

Higher Liquor Taxes Deter DWI

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Gov. Bill Richardson's legislative proposal to reduce drunk driving was met with praise from Mothers Against Drunk Driving and the Journal editorial board.

But, while increased penalties may have an effect, research on combating drunk driving demonstrates that a more comprehensive approach has a better chance.

Chronic offenders are certainly a threat. But more than two-thirds of all drunk drivers in fatal crashes have no previous arrest record. This means that the bulk of the problem is the general driving public.

About half of all alcohol-involved crash drivers drank the alcohol that intoxicated them at a bar or restaurant. Enforcing server training and dram-shop laws that restrict service to intoxicated patrons could change that.

The most effective strategies for reducing alcohol-related crashes involve limiting or restricting alcohol sales and vigorously enforcing alcohol beverage laws, including sales to minors.

Alcohol outlets should be monitored to ensure compliance with laws around serving to minors or intoxicated patrons. Nuisance bars should be shut down. Sobriety checkpoints and saturation patrols are effective deterrents to drunk driving, especially when widely publicized. Alcohol sales should be curtailed at events in which drinking large quantities of alcohol is promoted, like sporting events and fairs. This strategy has been shown to improve safety, reduce alcohol-related incidents, and encourage participation by families.

Studies have clearly demonstrated that higher taxes on alcohol substantially reduce hazardous drinking among underage and heavy drinkers. A 10 percent tax increase, 40 cents per 6-pack of beer, would, while netting \$40 million for the state, reduce drinking in these two high-risk populations.

New Mexicans have voiced their opinions on this issue, with over two-thirds of those surveyed favoring an alcohol tax increase. Increasing alcohol tax is among the strategies recommended by the Institute of Medicine for reducing underage drinking. Reducing alcohol ad



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exposure to youths and mounting counter-ad campaigns also can positively impact youth beliefs and reduce underage drinking.

In addition to prevention, much more can be done to stop repeat offenders. But sanctions must be certain, swift, consistently applied and coordinated. This means we need to keep good records, conduct speedy trials, ensure consistency in sentencing — and agree to work together.

One of our first priorities should be to ensure that convictions are recorded and are easily accessible to court staff. Judges must be held accountable for not following the laws regarding sentencing. We must ensure that all offenses, whether on or off the reservations, are reported and handled similarly.

Since administrative sanctions are more uniformly and consistently applied than judicial sanctions, the ignition interlock sanction would be more effective if legislated as an administrative (automatically applied) sanction.

Some argue that we ought to just jail chronic offenders and be done with it. But while incarcerating offenders does get them off the streets temporarily, jail time does nothing to lower re-offense rates. And it costs \$25,000 to \$30,000

annually to incarcerate offenders.

Offenders deserve to be punished, but it is naive to think that jail time changes people for the better. And studies also show that long sentences are no more of a deterrent than short ones. The best use of jail time appears to be short jail sentences, imposed as consequences for violating probation. Short stays are very disruptive to people's lives and offenders will often follow the rules to avoid them.

When dealing with repeat offenders, emphasis must shift from deterrence to incapacitation. That means stopping the offender from operating a motor vehicle. This does not address the person's alcoholism or drug addiction, but it does protect the public.

There are many weapons in this arsenal. To incapacitate the driver we can use electronic monitoring, house arrest, DWI court or intensive supervised probation. We can also incapacitate the vehicle using the "boot," ignition interlock, or forced sale or forfeiture.

But we should stop at nothing to keep these offenders from driving drunk. A little known, shameful statistic is that New Mexico ranks highest in the country for the percent of drivers in fatal crashes (24 percent) without records of having valid licenses.

An innovative approach to solving this would be to pass a law requiring law enforcement officials to confiscate the license plates of all unlicensed drivers. Offenders who blithely drive without a valid drivers license would most likely refrain from driving a vehicle without a plate, as this increases the chances of getting stopped and arrested.

Studies demonstrate that nearly all repeat offenders are alcoholics, and nearly one-third also have drug-related problems. Effective treatments are available and cost far less than \$25,000 to \$30,000 per year.

So, why are there so many barriers to effective treatment? A high proportion of New Mexicans have no health insurance. For those who do, many policies have clauses which disallow treatment for substance abuse. Surely this problem could be remedied.

Why not increase the tax on alcohol and use the money to provide treatment on demand?