

OFFICE OF THE
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CALIFORNIA

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February 17, 2005

City Council
Sacramento, California

Honorable Members in Session:

**SUBJECT: RESOLUTION SUPPORTING A DUI DRIVER VEHICLE
IMPOUND PILOT PROGRAM**

LOCATION AND COUNCIL DISTRICT: Citywide

RECOMMENDATION:

This report recommends that Mayor and City Council adopt the attached resolution which supports the concept of a pilot program to discourage driving under the influence (DUI) by the impounding of DUI drivers' vehicles pending enactment of state legislation.

CONTACTS: Albert Najera, Chief of Police, 433-0800
Patti Bisharat, Special Projects Manager, 808-8197

FOR THE MEETING OF: March 1, 2005

SUMMARY

The Sacramento County Breath Alcohol Testing and Vehicle Impoundment Project is a partnership among the two primary trauma centers (Mercy San Juan and UC Davis Med Center), the California Highway Patrol, Sacramento County Sheriff, City of Sacramento Police Department and the community anti-drug coalition (Project Help) to reduce driving under the influence and its consequences in Sacramento County. Legislation is currently being authored at

the State Capitol which would revise current law to allow the impounding of DUI drivers' vehicles including first-time offenders. The legislation is being co-authored by Senator Cox, Senator Torlakson and Assembly Member Jones. With this new legislation in place, a pilot effort to measure the potential positive impacts on DUI injuries and fatalities could be undertaken.

COMMITTEE/COMMISSION ACTION

On February 15, 2005 the Law and Legislation Committee took action to support the proposed legislation and directed staff to forward a resolution to the full City Council supporting the concept of a pilot of such a program should legislation be enacted.

BACKGROUND

As a national problem, driving under the influence (DUI) has decreased greatly over the past 20 years. However, over the last five years impaired driving rates have risen both nationally and locally. The state has experienced a 32% increase in persons killed in alcohol-involved collisions since 1998.

In 2002, Sacramento experienced 1,028 alcohol-involved fatal and injury collisions. Repeat offenders account for one-third of the drivers in fatal alcohol-involved collisions. The data estimates that a person drives 300-2,000 times while drunk prior to being arrested.

Society has tried to address the DUI problem through penalties, education programs, rehabilitation, treatment and sanctions such as vehicle impounds. Vehicle impounds have resulted in reduced recidivism of 50% while the vehicle was impounded and 20% after the vehicle was returned. However, existing state law does not provide for impoundment on a first offense. With a lack of intensive intervention from law enforcement, the community has lost the message that DUI is risky behavior with substantial consequences. For youth, the message is even longer out of date. More needs to be done to increase the chances of being caught; establish consequences that are substantial, tangible and immediate; establish partnerships; and to raise public awareness and knowledge about the nature and extent of the problem.

The proposed solution is a partnership among the two primary trauma centers (Mercy San Juan and UC David Med Center), the California Highway Patrol, local law enforcement, and Project Help, a community anti-drug coalition, to reduce DUI in Sacramento County. The two trauma centers will work with CHP and local law enforcement to saturate the community with DUI interventions (roving and checkpoints). A media campaign will increase public awareness of the

increased enforcement efforts to deter DUI. With ongoing media attention, law enforcement will initiate DUI stops and test suspected impaired drivers.

Contingent upon legal authority to do so, law enforcement will impound and hold for 30 days the vehicle of any driver who tests above the legal limit. This component of the effort may require local or state legislative advocacy with regard to first offenders, and this project is contingent upon clear legal authority for that component. In addition, impaired drivers will receive an alcohol screening/assessment and be referred to treatment centers including patient follow-up.

FINANCIAL CONSIDERATIONS

The recommendations of this report have no financial impact to the City. Following approval of the proposed legislation, staff would report back on the potential operational costs to support a pilot program. The Sacramento County Breath Alcohol Testing and Vehicle Impoundment Project has submitted a proposal to the State of California to provide funding for a two-year pilot effort.

ENVIRONMENTAL CONSIDERATIONS

This report concerns administrative activities that will not have any significant effect on the environment, and that do not constitute a "project" as defined by the California Environmental Quality Act (CEQA) [CEQA Guidelines Sections 15061(b)(3); 15378(b)].

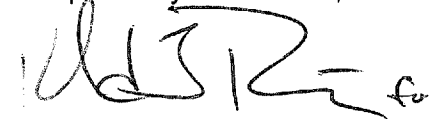
POLICY CONSIDERATIONS

The recommendations of this report are consistent with the City Council Strategic Plan 3-year goal of improving and expanding public safety.

ESBD CONSIDERATIONS

No goods or services are being purchased under this report.

Respectfully submitted,



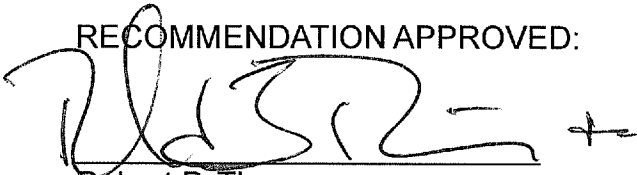
Albert Najera
Chief of Police



Patti Bisharat
Special Projects Manager

City Council
DUI Driver Vehicle Impound Program
February 17, 2005

RECOMMENDATION APPROVED:

A handwritten signature in black ink, appearing to read 'R. P. Thomas', with a horizontal line underneath and a small cross-like mark at the end.

Robert P. Thomas
City Manager

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RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SACRAMENTO, CALIFORNIA SUPPORTING THE CONCEPT OF A DUI DRIVER VEHICLE IMPOUND PROGRAM

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO that:

WHEREAS, there is overwhelming data which shows driving while impaired by alcohol and/or other drugs is a national problem; both the national and local rates of impaired driving have risen over the last five years; and emergency rooms in Sacramento continue to witness the adverse consequences of impaired driving - victims and perpetrators; and

WHEREAS, Dr. Leon Owens, MD, Head of Mercy San Juan Trauma Center is spearheading a collaborative effort to support a pilot project in Sacramento County designed to reduce the number of impaired drivers in Sacramento County; and

WHEREAS, the proposed pilot project (Community Impaired Driver Project) is a partnership among the two primary trauma centers located in Sacramento (Mercy San Juan and UC Davis Medical Center), law enforcement (California Highway Patrol, County Sheriff and City Police Departments), the community anti-drug coalition (Project Help), and elected and community leaders; and

WHEREAS, the objective of the pilot project is to saturate the community with DUI interventions, impact drivers through immediate consequences for driving while intoxicated, and to also launch a public relations campaign to inform the public of the increased enforcement efforts and consequences of driving under the influence.

WHEREAS, the City supports legislation which would change existing law to allow for impounding the vehicles of drivers driving under the influence,

NOW THEREFORE, BE IT RESOLVED that the City Council hereby expresses its support for the concept of a DUI Driver Vehicle Impoundment Pilot Program pending passage of the enabling legislation.

MAYOR

ATTEST:

City Clerk