

Demographics: As of 2004 Chaves County was the 9th largest county in New Mexico with 61,635 people residing in the county and 41,863 licensed to drive. New Mexico ranked 47th among the states for per capita personal income in 2003; and our county ranked #12 among New Mexico's 33 counties for personal income per capita. In 2004, 7.3% of the county's population was age 4 or less, 19.3% was between 5 and 17, and 12.3% was 18 to 24 years old. There were 25,911 housing units in the county in 2004.

DWI Death and Personal Injury: DWI is still a serious problem in our community, because of the deaths and injuries it causes. 46 people died in our county from motor vehicle crashes between 2000–2004, and 18 of those deaths or 39% were alcohol related. A total of 3,717 people were injured during that same time period and 323 or 87% were alcohol related. An estimated 90 persons were permanently disabled during this time period.

Most DWI deaths are in rural areas, where speeds are higher, but the majority of DWI injuries occur in cities, where the population is concentrated and alcohol vendors are common. Many rural DWI crashes involve those who live, or drink, in cities, so city and county problems with DWI are interconnected.

1.3% of our families have had a member killed or injured in a DWI related crash between 2000-2004. The total economic cost for the county for DWI related crashes in 2004 was 31,098,000, including costs for medical care, property damage, and time off from work. It is estimated each family in our community shared that cost by paying increased taxes, business and medical costs, and insurance in the amount of \$1,200.

Chaves County ranked 26th among New Mexico's 33 counties for alcohol related crash injuries per capita.

In Chaves County 58.9% of DWI crashes happen at night and 24.5% on Friday and Saturday nights. This is at or slightly above the statewide average of 56% and 23%.

Who is Driving Impaired: In Chaves County 79.3% of DWI drivers are male and 46.7% are under the age of 30.

The average BAC for Chaves County DWI's is 0.159%.

The recidivism rate for Chaves County is 23%.

DWI Enforcement: In 2004 we had 297 offenders arrested for DWI or 0.71% of drivers in the county. This is lower than the statewide rate of 1.6%.

In Chaves County municipal police made 54% of the arrests in 2002-2004, the sheriff's office made 14.4%, and State Police made 31.6%. Defining "active" DWI enforcement as arrests of impaired drivers for traffic violations, and "passive" enforcement as arrests resulting from crashes Chaves County had 75% of the arrests were active.

Arresting juveniles (i.e., those under age 18) is especially burdensome for police agencies. Some agencies go all out on enforcing laws against DWI and drinking by juveniles. Some police agencies rarely arrest juveniles for DWI because of the burden it imposes; instead, they call the parents to collect their child. Some agencies make the arrest, but do not send the citation to the Motor Vehicle Division as the law requires, so teen drivers do not lose their license. In Chaves County, DWI arrests of juveniles reported to MVD were 3.7% arrests of the total DWI arrests in the county for 2002-2004, compared to 2.0% statewide. Arrests of minors age 18-20 were 6.6%, compared to 9.5% statewide. More emphasis needs to be placed on underage offenders.

New Mexico law provides that, upon arrest for DWI, police take away the suspect's drivers license and issue a temporary permit good for 20 days. After that permit expires and if no appeal hearing is requested with MVD the driver will lose their license. In Chaves County 94.6% lost their license through this "administrative revocation" process. 14.1% of arrested drivers requested hearings in 2002-2004, a rate that is lower than the statewide rate of 27%. In communities where court dates for arrest come long after arrest, some attorneys request a hearing to be used as "discovery" for use at trial. In Chaves County court dates are on average 89 days after the arrest and MVD hearings are on average 71 days after the arrest. Also, police officers are generally not represented during a MVD hearing and are required to prosecute their own cases. Many are not familiar with state law or the five points that are admissible in a MVD hearing nor are they aware that they can make closing arguments.

The Courts and DWI: In Chaves County 91.7% of DWI cases result in a conviction with 8.3% resulting in dismissal or acquittal. 71.3% pled guilty.

Costs of DWI enforcement and adjudication can be very substantial, though far less than the costs of the crashes deaths, and injuries that DWI's cause. An Oakland, California, study found that the average cost to the criminal justice system for a DWI case, including costs for police time, courts, and jails, averaged \$1,255. Based on that estimate, Chaves County is estimated to cost \$330,000 annually for 2002-2004.