



August 19, 2011

Senate Committee on Commerce, Science, & Transportation
c/o: Ms. Natasha Mbabazi
Natasha.Mbabazi@commerce.senate.gov

Re: Field Hearing on Fighting Drunk Driving; Lessons Learned in New Mexico

Dear Chairman Rockefeller and Members of the Committee:

Thank you for scheduling a field hearing for your committee on the subject of lessons learned from fighting drunk driving in New Mexico. Our Center and people involved with it have been at the forefront for decades in the effort to reduce the appalling mortality and morbidity results from the deadly mixture of alcohol with motor vehicles in our State, and we agree with your Committee that very important lessons have been learned from the State's successes and failures, and those lessons can be invaluable to your Committee's important work.

The most important lessons to be learned here on the subject reinforce experiences at the national and international levels:

Lesson 1: If you apply on the streets the strategies that research shows will produce real reductions in death and injury, you will get real reductions in death and injury.

In the 1970's and 1980's, New Mexico invested heavily, in partnership with the federal government, in aggressive expansion and enhancement of high-visibility DWI enforcement efforts, with dramatic, continuing results across that period at reducing alcohol-related deaths and injuries in crashes. Research was in place to show what worked and what didn't, and policymakers followed the research closely. Data systems and advanced analysis techniques were in place that allowed careful measurement of the effectiveness or failure of projects and policies, with rigid focus on reduced death and injury as the only appropriate gauge for success. Those evaluations were routinely done and carefully heeded in legislating, policymaking, and funding decisions. The social marketing efforts aggressively promoted effective methods as well as the concept of research-based efforts itself, building a constituency for the approach among state and local political leaders, police, reporters, advocates, and citizens. The results spoke eloquently of the value of research for dramatic progress on a major public health problem, even one as intractable as injury from alcohol abuse. Senator Udall deserves tremendous credit for his major role in bringing this about when he was

the Attorney General, as he had the vision to set the State's agenda with research-based ideas and then the practical political skills to make that agenda real in the law and on our streets. Thousands of New Mexicans owe their lives to his success.

Lesson 2: If you waste efforts and funding on popular strategies not supported by research, you do not get real reductions in death and injury.

Unfortunately, since the mid-1990's New Mexico's attention has strayed from the central focus of applying research to reduce alcohol-related death and injury. Visibility campaigns for enforcement became submerged in generic publicity efforts that strayed from certainty-of-apprehension messages shown effective at reducing DWI behavior, instead to focusing on shame messages or on touting particular leaders. High visibility blitzes for speeding reduction, occupant protection, and DWI enforcement were co-mingled into generic "super blitzes". Routine evaluation was abandoned, and planning and resource allocation stopped focusing on data-driven decision-making and instead devolved into an inertia- and patronage-driven system, leaving behind the seed money concept, allowing supplanting of state and local efforts with federal funds, and promoting feel-good "magic bullet" approaches like ignition interlocks in lieu of research-supported strategies. Data systems decayed in completeness, timeliness, utility, and access, with catastrophic results as non-fatal injury became of increasing importance to policy amidst a complete vacuum of longitudinal information on traumatic brain injury, disability, and general morbidity as old systems declined and trauma data vanished.

The result was a lost decade of zero progress: DWI deaths did not decline from 1998 to 2005, and since that time have declined only in tandem with soaring gasoline prices, diminished travel, and staggering economic troubles. Recent declines in DWI-related deaths exactly match corresponding declines in non-DWI-related crash deaths, indicating that policy choices regarding DWI have not had effect. There is no data to show trends on non-fatal alcohol-related injuries, as the State has done nothing to improve data collection in that regard and at the same time has allowed traditional methods to collapse as data system incompleteness and coding changes made past data no longer comparable to current data.

The most egregious and lethal policy errors in the State have been three-fold:

- Diminished attention to enforcement through poor monitoring, supplanting and lack of enforcement promotion by the State;
- An abandonment of administrative license revocation to substitute an expensive and ineffective "ignition interlock" project that concentrated on recent DWI offenders even though they represent only 3% of drivers causing crash injuries and research does not support any supposed linkage between interlocks and substantial injury reduction; and

- Abandonment; and near-complete inattention to progress on occupant protection that could have saved hundreds of lives and prevented thousands of disabilities in the period, as New Mexico seat belt usage got stuck for a decade at around 89% and the State fell from 3rd in the nation for seatbelt usage to 17th in 2010, even as other states that formerly were New Mexico's peers surged to 95% or even 97%. The State has not reinvigorated its seat belt campaigns, instead leaving it submerged in diluted "Superblitz" and "100 Days of Summer" campaigns and diverting vast resources instead to efforts with no direct effect to reduce injuries.

Lesson 3: The lack of national research results on effective new strategies to reduce death and injury in alcohol-related crashes has crippled New Mexico and national injury prevention efforts for a decade, and investing in such research with a bottom-line orientation is among the nation's foremost opportunities for stopping the preventable tragedies that devastate so many lives.

Senator Udall's bill to investigate vehicle-based DWI screening devices is an intriguing concept, and we applaud Congress's interest in advancing traffic safety through meaningful federal research. The concept of vehicle-based DWI screening faces the obstacles that past "magic bullet" strategies have suffered, ranging from Antabuse in the 1970's to the short-lived 1974 safety belt ignition interlock initiative that left many motorists stranded and wound up being disabled in most every applicable vehicle. Finding such a sensitive, foolproof device that can distinguish mouthwash and perfume and passenger intoxication from driver impairment is a huge challenge, and having such a device survive in the vehicle at temperatures ranging from 20 below zero to 150 above, all at a cost commensurate with the benefits and humidity ranging from 0% to 100%. Questions about drug impairment, low-BAC and motorcyclists being overlooked by the machines are also germane.

As well, such devices face challenges that New Mexico's complex and disquieting history with ignition interlocks has experienced. The devices for offenders are readily circumvented simply by driving a different vehicle that lacks the device. The devices can be readily disabled, and routinely are, according to offenders and overseers. The State and court officials with limited means cannot reasonably dedicate resources to monitoring usage records or pursue infractions that occur with such frequency. There have been reports of corruption among interlock providers, an easy temptation with big reward amidst so little monitoring, and with little response from officials.

If Congress and NHTSA believe this is the best use for investment in research to reduce crash death and injuries, we would urge based on the New Mexico experience that Congress insist that the studies directly address detailed questions about long-term reliability, device bypass, stranded motorists in the event of failure, prospective bottom line effects on crash death and injury, whether the devices would reach the 10% of motorists most at risk for DWI, and cost/benefit.

We would also urge Congress to make this one part of far more sweeping initiatives to reinvigorate NHTSA, FHWA, and CDC research on crash death and injury reduction, including upgrades to data systems to better track non-fatal injury and disability, rigorous analyses of the effects or lack thereof of federal and state initiatives, and sponsorship of advanced research on new methods for preventing death and injury from DWI and other forms of risky behavior over-represented in injury, including alcohol impairment in pedestrians, large vehicle collisions, and drug impairment.

Congress also should look closely at receiving much more value from its existing investments in traffic safety. NHTSA and FHWA provide minimal scrutiny of State use of federal highway safety funds, and many states including ours have not made good use of the huge opportunities that federal earmarked funds and sanction funds have offered to states and communities. Congress should review USDOT oversight processes for these funds, and it should encourage close evaluation of the effects of these investments on bottom-line death and injury, rather than just accept the platitudes and self-interested reports not based on science that characterize USDOT and State reviews of the effectiveness of Congress's huge investments.

Thank you again for your willingness to come to New Mexico and review field experiences as they relate to your important work. We wish you well, and beg you for the leadership with results-oriented efforts that we so desperately need.

Respectfully yours,



Linda Atkinson
Executive Director

Steven Flint, Chair of the Board

(Electronic Signature) 8/19/2011