

The Red Light Alert

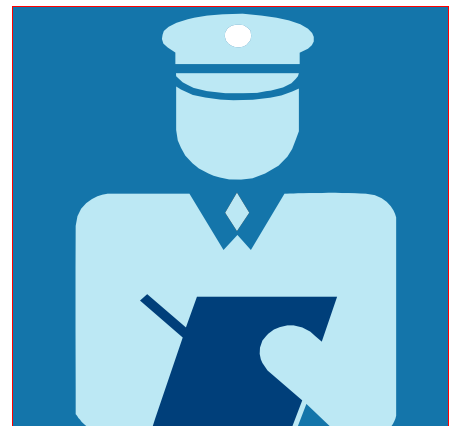
2,700 Motorists 'Lose' During Statewide Crackdown on Drunk Drivers

Despite an aggressive public information campaign and almost \$240,000 in paid advertising throughout Michigan last month, more than 2,700 motorists failed to heed the warnings and were arrested for alcohol-related offenses during stepped up enforcement December 20, 2002 through January 5, 2003.

The positive news from the enforcement blitz is that preliminary reports from the Michigan State Police, Criminal Justice Information Center, indicate there were no fatal crashes in Michigan over the 2002 Christmas holiday and only one fatality during the 2002-2003 New Year's holiday.

Nearly 500 Michigan law enforcement agencies took part in the two-week enforcement period which put extra emphasis on stopping and arresting drunk drivers during the holidays. The campaign was part of the ongoing *You Drink & Drive. You Lose.* initiative that includes weekly drunk driving saturation patrols by nearly 100 law enforcement agencies in the state.

With 337 law enforcement agencies submitting statistics to the Office of Highway Safety Planning (OHSP), results show 2,736 arrests were made for alcohol-related offenses. Participating police agencies logged 88,550 patrol hours, stopping



2,736 arrests were made for alcohol related offenses from December 20, 2002 through January 5, 2003.

49,431 vehicles and making 809 felony arrests and 3,888 misdemeanor

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The Black Box is Reliable

The Eaton County Prosecutor's Office recently completed a Davis-Frye hearing regarding the scientific evidence from a sensory diagnostic module (SDM). (It has also been called the black box for motor vehicles.) The SDM operates the air bag system on later model vehicles and records some pre-crash and crash data about the vehicle. General Motors has made the software available for crash investigators.

After testimony by W.R. Haight, of Collision Safety Institute of San Diego California, the circuit court judge reached the following conclusions:

1. The science or technology involved in the SDM is not novel or unproven.
2. The science/technology involved is generally recognized in the scientific community.
3. The SDM is reliable.

Eaton County will be obtaining a transcript of the hearing and making it available to other jurisdictions. Mr. Haight advised that he knows of three pending hearings in other states.

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Consult your prosecutor before adopting practices suggested by reports in this newsletter.

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Statute Alert !!

Serving Alcohol to a Minor

2002 PA 725 (effective December 30, 2002) changes the penalty from a misdemeanor to a civil infraction when a person licensed under the liquor control act furnishes alcohol to a minor who is working for the police as part of a sting operation. MCL 436.1701(1).

Operating a Train Under the Influence

2002 PA 658 & 659 (effective April 1, 2003) aligns the penalties of operating a train under the influence with the penalties for operating a motor vehicle under the influence:

1. Operating a locomotive while impaired by or under the influence of alcohol or a controlled substance, or with a BAC of .04% or more is a misdemeanor with a penalty of imprisonment for up to 93 days and/or a fine of \$100 - \$500. MCL 436.353(3).
2. A 2nd offense within 7 years is a misdemeanor with a penalty of imprisonment for up to 1 year and/or a fine of \$200 - \$1,000. MCL 436.353(4).
3. A 3rd offense within 10 years is a felony with a penalty of imprisonment for up to 5 years and/or a fine of up to \$5,000. MCL 436.353(5).

Statewide Crackdown on Drunk Drivers

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arrests. In addition, 12,393 speeding citations and 3,734 safety belt/child restraint citations were written during this mobilization.

"Motorists were warned that we were turning up the heat on drunk drivers," said Betty J. Mercer, OHSP division director. "We believe increased enforcement, coupled with the short holiday span and fewer people traveling, contributed to the significant drop in traffic fatalities."

Although both holiday periods were uncharacteristically short and

fell in the middle of the week, during other two-day holiday periods the state has recorded anywhere from five to nine traffic fatalities over each of the two December holidays.

Prior to the December 20 – January 5 *You Drink & Drive. You Lose.* mobilization, law enforcement agencies ticketed more than 19,000 motorists for safety belt violations during a *Click it or Ticket* effort that ran November 25-December 8.

Press Release, Michigan Office of Highway Safety Planning, Jan. 16, 2003

