

Every accident and every death we see involving a DUI is an accident or death that could have been prevented. People who choose to get behind the wheel must know that we are done giving a free pass to those who drive under the influence.

Saving Lives Governor Inslee's DUI Legislation

When a person chooses to drive while under the influence of alcohol or drugs, that individual makes the choice to endanger the lives and well-being of innocent people.

We've made progress in combating drunk driving, thanks to programs such as Target Zero, which aims to end traffic deaths and injuries by 2030. Traffic deaths in Washington state resulting from DUIs have dropped steadily — from 272 in 2007 to 199 in 2011. There were 479 DUI-related injuries in 2011, down from 633 in 2007. While that progress is good, for the families who have lost a loved one, it isn't good enough.



Summary of Governor-request DUI legislation as passed (Senate Bill 5912). Governor Inslee's legislation imposes swift and evidence-based restrictions on repeat offenders — restrictions that will save lives and make our roads safer. The bill passed unanimously in both the House and Senate and is supported by prosecutors and law enforcement leaders across the state.

Swift Action: The domestic violence model of mandatory arrest and custody is applied to second and subsequent DUI offenses. This means no more being dropped off at home to sober up: If you've already been caught once driving under the influence of drugs or alcohol, you're going to jail. An ignition interlock device must be installed on the defendant's vehicle within five business days of release from custody.

24/7 Alcohol Monitoring: The 24/7 Sobriety Program, administered by the Washington Association of Sheriffs and Police Chiefs, will require its participants — repeat DUI offenders — to submit to strict electronic alcohol monitoring. Those who violate the terms of 24/7 Sobriety will face swift and certain jail time. In combination with substance abuse treatment provisions, the 24/7 program has been proven to

reduce DUI recidivism as well as other alcohol-related crimes such as domestic violence. While the 24/7 program is expected to be implemented statewide by the end of 2016, local jurisdictions are encouraged to adopt it as soon as possible.

Increased Penalties: Judges must take into account and may issue tougher sanctions for new aggravating factors in DUI cases, such as driving with passengers younger than 16 or driving the wrong direction on a highway or interstate. Further, all felony DUI offenders will be supervised by the state Department of Corrections upon release, regardless of risk level.

Resources to Achieve Results: We cannot wait for more lives to be lost to take meaningful steps on DUI reform. SB 5912 includes funding for the increased sanctions it imposes, including money for prosecutors and local jurisdictions to prosecute and punish more offenders more quickly. Front-line law enforcement officials worked closely with lawmakers to ensure this legislation provides the resources to get the job done.

Continuing the Fight: An impaired driving work group will be established to study strategies to reduce vehicle-related deaths and serious injuries that result from impaired driving incidents. The work group will report its findings and recommendations to the Legislature by Dec. 1, 2013.

In addition, SB 5912:

- » **Clarifies** scoring provisions under the Sentencing Reform Act. If a defendant's present conviction is for a felony DUI offense, then all predicate crimes for the offense must be included in the offender score. The score must include all prior convictions for felony DUI convictions.
- » **Expands** the definition of a "prior offense" in the impaired driving statute to include cases where a deferred sentence was imposed in a prosecution for certain other driving offenses.
- » **Authorizes** law enforcement to arrest a person when the officer has probable cause to believe that the offense committed or being committed involves certain impaired driving violations.
- » **Clarifies** that deferred sentencing is not available for DUI offenses.
- » **Authorizes** the Washington State Patrol to create by rule the statement for certifying ignition interlock devices.
- » **Requires** ignition interlock restrictions to remain in effect in certain situations unless a re-test was performed within 10 minutes of registering a lower breath alcohol concentration level and a digital image confirms the same person provided both samples.
- » **Disqualifies** a person from driving a commercial motor vehicle for a specified amount of time if the person has been convicted of driving while having an illegal THC concentration level in his or her system.
- » **Provides** that any penalty imposed for having a child in the vehicle at the time of the offense must be "in addition to" all other penalties that can be assessed.
- » **Amends** the statutory provisions that require a court to impose conditions of probation to include prohibiting the offender from driving without having both a valid license and liability insurance, and driving or being in physical control of a vehicle while having an illegal alcohol or drug concentration in his or her system.
- » **Authorizes** municipalities to directly establish and operate DUI courts.
- » **Allows** the assessment of an aggravating factor for wrong-way driving.