWI data system	TraCS (Traffic and Criminal reporting software) implemented in project counties; Ignition Interlock Data Analysis Project incorporated into Statewide Traffic Record System; the Division of Government Research is funded to develop and produce an annual report on DWI. The DWI First Offender Enhanced Supervision Project monitors progress of first-time offenders; MADD New Mexico awarded Court Monitoring program to collect data for trends (pleas, dismissals, compliance with sentencing mandates).	All data-collection systems are currently in place.	All data-collection systems are currently in place.
Develop Intergovernmental Agreements	Created State-Tribal DWI Task Force; worked cooperatively with tribes to initiate cross-commissioning and data sharing agreements on DWI. The New Mexico Traffic Safety Prosecutor and the Department of Health's underage drinking prevention specialist combined efforts to present underage drinking issues to district attorneys and police departments. The Special Investigations Division, working with local police agencies and State Police on operations, such as increasing enforcement activities during <i>100 Days and Nights of Summer</i> campaigns.	State-Tribal DWI Task Force meets quarterly; cross-commission agreements completed; the Special Investigative Division continues to work in coordination with other law enforcement agencies on DWI efforts.	Task Force drafting strategic plan to partner all tribes across New Mexico to work on DWI. Specific tribes work with State to share DWI arrest data; discussion of providing further funds to tribal groups to create DWI courts, DWI prosecutors and enforcement efforts. DWI Leadership Team meetings continue to be a forum where various governmental agencies can work collaboratively on DWI issues.
Expand DWI/Drug Courts	In 2007, the Legislature funded \$1.6 million to the Administrative Office of the Courts to replace lapsing Federal grants for three drug courts, expanding two existing courts and created six new drug courts.	Courts continue to be funded.	Courts continue to be funded.
<i>DrunkBusters</i> Hotline	Worked with Governor's Office to create <i>DrunkBusters</i> program.	<i>DrunkBusters</i> program created that includes phone number (for citizens to report a possible drunk driver), highway signs with <i>DrunkBusters</i> information and dispatcher positions to field calls.	<i>DrunkBusters</i> in fourth year and currently receives more than 20,000 calls per year.

Additional Items	Actions	Accomplishments	Status
Native American Outreach	DWI czar creates Native American liaison position to work on tribal DWI issues. Creation of Tribal State DWI Task Force; cross-commissioning agreements established between State and Navajo Nation so a DWI task force of New Mexico and Navajo officers can patrol on each other's jurisdictions; create billboard awareness campaign for Native Americans.	Native American liaison continues to be a mediator on New Mexico State and tribal DWI issues; Tribal State DWI Task Force meets quarterly; cross-commission agreements completed. A Native American themed billboard campaign created and implemented.	Task Force drafting strategic plan to partner all tribes across New Mexico to work on DWI, Specific tribes work with State to share DWI arrest data; discussion of providing further funds to tribal groups to create DWI courts, DWI prosecutors, and enforcement efforts.

On November 11, 2006, a crash involving an intoxicated driver tragically took the lives of a Las Vegas, New Mexico, family. The offender had five DWI arrests in the late 1980s in Colorado. At the time of the crash, the driver registered a BAC of .324, more than four times the legal limit. On November 14, 2006, Governor Richardson created a DWI Strike Force comprised of 15 members, the majority of whom were members of the DWI Leadership Team, to focus on initiatives that included out-of-State licensing issues, ignition interlocks, airline security, hazard elimination, and responsible citizenship.

The DWI Strike Force developed a list of recommendations and presented them to the DWI Leadership Team. Based on majority opinion, the DWI Leadership Team supported all recommendations put forth by the governor as suggested by the DWI Strike Force, and made suggestions regarding their implementation, including requiring individuals with out-of-State DWI convictions to comply with New Mexico's ignition interlock law when moving to the State. Other recommendations included replacing the old *Operation DWI* signs with *DrunkBuster* signs, increasing signage and public awareness activities to encourage reporting intoxication at the airport, and increasing public awareness activities that enhanced responsible citizenship in reporting and preventing DWI.

These initiatives were addressed during the 2007 New Mexico Legislative session. Specifically, a bill requiring individuals with out-of-State DWI convictions to comply with New Mexico's ignition interlock when moving to the State was passed by the New Mexico Legislature, as was a pilot project to look into engaging in hazard elimination methods.¹¹

One of the distinguishing features of the DWI Leadership Team was that decision makers were consistently at the table. The DWI Leadership Team was co-facilitated by the DWI czar, a cabinet-level position, and by the TSB Director. As with many task forces or committees, the DWI Leadership Team was composed of a diverse group of people representing various State government and community agencies, but more importantly, it was composed of individuals representing leadership positions in their respective State government and community agencies. Decision-makers regularly attended the meetings, and recommendations made by the group were directly heard by a cabinet-level member, the DWI czar, who was a position to move ideas forward. Decision-makers could also commit their agencies to conduct and support appropriate activities recommended by the DWI Leadership Team.

¹¹ In this particular DWI crash, the driver was going the wrong way on the highway. Hazard elimination methods include placing devices such as spikes on highway off-ramps so drivers do not enter highways going in the wrong direction.

A critical piece of the DWI Leadership Team's success was the facilitation of the group by a DWI coordinator (or, as known in New Mexico, a DWI czar). The DWI czar was created to oversee execution of the DWI Strategic Plan and manage the State's impaired-driving efforts. O'Connor, the DWI czar, made recommendations on the use of impaired driving and alcohol abuse prevention funds available through various State agencies. Having one person monitor statewide impaired driving led to greater coordination of the State's resources and stronger collaboration among all of the key players involved in impaired-driving issues.

The co-chair of the DWI Leadership Team was the director of TSB, a division of the State Department of Transportation. The TSB directly oversaw many of the DWI-related funds and projects and, as such, had direct contact with DWI Leadership Team members on priorities and how projects were being implemented. Being co-chair of the DWI Leadership Team also fostered increased communication between the DWI czar and the director of TSB.

Discussions with some DWI Leadership Team members echoed the sentiment that the DWI czar position was critical to the success of the DWI Leadership Team (see Appendix B for the Discussion Guide).¹² Team members stated that the right person needed to be in that role, and must be committed to the issue. A summary of team members' comments included:

- *Role of DWI Leadership Team:* Has helped coordinate impaired-driving efforts. Before development of the DWI Strategic Plan and DWI Leadership Team, there were many impaired-driving efforts, but everyone was working solo. No one knew what other agencies and organizations were doing consistently. No one was accountable, and priorities were not measurable. The DWI Leadership Team was the center of coordination for all impaired-driving issues. The team provided a structure for looking at the priorities of the DWI Strategic Plan and tracking its progress. The team made everyone working on the issue accountable.
- *Strengths:* The meetings consolidated everyone working on impaired driving. Everyone knew what others were doing and how their work was interconnected. Members reviewed the DWI Strategic Plan and ensured that each component was moving forward.
- *Weakness:* Not everyone could make it to every meeting, so there was often a specific expertise missing from a meeting. There was often insufficient time for discussion of every agenda item, and some team members felt rushed when providing their updates.
- *Possible Improvements:* Make the team more manageable by reducing the number of representatives while ensuring that the appropriate expertise and/or agencies are represented.

Navajo Nation

In 2006, 191 people were killed in alcohol-related crashes in New Mexico; approximately 25% of these fatalities occurred on tribal lands. To reduce the effect of impaired driving on the Native American population State officials worked with Native Americans to develop steps to address impaired driving on tribal lands. In December 2006, Governor Richardson, in an effort coordinated by the DWI czar, authorized the creation of a State-Tribal DWI Task Force.

¹² Discussions were conducted with seven team members between mid-May and mid-July 2008.

The State-Tribal DWI Task Force was composed of 36 members, including a representative from each of the 22 tribes located in New Mexico. Along with the Task Force, TSB hired a Tribal DWI Coordinator to oversee the State-Tribal DWI Task Force and coordinate impaired-driving issues among Tribes in New Mexico. In May 2007, the group held a Strategic Planning Session that resulted in the creation of five core areas and subcommittees. These areas were (1) Tribal Justice Enterprise (police, courts, and corrections); (2) public awareness; (3) information sharing; (4) prevention; (5) and treatment and intervention.

The Navajo Nation, the largest tribe in New Mexico, was included as a member of the enforcement component of this project from the beginning. Due to various delays on contract agreements and receiving appropriate signatures from State and Navajo officials, the DWI Navajo Nation officers were not hired until May 2007. Along with the hiring of the officers, the DWI czar negotiated a cross-commissioning agreement that was signed by the Navajo Nation, McKinley County Sheriff's Office, and Governor Richardson. This allowed nontribal law enforcement agencies to make arrests on tribal lands and vice versa.¹³

A Law Enforcement Task Force, composed of law enforcement officers from the Navajo Nation, Gallup Police Department, McKinley County Sheriff's Office, and the New Mexico State Police, created a law enforcement plan to collectively patrol the McKinley County side of the Navajo Nation. In addition to the law enforcement agreements, the TSB initiated a Native American billboard campaign which was implemented in the Four Corners area of the State, along with PSAs on tribal DWI to be broadcast on television.

The Navajo Nation also specifically established a Navajo Nation DWI Task Force that met quarterly. Members of the task force included uniformed officers representing all seven Navajo Nation police districts. The task force was led by the First Lady of the Navajo Nation. The First Lady and her staff also regularly attended the DWI Leadership Team meetings and New Mexico/Tribal Task Force meetings. She was also in frequent contact with the DWI czar's Office.

Police Officers from the Navajo Nation stated that DWI enforcement on tribal lands carried its own difficulties. One of the greatest challenges was the large amount of territory that must be covered by the Navajo Nation Police Department. Calls for impaired-driving crashes could be more than 100 miles away from the nearest patrol car or Emergency Medical Services (EMS). Other issues concerned equipment; officers reported that the intoxilyzer needed to conduct tests was often unavailable.

Territorial issues were also a factor in working with the Navajo Nation. The nation covered large portions of New Mexico, Arizona, Colorado, and Utah. Although New Mexico State funding might be geared to the Navajo Nation in New Mexico, there were concerns that the money could be used on the Arizona side, and vice versa. The Navajo Nation also worked with specific counties on the New Mexico side, specifically McKinley and San Juan Counties, which were both counties that participated in the comprehensive project. Officers had cross-commission agreements to cite and arrest drivers on Navajo Nation land, and they often had to work together to arrest an impaired driver.

¹³ Unless specified by agreement between a tribal government and nontribal agencies, nontribal law enforcement agencies do not have the authority to make arrests on tribal land.

Currently, the Navajo Nation is considering issuing their own driver's license and license plates and establishing their own DWI courts and DWI prosecutors.

Governor's Leadership

Another important component of leadership was that provided by New Mexico Governor Bill Richardson. Most importantly, he used his name and office to encourage and heighten the visibility of the efforts to reduce the toll of impaired driving. As indicated earlier, he appointed a DWI czar as a cabinet level position and empowered her to influence decisions throughout State government related to programs and policies concerning DWI.

Governor Richardson lent his image to anti-DWI public information and education campaigns including participating in radio and television advertisements. He also participated in several news conferences each year addressing DWI. In the words of the DWI czar, "Governor Richardson was instrumental in sending a message to the community that DWI would not be tolerated anymore."

Governor Richardson was also involved in other aspects of impaired driving. He issued an executive order implementing the three strike regulation wherein alcohol establishments experiencing three or more over service violations within a year would lose their alcohol beverage service license, and he directed that the regulation be enforced. He was also heavily involved in the adoption and implementation of New Mexico's strong interlock laws, including creating the Governor's Interlock Task Force.

New Mexico's Comprehensive State Program Process Summary

In 2003, Governor Richardson made DWI reduction one of his nine key policy priorities and, since 2004, there has been a reduction of alcohol-involved crashes and fatalities in the State. This section summarizes some of the successful components of the comprehensive project that led to impaired driving becoming a policy priority and to a reduction in fatal crashes in New Mexico.

State Assessment

- The governor convened a statewide DWI task force to draft the 2003 DWI strategic plan which established manageable priorities (22 priorities versus 87 recommendations made in the 2002 assessment) to address impaired-driving issues.
- Important stakeholders from within the State were part of the task force, but there were also outside experts who provided ideas and participated in policy priorities.

Program Management

- Creating the DWI czar position was an important step. The DWI czar, a cabinet-level position, was one of the 22 policy recommendations in the 2003 DWI Strategic Plan, and it was the first step in coordinating all impaired-driving efforts in the State. The DWI czar was responsible for coordinating the State's efforts to reduce death and injury related to impaired driving, and recommended spending priorities of impaired driving and alcohol abuse prevention funds available through various State agencies. As such, the DWI czar was in a position to ensure that the recommendations of the 2003 DWI strategic plan were being implemented.

- There was a strong level of support and communication between the TSB and the DWI czar on DWI issues. The TSB was responsible for most of the impaired-driving projects in the State. The creation of the DWI czar and DWI Leadership Team could have been seen as “walking into TBS’s territory”; however, the TSB and the DWI czar coordinated efforts and co-facilitated the DWI Leadership Team.

DWI Leadership Team

The functions and characteristics of the DWI Leadership Team included:

- Was the central communication center for all impaired-driving projects in New Mexico.
- Allowed members to hear updates about what other agencies and organizations were doing, and how that related to their own agencies’ work.
- Discussed the 2003 DWI strategic plan, and tracked progress on the plan.
- Had strong leaders.
- Had the appropriate representation from many State and nongovernmental agencies.
- Provided a forum for agencies and organizations to provide and hear updates along with presentations.
- Served as a vehicle where agencies could filter information up (by reporting to the DWI czar, a cabinet-level position, and thus to the Governor) and also where the current administration could filter information and ideas down.

Navajo Nation

- The cross-commission agreement between the Navajo Nation and McKinley County Sheriff’s Office was a cooperative step in allowing each of the law enforcement agencies to conduct impaired-driving enforcement operations in each other’s jurisdiction.
- The State established a State-Tribal DWI Task Force composed of 36 members, including a representative from each of the 22 tribes in New Mexico.

Lessons

Several items stand out during New Mexico’s comprehensive State program process. These items include:

- *Strong leadership is essential:* Governor Richardson made DWI one of his signature issues and devoted resources to the issue. When he created the DWI czar position, he signaled his commitment to recognition of the DWI issue as important, and provided an avenue that could oversee and coordinate all DWI issues within New Mexico. The DWI czar actively pursuing the State’s DWI agenda with all stakeholders, including grassroots organizations, law enforcement agencies, local governments, State agencies, legislators, judges, prosecutors, and DWI offenders.

- *Conduct an assessment:* New Mexico conducted three NHTSA-facilitated impaired-driving program assessments from 1991 to 2002. Then, in 2003, a group of stakeholders developed a comprehensive New Mexico DWI strategic plan, based in part on recommendations of the June 2002 impaired-driving assessment. Developing the comprehensive DWI strategic plan was a lengthy process and involved many stakeholders, but the assessment served as a framework for a statewide implementation strategy because it helped the State identify and prioritize DWI issues.
- *Cross-cutting State coordination is important:* The DWI Leadership Team was the central communication center for all impaired-driving projects and issues in New Mexico. Although many different agencies also worked on alcohol-impaired-driving issues, they were no longer working in isolation, duplicating services, or competing for scarce resources. The DWI Leadership Team created a forum for all agencies working on impaired driving to inform others of their work, and allowed room for coordination. Key stakeholders and decision-making personnel from relevant agencies were frequent participants, and many of them had authority to act or make key decisions within their respective agencies.

New Mexico's Law Enforcement Efforts

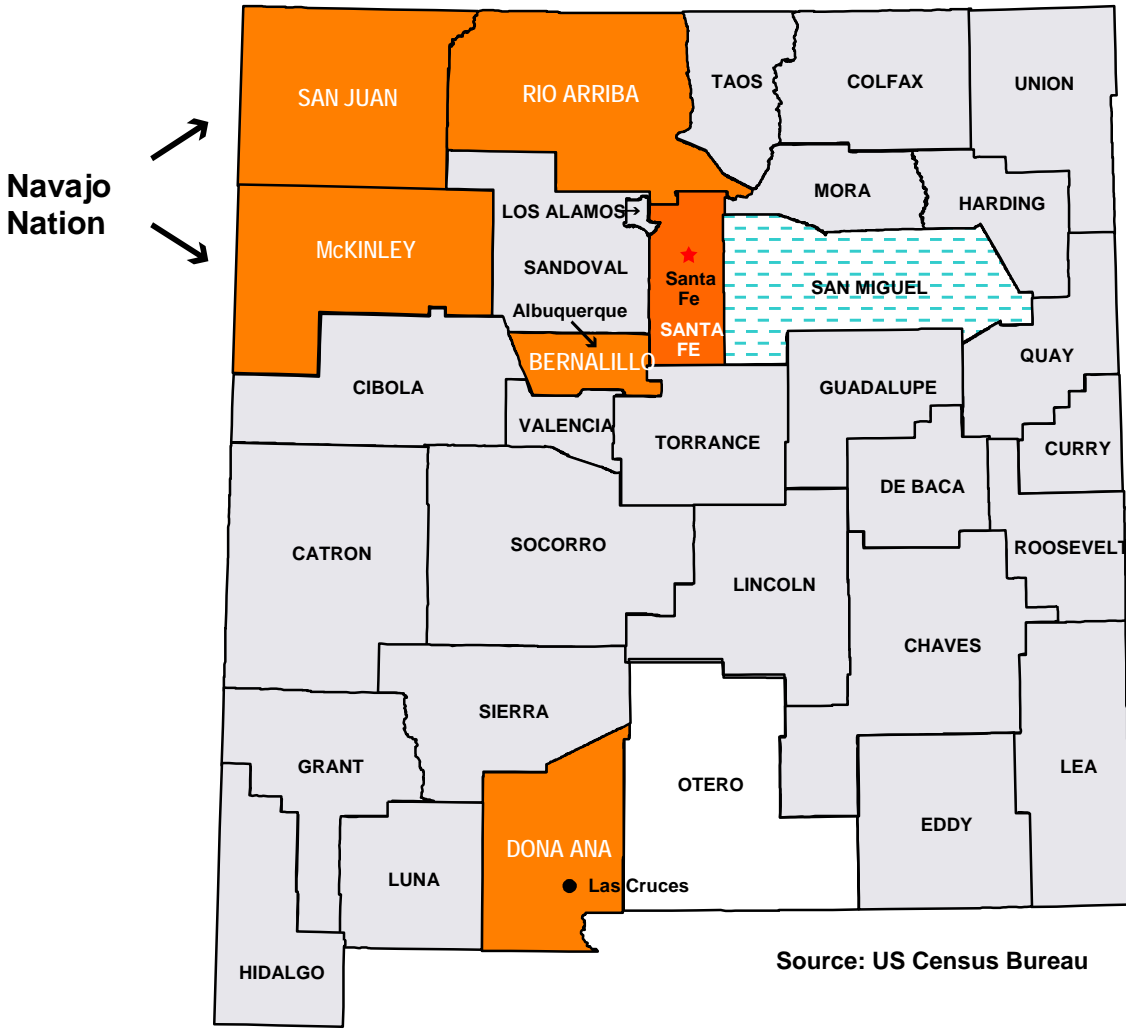
Enforcement Agency Background

A major focus of CSIDS was enhanced high-visibility DWI enforcement operations in the six selected counties, which attempted not only to engage law enforcement agencies (in this case, the selected sheriffs' offices) in both periodic impaired-driving crackdowns and sustained impaired-driving enforcement throughout the year, but also to ensure that enforcement efforts were highly visible and well publicized through paid and earned media support. The high-visibility enforcement programs were intended to affect behavior through general deterrence, by increasing public perception that people who violated the law would be ticketed, arrested, convicted, and punished, which would persuade them to adhere to the law.

Periodic high-intensity and sustained high-visibility enforcement efforts, supported by a coordinated media plan, are a proven, effective countermeasure for reducing impaired-driving fatalities. *Checkpoint Tennessee*, a year-long high-visibility enforcement effort conducted in the mid-1990s, resulted in a 20% reduction in alcohol-related impaired-driving crashes. Similar enforcement and media approaches applied to seat belt use have resulted, on average, in 8 percentage point increases in seat belt usage following just 2 weeks of enforcement (NHTSA, 2007).

These enhanced activities were designed to affect New Mexico's DWI problem by supporting additional full-time officers solely to enforce DWI laws in the State's highest risk counties. These program activities supplemented *ODWI* and other checkpoint and saturation patrol activities already being conducted in these counties. Initially, New Mexico selected Bernalillo, Doña Ana, McKinley, Rio Arriba, and San Juan Counties and the Navajo Nation to participate in the Enhanced Enforcement Project due to their high-risk status for alcohol-related crashes, fatalities, and injuries (see Figure 2 for a map of the location of the counties within the State). PIRE, in consultation with NHTSA and New Mexico, selected Santa Fe and San Miguel Counties as comparison sites. In February 2007, Santa Fe received funding to become part of the project, leaving only San Miguel as a comparison community. In July 2004, the TSB program staff contacted the sheriffs from each of the participating counties to discuss the program and determine their interest. TSB program staff already had working relationships with these agencies through their ongoing participation in *ODWI* activities. Sheriffs' offices were specifically selected due to their ability to engage in enforcement activities throughout the county rather than just one city.

The Navajo Nation was selected for inclusion in this program because the portion of Navajo Nation territory located in New Mexico had a very high incidence of alcohol-involved crashes. From 2001 to 2003 (the period before New Mexico wrote its proposal), 24% of all crashes reported in the Navajo Nation involved alcohol, compared to just 7% statewide. Of fatal crashes in the Navajo Nation, 72% involved alcohol compared to 48% statewide. In May 2007, the Navajo Nation hired two officers.



- Comparison Site County
- Implementation Site Counties (Santa Fe was initially identified as a comparison county but became an implementation county in 2007)

Figure 2. Participating Counties in New Mexico

In 2009, Bernalillo County Sheriff’s Office, with 350 employees, was the largest sheriff’s office in New Mexico. The county covers nearly 1,200 square miles and had a population of more than 615,000. Forty-six percent of the population was White, 44% Hispanic, 5% American Indian, 3% Black, and 2% of other racial groups. Albuquerque, the State’s largest city, lies within Bernalillo County.

In 2009, Doña Ana County Sheriff’s Office, the State’s second largest sheriff’s office, served a population of 193,000 residents with a force of 155 certified deputies and 30 reserve deputies. Sixty-five percent of the population was Hispanic, 32% White, 2% Black, 1% American Indian,

and 1% Asian. The county borders Texas and Mexico. Las Cruces, the county seat, ranked as one of the fastest-growing communities in the country for the past decade.

In 2009, McKinley County was comprised of 5,448 square miles and a population of 72,000. Nearly 77% of the population was American Indian. Whites comprised 12% of the population, Hispanics 11%, and 1% was of other racial groups. McKinley County was one of only 38 county-level census divisions of the United States where the most spoken language was not English, and one of only 3 where neither English nor Spanish was the most spoken. Nearly 46% of the population spoke Navajo at home. The county borders Arizona on the west and San Juan County on the north. Its sheriff's office was staffed with 44 deputies.

In 2009, Rio Arriba County Sheriff's Office, with 23 deputies, served a population of 41,000 residents and an area of 5,857 square miles. Seventy-one percent of the population was Hispanic, 15% American Indian, and 14% White. The county borders Colorado to the north and was surrounded by 6 other New Mexican counties, including San Juan on its west and Santa Fe on its south.

San Juan County is located in the northwest corner of New Mexico, bordering Arizona, Colorado, and Utah. San Juan County was comprised of 5,500 square miles with a population of 126,000 in 2009. The vast Navajo Nation Reservation lies adjacent to the county, as does the Jicarilla Indian Reservation. Forty-one percent of the population was White, 41% American Indian, 16% Hispanic, and 2% of other racial groups. The San Juan County Sheriff's Office consisted of 97 certified personnel, 3 animal control officers, and 31 civilians.

Santa Fe County is located in the north-central part of New Mexico and is comprised of 1,911 square miles and a population of 129,292. Forty-nine percent of the population was Hispanic, 45% White, and 3% Native American. The sheriff's office employed 75 full-time deputies.

The TSB did not require each of the counties to hire their 2 full-time officers at the same time or start the enhanced enforcement operations at the same time; consequently, the officers were hired in different periods. Bernalillo County hired its officers in January 2005, whereas San Juan County Sheriff's Office hired its 2 full-time DWI officers in February 2005. Both McKinley and Rio Arriba County Sheriff's Offices' hired their 2 DWI officers in May 2005. The DWI officers from Doña Ana County Sheriff's Office did not come on board until January 2006.

Since the project's inception, several additions have been made. First, in September 2006, TSB decided to fund the hiring of 2 additional full-time DWI officers in each of the participating counties, bringing the total to 4 full-time DWI officers in each county. In November 2006, an alcohol-involved car crash killed 5 members of a family in Santa Fe County, which was extensively covered by the media. Policymakers in Santa Fe County requested assistance from TSB, and TSB, in consultation with NHTSA and PIRE, decided to fund 4 additional full-time DWI officers at the Santa Fe County Sheriff's Office. These officers were hired in March 2007.

Each contracted agency assigned the full-time DWI officers to work solely on DWI enforcement activities. Each officer worked a 40-hour week and was encouraged to participate in DWI checkpoints and other highly visible enforcement activities and events. Enforcement supervisors in Rio Arriba and McKinley County were paid from project funds for their time. In Bernalillo, Doña Ana, and San Juan Counties, supervisors were paid from other project grants. Additionally, Bernalillo County established a DWI Unit consisting of the 4 program officers and 3 in-kind officers to conduct enhanced law enforcement activities.

Officers could work flex time so that their work hours coincided with the highest risk periods for DWI activity. Agencies could hire replacements for positions that were vacated as officers with DWI training and experiences were reassigned to other program positions.

Each of the officers involved in the project was required to participate in training and obtain certification in the following four subjects: Standardized Field Sobriety Testing;¹⁴ Selective Traffic Enforcement Program; Police Officer as Prosecutor Training; and Public Information Officer and Media Training for Law Enforcement. These requirements were written into the contract for each sheriff's office, and each office reported that the 4 officers from each of the 6 participating sheriffs' offices met these requirements. Each officer participating in the project also received training on breath test instruments, including evidentiary and preliminary breath testing equipment.

Other specialized impaired-driving equipment, specifically passive alcohol sensors, was not widely used within the sheriffs' offices involved in the project. During discussions, deputies from the participating agencies stated they did not like the PAS devices. In their words, "My nose is the best PAS device." McKinley County Sheriff's Office was using a digital video flashlight that allowed officers to capture footage. The flashlight did not have a PAS device on it like other flashlights used by law enforcement, but it did record video. An officer approached the driver and recorded the interaction, or if the officer was conducting a field sobriety test, recorded the test. The video could then be used as evidence of a person's alcohol impairment. In McKinley County, the deputies had been using the flashlights during DWI stops as another mechanism to record a driver's impairment.

DWI Enforcement Operations

New Mexico's highly publicized and highly visible enforcement efforts included sobriety checkpoints, saturation patrols, and inactive checkpoints, also known as phantom checkpoints. Saturation patrols were the most frequently reported DWI operations used by the sheriffs' offices involved in the project. Saturation patrols were an increased enforcement effort that targeted a specific area to identify and arrest impaired drivers. These operations were used often in smaller law enforcement departments because they were not labor intensive, a key factor in small, rural law enforcement agencies. However, in midsize to bigger departments, such as those in Santa Fe County, the sheriffs' offices needed a minimum of 7 deputies to conduct saturation patrols. In Rio Arriba County, the sheriff's office used at least 2 deputies but not more than 5 for a saturation patrol. If more than 5 deputies were available for an operation, the Rio Arriba Sheriff's Office split the deputies into two groups.

Sobriety checkpoints were the second most used impaired-driving enforcement operation by the participating Sheriff's offices. At sobriety checkpoints, law enforcement officers examined drivers for signs of alcohol impairment. Vehicles were stopped in a specific, pre-determined sequence (e.g., every vehicle or every third, fourth, or fifth vehicle). The frequency with which

¹⁴ Field sobriety testing for DWI is a crucial element in DWI prosecution and defense. Initially, field sobriety testing served as the best method by which an investigating officer can ascertain whether "reasonable cause" exists, which in turn would require the suspect to submit to DWI breath testing. It is also the best way the State can establish the probable cause, which must be established before a suspect can be arrested and then charged with DWI. Field sobriety testing for DWI can also be used by the court to ultimately determine whether there are sufficient observations to determine intoxication in the absence of breath-test results establishing a per se violation. The three Standardized Field Sobriety Tests are the One Leg Stand Test, the Walk and Turn Test, and the Horizontal Gaze Nystagmus Test.

vehicles were stopped depended on the personnel available to staff the checkpoint and traffic conditions. In New Mexico, sobriety checkpoints could require 10 to 12 officers but could involve much fewer officers. In smaller sheriff's offices, such as Rio Arriba, they used a minimum of 5 deputies to run a sobriety checkpoint.

During discussions with the sheriff's deputies, 2 officers voiced reluctance to conduct frequent, or numerous, checkpoints. Deputies from those counties voiced concern over the number of officers needed to conduct a checkpoint. One officer felt that, in some locations, few cars come through the checkpoint because once a checkpoint is set up, drivers get on their cell phones to warn others of the checkpoint, and so most drivers would then avoid it. Thus, they got very few cars actually coming through the checkpoint site.

Low-staff sobriety checkpoints, which accomplished the same objective as regular sobriety checkpoints but with fewer people, were conducted with 4 to 6 officers, were very mobile, and were typically of shorter duration than full-scale sobriety checkpoints. Nonetheless, some officers were reluctant to conduct low-staff checkpoints. For example, Doña Ana County Sheriff's Office stated that, because of the amount of time and resources needed to set up a sobriety checkpoint, they might as well do a full-scale operation. Santa Fe County Sheriff's Office stated that there was no safe place and not enough room to do low-staff checkpoints in their county. Rio Arriba reported that they did not like them as they were "a lot of hassle to set up," but the officers did feel that low-staff checkpoints were visible to the community. However, San Juan and Rio Arriba did report conducting low-staff checkpoints.

During inactive/phantom checkpoints, officers set up signs and made other visible preparations for conducting a regular sobriety checkpoint, but did not staff or conduct the checkpoint. Rather, officers patrolled the area around the inactive checkpoint, observing the driving of people who turned off to avoid the checkpoint. Officers repeated this procedure more than once at several locations during a shift, and reported that the visibility of these checkpoints gave the impression to the public that they were everywhere. Only McKinley and Doña Ana County Sheriffs' Offices used inactive/phantom checkpoints as part of the project. According to the McKinley County Sheriff's Office, more impaired drivers and individuals with warrants (both in-State and out-of-State) were arrested through inactive checkpoints than normal checkpoints.

McKinley County Sheriff's Office conducted both saturation patrols and inactive checkpoints at the same time, and developed a standard operating procedure on how to conduct them. Inactive checkpoints appealed to the McKinley County Sheriff's Office because they did not have enough staff to conduct full-scale or low-staff checkpoints regularly. Using inactive checkpoints combined with saturation patrols allowed them to use the full-time officers dedicated to the project for other impaired-driving activities. According to Sergeant Tom Mumford, "You can't stop our little department from doing something."

As stated earlier, periodic high-intensity and sustained high-visibility enforcement efforts, supported by a coordinated media plan, have been proven to be effective countermeasure for reducing impaired-driving fatalities. In New Mexico, each of the Sheriff's enforcement operations was supported by media efforts. These efforts included both earned and paid media. Each year, TSB established a media calendar that involved various enforcement and media mobilization periods. This calendar included a series of periods known as a *Superblitz*. During a *Superblitz*, enforcement agencies engaged in sobriety checkpoints, child restraint, and seatbelt

enforcement. Attached to these enforcement operations were both earned and paid media campaigns. Table 7 shows the dates of the *Superblitz* campaigns.

Table 7. *Superblitz* Enforcement Media Campaign, 2005-2009

2005	2006	2007	2008	2009
March 7 - 21	February 10 - 24	January 1 - 7	January 1 - 6	January 1 - 4
May 2 - 16	March 17 - April 11	February 9 - 25	March 14 - 30	March 13 - 29
June 6 - 19	April 21 - May 7	March 16 - April 1	May 1 - 4	May 1st - 10
July 1 - 14	June 30 - July 16	April 20 - May 6	July 3 - 6	July 1 - 5
November 18 - December 4	October 20 - November 5	June 29 - July 15	August 15 - September 1	August 21 - September 7
December 23 - 31	November 17 - December 3	August 17 - September 3	November 21 - 30	
	December 22 - 31	November 16 - December 2	December 1 - 31	
		December 21 - 31		

In 2007, the New Mexico State Police began an additional campaign from June to August. The *100 Days and Nights of Summer* campaign was an enforcement and public information campaign involving more than 65 law enforcement agencies that conducted intensive patrols looking for impaired drivers, speeders, drivers who do not wear their seat belts, and bars and restaurants that served intoxicated patrons or minors. DWI was a major focus during the *100 Days and Nights of Summer* campaign, with nightly checkpoints throughout the State from the New Mexico State Police and other law enforcement agencies. Table 8 shows the results of the campaign from 2007 to 2009.

Table 8. *100 Days and Nights of Summer* Enforcement Campaign Results, 2007-2009

	2007	2008	2009
Sobriety Checkpoints	232	231	239
Saturation Patrols	714	858	759
DWI Arrests	2,216	2,227	1,765

The six Sheriff's Offices were engaged in attempting to implement other methods to make DWI enforcement highly visible. During meetings with law enforcement, deputies mentioned that high-visibility methods could include special markings on patrol cars, using specialized uniforms and patches, and using various signs on police vehicles to let the public know that DWI enforcement is occurring. Some deputies felt that when they made a DWI stop, there needed to be a way to let the public know that the stop was related to DWI. Some deputies felt that a special sign or magnet could be placed on the vehicle stating, "This is a DWI stop." Others felt that this "on-the-street" visibility would be great, but during the discussions there was no consensus on the best strategy. McKinley County Sheriff's Office developed and used a pizza-delivery-type sign that fit on top of the police vehicle. When someone was arrested for impaired driving, the sign flashed with the words "Another Drunk Driver Busted" and the vehicle is towed through highly populated areas on the way to the impound lot.

Agency Enforcement Plans

To track the enforcement activities of the officers involved in this project, several forms were created. The first was the Quarterly Planning Report (see Appendix C). The Quarterly Planning Report, a planning tool that each agency submitted to the TSB, included:

- Identification of planned enhanced enforcement activities for a quarter (January–March, April–June, July–September, and October–December);
- Types of activities to be conducted with dates, times, and locations;
- Planned high-visibility techniques (signage, lights, BAT Mobile, marked vehicle);
- Planned activity press events (paid media support, earned media activity); and
- Planning officers' hours and other resources (e.g., financial).

The Quarterly Planning Report was to be a guide for each of the sheriff's offices. The planned activities were determined by each sheriff's office. It was understood that dates and events could change and that the information provided was not set in stone. The motive behind the Quarterly Planning Report was to give TSB and each sheriff's office an idea of future high-visibility and enhanced enforcement activities for the next quarter.

The second form that was created was the activity report (Appendix D), initially a one-page paper reporting form to be sent to PIRE. After several months with few forms received from the counties, and after discussions with New Mexico officials, it was decided to try to increase reporting by developing a Web-based reporting system. Many believed the Web-based system would be easier for officers to use and, thus, would increase reporting. Each sheriff's office involved in the project was to submit a report on the Web-based system each time one of the CSIDS-dedicated officers participated in a checkpoint, low-staff checkpoint, saturation patrol, or other DWI enforcement patrol (i.e., inactive checkpoint). The sheriff's office was then to submit an overall monthly report that included all DWI arrests for the month. The activity report included:

- Enhanced enforcement activity types;
- Locations and times of activities;
- Law enforcement agencies involved with the enhanced enforcement activities;
- LEA officer hours, staff hours, and other resources used for the activities;
- LEA officer hours for court and hearing appearances;
- The number and type of enforcement actions taken (citations and arrests for various offenses); and
- Activity media events.

All sheriffs' offices in the identified target counties began completing and submitting Quarterly Planning Reports in October 2005. Table 9 shows the number of planned operations for this project based on all Quarterly Planning Reports compared with the actual operations as reported in the activity report.

Table 9. Planned Operations in Quarterly Planning Reports Compared With Operations Submitted Through the Activity Reports (October 2005 – March 2009)

County	Checkpoints		Saturation Patrols		Enhanced Patrols		Other Patrols	
	Quarterly Planning Report	Monthly Activity Report	Quarterly Planning Report	Monthly Activity Report	Quarterly Planning Report	Monthly Activity Report	Quarterly Planning Report	Monthly Activity Report
Bernalillo	79	96	73	109	92	0	1	22
Doña Ana	65	43	58	46	54	0	311	18
McKinley	76	9	70	1	101	0	8	20
Rio Arriba	113	14	445	29	120	1	1	27
San Juan	27	13	577	9	92	0	79	26
Santa Fe	4	3	14	3	0	3	0	10

At first glance, it appeared that most sheriffs’ offices were not meeting their own DWI operation goals. Although all offices submitted quarterly reports, they did not report cancellations or reasons for cancellations, and they did not explain why the number of planned operations may have changed. Each sheriff’s office was also reporting their information on the activity report differently, which made combining the data impossible.

The difference in the reported planned enforcement activities versus reported activities may have been more a reflection of the usefulness of the Web-based reporting form rather than each sheriff’s office’s ability to perform DWI enforcement operations. Observation on the information submitted to the Web-based activity report included:

- On the first Quarterly Planning Report (October to December 2005), each sheriff’s office reported that they would conduct “enhanced patrols” every day. The sheriffs’ offices interpreted the “enhanced patrols” as regular patrols that involved the CSIDS-specific officers. After a few months, each sheriff’s office stopped reporting regular patrols as “enhanced patrols.” Rio Arriba County reported this way until February 2006; hence, the high number of planned “enhanced patrols” on the Quarterly Planning Report and in Table 9. As mentioned earlier, the idea was that each sheriff’s office would complete and submit an activity report each time one of the project- involved officers finished a shift. During these months, none of the sheriffs’ offices submitted an activity report after each operation (or shift), so the number of reported “enhanced patrols” was zero for each county. They were on patrol each day, but this was not reflected because they did not submit an activity report.
- McKinley County and Santa Fe County Sheriffs’ Offices only submitted monthly “DWI Enforcement Reports” that combined all enforcement activity during the past month rather than after each operation. The monthly information did not show how many sobriety checkpoints, saturation patrols, or other DWI enforcement patrols were conducted. In the notes section of the report, they sometimes mentioned an enhanced enforcement activity; those numbers are reported in Table 9.
- San Juan County Sheriff’s Office reporting was similar to McKinley’s but, starting in December 2007, it began to also submit activity reports after each impaired-driving operation.

- Both Doña Ana and Rio Arriba Counties submitted the “DWI Enforcement Reports,” detailing the past month’s activities. Both counties also submitted activity reports after each impaired-driving operation, but they did report consistently.
- Bernalillo County was the only sheriff’s office consistently submitting both the activity reports (after each operation) and the “DWI Enforcement Report.”

During discussions conducted in February 2007¹⁵ (see Appendix E for Discussion Guide) and key informant discussions conducted in August 2009 (using the same Discussion Guide), some officers stated that the Quarterly Planning Report was burdensome because it was completed too far in advance. They reported that place and time of the enforcement activities were based on factors not known at the time of planning, such as a location of a fatal crash (hot location). Some sheriffs’ offices, however, liked having a three-month schedule even if there were deviations. Deputies from Bernalillo County Sheriff’s Office reported that an event might change (e.g., from a checkpoint to a saturation patrol), but they still attempted to do the number of DWI operations indicated in the Quarterly Planning Report.

Some officers also stated that it was overwhelming to submit an activity report after each operation. They felt that they were filling out too much paperwork and that the information could be tracked in other ways. For example, some sheriffs’ offices submitted a reporting form for a sobriety checkpoint conducted under other State-specific impaired-driving programs. CSIDS officers may have participated in these operations, but their activities were not reported under this specific project.

Table 10 compares the number of DWI arrests made only by officers dedicated to this project that they reported to TSB and entered into the Web-based reporting system for this project. As shown, there was a discrepancy between the arrests reported to TSB (through monthly reports) and arrests recorded in this project’s Web-based reporting system. This was because the counties did not always submit a monthly activity report to the Web-based reporting system; thus, not as many DWI arrests were recorded. From October 2005 to March 2009, a total of 6,313 offenders were arrested by the officers in this program, as reported to TSB.

¹⁵ A total of 18 officers participated in the discussions. There were 2 officers from Santa Fe County and 3 officers each from Bernalillo, San Juan, Doña Ana, and McKinley Counties. There were 4 officers in attendance from Rio Arriba County.

Table 10. Number of DWI Arrests and Total Officer Hours for This Program by County as Reported in the Web-based Reporting System by Project Officers, October 2005 – March 2009

County	Arrests Reported		Total Project Officer Hours	
	To TSB by Project Officers	In Web-based Reporting System by Project Officers	Reported in Web-based Reporting System	Overtime Reported in Web-based Reporting System
Bernalillo	1,758	943	2,872	15,535
Doña Ana	1,077	981	12,114	1,250
McKinley	1,024	436	8,823	2,307
Rio Arriba	955	730	20,259	4,775
San Juan	909	743	16,058	1,047
Santa Fe	590	631	13,471	1,818
Total	6,313	4,464	73,597	26,732

As stated earlier, the Web-based reporting system was created to capture a variety of information, not only DWI arrests. The reporting system also sought information on issues such as officer hours, other staff hours, officer hours for court hearings, and the number and type of other enforcement actions taken. Although TSB would gather DWI arrest data and officer hours, we wanted another method for capturing more enforcement officer and operation information, specifically information for the officers involved in this project.

Table 11 shows the number of DWI arrests made by all law enforcement agencies in each of the participating counties, (including other sheriffs' deputies not involved in the project) and those from all other law enforcement agencies in the State from October 2005 to December 2008.¹⁶ These numbers are compared with the number of DWI arrests made by the sheriffs' offices in each of the participating counties and those from all other sheriffs' offices in the rest of the State for the same period. These numbers are also compared with the number of DWI arrests that were entered into the activity reports on the Web-based reporting system used for this program. As Table 11 shows, the number of DWI arrests recorded in the Web-based reporting system made up a small percentage of the DWI arrests made countywide.

Table 11 also shows that in San Juan and Santa Fe counties, the DWI arrests reported to TSB made up considerably less than half of the DWI arrests made by the respective sheriffs' offices. However, in Bernalillo and Doña Ana Counties, DWI arrests reported to TSB were 60.7% and 62.1%, respectively, of the total DWI arrests made by their sheriffs' offices. In McKinley County, the arrests were 90%. In Rio Arriba County, however, the DWI arrests reported to TSB were more than those entered into the Citation Tracking System. The number of arrests by the sheriff's office was 779, but the number of arrests reported to TSB was 955. According to the deputies involved in the program, they were making all the arrests in the county, and they were also arresting tribal members on tribal lands. The sheriff's office noted these arrests to TSB, but the records for arrests made on tribal lands were forwarded to tribal courts and were not retained in the State's files.

¹⁶ DWI arrest data is obtained from the New Mexico DWI Citation Tracking System. As of the writing of this document, only data through 2008 has been made available.

Table 11. DWI Arrests Reported by County, Sheriff's Office and Project Officers, October 2005 to December 2008

County	DWI Arrests			% of DWI Arrests Made by Sheriff's Office That is Reported to TSB
	All Law Enforcement Agencies ¹⁷	All Sheriff's Deputies in Sheriff's Office ¹⁸	Reported to TSB by Project Officers	
Bernalillo	22,770	2,895	1,758	60.7%
Doña Ana	5,746	1,734	1,077	62.1%
McKinley	3,642	1,132	1,024	90.4%
Rio Arriba	1,768	779	955	122.5%
San Juan	5,691	1,954	909	46.5%
Santa Fe	4,296	1,200	590	49.2%
San Miguel	1,087	16	Not Applicable	Not Applicable
Rest of State	17,345	2,584	Not Applicable	Not Applicable

Table 12 shows the number of DWI enforcement operations conducted by the officers dedicated to this project in each county as reported in the Web-based reporting form. Again, these numbers did not tell the whole story of how many DWI operations were actually conducted because only Bernalillo, and occasionally Doña Ana and Rio Arriba County Sheriffs' Offices, consistently entered information onto the Web-based database after each operation.

The lack of adequate DWI enforcement activity measures prior to commencement of this project combined with the lack of current DWI enforcement activity and operation measures by officers in the participating counties during the project made it difficult to assess whether this project actually led to increased DWI enforcement activities.

Table 12. DWI Enforcement Operations by Officers Dedicated to This Project as Reported in the Web-Based Reporting System, October 2005 – March 2009

County	Checkpoint	Saturation Patrol	Low-Staff Checkpoint	Seatbelt Enforcement	Underage Drinking Enforcement
Bernalillo	64	109	0	0	3
Doña Ana	43	46	0	0	0
McKinley	9	1	0	0	0
Rio Arriba	14	29	2	1	0
San Juan	13	9	5	0	0
Santa Fe	3	3	0	0	0
Total	178	187	7	1	3

Traffic violations and other crimes were also reported on the Web-based reporting form. Table 13 shows the number of citations by type of violation. "Other traffic offenses,"¹⁹ although not defined or specifically identified on the Web-based reporting form, were the most cited offenses. Officers consistently wrote citations for speeding (10,749), uninsured motorists (4,196), and suspended licenses (2,299) from October 2005 (when the CSIDS project began) to March 2009 (when the CSIDS project ended).

¹⁷ This includes arrests made by all officers for all law enforcement agencies within a county including the project officers.

¹⁸ This includes arrests made by all deputies in the Sheriff's Office including the project officers.

¹⁹ On the reporting form, there was a section titled "Other" that listed various vehicle violations. Within this "Other" section, there was one category titled "Other traffic offenses." There were no details describing these offenses.

Table 13. Traffic Violations by Officers Dedicated to This Project as Reported in the Web-Based Reporting System, October 2005 – March 2009

County	Seatbelt Citations	Seatbelt Warnings	Child Restraint Citations	Child Restraint Warnings	Suspended License	Uninsured	Speeding	Other Traffic Offenses
Bernalillo	86	12	43	0	109	355	226	12,636
Doña Ana	97	1	215	4	364	1,144	5,118	3,810
McKinley	57	14	54	8	231	304	692	747
Rio Arriba	731	69	148	50	629	554	2,039	1,347
San Juan	97	0	73	0	736	1,158	1,236	3,240
Santa Fe	84	1	52	0	230	681	1,438	1,994
Total	1,152	97	585	62	2,299	4,196	10,749	23,774

Table 14 shows the number of other criminal arrests and citations by officers dedicated to this project that were reported on the Web-based reporting form between October 2005 and March 2009²⁰ (when the CSIDS project ended). Among these, the law enforcement officials dedicated to this project wrote 1,876 open container citations, arrested 1,883 fugitives, and cited 1,055 people for careless driving.

Table 14. Various Criminal Arrests and Citations by Officers Dedicated to Project as Reported in the Web-Based Reporting System, October 2005 – March 2008

County	Felony	Stolen Vehicle	Weapons	Fugitives	Open Container	Reckless Driving	Drug Arrests	Careless Driving	Underage Drinking Citations
Bernalillo	71	0	3	1,138	375	0	7	0	2
Doña Ana	18	2	0	18	205	23	37	60	47
McKinley	56	5	11	140	258	26	27	300	9
Rio Arriba	215	7	38	173	435	366	93	431	62
San Juan	39	0	1	278	410	0	21	0	10
Santa Fe	45	4	5	136	193	61	53	264	19
Total	444	18	58	1,883	1,876	476	238	1,055	149

The counties involved in this project received funds from other State and local grants that were essentially for the same types of activities, and the officers involved in this project also participated in those activities that were funded by other monies. They received funding from *ODWI*, *CDWI*, *Local DWI*, *Selected Traffic Enforcement Programs*, *Operation Buckle Down*, and the *Comprehensive State Impaired Driving System Project*, all of which were for *DWI* and traffic safety enforcement. One *DWI* operation may have been reported on multiple *DWI* report forms, but often, a *DWI* operation was not reported on the Web-based reporting form created for the CSIDS project even though the CSIDS officers were involved in the enforcement operation. During discussions with officers in February 2007, several mentioned that they were familiar with and accustomed to the different reporting forms for *ODWI*, *CDWI*, and *LDWI*, which they gave priority over the CSIDS reporting forms.

²⁰ The arrest and citations numbers shown in this report are only those reported on the Web-based reporting form. The numbers cannot be compared to the comparison county numbers because the comparison county did not use the Web-based reporting form.

Location of DWI Operations

When selecting a location to conduct a sobriety checkpoint, law enforcement officials considered several safety precautions, such as roadways with sufficient space for all the equipment and vehicles that would be passing through. Santa Fe County Sheriff's Office identified five safe spots for conducting checkpoints. The other sheriffs' offices used mapping data to determine locations for checkpoints and saturation patrols. For example, San Juan County reviewed maps showing DWI crashes and arrests and data from New Mexico's State Police before determining the location of its DWI enforcement operations. Bernalillo, San Juan, and Rio Arriba Counties coordinated with the DWI Resource Center to review its data and mapping capabilities before determining locations of DWI enforcement operations.

Law Enforcement Collaboration and Support

The sheriffs' deputies collaborated with other law enforcement agencies throughout their counties to conduct DWI enforcement operations. Doña Ana County Sheriff's Office worked with police departments from Las Cruces, Hatch, and Mesilla, New Mexico's State Police, and occasionally with the Department of Game and Fish.

The Rio Arriba Sheriff's Office reported a strong working relationship on DWI issues with the Forestry Service, Bureau of Land Management, Tribal Agencies, Game and Fish, and Lake Rangers. The Forestry Service officials focused on illegal logging; cooperating on checkpoints helped them catch illegal loggers as many drove logging trucks while impaired. BLM officials had a similar interest, but their focus was on illegal shooting on BLM land, and many of the people involved in these incidents were drinking. Lake Rangers, too, were confronted with many intoxicated individuals who engaged in illegal behaviors while using lakes for recreational activities. The Rio Arriba Sheriff's Office was also working with New Mexico's State Police and the Española Police Department.

The Bernalillo County Sheriff's Office frequently collaborated with the Albuquerque Police Department on DWI enforcement operations. The supervising sergeant stated that both agencies had frequent communications and met twice a month on operations such as saturation patrols and checkpoints. The New Mexico State Police also partnered with the Bernalillo County Sheriff's Office on checkpoints and other alcohol enforcement operations, such as shoulder tap operations.²¹

The McKinley County Sheriff's Office reported better communication between themselves and the New Mexico State Police and Gallup Police Department and increased collaboration on DWI enforcement operations since this program began. The McKinley County Sheriff's Office also signed a cross-commissioning agreement with the Navajo Nation to collectively patrol the McKinley County side of the Navajo Nation, and also became part of a DWI Task Force that included officers from the Navajo Nation, Gallup Police Department, and the New Mexico State Police.

The San Juan County Sheriff's Office met monthly with the police departments from Aztec, Bloomington, and Farmington, as well as with the New Mexico State Police and BLM's

²¹ Shoulder tap operations are law enforcement operations where a minor is employed to stand outside an alcohol outlet and solicit an adult to purchase alcohol for him or her. If the adult purchases the alcohol for the minor, the police either provide a warning to the adult or cite or arrest the adult for providing alcohol to the minor.

officials. The office collaborated with at least one of these agencies once a month on DWI enforcement operations.

Support within each Sheriff's Office for the full-time officers on the project was strong. Each sheriff was supportive of the officers and their DWI accomplishments. In Rio Arriba County, the sheriff's support of DWI activities was a prominent issue in his re-election. In Bernalillo County, the sheriff provided two extra officers for the DWI unit, and in Santa Fe, the sheriff described the extra officers for DWI operations as "Christmas came early."

In San Juan County, regular patrol officers appreciated having specialized officers on staff, especially during busy periods. Still, regular patrol officers aggressively looked for DWI offenders even though they had specialized officers on DWI patrols. The only time the specialized patrol officers took over a case was during a crash or a call for an attempt to locate an impaired driver. Bernalillo and Santa Fe County deputies reported similar comments from regular patrol officers. According to the supervising sergeant, the deputies involved in the DWI unit were left alone, but they were always ready to help in emergency situations. Regular patrol officers liked the DWI unit officers because they could turn over DWI cases to them, and the DWI unit officers could do the cases faster and more efficiently. In Santa Fe, shift supervisors turned over DWI incidents to the specialized unit; they saw it as a win-win situation because it freed patrols to handle other calls.

Community Outreach

Prevention programs seek to reduce impaired driving through approaches commonly associated with public health—altering social norms, changing risky or dangerous behaviors, and creating safe environments. Prevention programs promote communication strategies that highlight and support specific program activities, and they promote activities that educate the public on the effects of alcohol and other drugs, limit their availability, and encourage those impaired by alcohol and other drugs not to drive.

As part of CSIDS, TSB funded the DWI Resource Center to provide an outreach coordinator in each of the five funded counties and one for the Navajo Nation. As stated in the law enforcement section, the Navajo Nation participated in the project as large parts of the Navajo Nation lie in San Juan and McKinley Counties. Although the law enforcement portion of the Navajo Nation was not active until March 2008, the outreach coordinator did begin working in December 2005.

The outreach coordinator was the prevention, public awareness, and support arm of each county's enhanced DWI enforcement efforts. Each outreach coordinator provided data assistance, coordinated media activities in each of the participating counties, participated in planning meetings with law enforcement, and attended community events to highlight the enhanced enforcement efforts.

Sheriffs' deputies in Bernalillo and San Juan Counties reported that their outreach coordinators were valuable assets to the project. They provided resources, such as maps of DWI crashes (so that offices could determine where to locate sobriety checkpoints); assisted with media (through press conferences and other media events); and conducted community outreach activities at fairs, neighborhood meetings, parades, festivals, and other community events. A key ingredient in this relationship was constant communication and coordination between the community outreach coordinator and the Sheriff's deputies, including the lead sergeant. This communication included frequent meetings, and the community outreach coordinator working with the deputies on

planning and coordinating media and outreach events. McKinley County Sheriff's Office officials did not have as good a relationship with the first outreach coordinator but were pleased with the new community outreach worker. Sheriffs' deputies in Doña Ana and Rio Arriba County stated they rarely were in communication with their community outreach coordinator and often did not know what media or community events were lined up. In October 2008, the TSB decided not to renew the contract for Outreach Coordinators.

Alcohol Service Enforcement

In 2004, the Governor's Office funded the Mobile Strike Team (MST), a specialized enforcement unit to address the issues of alcohol sales to minors, underage alcohol consumption, source investigations, sales to intoxicated patrons, and adherence to State laws. MST was part of Special Investigations Division, a division of the Department of Public Safety. The MST consisted of 1 sergeant, 5 agents, and 1 support person. The MST staff was stationed in Albuquerque, but they conducted statewide alcohol enforcement operations in areas deemed to be problematic, in conjunction with local SID agents.

Agents wrote administrative citations to licensees and liquor establishments in violation of State alcohol laws, and arrested individual violators (e.g., adults providing alcohol to underage individuals). A local agent signed the paperwork for an MST agent arrest, thus relieving the Albuquerque-based MST agent from extensive travel to appear in various State courts. MST agents were usually deployed one week in the field and then one week in Albuquerque.

The MST investigators become increasingly attentive to alcohol sales to minors and to intoxicated individuals, both of which can lead to increased risk for driving while impaired. Many of MST's operations related to these two violations, as did legislative changes. For example, in July 2005, the act of selling or providing alcohol to minors changed from a misdemeanor to a fourth degree felony, with criminal sanctions of up to 18 months in jail or a fine of up to \$3,000, or both.

The MST routinely conducted compliance checks and shoulder tap operations. During a compliance check, a young person was sent in to a liquor establishment to purchase alcohol. The young person may or may not have had an ID; if they did have an ID, it was valid and confirmed that they were a minor (less than 21 years old). If the seller asked for ID or the age of the minor, the minor was instructed to either provide his or her ID or answer truthfully about his or her age. If the seller failed to check the ID or if the seller failed to abide by the minimum drinking age law after having checked the ID, the MST would issue two citations: a criminal citation, which now included an arrest for the felony, and an administrative citation to the licensee of the liquor establishment.

The MST frequently conducted shoulder tap operations that were similar to compliance checks, except they targeted the noncommercial supplier of alcohol to youth instead of a liquor establishment. The MST used minors to approach adults outside an alcohol outlet and request that the adult purchase alcohol on the minor's behalf. If the adult purchased the alcohol, the MST officers moved in to arrest or cite the adult for furnishing alcohol to a minor. The MST also performed source investigations to identify the source of the alcoholic beverages distributed illegally, provided to minors, provided to intoxicated people or to people involved in serious incidents, and DWI.

In 2006, the New Mexico Regulation and Licensing Department adopted the “Three Strikes” rule, under which revocation actions were taken against liquor establishments that either over-served intoxicated people or sold alcohol to underage customers if they were found guilty of three counts within 1 year. In June 2008, the State held the first hearings related to those cases, and began revoking the licenses of establishments. Table 15 shows initial examples of “Three Strikes” hearings.

Table 15. “Three Strikes” Hearing Outcomes²²

City and County	Violation	Outcome
Farmington, San Juan	Sales to Intoxicated People (3) Sale to Minor (1)	License Revocation and \$10,000 fine
Gallup, McKinley	Sales to Intoxicated People (2) Sale to Minor (1)	\$5,000 fine and 8 days suspended sales
Gallup, McKinley	Sales to Intoxicated People (3)	\$5,000 fine and 8 days suspended sales
Gallup, McKinley	Sales to Intoxicated People (3)	\$5,000 fine and 8 days suspended sales
Farmington, San Juan	Sales to Intoxicated People (3)	License Revocation

Enforcement Summary

A Web-based reporting system was developed for the target counties to use to input data related to their project-funded DWI enforcement activities. Each sheriff’s office was to enter information into the Web database after each DWI enforcement operation and to fill out the reporting form again at the end of each month with the combined information for all DWI enforcement operations conducted in that month. However, information was not entered uniformly into the Web database to gather the necessary data for this project.

Based on the limited information provided in the Web database and because we could not obtain pre-data on enforcement activity, we do not know whether the six sheriffs’ offices have increased their high-visibility impaired-driving enforcement operations during this project.

Each of the sheriff’s offices began project participation at different times. Bernalillo County began in mid-2005, and Doña Ana County began in early 2006. Santa Fe County became an intervention county in February 2007. The various entry times by each of the sheriff’s offices made it difficult to compare data across time.

- According to monthly reports submitted to TSB, the six sheriffs’ offices and, more specifically, the officers involved in the project made 6,313 DWI arrests between October 2005 and March 2009.
- Inactive or phantom checkpoints, used in combination with saturation patrols, showed promise in rural counties. The McKinley County Sheriff’s Office frequently combined both operations although there were no data to determine its effectiveness.

²² New Mexico Regulation and Licensing Department.

- Outreach coordinators could be a benefit to high-visibility enforcement operations. They provided maps of crashes, created and distributed DWI information packets to the public, assisted with checkpoints, and ensured that the topic was discussed on the public agenda.
- The governor’s office funded a specialized enforcement unit to address the issues of alcohol sales to minors, underage alcohol consumption, source investigations, sales to intoxicated patrons, and adherence to State laws.
- In 2006, the New Mexico Regulation and Licensing Department adopted the “Three Strikes” rule. Under this rule, revocation actions were taken against liquor establishments that either over-served intoxicated people or sold alcohol to underage customers if they were found guilty of three counts within 1 year. The State began to hold hearings in 2008 and began to revoke licenses of those establishments with three strikes.

Lessons

- *Agreements and contracts take time to implement:* Planning is often a slow, steady process, and achieving agreement between various agencies or contract to hire services can take time to implement, especially at the local/county level. Others should be realistic about when people can be hired and when projects can get started.
- *Ensure that grantees understand protocols for the project:* The Web-based database was created to be a useful tool to help law enforcement, the State, and evaluators track enforcement activities. It is important that all understand the importance of the protocols established for the program. However, the database was not useful for evaluation because it was not used as intended.
- *New devices are highly valued and appreciated, especially in rural areas:* The sheriffs’ offices in rural areas were willing to try new devices to aid them in their alcohol-impaired-driving operations. These devices included digital video flashlights and innovative vehicle signage. The BAT Mobiles were also highly prized additions for special operations, such as sobriety checkpoints, and encouraged increased law enforcement participation in special operations.
- *Collaboration is a key component to enforcement operations:* When conducting impaired-driving enforcement activities, a single law enforcement agency valued the assistance of other law enforcement agencies and non-law enforcement groups. Law enforcement, especially in rural areas, relied on collaborating with city police departments, Federal law enforcement agencies (such as the Bureau of Land Management), Tribal law enforcement agencies (cross-commissioning agreements), and other sheriffs’ offices. They also valued the assistance that community groups can provide, such as mapping capabilities, support at sobriety checkpoints, or talking with the media in support of enforcement operations.
- *Alcohol law enforcement can be a useful partner in impaired-driving operations:* Alcohol law enforcement agencies were important partners in helping reduce impaired driving, because they could conduct specialized enforcement operations in conjunction

with impaired-driving operations, including over service operations (ensuring that bars/restaurants did not serve already intoxicated patrons), and compliance checks (ensuring that liquor stores did not sell to minors).

Prosecution/Court Involvement

Another major component of this project was the involvement of and potential effect on the judicial system resulting from the enhanced DWI enforcement operations. To examine these effects, we met with the sheriffs' deputies involved in the project and conducted telephone calls with prosecutors involved in DWI cases. The opinions of law enforcement officials and prosecutors²³ are reflected throughout this report. Additionally, Appendices E and F contain the discussion guides.

The repercussions of enhanced enforcement activity on the judicial systems varied with each of the participating counties. Law enforcement officers in Rio Arriba mentioned a "dam effect" and reported that they felt like they spent more time in court, including days off, because of the increased citations resulting from the increased enforcement. In San Juan County, the reported increased court time also cut into time officers' DWI enforcement activities time. For example, if officers conducted a DWI enforcement activity on Wednesday night (and into Thursday morning) but had to be in court on Thursday for long hours, the supervising officer would cancel Thursday night's DWI operations rather than schedule the officer for another consecutive 8-hour shift. On the other hand, in talks with prosecutors, case load issues were frequently mentioned but none of the prosecutors felt that it was a result of any enhanced enforcement activity from the project.

In discussions, we asked prosecutors about their biggest challenges with DWI cases. They frequently mentioned assistant district attorneys' lack of training on DWI laws and experience on DWI issues, judges not understanding DWI case law, and judges dismissing cases because of officer no-shows. ADAs reported that prior to working on DWI cases, they had little course work on DWI law, and their acquired knowledge on DWI case law was either through case experience or by taking training courses offered by the TSRP. Officers (especially those in Bernalillo County) participating in the project also frequently mentioned no-shows. Both officers and prosecutors from Bernalillo County indicated dismissal of a case due to an officer's absence, even though the officer may have been to court on several occasions for that same case (if the officer was absent, usually it was because of continual case delays). In Bernalillo County, officers also missed court cases because of simultaneous scheduling in different courts, that is, although officers might have been in the court building, two or more courts might call them to testify at the same time. Judges have been quick to dismiss cases because officers were not in their particular court at the moment the case was called, even though the officer may have been in the court next door or across the hall.

Both officers and prosecutors expressed their concern about the ADAs' lack of experience and training on DWI case law. New ADAs assigned to handle DWI cases were often reassigned to other divisions just when they were growing conversant with DWI laws. Additionally, ADA training on DWI laws was nonexistent, so they had to learn "on the fly." Law enforcement officials reiterated these sentiments. Officers stated that DWI offenses "weren't sexy," and that some ADAs viewed the DWI assignment as punishment.

²³ Sixteen discussions, from March 2007 to June 2008, were conducted with DWI prosecutors.

Traffic Safety Resource Prosecutor

Several of these issues were identified before the project started. NHTSA and TSB co-funded a TSRP to determine the training needs of local prosecutors and to serve as a resource on DWI cases. The TSRP hired for this project was a prosecutor from the Santa Fe District Attorney's Office. The Resource Prosecutor's duties and responsibilities included but were not limited to the following:

- Providing at least six regional DWI prosecutor training sessions statewide to improve the ability of prosecutors to effectively prosecute DWI cases. Training was to include, but was not limited to, evidence derived from video cameras, PAS devices, traffic records systems, and other innovative methods and systems.
- Participating in the TSB and DWI Leadership Team meetings.
- Acting as a liaison with other public interest groups and policymaking agencies on DWI prosecution issues.
- Providing expert legal advice on DWI policy matters.
- Assisting prosecutors in handling difficult impaired-driving cases.

In New Mexico, the TSRP started on June 15, 2005. Since then, the TSRP regularly attended DWI Leadership meetings and provided updates on all judicial issues including legislative issues dealing with specific court cases. The TSRP's two main functions were to train prosecutors, law enforcement officials, and others involved in DWI and to provide expert legal advice on DWI policy matters to prosecutors.

The TSRP facilitated 17 trainings through December 2008. These trainings included seven DWI/DRE (drug recognition expert) trainings for prosecutors and law enforcement officials in all five counties involved in the project (and in Santa Fe County). The TSRP also facilitated special training sessions on prosecuting the drugged driver and lethal weapons (vehicular manslaughter) and co-facilitated training for municipal judges on DWI issues.

Additional TSRP activities included technical assistance to other DWI prosecutors throughout the State and prosecuting higher profile or challenging cases. These technical assistance subjects included but were not limited to reviewing case law for response to defense motions, late blood results from the laboratory, effects of chewing tobacco on breath-test devices, proper procedures for calling law enforcement witnesses, problems with proving prior convictions, out-of-State defendants, and ignition interlock issues. There were also occasions when the New Mexico TSRP consulted or provided assistance to other States' TSRP. These items included retrograde extrapolation and ignition interlock issues. The TSRP also was the lead (or special) prosecutor on 10 felony DWI cases.

According to officers and prosecutors, the TSRP position improved DWI training for prosecutors and law enforcement officials. Rio Arriba officers reported an improvement in their relations with prosecutors in their district, in that officers began asking prosecutors what they wanted from them, and prosecutors began to "go to bat for officers more often." San Juan County's DWI prosecutor worked out of the San Juan County Sheriff's Office which, according to San Juan deputies, reduced deputies' court time. One deputy stated that having the prosecutor based in the sheriff's office increased conviction rates and saved funds because officers saved time by not

being in court. By having the prosecutor in the same office, deputies could walk over to the office and ask questions about paperwork and get immediate feedback. Likewise, if the prosecutor saw something missing in paperwork, he/she could go the deputy responsible for the paperwork and get a response.

Judges

In discussions with judges,²⁴ we asked about challenges and progress on DWI issues. Judges expressed support for in-patient and residential treatment facilities which, though expensive, were useful in reducing recidivism; thus, judges didn't mind sending DWI arrestees to these facilities. Judges did mention that, in addition to the lack of facilities, the treatment facilities had insufficient staff, including compliance monitors (those in charge of making sure that those convicted of DWI actually completed treatment programs).

Judges also expressed their support for DWI courts. Only a few had experience with DWI courts; however, all had either participated or were familiar with the drug court concept and felt that drug courts were successful programs. Judges felt that the success from drug courts could be transferred to DWI courts.

In rural counties, judges mentioned that increased DWI enforcement activities increased the judicial system's case load, resulting in prosecutors and judges becoming overwhelmed with cases. Additionally, magistrate judges reported an increase in defense attorneys' immediately appealing cases to district court in hopes of receiving lesser charges for their clients.

Disposition of DWI Cases

Table 16 shows the disposition of all DWI cases from 2006 to 2008 in magistrate courts²⁵ in the six counties participating in this project and the one control site. As mentioned, one of the biggest challenges facing prosecutors in Bernalillo County was dismissals due to an officer's failure to appear in court. Table 16 reflects the Bernalillo County Metropolitan Court's much higher dismissal rates due to officers or witnesses failing to appear. In the counties that participated in the project, DWI conviction rates ranged from 60 to 70%. San Juan showed the highest conviction rates of all the implementation counties with rates in the low 80s. San Miguel, the comparison county, also maintained conviction rates in the low 80s.

²⁴ Discussions were held with six judges between September and October 2009. The discussion guide used for prosecutors was the same as the one use for judges (see Appendix F).

²⁵ Bernalillo County's lower court was known as the "Bernalillo Metropolitan Court."

Table 16. DWI Cases Disposed in 2006-2008 in Magistrate Court*

County	DWI Case Outcomes				Subset of Total Cases Dismissed						
	Total				Case Dismissed by				Other		
	Cases	Convictions	Cases Dismissed	Acquittals	Prosecutor	Court	6-Month Rule**	Officer or Witness Failed to Appear	Dismissals	Dispositions	
Bernalillo 2006	5,940	69.1%	28.9%	2.0%	8.4%	1.0%	1.3%	17.9%	0.4%	0.0%	
Bernalillo 2007	6,851	71.8%	26.8%	1.3%	9.3%	0.7%	1.4%	14.7%	0.7%	0.0%	
Bernalillo 2008	7,135	69.4%	29.9%	0.7%	9.4%	0.7%	0.8%	18.2%	0.9%	0.0%	
Doña Ana 2006	1,198	75.2%	24.1%	0.5%	17.0%	0.2%	1.0%	0.0%	5.9%	0.2%	
Doña Ana 2007	1,352	61.6%	38.4%	0.0%	37.3%	1.0%	0.1%	0.0%	0.0%	0.0%	
Doña Ana 2008	1,377	67.5%	32.4%	0.0%	32.1%	0.1%	0.2%	0.0%	0.0%	0.1%	
McKinley 2006	866	69.3%	29.2%	1.1%	11.3%	0.2%	1.3%	0.0%	16.3%	0.1%	
McKinley 2007	811	75.8%	22.9%	1.1%	18.7%	0.9%	3.1%	0.1%	0.1%	0.1%	
McKinley 2008	915	69.1%	30.4%	0.5%	24.0%	2.8%	3.1%	0.4%	0.0%	0.0%	
Rio Arriba 2006	302	62.0%	36.8%	5.0%	12.1%	0.7%	1.5%	0.1%	22.5%	0.5%	
Rio Arriba 2007	414	69.8%	30.0%	0.2%	22.5%	0.7%	3.1%	0.5%	3.1%	0.0%	
Rio Arriba 2008	409	59.4%	40.3%	0.2%	23.2%	0.5%	1.5%	0.5%	14.7%	0.0%	
San Juan 2006	719	79.8%	19.6%	0.3%	7.8%	0.5%	0.2%	0.0%	11.0%	0.3%	
San Juan 2007	773	80.9%	17.9%	1.3%	11.8%	5.2%	0.6%	0.1%	0.1%	0.0%	
San Juan 2008	884	82.5%	16.5%	1.0%	13.0%	3.1%	0.3%	0.0%	0.1%	0.0%	
San Miguel 2006	257	82.3%	17.1%	0.3%	11.8%	1.0%	1.7%	0.0%	2.7%	0.3%	
San Miguel 2007	266	81.6%	17.7%	0.8%	13.5%	2.6%	1.5%	0.0%	0.0%	0.0%	
San Miguel 2008	257	80.2%	17.9%	1.6%	14.4%	3.5%	0.0%	0.0%	0.0%	0.4%	
Santa Fe 2006	693	73.6%	25.6%	0.4%	11.5%	0.3%	0.8%	0.0%	13.0%	0.4%	
Santa Fe 2007	503	79.7%	19.5%	0.8%	16.7%	2.2%	0.6%	0.0%	0.0%	0.0%	
Santa Fe 2008	640	70.8%	28.4%	0.6%	24.2%	1.9%	1.9%	0.2%	0.3%	0.2%	

* Data obtained from the Fourth Annual Statistical Report on DWI Court Dispositions in New Mexico.

** Unless the court orders and/or the parties agreed to an extension, the State had to begin a DWI arrestee's trial within 182 days of his/her arraignment or the filing of a waiver. If the State failed to do so, then the charges were dismissed and could not be brought against the arrestee again for this particular DWI.

Table 17 shows the DWI cases disposed from 2006 to 2008 in District Court. Prosecutors reported that DWI conviction rates were higher in district court than in magistrate court, in some cases dramatically so. For example, in Bernalillo County's district court in 2008, the percentage of cases dismissed due to an officer or witness failing to appear was zero; however, in Bernalillo County's magistrate court (Table 16) the percentage of those cases was 18.2%. Table 17 shows the higher conviction rates in district courts than in magistrate courts (Table 16) in all participating counties. The exception is San Miguel County, the comparison county. Again, San Juan County had the highest conviction rates (in the low 90s).

Table 17. DWI Cases Disposed in 2006-2008 in District Court*

County	DWI Case Outcomes				Subset of Total Cases Dismissed					
	Total				Case Dismissed by				Other	
	Cases	Convictions	Dismissed	Acquittals	Prosecutor	Court	6-Month Rule**	Officer or Witness Failed to Appear	Dismissals	Dispositions
Bernalillo 2006	567	83.5%	15.9%	0.1%	10.1%	0.3%	0.3%	0.0%	5.2%	0.2%
Bernalillo 2007	618	90.9%	8.7%	0.0%	7.6%	0.6%	0.3%	0.0%	0.2%	0.0%
Bernalillo 2008	714	89.4%	10.5%	0.1%	9.2%	1.1%	0.1%	0.0%	0.0%	0.0%
Doña Ana 2006	428	88.2%	8.1%	1.4%	6.6%	0.4%	0.1%	0.0%	1.1%	2.1%
Doña Ana 2007	553	81.0%	16.5%	2.5%	14.8%	0.7%	0.4%	0.0%	0.5%	0.0%
Doña Ana 2008	696	77.6%	21.0%	1.4%	19.8%	0.4%	0.4%	0.0%	0.3%	0.0%
McKinley 2006	88	76.4%	21.5%	0.3%	17.3%	1.1%	0.4%	0.0%	2.8%	1.6%
McKinley 2007	100	88.0%	10.0%	1.0%	9.0%	1.0%	0.0%	0.0%	0.0%	0.0%
McKinley 2008	93	78.5%	20.4%	1.1%	16.1%	1.1%	2.2%	0.0%	1.1%	0.0%
Rio Arriba 2006	30	68.1%	26.8%	1.7%	12.7%	1.1%	0.3%	0.0%	13.0%	3.1%
Rio Arriba 2007	49	67.3%	32.7%	0.0%	24.5%	8.2%	0.0%	0.0%	0.0%	0.0%
Rio Arriba 2008	76	68.4%	26.3%	5.3%	17.1%	6.6%	1.3%	0.0%	1.3%	0.0%
San Juan 2006	341	92.7%	6.8%	0.2%	5.6%	0.4%	0.0%	0.0%	0.7%	0.1%
San Juan 2007	331	93.1%	4.5%	1.8%	3.9%	0.6%	0.0%	0.0%	0.0%	0.0%
San Juan 2008	414	91.3%	8.0%	0.5%	6.8%	1.2%	0.0%	0.0%	0.0%	0.2%
San Miguel 2006	45	75.1%	20.3%	0.7%	8.6%	0.3%	0.3%	0.0%	11.0%	2.7%
San Miguel 2007	49	77.6%	22.4%	0.0%	18.4%	2.0%	2.0%	0.0%	0.0%	0.0%
San Miguel 2008	36	72.2%	13.9%	0.0%	13.9%	0.0%	0.0%	0.0%	0.0%	13.9%
Santa Fe 2006	80	77.9%	16.6%	0.1%	6.1%	3.3%	0.9%	0.0%	6.4%	3.1%
Santa Fe 2007	142	79.6%	18.3%	0.0%	15.5%	2.8%	0.0%	0.0%	0.0%	0.0%
Santa Fe 2008	216	77.3%	22.2%	0.5%	15.7%	4.2%	2.3%	0.0%	0.0%	0.0%

*Data obtained from the Third Annual Statistical Report on DWI Court Dispositions in New Mexico.

Administrative Revocations²⁶

Table 18 shows the number of licenses revoked administratively by county because of a DWI arrest from 1998 to 2008. Comparing 1998 to 2008 data, the number of licenses revoked administratively as a result of DWI made per year by all law enforcement agencies in the implementation counties remained constant. All other counties saw a large drop from 5,699 in 1998 to 4,170 in 2008.

²⁶ Data obtained from the New Mexico DWI Citation Tracking System.

**Table 18. Number of Licenses Revoked Administratively as a Result of DWI Arrest, 1998 – 2008
(From Arrests Made by All County Law Enforcement Agencies)**

County Name	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
Bernalillo	4,939	4,233	4,469	5,023	5,090	5,096	4,840	4,440	4,492	4,951	4,818
Doña Ana	1290	1,173	1,034	1,104	1,358	1,441	1,528	1,328	1,388	1,248	1,331
McKinley	1,173	1,286	1,124	1,162	926	1,061	1,286	746	836	982	969
Rio Arriba	323	410	402	290	333	276	249	327	381	447	340
San Juan	1,459	1,435	1,512	1,762	1,790	1,651	1,470	1,512	1,336	1,376	1,641
San Miguel	338	318	350	276	336	311	366	241	270	265	235
Santa Fe	1,321	1,381	1,225	1,286	1,177	1,357	1,344	1,185	1,050	972	1,009
Other Counties	5,699	5,419	5,392	4,803	4,410	4,682	4,413	3,919	3,786	4,129	4,170

Table 19 shows the number of licenses revoked administratively because of a DWI arrest made by the sheriff's office from 1998 to 2008. Rio Arriba County had considerable spikes in the number of licenses revoked administratively between 2004 and 2008. Revocations in Rio Arriba went from 31 in 2004, to 103 in 2005, to 239 in 2007, to 188 in 2008. McKinley County also had a significant number of revocations over the last few years, moving from 143 in 2006, to 300 in 2007, to 336 in 2008. San Miguel County, the comparison site, had 67 administrative revocations in 1999, but did not have more than 4 per year since 2004.

**Table 19. Number of Licenses Revoked Administratively as a Result of DWI Arrests 1998-2008
(From Arrests made by Sheriff's Office)**

County Name	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
Bernalillo	534	605	424	466	467	508	533	513	430	571	600
Doña Ana	387	368	320	291	325	286	314	278	490	429	362
McKinley	190	198	182	177	139	136	132	128	143	300	336
Rio Arriba	55	56	56	51	23	35	31	103	175	239	188
San Juan	398	344	358	305	348	503	443	514	456	468	599
San Miguel	33	67	48	21	11	3	4	1	3	3	3
Santa Fe	387	406	327	226	207	297	344	286	256	252	339
Other Counties	870	817	927	798	651	672	633	495	515	639	611

Prosecution/Court Involvement Summary

- Prosecutors frequently mentioned the ADAs' lack of training on DWI laws and experience on DWI issues, and that judges did not always understand DWI case laws.
- The TSRP was actively training and providing assistance to prosecutors, law enforcement agencies, judges, and other court-related staff.
- All judges stated that they either liked the concept of a DWI court or had participated in DWI/drug courts, and saw them as being very valuable. Judges stated DWI courts worked well as long as compliance monitors stayed on top of the program. Although judges thought the approach to be expensive, they also thought it could be highly

effective in reducing repeat offenders. Additionally, judges felt there were an insufficient number of treatment facilities in the State and, in their view, treatment facilities could also have an effect on reducing repeat offenders.

- Some judges mentioned concerns that the sheer volume of DWI cases in courts could overwhelm the court system. In particular, judges in rural counties expressed that increased enforcement activities increased DWI cases in the court docket. However, prosecutors reported that increased enforcement did not affect their caseload.
- In the counties that participated in the project, magistrate court DWI convictions ranged from 60 to 70%.
- Conviction rates were higher in district courts than in magistrate courts in all participating counties.

Lessons

- *An active TSRP was helpful in teaching and engaging officers, prosecutors, and judges on DWI issues:* The TSRP was seen as a vital and helpful position to both DWI prosecutors and law enforcement officers. Both groups reported that they relied on the TSRP for helping with cases, training, finding resources, and giving advice on how to proceed with cases.
- *Having a prosecutor based in a sheriff's office has benefits:* San Juan Sheriff's Office had a prosecutor based in its office. Deputies reported that the prosecutor not only cut down on court time for officers but also saved funds and improved conviction rates in the county.
- *Increased law enforcement efforts have an effect on the judicial system:* If law enforcement agencies plan to increase their enforcement efforts, there should be coordination with the judicial system, including weighing the effect on prosecutors (whether there are enough on staff), weighing the effect on the court docket, and deciding whether prosecutors and judges need increased support (either financial support or training). This may be especially true in smaller counties with fewer resources.

Publicity and Public Awareness

Media Overview

One of the most effective ways of reducing impaired driving is through high-visibility law enforcement, the theory being that when the perceived risk of getting caught goes up, the likelihood that people will make the decision to drink and drive decreases. This general deterrent effect comes only when enforcement is known about and feared. The use of media, both paid and earned, is a powerful method of informing the public of the risks of impaired driving. NHTSA (through the former *You Drink & Drive. You Lose* and the current *Drunk Driving: Over the Limit. Under Arrest* and *Click It or Ticket* campaigns) is working to successfully combine law enforcement efforts with paid advertising to create highly visible enforcement efforts.

Therefore, one of the major components of the CSIDS project was to increase the general deterrent effect of impaired-driving enforcement by establishing times when enhanced enforcement efforts were combined with paid advertising, and through earned media, to raise visibility and create a strong general deterrent effect. Through the duration of the project, PIRE gathered information related to both paid and earned media.

Since 2006, TSB contracted with various media outlets to air PSAs related to New Mexico's DWI initiatives. The contracts paid for television and radio media ads and other materials, such as posters, pamphlets, and internet campaigns. These campaigns were spread throughout the year. Table 20 shows the number of ads and amount spent on the ads for the sustained DWI and *Superblitz* campaigns. In 2006 to 2008, there were 11,120 paid television ads and an additional 22,626 bonus television ads aired. In 2006 to 2008, there were 72,921 paid radio ads and 65,920 bonus radio ads aired.

Table 20. Number of Paid and Bonus Media Public Service Announcements 2006 – 2008

	Television Paid	Television Bonus	Radio Paid	Radio Bonus	Amount
2006	3,256	5,657	20,832	13,515	\$ 927,030
2007	3,934	7,258	26,647	27,344	\$1,223,756
2008	3,930	9,711	25,442	25,061	\$1,389,593
Totals	11,120	22,626	72,921	65,920	\$3,540,379

As stated earlier, the *Superblitz* campaigns were law enforcement efforts combined with an intense, focused media campaign that were mostly implemented during holidays. *Superblitzes* engaged law enforcement agencies in sobriety checkpoints, child restraint, and seatbelt enforcement operations that occurred alongside both earned and paid media campaigns.

Table 21 shows the campaign run dates, number of TV and radio ads aired, the Gross Rating Point (GRP), and the reach and frequency of both radio and TV from fall 2006 (the first *Superblitz* campaign) to spring 2009 (at the completion of the CSIDS project). The *Superblitz* campaigns were aimed at 18- to 34-year-old males, and the reach and frequency

numbers in the table refer this age group. Reach and frequency²⁷ information for television includes all television stations in New Mexico, but for radio, the information is for the Albuquerque/Santa Fe Metro area.

Table 21. Superblitz Reach and Frequency October 2006 to March 2009

Campaign	Run Dates	TV Buy Spots	TV Bonus Spots	Radio Buy Spots	Radio Bonus Spots	TV Reach	TV Frequency	Radio Reach	Radio Frequency
Halloween	10/20-11/5/06	184	597	498	463	68.40%	2.4 times	88.60%	9.3 times
Thanksgiving	11/17-12/3/06	334	1,098	485	513	84.40%	4.9 times	93.60%	20.9 times
Christmas	12/22-1/7/07	649	3,525	523	534	98.80%	9.2 times	99.60%	41 times
Valentine's	2/9 - 2/25/07	734	2,532	703	458	98.70%	14.7 times	99.90%	41.9 times
St. Patrick's	3/16 - 4/1/07	757	757	4,611	4,611	84.70%	3 times	98.60%	25.7 times
Cinco de Mayo	4/20 - 5/6/07	488	1,111	809	995	94.70%	4.4 times	98.90%	4.9 times
Labor Day	8/17 - 9/3/07	494	972	733	791	92.50%	3.8 times	85.20%	9.5 times
Thanksgiving	11/16 - 12/2/07	704	823	451	428	87.80%	4.6 times	85.80%	5.7 times
Holiday	12/17/07 - 1/6/08	675	636	714	749	90.80%	5.8 times	86%	8.1 times
St. Patrick's Day	3/14 - 3/30/08	488	555	334	334	88.20%	5.4 times	80%	4.1 times
Cinco de Mayo	5/1 - 5/5/08	414	486	300	295	90.60%	4.2 times	74.50%	3.1 times
4 th of July	7/3 - 7/6/08	307	598	326	328	62.50%	7.8 times	68.20%	3.4 times
Labor Day	8/15 - 9/1/08	656	1,565	490	460	90.20%	4.9 times	81.10%	5.4 times
Halloween	10/28 - 11/1/08	N/A	N/A	663	0	N/A	N/A	71.5%	6.9 times
Holiday	12/5/08 - 1/4/09	965	5,839	1,608	1,688	99.00%	8.9 times	99.00%	21.4
St. Patrick's Day	3/13 -3/29/09	174	243	693	671	96.40%	4.3 times	90.00%	7.1 times

Each sheriff's office involved in the project was also encouraged to work with its outreach coordinator to gain publicity through "earned media," such as through press events and news releases. From July 2005 to June 2008, we gathered more than 1,500 DWI-related newspaper hits. The earned media hits were categorized into 13 different DWI-related subjects. Table 22 shows the 13 categories and the hits for each category for each intervention county and the one control county. Earned media related to DWI arrests was the most discussed category, with 326 hits, followed by news articles related to DWI enforcement issues and arrests with 320 hits, and DWI prosecution with 184.

²⁷ Reach and frequency indicated that 87.9 percent of men aged 18 to 34 received the message 7.4 times.

Table 22. Newspaper Hits by County and Topic (July 2005 to June 2008)

	Bernalillo	Doña Ana	McKinley	Rio Arriba	San Juan	San Miguel	Santa Fe	Totals
DWI Crashes/Fatalities	52	6	16	2	16	4	57	153
DWI Prosecution	107	19	4	3	12	2	37	184
DWI Arrests	125	48	2	6	31	16	98	326
Sales to Intoxicated Multiple High-Risk Offenders	31	0	1	0	2	2	10	46
Court Monitoring	40	1	0	0	11	6	75	133
DWI Prevention Campaigns	18	0	0	1	0	0	69	88
DWI/Drug Courts	37	9	6	1	21	9	56	139
Underage DWI	24	2	0	0	4	4	22	56
Vehicle Forfeiture	12	2	0	0	0	2	16	32
Ignition Interlock	5	8	0	0	0	0	19	32
Mobile Strike Team	15	1	0	1	1	0	34	52
DWI Enforcement	3	0	0	0	0	0	0	3
Totals	136	44	4	7	9	16	104	320
	605	140	33	21	107	61	597	1,564

Telephone Survey Results

In 2006, as part of a national telephone survey, NHTSA funded a statewide telephone survey in New Mexico, as well as surveys in Bernalillo, Doña Ana, McKinley, Rio Arriba, San Juan, San Miguel, and Santa Fe Counties. As comparison sites for the project, Santa Fe and San Miguel Counties were included in the survey. Schulman, Ronca, & Bucuvalas, Inc. (SRBI), a national survey research organization, collected the data (this activity was funded through a separate project by NHTSA). In 2008, New Mexico's TSB funded SRBI to conduct the same statewide telephone survey.

In 2006, SRBI administered the survey statewide²⁸ to a randomly selected sample of 1,220 drivers 16 and older who had at least one drink in the past year. They then collected additional samples from approximately 800 similar drivers per wave in Bernalillo, Doña Ana, McKinley, Rio Arriba, Santa Fe, San Juan, and San Miguel Counties. Interviews for the first surveys were conducted between February 22 and March 15, 2006. These interviews coincided with a *Superblitz* campaign that occurred March 7 to March 21. Interviews for a second wave of surveys were completed with 1,206 similarly selected drivers April 4 to May 1, 2006. The next *Superblitz* campaign was implemented right after the completion of the survey, between May 2 and May 18.

The July to September 2008 DWI *Superblitz* evaluation survey included two statewide telephone surveys and seven²⁹ countywide surveys for the counties participating in this project. The first survey (Wave 1) provided a baseline measurement of awareness, behavior, and perceptions of public information and enforcement programs concerning drinking and driving immediately before a Labor Day DWI *Superblitz*. The Wave 1 survey began on July 24, 2008, and was

²⁸ The questionnaire was programmed on a computer-assisted telephone interviewing (CATI) system. Up to five callbacks were made to determine if the randomly generated telephone number was a household, and up to eight callbacks were made to find a respondent in a household. A Spanish-language version of the questionnaire was also used.

²⁹ County Evaluations: Bernalillo, Dona Ana, McKinley, Rio Arriba, Santa Fe, San Juan, and San Miguel.

completed on August 13, 2008. Surveys were completed with a total of 3,412 New Mexico residents.

The second survey (Wave 2) was conducted immediately after the *Superblitz* media and enforcement effort to determine the effect of the program. Wave 2 began on September 3, 2008, and ended on September 21, 2008. Surveys were completed with a total of 3,430 New Mexico residents.

As shown in Figure 3, the percentage of respondents who stated that they had seen or heard a message that encouraged people to avoid drinking and driving in the past 30 days decreased slightly statewide, and in every implementation and comparison county. Statewide, 90% of respondents had heard of an anti-impaired-driving message in the past 30 days in 2006, but 88% had heard of a similar message in 2008. Respondents in San Juan County continued to have the highest rates, with 92% of respondents stating that they had heard of an anti-impaired-driving message in the past 30 days in 2008.

Figure 3. Seen or Heard Messages in Past 30 Days Encouraging People to Avoid Drinking and Driving, 2006 Compared to 2008

Figure 4 shows the percentage of respondents (among those who stated they had seen or heard a message in the past 30 days encouraging people to avoid drinking and driving) who stated that they saw or heard messages encouraging people to avoid drinking and driving “more than usual.” There were increases across the board among respondents who saw or heard more messages than usual. Statewide, 47% of respondents had heard more messages than usual in 2008 as compared to 41% in 2006. In the intervention sites, Santa Fe respondents registered the highest percentage (54%) in 2008 (as compared to 43% in 2006). San Juan County respondents had the lowest percentage (40%) of all intervention counties in 2008 (as compared to 32% in 2006). This pattern also held true in San Miguel, the comparison county. This is not surprising in that the electronic media campaigns were statewide campaigns.

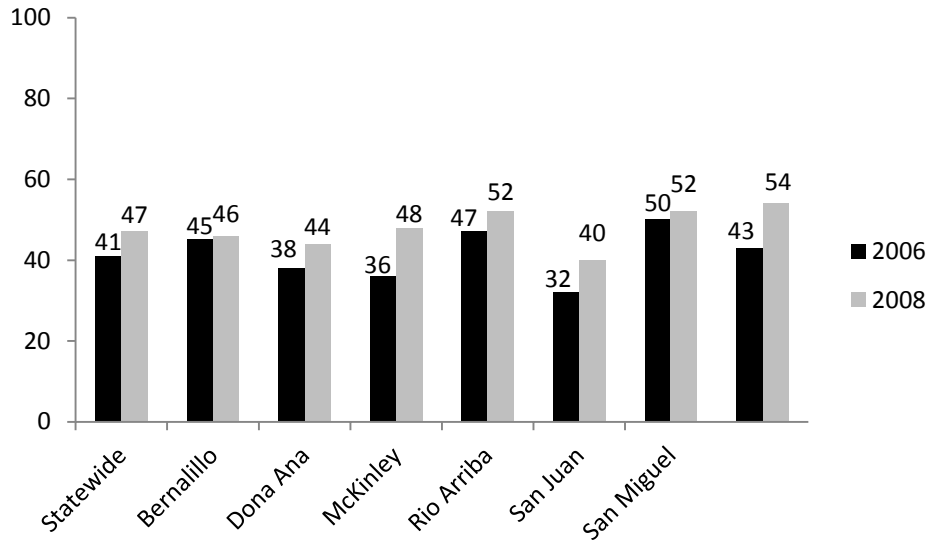


Figure 4. Seen or Heard Messages Encouraging People to Avoid Drinking and Driving: Percentage Saying “More than Usual” (among those who saw/heard message on TV or radio), 2006 Compared to 2008

Figure 5 shows the percentage of respondents who had seen or heard of any special police efforts in the past 30 days to reduce impaired driving. Responses to this question resulted in increases across the board. For example, statewide, 60% of respondents said they had heard of police efforts to reduce impaired driving in the past 30 days in 2008 (compared to 52% in 2006). In McKinley County, 63% of respondents had seen or heard of police efforts in the past 30 days in 2008 (as compared to 54% in 2006). In Doña Ana County, 58% of respondents had seen or heard of police efforts in the past 30 days in 2008 (as compared to 53% in 2006).

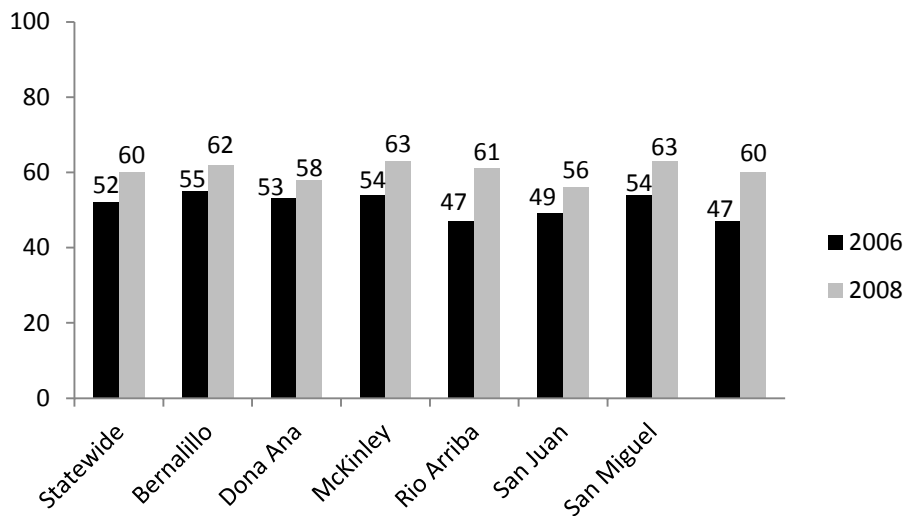


Figure 5. Seen or Heard of Any Special Effort by Police in Past 30 Days to Reduce Drunk Driving, 2006 Compared to 2008

When asked if they had seen or heard about police checkpoints or other efforts to catch impaired drivers in the past 30 days, the percentage of respondents who stated they had seen or heard about police checkpoints increased from 2006 to 2008 (Figure 6). Statewide, 72% of respondents in 2008 said they had seen or heard of police checkpoints in the past 30 days (as compared to 61% in 2006). Among the intervention counties, 77% of respondents in McKinley County stated that they had heard of police checkpoints in the past 30 days in 2008 (as compared to 69% in 2006).

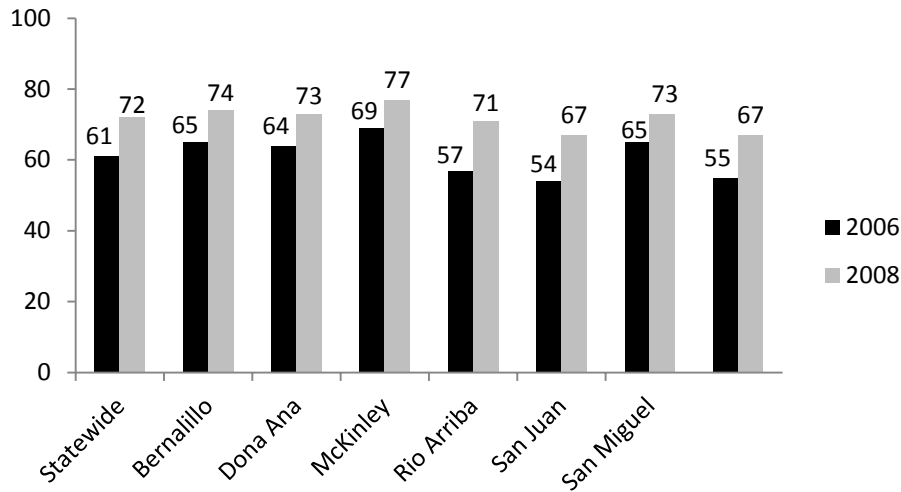


Figure 6. Seen or Heard About Police Checkpoints or Other Efforts in Past 30 Days to Catch Drunk Drivers, 2006 Compared to 2008

There was a large range in the percentage of respondents who reported driving past or through a police checkpoint in the past 30 days (among those who saw or heard of a checkpoint in the past 30 days). Figure 7 shows that, in 2008, 20% of respondents statewide reported they drove by or passed through a police checkpoint in the past 30 days (as compared to 18% in 2006). In McKinley County, however, 33% of respondents reported they drove by or passed through a police checkpoint, but only 9% of Bernalillo County respondents reported they had in 2008. In Bernalillo, Doña Ana, Rio Arriba, and Santa Fe Counties, the percentage of respondents who reported driving drove by or passed through a police checkpoint in the past 30 days decreased from 2006 to 2008. There was no change in the percentage in San Juan County.

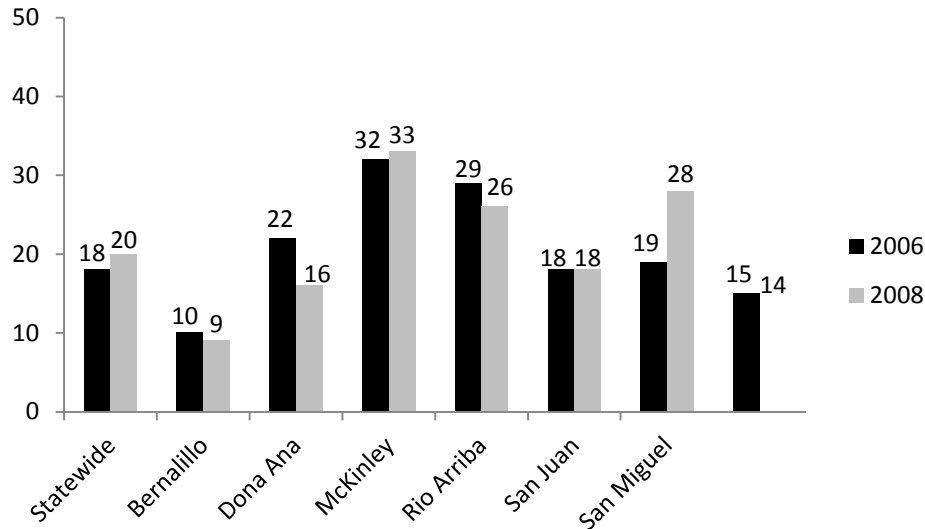


Figure 7. Have Driven Past or Through a Police Checkpoint in Past 30 Days to Catch Drunk Drivers (among those who have seen/heard of police checkpoints), 2006 Compared to 2008

Publicity and Public Awareness Summary

- More than 50,000 paid television and radio PSAs have aired since 2006. An additional 45,000 bonus television and radio PSAs have also aired since 2006.
- There were 1,500 earned media hits (newspaper articles) between July 2005 and June 2008.
- The State funded and coordinated several media campaigns including the *Superblitz* campaigns.
- Based on telephone surveys, the percentage of respondents who had seen or heard messages encouraging people not to drive impaired remained high, both statewide and in the intervention counties (ranging from 83 to 93% in 2008).
- Based on telephone surveys, the percentage of respondents who had seen or heard about police checkpoints or other efforts to catch impaired drivers in the past 30 days remained fairly high both statewide and in the intervention counties (ranging from 67 to 77% in 2008).

Lessons

- *Coordinated media campaigns should be used in conjunction with enforcement operations:* The *Superblitz* and the *100 Days and Nights of Summer* campaigns saturated the media airwaves with messages about law enforcement and prevention, which were aired before and during large enforcement operations.

Other Initiatives

***DrunkBusters* Hotline**

DrunkBusters, the State's toll-free hotline to report suspected impaired drivers, allowed individuals in New Mexico to report suspected impaired drivers to law enforcement immediately. When a call came in to *DrunkBusters*, an operator at the DPS obtained as much information about the suspect's vehicle as possible and then notified the nearest law enforcement agency. The toll-free number was [redacted]; in 2007, a new number, [redacted], was added for cell phone users to make calling easier.

Law enforcement officials noted that some complications with the systems included a 30- to 60-minute lag in time before officers received the call from DPS. Further, the operators were based in Albuquerque and, because they were not familiar with locales throughout the State, did not always get enough information about the reported vehicle's location.

As part of its overall media campaign, the State used billboards and other public announcements to inform and educate the public about the hotline.

Since its inception in 2006, the public increasingly used the hotline, and law enforcement became more efficient in making contact with suspected impaired drivers (Table 23). For example, in 2006, there were 2,579 calls were made to the *DrunkBusters* hotline, but only 64 of those calls resulted in officer contacts and 36 DWI arrests. In 2007, public use of the hotline increased substantially; 16,282 calls resulted in 400 officer contacts and 142 DWI arrests. By the end of 2009, however, there were 20,953 calls to the hotline that resulted in 1,814 contacts made by law enforcement officials and resulting in 418 DWI arrests.

Table 23. *DrunkBusters* Statistics for 2006 – 2009*

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2006													
Calls	268	197	249	246	237	183	179	177	137	148	213	345	2,579
Contacts Made	8	5	5	6	6	4	2	4	1	3	10	10	64
DWI Arrests	4	1	2	3	3	1	1	6	3	2	4	6	36
2007													
Calls	382	465	777	862	1,302	1,642	1,926	2,157	2,333	1,523	1,536	1,377	16,282
Contacts Made	12	9	28	25	36	35	59	60	72	29	13	22	400
DWI Arrests	8	7	6	11	12	14	23	23	20	8	4	6	142
2008													
Calls	1,495	1,708	2,037	1,908	2,071	1,933	1,902	1,885	1,904	1,899	1,856	2,065	22,663
Contacts Made	32	18	45	38	39	35	34	38	45	125	102	71	622
DWI Arrests	6	5	13	7	6	3	7	10	17	20	34	19	147
2009													
Calls	1,886	1,691	1,768	1,517	1,843	1,647	1,800	1,768	1,799	1,678	1,756	1,800	20,953
Contacts Made	126	147	152	145	182	143	132	165	157	170	146	149	1,814
DWI Arrests	36	43	44	25	50	33	23	48	37	30	29	20	418

*Source: New Mexico DPS.

BAT Mobile

The BAT Mobile provided a place for law enforcement officers to conduct onsite breath testing, do post-arrest processing, book impaired drivers or motorcycle operators, videotape or record evidence, complete report forms, and also aided in providing high visibility to sobriety checkpoints. Bernalillo County and Doña Ana County Sheriffs' Offices used their BAT Mobiles during sobriety checkpoints, and often used the units to house arrestees prior to moving them to jail. In rural areas, this process saved time as the officer could return to the sobriety checkpoint rather than transport the arrestee to jail. The time saved could be 2 to 3 hours per arrest, or longer in some rural areas where the nearest jail may have been up to 100 miles away from the checkpoint site. By May 2007, all sheriffs' offices participating in the program had or had received a BAT Mobile.

Other Initiatives Summary

- The *DrunkBusters* hotline was increasingly being used by the public to report suspected impaired drivers.
- The BAT Mobile served as a processing center and holding facility so officers could arrest a person for DWI and hold them onsite. The officer could then return to the sobriety checkpoint rather than immediately transporting the arrestee to jail. Once the BAT Mobile was full of arrestees, a deputy sheriff transported them all to jail.

Lessons

- *The use of a hotline to report impaired drivers can be an effective tool for the public:* The *DrunkBusters* hotline received much media attention. Signs placed along freeways and highways throughout the State were constant public reminders that individuals could directly report potential impaired drivers to law enforcement officials.

Blood Alcohol Concentrations at Arrest

In computing the average BACs of all DWI arrestees from the program counties and for the rest of the State for the years 2002 to 2008, a decrease was apparent in all but one of the program counties. A lower average BAC is often used as an indication of progress in deterring impaired driving, as drivers may be drinking less (per drinking driving event) than previously, and some people with high BACs may now be deciding not to drive.

Table 24 shows the average BAC of DWI arrestees made by the sheriffs' offices (all deputies in the Sheriff's Office not just the Program Officers) in the program counties and the rest of the State for the years 2002 to 2008. During this time span, all program counties with the exception of Rio Arriba experienced a decrease in the average BAC of DWI arrestees. In 2002, DWI arrestees in Rio Arriba County had average BACs of .160 g/dL, which dropped significantly in 2007 to .148 g/dL, and then increased significantly to .164 g/dL in 2008. San Miguel County, the control site, experienced an up-down average BAC rate during this 6-year time span, in that, in 2002, the average BAC of DWI arrestees was .165 g/dL, which dropped to .090 g/dL in 2003 and then increased to .150 g/dL in 2004 before dropping again to .050 g/dL (lower than the legal limit of .08 g/dL) in 2007, but increased to .145 g/dL in 2008 (The low volume of San Miguel Sheriff's Office DWI arrests as shown in Table 24, may account for this variability in BACs). The average BAC of DWI arrestees in all the other New Mexican counties was .150 g/dL in 2002, and it has declined slightly to .148 g/dL in 2007 but was .150 g/dL in 2008.

Table 24. Average BAC of DWI Offenders Arrested by Sheriffs' Offices in Program Counties and Rest of State, 2002-2008

County	2002	2003	2004	2005	2006	2007	2008
Bernalillo	.154	.149	.149	.152	.153	.143	.140
Doña Ana	.156	.150	.145	.149	.143	.151	.154
McKinley	.176	.177	.171	.171	.167	.165	.166
Rio Arriba	.160	.158	.168	.163	.163	.148	.164
San Juan	.165	.157	.159	.160	.167	.161	.160
Santa Fe	.145	.147	.147	.144	.128	.147	.130
San Miguel (control)	.165	.090	.150	.065	.085	.050	.145
Total Other Counties	.150	.146	.142	.152	.153	.148	.150

Source: New Mexico CTS.

Table 25 shows the average BAC for DWI arrestees made by all law enforcement agencies in the program counties and the total of all other New Mexico Counties for the years 2002 to 2008. DWI arrestees in San Miguel County had an average BAC of .160 g/dL in 2002 and .153 g/dL in 2008. DWI arrestees in all other counties had an average BAC of .150 g/dL in 2002, and .152 g/dL in 2007. McKinley and Rio Arriba Counties also saw significant decreases in the average BACs of DWI arrestees. McKinley County's DWI arrestees had an average BAC of .171 g/dL (the highest of all program counties) in 2002, which dropped to an average of .163 g/dL in 2008. Rio Arriba County's DWI arrestees had an average BAC of .156 g/dL in 2002, which dropped to an average of .144 g/dL in 2007, and rose to .154 g/dL in 2008. In 2002, Bernalillo County had the lowest average BAC of DWI arrestees of all the program counties at .147 g/dL,

and in 2008, Bernalillo County still had the lowest average BAC of DWI arrestees of all the program counties at .143 g/dL.

**Table 25. Average BAC of DWI Offenders by all Law Enforcement Agencies
in Program Counties and Rest of State, 2002-2008**

County	2002	2003	2004	2005	2006	2007	2008
Bernalillo	.147	.146	.145	.146	.145	.142	.143
Doña Ana	.155	.150	.150	.146	.146	.147	.152
McKinley	.171	.170	.167	.174	.167	.161	.163
Rio Arriba	.156	.156	.143	.158	.157	.144	.154
San Juan	.156	.157	.157	.162	.166	.158	.156
Santa Fe	.154	.154	.158	.151	.145	.152	.151
San Miguel	.160	.160	.149	.147	.153	.148	.153
Total Other Counties	.150	.146	.143	.147	.148	.147	.152

Source: New Mexico CTS.

Section Highlights

- In computing the average BAC of all DWI arrestees from Sheriff's Offices in the program counties and for the rest of the State for the years 2002 to 2008, there was a decrease in the majority of program counties.

Conclusions

The purpose of the New Mexico CSIDS was to demonstrate a process for implementing a comprehensive State impaired-driving system and to document and determine the effectiveness of a State's efforts to implement a comprehensive impaired-driving program with a focus on high-visibility enforcement. This case study report documents the activities taken by New Mexico to implement a system, and the steps taken to measure the effects of that system.

- Counties did not have “pre-data” on enforcement activities, so we could not compare enforcement activities prior to the implementation of high-visibility enforcement with the level of enforcement activity after program implementation.
- Counties started program activities, including the hiring of new officers, at different times.
- The Web-based reporting form was created to detail the activities, citations, arrests, and other resources used to implement DWI enforcement operations used with CSIDS. However, the six sheriffs' offices involved in the CSIDS did not use the reporting form uniformly. Thus, we cannot accurately measure the enforcement activities. Additionally, the sheriffs' offices received funds from multiple sources to conduct impaired-driving enforcement operations. As a result, one enforcement operation might have been reported on several differently funded reports. This made it impossible to measure the incremental effects of the special program. Without sufficient data on enforcement levels, determining whether the enforcement efforts contributed to any decrease in crashes and fatalities was problematic.
- The funding for the CSIDS was in addition to funding given to the six participating sheriffs' offices from various State or federal resources to conduct DWI operations and other traffic safety initiatives. These sheriffs' offices typically did not separate operations conducted under the CSIDS grant from the DWI operations conducted as part of other funding sources. One DWI operation could be reported on multiple reporting forms. Thus, the same enforcement activity would be counted more than once. Conversely, an operation may not be reported to the appropriate funding authority as it may have only been reported elsewhere.
- At the beginning of the project in 2004, New Mexico had the seventh highest alcohol related fatality rate in the country. By the end of the project in 2009, New Mexico's alcohol-related fatality rate had dropped to nineteenth.

Unfortunately, due to several methodological reasons, it was difficult to determine with certainty the extent to which any decreases in fatalities were due specifically to the enforcement efforts in the intervention counties. This is partly due to the extensive statewide efforts which were undertaken during the same timeframe. The effects of those efforts, which included planning efforts, leadership initiatives, well publicized high-visibility enforcement, law changes and increased use of ignition interlocks, may have overshadowed effects due solely to the enhanced enforcement in the targeted counties. However, according to deputies from all six sheriffs' offices participating in CSIDS, the project made a difference and helped to change the mentality

on DWI issues within their own offices. Further, they were sold on enhanced, high-visibility DWI enforcement operations as a method of reducing impaired driving.

There still seems to be some reluctance to conduct extensive sobriety checkpoint activities in some of the implementation counties, however, law enforcement's willingness to be active on DWI enforcement operations is an important and necessary step to any successful impaired-driving system, and New Mexico has achieved this task.

Although it was difficult to draw conclusive findings on the effect of the enhanced enforcement program in the intervention counties based on the crash and arrest data available, the reductions experienced both in the intervention counties and Statewide were be significant and quite impressive.

As discussed throughout this report, New Mexico has taken dramatic steps to reduce the toll of alcohol impaired driving. These steps have included extensive legislative, regulatory, public information and law enforcement activities. However, perhaps most importantly, through the strong leadership of the Governor and his DWI Leadership Team, these efforts have been implemented in a coordinated manner to potentially maximize their effects on a statewide basis. Overall, New Mexico's multi-faceted efforts appeared to have benefits for the State.

Some other lessons and observations came to light that could be useful for other States to follow.

- *Strong leadership is essential:* New Mexico Governor Bill Richardson made DWI one of his signature issues and devoted resources to the issue. When he created the DWI czar position, he signaled his commitment to recognition of the DWI issue as important, and provided an avenue that could oversee and coordinate all DWI issues within New Mexico. The DWI czar actively pursuing the State's DWI agenda with all stakeholders, including grassroots organizations, law enforcement agencies, local governments, State agencies, legislators, judges, prosecutors, and DWI offenders.
- *Conduct an assessment:* New Mexico conducted three NHTSA-facilitated impaired-driving program assessments from 1991 to 2002. Then, in 2003, a group of stakeholders developed a comprehensive New Mexico DWI strategic plan, based in part on recommendations of the June 2002 impaired-driving assessment. Developing the comprehensive DWI strategic plan was a lengthy process and involved many stakeholders, but the assessment served as a framework for a statewide implementation strategy because it helped the State identify and prioritize DWI issues.
- *Cross-cutting State coordination is important:* The DWI Leadership Team was the central communication center for all impaired-driving projects and issues in New Mexico. Although many different agencies also worked on alcohol-impaired-driving issues, they were no longer working in isolation, duplicating services, or competing for scarce resources. The DWI Leadership Team created a forum for all agencies working on impaired driving to inform others of their work, and allowed room for coordination. Key stakeholders and decision-making personnel from relevant agencies were frequent participants, and many of them had authority to act or make key decisions within their respective agencies.
- *Agreements and contracts take time to implement:* Planning is often a slow, steady process, and achieving agreement between various agencies or contract to hire services

can take time to implement, especially at the local/county level. Others should be realistic about when people can be hired and when projects can get started.

- *Ensure that grantees understand protocols for the project:* The Web-based database was created to be a useful tool to help law enforcement, the State, and evaluators track enforcement activities. It is important that all understand the importance of the protocols established for the program.
- *New devices are highly valued and appreciated, especially in rural areas:* The sheriffs' offices in rural areas were willing to try new devices to aid them in their alcohol-impaired-driving operations. These devices included digital video flashlights and innovative vehicle signage. The BAT Mobiles were also highly prized additions for special operations, such as sobriety checkpoints, and encouraged increased law enforcement participation in special operations.
- *Collaboration is a key component to enforcement operations:* When conducting impaired-driving enforcement activities, a single law enforcement agency valued the assistance of other law enforcement agencies and non-law enforcement groups. Law enforcement, especially in rural areas, relied on collaborating with city police departments, Federal law enforcement agencies (such as the Bureau of Land Management), Tribal law enforcement agencies (cross-commissioning agreements), and other sheriffs' offices. They also valued the assistance that community groups can provide, such as mapping capabilities, support at sobriety checkpoints, or talking with the media in support of enforcement operations.
- *Alcohol law enforcement can be a useful partner in impaired-driving operations:* Alcohol law enforcement agencies were important partners in helping reduce impaired driving, because they could conduct specialized enforcement operations in conjunction with impaired-driving operations, including over service operations (ensuring that bars/restaurants did not serve already intoxicated patrons), and compliance checks (ensuring that liquor stores did not sell to minors).
- *An active traffic safety resource prosecutor is helpful in teaching and engaging officers, prosecutors, and judges on DWI issues:* The TSRP was seen as a vital and helpful position both to DWI prosecutors and to law enforcement officers. Both groups reported that they relied on the TSRP for help with cases, training, finding resources, and giving advice on how to proceed with cases.
- *Having a prosecutor based in a sheriff's office has benefits:* San Juan Sheriff's Office had a prosecutor based in its office. Deputies reported that the prosecutor not only cut down on court time for officers but also saved funds and improved conviction rates in the county.
- *Increased law enforcement efforts have an effect on the judicial system:* If law enforcement agencies plan to increase their enforcement efforts, there should be coordination with the judicial system, including weighing the effect on prosecutors (whether there are enough on staff), weighing the effect on the court docket, and deciding whether prosecutors and judges need increased support (either financial

support or training). This may be especially true in smaller counties with fewer resources.

- *Coordinated media campaigns should be used in conjunction with enforcement operations:* The *Superblitz* and the *100 Days and Nights of Summer* campaigns saturated the media airwaves with messages about law enforcement and prevention, which were aired before and during large enforcement operations.
- *The use of a hotline to report impaired drivers can be an effective tool for the public:* The *DrunkBusters* hotline received much media attention. Signs placed along freeways and highways throughout the State were constant public reminders that individuals could report potential impaired drivers directly to law enforcement officials.

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Appendices

Appendix A

New Mexico's Comprehensive State Impaired Driving System's Organizational Chart

New Mexico Impaired Driving Demonstration Project Organizational Partners 2008

NMDOT-PIO

NHTSA
National

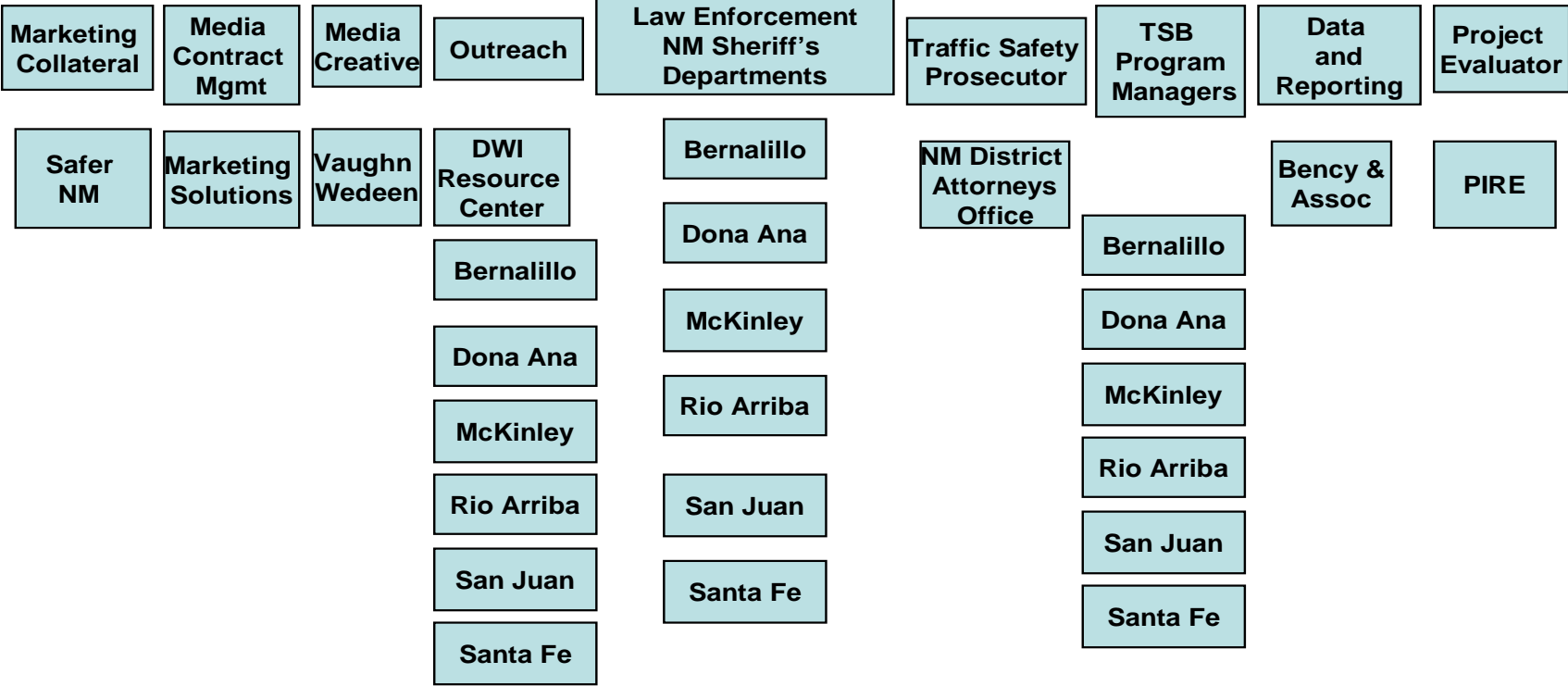
NMDOT-TSB

NHTSA
Regional

NM Governor's Office

Statewide Policy DWI Leadership Team

Project Manager



Appendix B

DWI Leadership Discussion Questions

a. DWI Leadership Team Discussion Guide

We are from the Pacific Institute for Research and Evaluation. We have been contracted through the National Highway Traffic Safety Administration to take a look at New Mexico's anti-DWI efforts. We want to learn more about your participation in those efforts and your reaction to how it is working. We would like each of you to have a chance to speak. But, if you are uncomfortable or don't want to address a certain topic, you certainly do not have to.

b. Key DWI Leadership Team members

1. To what extent and in what manner are you involved in the DWI Leadership Team?

2. What do you see as the role of the DWI Leadership Team?
 - a. Strengths?

 - b. Weaknesses?

 - c. Possible improvements?

3. How is this group enhancing what New Mexico was already doing?

4. I understand that one of the main tasks of the DWI Leadership Team is to oversee the implementation of the NM Multi-Agency DWI Strategic Plan (written in 2003). The plan created a list of priorities that are broken into four categories: Prevention, Law Enforcement, Adjudication, and Treatment and Rehabilitation.
 - 4a. How has the DWI Leadership Team assisted in achieving the prevention priorities listed in the DWI Strategic Plan?

4b. Do you believe that the DWI Leadership Team has provided guidance/support to law enforcement officers working in DWI issues? If so, how? If not, how could it provide more guidance/support?

4c. How has the DWI Leadership Team assisted in addressing adjudication issues addressed in the DWI Strategic Plan?

4d. How has the DWI Leadership Team assisted in addressing treatment and rehabilitation priorities listed in the DWI Strategic Plan?

5. Are the presentations and guest speakers that are brought to the meeting helpful/useful?

6. Are the appropriate people attending/participating in the meeting?

7. Should the DWI Leadership Team be a continuing activity?

If so, how could it be sustained?

Appendix C

Quarterly Planning Report

High-Visibility Impaired Driving Enforcement

High-visibility impaired driving is defined as periodic high intensity and sustained enforcement efforts, supported by a coordinated media publicity plan that work to reduce impaired-driving crashes and fatalities. It is critical to let the population know, through appropriate communication strategies, that law enforcement agencies will be actively enforcing impaired-driving laws and that law enforcement officers are seen by the driving public undertaking these enforcement activities.

Planned Activities

Month: _____

Activity		Activity	Activity		Agencies Involved	Visibility Techniques	Paid Media Support	Earned Media Activity	Prosecutor/Judicial Involvement	Resources		Financial Resources	Notes/Remarks
Date(s)	Time(s)		Description	Location						Officers	Hours		
		<input type="checkbox"/> Checkpoint <input type="checkbox"/> Saturation Patrol				<input type="checkbox"/> Signage Other <input type="checkbox"/> Lights <input type="checkbox"/> BAT Mobile	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No				
		<input type="checkbox"/> Checkpoint <input type="checkbox"/> Saturation Patrol				<input type="checkbox"/> Signage Other <input type="checkbox"/> Lights <input type="checkbox"/> BAT Mobile	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No				
		<input type="checkbox"/> Checkpoint <input type="checkbox"/> Saturation Patrol				<input type="checkbox"/> Signage Other <input type="checkbox"/> Lights <input type="checkbox"/> BAT Mobile	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No				
		<input type="checkbox"/> Checkpoint <input type="checkbox"/> Saturation Patrol				<input type="checkbox"/> Signage Other <input type="checkbox"/> Lights <input type="checkbox"/> BAT Mobile	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No				
		<input type="checkbox"/> Checkpoint <input type="checkbox"/> Saturation Patrol				<input type="checkbox"/> Signage Other <input type="checkbox"/> Lights <input type="checkbox"/> BAT Mobile	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No				
		<input type="checkbox"/> Checkpoint <input type="checkbox"/> Saturation Patrol				<input type="checkbox"/> Signage Other <input type="checkbox"/> Lights <input type="checkbox"/> BAT Mobile	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No				

Appendix D

Activity Report

Activity Report - New Mexico

Enforcement Activity Type:

Reporting Period:

Location of Activity

Intersection or Roadway: Starting Time:
City: Ending Time:
County: Site Supervisor:
Activity Date: Contact Phone Number:

Participating Law Enforcement Agencies

State Police District: Number – FTE:
County: Number Other Sworn:
City: Other Participating Entity:
Other: Government/Non-Government Entities:

Law Enforcement Activities

Number of Vehicles Contacted or Passing Through Checkpoint: Number of Vehicles Pulled Aside as a Suspected Impaired:
Number of DWI Arrests:

Citations

Seat Belt Citations: Child Restraint Warnings:
Seat Belt Warnings: Party Patrol Citations:
Child Restraint Citations: Underage Drinking Citations:

Other Traffic-Related Offenses

Felony Arrests: Uninsured Motorists:
Recovered Stolen Vehicles: Speeding:
Number of Weapons Seized: Reckless Driving:
Fugitives Apprehended: Drug Arrests:
Suspended Licenses: Other Traffic Offenses:
Warnings: Careless Driving:
Open Container: Vehicle Crash:

Juvenile Information

Juveniles Cited for Underage Drinking: Total Number of Citations Issued at Checkpoint:
Juveniles Cited for Zero Tolerance (DWI) Violations:

Other Information

Notes:

Media Activity

Materials Distributed

Was there any informational materials distributed? Type of Materials:

Type of Media

Paid Media

Number of Paid Advertisements Broadcast This Reporting Period:

Radio Ads:

TV Ads:

Billboards:

Print Ads:

Total Dollars:

Other (please explain):

Earned Media

Press Conferences:

TV News Stories Aired:

Radio News Stories Aired:

Print News Stories Run:

Other (please explain):

Officer Information

Total Number of Officer Hours Worked:

Total Number of Officer Overtime Hours:

Total Number of Administrative Hours (reporting, office work, administration):

Total Number of Personnel Activity Hours (administrative leave, personal leave, holidays, sick leave):

Total Number of Officer Training Hours:

Total Number of Officer Court/Hearing Appearance Hours:

Total Number of DWI Arrests for the Month

Name of the Person Submitting the Report:

Phone Number:

E-mail Address:

Appendix E

Discussion Guide: Law Enforcement

Law Enforcement (Officers) Questions

a. Intro/General Law Enforcement (Officers) Questions

1. When did you become aware of the program?
2. How long have you been involved in the program?
3. What do you see your role as?
 - Active enforcement
 - Public outreach
 - Motivate other officers
 - Coordinator
 - Planner
 - Other?
4. What type of training have you received? (If no response, prompt: SFST, media, etc.)
5. What is your opinion on the Enforcement Plan requirement?

b. Planning

6. What kind of planning do you conduct to guide your enforcement activities?
7. Are there problems in completing quarterly plans?
8. What are those problems?

c. Enforcement

9. What type of DWI enforcement do you do?
 - Checkpoints
 - Saturation patrols
 - Phantom or inactive checkpoints
 - How-staff checkpoints
 - Directed patrol
 - Handoffs
 - Other?
10. How often do you do them?
11. How do you decide on a strategy?
12. What is your opinion of the different types of enforcement approaches; for example, what are the strengths and weaknesses of each of these efforts?
13. Let's focus on checkpoints. How does your leadership feel about checkpoints?

14. To what extent has the 5 county project enhanced or decreased DWI enforcement from previous years?
15. Specifically, what is new or different both in terms of types of activity and amount of activity?
16. How does what you are doing fit into the overall departmental effort to deter DWI?
17. Do you use passive alcohol sensors? If no, why not?

d. *Visibility*

18. Do you do anything special to make your enforcement more visible and identifiable as anti-DWI?
19. Do you think anyone has noticed?
20. Is anyone working with you to publicize your enforcement efforts?
21. How could coordination of enforcement with publicity, outreach, and involving the media be improved?

e. *Prosecutor*

22. What is the working relationship with the prosecutor?
23. What is the working relationship with the traffic safety resource prosecutor (TSRP)?
24. Are there any overall issues that need to be resolved (i.e., feedback on case outcome, pleading down cases you think should be pursued)?

f. *Reporting*

25. What are your project reporting requirements?
26. Are they more extensive than what you have to do within the department?
27. How much work is it (i.e., reaction to the reporting)?
28. Can it be improved?
29. How?
30. What is your overall impression of this program?
Program Impressions
31. How would you improve this program?
32. What are your biggest concerns?
33. Is there anything keeping you from making more arrests?

g. *Underage Drinking*

Let's talk about another issue... underage drinking.

34. Have you worked on underage drinking enforcement activities?
35. Are there special challenges in making an underage arrest?

36. Have you done this independently and/or with the Department of Public Safety (DPS) officers?
37. Are you aware of the felony charge for service to minors?
38. Have you ever heard of it being made?
39. What is your opinion of it?
40. How does that effect how you handle a case?

Appendix F

Discussion Guide: Prosecutors and Judges

Prosecutor Questions

a. Intro/General

1. Are you aware of the 5-county enhanced DWI enforcement program?
2. Are you involved in the program or has it affected you?
3. What is your relationship with officers?
4. What are the challenges you face prosecuting DWI cases?

b. Relationship with TSRP

5. Have you had contact with the Traffic Safety Resource Prosecutor (TSRP)?
6. Have you had occasion to use her services?
7. What were these services (i.e., training, specifics on a case, sitting second chair, etc.)?
8. Did you find these services useful?
9. What else would be helpful?

c. Training and Experience

10. Have you had any special training for DWI prosecution?
11. How many years of experience have you had with DWI cases?

d. Program Impression

12. Has the enforcement effort affected your case load? How so?
13. From your perspective, how could the program be improved?
14. Is your leadership supportive of DWI prosecution?

e. DWI Court

15. Are you aware of any specialized DWI courts in your area?
16. Are they a recent expansion of the program?
17. Have you been involved in DWI court?
18. What is your opinion of DWI court?
19. Are there any attempts to get the prosecution of DWI offenders publicized and let the public know?

f. Underage Drinking

20. Have you had the opportunity to prosecute any underage drinking cases?
21. Any zero tolerance cases?



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