

UMTRI-94-45

**An Evaluation of the Impact and Effectiveness
of Michigan's Drunk and Impaired Driving Laws**

**Fredrick M. Streff
David W. Eby**

**The University of Michigan
Transportation Research Institute**

December 1994

UMTRI The University of Michigan
Transportation Research Institute



Technical Report Documentation Page

1. Report No. UMTRI-94-45	2. Government Accession No.	3. Recipient's Catalog No.	
4. Title and Subtitle An Evaluation of the Impact and Effectiveness of Michigan's Drunk and Impaired Driving Laws		5. Report Date December 1994	
		6. Performing Organization Code	
7. Author(s) Fredrick M. Streff, David W. Eby		8. Performing Organization Report No. UMTRI-94-45	
9. Performing Organization Name and Address The University of Michigan Transportation Research Institute 2901 Baxter Road Ann Arbor, MI 48109		10. Work Unit No. (TRAIS)	
		11. Contract or Grant No.	
12. Sponsoring Agency Name and Address Michigan Department of State 208 N. Capitol Lansing, MI 48918		13. Type of Report and Period Covered Final 4/3/92-12/31/94	
		14. Sponsoring Agency Code	
15. Supplementary Notes			
<p>16. Abstract</p> <p>This evaluation report describes studies designed to determine the impact and effectiveness of the first two years of Michigan's new drunk and impaired driving laws (effective as of January 1, 1992) as set forth by the Michigan legislature and the Michigan Department of State. In general, we found that courts are implementing the laws and minimum sanctions as intended. That is, cases are being adjudicated swiftly and minimum license, financial, incarceration, and community service sanctions are being applied. In addition, the laws appear to have reduced alcohol-involved traffic-fatalities by between 9 and 25 percent (preventing an estimated 170 deaths). We also found that suspending, revoking, or denying a person's driving privileges does not seem to lead to employment loss. This may be due, in part, to the fact that an estimated 30 to 70 percent of people with suspended, revoked, or denied licenses drive anyway. Finally, the laws appear to be having little influence on repeat alcohol-offenders.</p>			
17. Key Words drunk driving, alcohol, fatalities, policies, employment, license sanctions, plea-based convictions, driving while license suspended, appeals, felony, judicial		18. Distribution Statement Unlimited	
19. Security Classif. (of this report) Unclassified	20. Security Classif. (of this page) Unclassified	21. No. of Pages 221	22. Price

The opinions, findings, and conclusions expressed in this publication are those of the authors and do not necessarily reflect those of the Michigan Department of State.

Contents

EXECUTIVE SUMMARY	ix
INTRODUCTION	1
Goal 1: Determine the average number of days from the date of drunk driving arrest to the date of suspension, revocation, or denial during 1992 and 1993.	5
Goal 2: Determine compliance with the mandatory minimum sanctions following the first OUIL/UBAL/OUID conviction.	9
Goal 3: Determine the amount of change, if any, in the number of alcohol-involved crashes, deaths and injuries in comparison to prior law.	11
Goal 4: Determine the extent of employment loss due to licensure sanctions of drivers.	15
Goal 5: Determine public opinions with respect to changes in the law designed to ensure swift sanctions, such as immediate license confiscation and destruction, the assessment of points for open intoxicants, and new crimes.	17
Police Action for Failure to Pass Alcohol Test	21
Police Action for Refusal to Take a Breath Alcohol Test	23
Mandatory Court Sentence for First Alcohol-Impaired Driving Conviction	25
Mandatory Court Sentence for Open Beer Conviction	27
Mandatory Court Sentence for Second Conviction for Alcohol-Impaired Driving	29
Driving Location for Alcohol-Impaired Driving Violation	31
Conditions for Restoration of Revoked Driver License	33
Fee for Returning Revoked or Suspended Driver License	35
Penalty for First Conviction for Driving on Suspended, Revoked, or Denied License ..	37
Knowledge of New Alcohol-Impaired Driving Laws	39
Goal 6: Gain an overview as to how the judicial system is handling drunk driving arrests by tracking a random sampling of cases from date of arrest through ultimate disposition.	43
DRUNK DRIVING CASE STUDIES	49
Stratum 1: Upper Peninsula	51
Stratum 2: Northern Lower Peninsula	63
Stratum 3: Southwestern Michigan	75

Goal 7: Determine the degree of use of the new crimes of OUIL-Death and OUIL-Incapacitating injury and the disposition in those cases.	109
CASE STUDIES FOR OUIL-INCAPACITATING INJURY AND OUIL-DEATH CONVICTIONS . .	117
Goal 8: Determine the amount and nature of plea-based convictions and make a comparison to prior law.	155
Goal 9: Determine the amount and nature of appeals taken from court and administrative hearings and determine how appellate courts are handling those appeals.	159
Hardship Ex Parte Licenses	161
Nonissuance Letters	165
Secretary of State Appeals to the Court of Appeals	167
Law Enforcement Appeals of Secretary of State Actions	169
Motions for Rehearing and Appeals: Commercial Driver License	171
Motions for Rehearings: Habitual Alcohol Offenders	173
Goal 10: Determine the number of persons driving while their license is suspended, revoked, or denied as the result of drunk driving arrests and determine the percentage of violators.	177
REFERENCES	179
APPENDIX A: Mean number of days from date of drunk driving arrest to start of suspension, revocation, or denial, standard deviation (σ), and number of cases (N) as a function of conviction year and court location	181
APPENDIX B: Circuit Court Bench Reference on Driver License Restoration Appeals	203

List of Tables

Table 1: Overview of the Names, Abbreviations, 1992 Michigan Vehicle Code Reference, and the Secretary of State Master Driving Record Offense Codes for the Offenses Discussed in this Report	3
Table 2: Sanctions for <i>First</i> Conviction by Offense	4
Table 3: Mean Number of Days from Date of Arrest to Date of Suspension, Revocation or Denial of Driver License, Standard Deviation (σ), and Number of Convictions (N)	5
Table 4: Overall Mean Number of Days from Date of Drunk Driving Arrest to Start of Suspension, Revocation or Denial, Standard Deviation (σ), and Number of Cases (N) as a Function of Court Type and Year	7
Table 5: Description of Minimum Sanctioning Given for First-Time Convictions of Drunk Driving	10
Table 6: Percent of Drivers Whose License was Suspended for an Alcohol Offense Who Applied for Unemployment Compensation	16
Table 7: Confidence Interval Bands for Univariate Percentages	19
Table 8: The Counties and Michigan Department of Transportation (M-DOT) Regions Comprising the Four Strata	43
Table 9: Summary Statistics for Case Studies: Defendant Demographics	46
Table 10: Summary Statistics for Case Studies: Arrest Information	47
Table 11: Frequencies of OUIL-Death and OUIL-Incapacitating Injury Convictions by Year and Overall in Michigan.	109
Table 12: Frequencies of OUIL-Death and OUIL-Incapacitating Injury Cases that were Plead to a Different Charge by Year of Conviction and Overall	110
Table 13: Summary Statistics for Felony OUIL Cases: Defendant Demographics	113
Table 14: Summary Statistics for Felony OUIL Cases: Crash and Arrest Information	114

Table 15: Percentage of Convicted Charges for Various Original Charges in <i>Plea-Based</i> Convictions	156
Table 16: Percentage of Convicted Charges for Various Original Charges in <i>Bench-Based</i> Convictions	156
Table 17: Percentage of Convicted Charges for Various Original Charges in <i>Jury-Based</i> Convictions	157
Table 18: Hardship Ex Parte Licenses Granted in 1993 by County and the Number of Those Cases in Which the Grantee was a Habitual Alcohol Offender.	161
Table 19: Nonissuance Letters Sent by SoS as a Function of County	165
Table 20: SoS Court of Appeal Cases Started in 1993	167
Table 21: Petitioner Court of Appeal Cases Started in 1993	168
Table 22: Review of Police Appeals During 1992 and 1993.	169
Table 23: Status Summary of CDL Appeals and Rehearings in 1993	171
Table 24: Results of Motions for Rehearing: Habitual Alcohol Offenders (1993)	174
Table 25: Results of Motion for Rehearing: Habitual Alcohol Offenders (1994)	175
Table 26: Estimated Number of People Who Have Driven at Least Once During a Suspension or Revocation Period During 1992 and 1993.	178

Acknowledgements

We appreciate the assistance of several individuals who were essential to the completion of this project. Michelle L. Hopp collected and organized data for all case studies and assisted in report production. The knowledge survey data were collected using the technical facilities of the Institute for Social Research at the University of Michigan. Michael Traugott and Kenneth Goldstein directed survey data collection, Steven Heeringa and Judith Connor managed sample design, and ZoAnne Blackburn programmed the Computer Assisted Telephone Interview system application and directed telephone interviewing. Abel Feinstein from the Michigan Employment Security Commission was responsible for gathering the MESC data. Sean McAlinden provided valuable comments on goal number four. Phyllis Mellon, Elaine Charney, Rose Jarois, Kristy Jarrad, Mike Minor, Larry Storie, and Jean Pixley assisted in the downloading, collection and understanding of Secretary of State data and in managing the contract. Carl Christoff, Lisa Molnar, Laura Johnson, and Helen Spradlin assisted in report production.

Fredrick M. Streff, Ph.D.

David W. Eby, Ph.D.

EXECUTIVE SUMMARY

This evaluation report describes studies designed to determine the impact and effectiveness of the first two years of Michigan's new drunk and impaired driving laws (effective as of January 1, 1992), as set forth by the Michigan legislature and the Michigan Department of State. In general, we found that courts are implementing the laws and minimum sanctions as intended. That is, cases are being adjudicated swiftly and minimum license, financial, incarceration, and community service sanctions are being applied. In addition, the laws appear to have reduced alcohol-involved traffic-fatalities by between nine and 25 percent (preventing an estimated 170 deaths). We also found that suspending, revoking, or denying a person's driving privileges does not seem to lead to employment loss. This may be due, in part, to the fact that an estimated 30 to 70 percent of people with suspended, revoked, or denied licenses drive anyway. Finally, the laws appear to be having little influence on repeat alcohol-offenders.

Several drunk and impaired driving offenses were investigated. The most serious were two new felony laws: Operating a vehicle under the influence of alcohol causing a death (OUIL-Death) and operating a vehicle under the influence of alcohol causing an incapacitating injury (OUIL-Incapacitating Injury). The second most serious drunk driving offenses were Operating a Motor Vehicle Under the Influence of Alcohol (OUIL), Operating a Motor Vehicle Under the Influence of Drugs (OUID), and Unlawful Blood Alcohol Level (UBAL). All three carry the same sanctioning. The least serious law was Operating a Motor Vehicle While Impaired (OWI).

The evaluation was structured under ten goals. Each goal was designed to capture some impact and/or effect of the drunk and impaired driving legislation.

Goal 1: Determine the average number of days from the date of drunk driving arrest to the start date of suspension, revocation, or denial.

- Overall, all courts had an average adjudication duration of 74.2 days over calendar years 1992 and 1993.
- Courts averaging under the 77 day deadline were: District, Magistrate, and Municipal.
- Courts not averaging under the 77 day deadline were: Circuit, Probate, and Federal.

Goal 2: Determine compliance with the mandatory minimum sanctions following the first drunk driving conviction.

- Overall, 100 percent of first-time offenders received six points on their driving record.
- Overall, 93.4 percent received at least a one-month hard suspension.
- Overall, 70.9 percent received a driving privilege sanction lasting at least six months.
- Overall, 63.9 percent received all minimum driving sanctions.

Goal 3: Determine the amount of change, if any, in the number of alcohol-involved crashes, death, and injuries in comparison to prior law.

- Nonfatal crashes could not be investigated.

- Both "fatal-had-been-drinking" crashes and "single-vehicle-nighttime" fatal crashes (a surrogate for alcohol-involved crashes) declined significantly between prelaw and postlaw periods.
- The new drunk and impaired driving laws prevented an estimated 170 deaths over the first two years of implementation.

Goal 4: Determine the extent of employment loss due to licensure sanctions of drivers.

- People with suspended, revoked, or denied licenses at some time in 1992-93 applied for unemployment compensation at about the same rate as the nonfarm labor pool in Michigan (25 percent).
- Only about 6.3 percent of the people with suspended, revoked, or denied licenses applied for unemployment compensation during their sanction period or the month following.
- Driver license sanctions themselves do not lead to significant job loss among those persons whose licenses are suspended, revoked, or denied.

Goal 5: Determine public knowledge with respect to changes in the law designed to ensure swift sanctions, such as immediate license confiscation and destruction, the assessment of points for open intoxicants, and new crimes.

- Less than a quarter knew that after a driver is stopped for suspected alcohol-impaired driving and has failed an alcohol test, the driver's license will be immediately destroyed and the driver will receive a temporary permit until the case is resolved by the court.
- Less than a fifth knew that after a driver is stopped for suspected alcohol-impaired driving and the driver refuses to take a breath alcohol test, the driver's license will be immediately destroyed and the driver will receive a temporary permit until the case is resolved by the court.
- Less than a fifth knew that the mandatory court sentence for a driver's first conviction for alcohol-impaired driving is a 30-day license suspension that does not allow driving for any purpose.
- Less than a fifth knew that the mandatory court sentence for a driver convicted of carrying an open beer in the car while driving is a misdemeanor conviction and two points on the driver's record.
- Less than a third knew that the mandatory court sentence for a second conviction for alcohol-impaired driving is 48 hours of consecutive jail time or ten days of community service.
- Less than four percent knew that a driver with a blood alcohol content above .10 percent is in violation of the law if that driver was driving in an area generally accessible to motor vehicles.
- Just over a quarter knew that if a person is convicted of alcohol-impaired driving and his or her license is revoked, the new law does not allow restoration of the driving privilege during the period of revocation.

- Less than ten percent knew that the fee for returning a revoked or suspended license is \$125.
- About twelve percent knew that the maximum penalty for a person's first conviction for driving on a suspended, revoked, or denied license is \$500.

Goal 6: Gain an overview as to how the judicial system is handling drunk driving arrests by tracking a random sampling of cases from date of arrest through ultimate disposition.

- Most of the people in the sample of drunk driving convictions were males between the age of 21 and 40, driving passenger vehicles.
- About 14 percent of convicted drivers in the sample were under the age of 21.
- About 55 percent of the people had at least one previous crash on record.
- About 47 percent had at least one previous drunk driving conviction on record.
- About 70 percent of the arrests occurred on a Friday, Saturday, or Sunday.
- About one half of the arrests occurred after midnight and before 6:00 am.
- About one third of the defendants were outside of their county of residence when arrested.
- About one third were driving on a nonvalid license.
- About one quarter of the defendants were involved in at least a minor crash prior to their arrest.
- About 60 percent of the defendants had a blood alcohol level between .10 and .20 percent
- In about 18 percent of the arrests open containers of alcohol were found in the vehicle.

Goal 7: Determine the degree of use of the new crimes of OUIL-Death and OUIL-Incapacitating injury and the disposition in those cases.

- Most people convicted of the new felony crimes were males between the age of 31 and 40, driving passenger vehicles.
- Nearly 25 percent of the OUIL-Death convictions were for people under the age of 21.
- About 55 percent of the people convicted for one of the new felony drunk driving crimes had at least one crash on record.
- About 43 percent had at least one drunk driving convictions on record.
- Nearly every crash occurred on a Friday, Saturday, or Sunday between 6:00 pm and midnight.

- About 43 percent of the defendants were outside of their county of residence when the crash occurred.
- About 21 percent were driving on a nonvalid license.
- About one third of the defendants had a blood alcohol level between .10 and .15 percent.
- About 30 percent had a blood alcohol level of .20 percent or greater.
- In 27 percent of the crashes, open containers of alcohol were found in the vehicle.
- In 19 percent of the crashes a pedestrian or bicycle rider was injured or killed.
- In 19 percent of the crashes the defendant was travelling the wrong direction in a traffic lane (including improper passing).
- In 13.5 percent of the crashes the defendant failed to heed a traffic control device.
- Of the people receiving the incapacitating injury or death in the crashes for which safety belt information was available, 27.6 percent were wearing a safety belt.
- Overall, of the people convicted of the new felony drunk driving crimes, 97.3 percent had driving privileges revoked.
- Overall, of the people convicted of the new felony drunk driving crimes, 91.9 percent received all minimum sanctions.

Goal 8: Determine the amount and nature of plea-based convictions and make a comparison to prior law.

- For postlaw plea-based convictions, 55.0 percent of non-OWI drunk driving cases were pled to OWI.
- For postlaw bench-based convictions, 63.3 percent of non-OWI drunk driving cases were convicted of OWI.
- For postlaw jury-based convictions, only 29.0 percent of non-OWI drunk driving cases were convicted of OWI.

Goal 9: Determine the amount and nature of appeals taken from court and administrative hearings and determine how appellate courts are handling those appeals.

- During 1993 there was a total of 487 hardship ex parte licenses granted.
- During 1993 there was a total of 19 nonissuance letters sent.
- During 1993 there was a total of eight Secretary of State appeals to the Court of Appeals.
- During 1993 there was a total of three petitioner Court of Appeals cases.

- During 1992 and 1993 there was a total of seven law enforcement appeals of Secretary of State actions.
- During 1993 there were 19 motions for rehearing and appeals for commercial driver licenses.
- During 1993 there were five motions for rehearing of habitual alcohol offender cases.
- During 1994 there were 106 motions for rehearing of habitual alcohol offender cases.

Goal 10: Determine the number of persons driving while their license is suspended, revoked, or denied as the result of drunk driving arrests and determine the percentage of violators.

- During 1992 and 1993, 10.6 percent (12,684) of the people with an alcohol-related suspension, revocation, or denial had at least one crash or traffic arrest during their sanction period.
- An estimated 30 to 70 percent (36,000 to 84,000) of people with an alcohol-related suspension, revocation, or denial during 1992 and 1993 drove at least once during their sanction period.

INTRODUCTION

On July 11, 1991, the Michigan legislature passed a set of bills designed to reduce the incidence of people driving while drunk or impaired. The underlying theme of this drunk and impaired driving package was to ensure expedient and potent sanctions to those arrested for driving while drunk or under the influence of an illegal controlled substance (See Charney, 1991 for a history and review of the drunk and impaired driving package). Among other things, these so-called swift and sure laws set time limits for adjudicating cases, set and/or increased minimum sanctions for first, second, and third drunk driving convictions, created two new felony drunk driving crimes, set consistent licensing sanctions, eliminated hardship appeals for habitual offenders, and eliminated hardship ex parte licenses. These new laws became effective on January 1, 1992.

In order to determine the impact and effectiveness of the new drunk and impaired driving legislation, the University of Michigan Transportation Research Institute (UMTRI) was selected to conduct an evaluation of the laws during the first two years of implementation (calendar years 1992 and 1993). The evaluation results are presented in this report.

In consultation with the Michigan Department of State (Secretary of State, SoS), it was decided that the evaluation would focus on ten goals that captured a wide range of possible impacts or effects that drunk driving legislation may have had. These goals were:

1) *Determine the average number of days from the date of drunk driving arrest to the start date of suspension, revocation, or denial.* This goal was designed to determine the swiftness of adjudication.

2) *Determine compliance with the mandatory minimum sanctions following the first drunk driving conviction.* As indicated, this goal was designed to determine if courts were assessing the new minimum sanctions for drunk driving convictions.

3) *Determine the amount of change, if any, in the number of alcohol-involved crashes, deaths, and injuries in comparison to prior law.* This goal was designed to determine the impact of the drunk driving laws had on crash involvement and in reducing fatalities.

4) *Determine the extent of employment loss due to licensure sanctions of drivers.* This goal was designed to determine the impact, if any, of losing driving privileges on employment retention.

5) *Determine public knowledge with respect to changes in the law designed to ensure swift sanctions, such as immediate license confiscation and destruction, the assessment of points for open intoxicants, and new crimes.* This goal was designed to determine if the general Michigan population was aware of and knowledgeable about the new drunk and impaired driving legislation.

6) *Gain an overview as to how the judicial system is handling drunk driving arrests by tracking a random sampling of cases from date of arrest through ultimate disposition.* This goal was designed to assess, in general terms, the swiftness and sureness of drunk driving convictions, the demographics of convicted drivers, and adjudication.

7) *Determine the degree of use of the new crimes of OUIL-Death and OUIL-Incapacitating injury and the disposition in those cases.* This goal was designed specifically to determine the use and judicial outcomes of two new felony drunk driving crimes. Case summaries for each of these convictions are included.

8) *Determine the amount and nature of plea-based convictions and make a comparison to prior law.* This goal was designed to assess the effects, if any, the new legislation had on plea-based convictions; in particular, the incidence of serious drunk driving offenses being plead to less serious ones.

9) *Determine the amount and nature of appeals taken from court and administrative hearings and determine how appellate courts are handling those appeals.* This goal was designed to assess the effects, if any, the new legislation had on appeals and to determine what was happening in those cases.

10) *Determine the number of persons driving while their license is suspended, revoked, or denied as the result of drunk driving arrests and determine the percentage of violators.* Since the minimum sanction for nearly every drunk driving crime includes some sort of suspension or revocation of driving privileges, this goal was designed to determine if people, in general, follow this sanction.

Table 1 shows the names, abbreviations, 1992 Michigan Vehicle Code reference (Michigan Department of State, 1992), and the SoS Master Driving Record (MDR) codes for the drunk and impaired driving offenses discussed in this report. A full description of the laws can be found in the Michigan Vehicle Code (Michigan Department of State, 1992).

Table 2 shows the minimum required sanctions for the *first* conviction of the various drunk and impaired driving crimes (and driving while license suspended, revoked, or denied). For each crime, the points and license sanctions are mandatory along with one or more of the following: a fine, incarceration, or community service. Note that a suspended license means that a person is not allowed to drive for any reason (sometimes called a "hard suspension") for some specified duration; and a restricted license means that a person may drive to specific places at specific times (sometimes called "suspended with restrictions"). A revoked or denied license means that a person may not drive at all and will need to reapply for reinstatement of driving privileges through the SoS at some later time specified by statute.

Table 1: Overview of the Names, Abbreviations, 1992 Michigan Vehicle Code Reference, and the Secretary of State Master Driving Record Offense Codes for the Offenses Discussed in this Report.			
Offense	Abbreviation	Reference	Offense Code
Unlawful Blood Alcohol Level	UBAL	257.625(1)	05
Operated Under the Influence of Liquor	OUIL	257.625(1)	07
Operated Under the Influence of a Controlled Substance	OUID	257.625(1)	08
Operated While Impaired	OWI	257.625(3)	23
Combined OUIL & UBAL	OUIL/UBAL	257.625(1)	29
Operating Under the Influence of Liquor Causing Death	OUIL-Death	257.625(4)	41
Operating Under the Influence of Liquor Causing an Incapacitating Injury	OUIL-Incapacitating Injury	257.625(5)	42
Driving While License Suspended, Revoked, or Denied	DWLS	257.904	74

Table 2: Sanctions for *First Conviction* by Offense.

Offense	Points	License Sanction	Fines	Incarceration	Community Service
UBAL	6	Suspended 6 to 24 months, first month hard suspension	\$100 - \$500	0 - 90 days	0 - 45 days
OUIL	6	Suspended 6 to 24 months, first month hard suspension	\$100 - \$500	0 - 90 days	0 - 45 days
OUID	6	Suspended 6 to 24 months, first month hard suspension	\$100 - \$500	0 - 90 days	0 - 45 days
OWI	4	Suspended 3 to 12, restricted license allowed from start	0 - \$300	0 - 90 days	0 - 45 days
OUIL/UBAL	6	Suspended 6 to 24 months, first month hard suspension	\$100 - \$500	0 - 90 days	0 - 45 days
OUIL-Death	6	Revoked	\$2,500 - \$10,000	0 - 15 years	Not specified
OUIL-Incapacitating Injury	6	Revoked	\$1,000 - \$5,000	0 - 5 years	Not specified
DWLS	2	Suspension or revocation period increased by like period	0 - \$500	0 - 90 days	Not specified

Goal 1:

Determine the average number of days from the date of drunk driving arrest to the date of suspension, revocation, or denial during 1992 and 1993.

A main focus of the new drunk and impaired driving legislation was to increase the speed with which drunk driving cases are adjudicated. Interested parties, including the Michigan Legislature and Department of State, arrived at a 77 day adjudication deadline for drunk driving cases (Charney, 1991). This deadline was determined to be of sufficient length to allow for arraignment, pretrial, and final disposition.

We investigated this goal by analyzing the Secretary of State (SoS) database of driver history records, called the Master Driving Record (MDR). First, all convictions for drunk driving offenses (OWI, OUIL, OUID, UBAL, OUIL/UBAL, and Open Intoxicant) during calendar years 1992 and 1993 were collected. Each conviction record was then matched to the corresponding record of driver license actions to determine if the conviction sanction was a suspension, revocation, or denial. If it was, then the number of days from arrest to start of sanction, year of conviction (1992 or 1993), court type (district, circuit, federal, probate, magistrate, and municipal), and location of court was determined. The mean number of days from arrest date to start of sanction by year and overall averaged over all court types and locations is shown in Table 3.

1992			1993			1992 and 1993		
Mean	σ	N	Mean	σ	N	Mean	σ	N
87.0	101.5	69555	57.3	80.1	52964	74.2	94.0	122519

As shown in Table 3, over the first two years of the new laws, all courts in Michigan, on average, adjudicated cases under the 77 day limit. Further, the year-by-year comparison shows that the average number of days for adjudication has been reduced between 1992 and 1993. It is reasonable to assume that courts require time to adjust their procedures in order to meet the 77 day requirement. The results show that, in general, courts have been successful in making this adjustment. Further, it should be noted that because of federal guidelines this analysis takes into account only drunk and impaired driving cases in which driving privileges were suspended, revoked, or denied and excludes convictions in which a restricted license was applied. These excluded cases would be primarily first-time, OWI convictions which are, in general, adjudicated rapidly. These cases are also the most frequent drunk driving case. Analyses by the SoS show

that including these cases lowers the mean adjudication duration by 30 days or more (Secretary of State, 1992; 1993).

Table 4 shows the mean number of days from arrest to start of driving privilege sanction for each court type in Michigan for 1992, 1993, and both years combined. This same information by individual court is shown in Appendix A.

As can be seen in Table 4, most drunk driving cases are tried in district court, followed by circuit, municipal, magistrate, probate, and federal court, respectively. Of these courts, three (magistrates, district and municipal courts) met the average 77 day recommendation. Since circuit and federal courts tend to handle the felony and other involved cases (for example, drunk driving combined with other criminal charges), it makes sense that these courts had difficulty adjudicating cases in 77 days.

Five of the six court types showed a decrease in the average number of days to adjudicate cases between 1992 and 1993. The remaining court, a Federal court in Detroit, handles cases that are unique from other Michigan drunk driving cases. This court is not required to follow the 77 day guideline.

Court Type	1992		1993		1992 & 1993		
	Mean	σ	Mean	σ	Mean	σ	N
District	85.5	100.6	54.7	77.4	72.2	92.6	117813
Circuit	150.7	117.6	134.6	111.2	142.5	114.7	3304
Probate	97.7	108.9	71.7	81.6	85.7	98.1	242
Magistrate	76.3	93.3	71.1	114.1	74.4	101.5	370
Municipal	94.5	106.6	49.1	72.6	74.9	96.1	823
Federal	120.5	15.6	173.4	74.6	155.8	66.4	12

Goal 2:

Determine compliance with the mandatory minimum sanctions following the first OUIL/UBAL/OUID conviction.

As shown in Table 2, the minimum driver license sanctions for an OUIL, UBAL, or OUID conviction is six points applied to an operator's license and at least a six month driving privilege sanction. Further, the driving privilege sanction must minimally include at least a one month "hard" suspension (no driving at all) followed by at least five months of restriction (can drive to specific places at specific times). Other sanctions include one or more of the following: a fine of \$100 to \$500, incarceration for 0 to 90 days, community service for 0 to 45 days. Since fines, jail terms, and community service are not contained in the SoS MDR these minimum sanctions could not be exhaustively investigated by UMTRI researchers.

On the other hand, adherence to assigning the minimum driver license sanctions was evaluated by an analysis of the SoS MDR data. All OUIL, UBAL, OUIL/UBAL, and OUID convictions contained in the MDR were compiled. Analysis programs then determined which convictions were first-time convictions. A conviction was considered first-time if it was the earliest conviction in the MDR for a certain person. Since the MDR contains records for substance abuse convictions only over the last ten years (or if there is a revocation, ten years or until it is overturned, whichever is greater), convictions more than ten years ago were not considered. Finally, the first-time convictions that occurred during calendar years 1992 and 1993 were separated. During these years, there was a total of 34,515 first-time convictions for either OUIL, UBAL, OUIL/UBAL, or OUID. The 1992 and 1993 first-time convictions were then linked with the actions taken for the conviction to determine if the minimum sanction was given in each case.

The minimum licensing sanctions can be divided into three categories: number of points (6), duration of hard suspension (at least one month), and length of total sanction on driving privileges (at least six months). Table 5 summarizes the various parts of the minimum licensing sanctions for first-time convictions of OUIL, UBAL, OUID, and OUIL/UBAL. As can be seen in this table, all people received six points on their license. This is a predictable outcome since the SoS database program automatically assigns the number of points for convictions. Table 5 also indicates that over the first two years of the new drunk and impaired driving laws, nearly 95 percent of first-time offenders received at least one month of no driving privileges (suspended, revoked, or denied). However, for the same two years, only about 71 percent received a driving privilege sanction that lasted for at least six months. Finally, for 1992 and 1993, about 64 percent of first-time drunk driving offenders (excluding OWI) received all minimum sanctions. Thus, it appears that first-time offenders tend to get all driving privileges taken away for at least one

month, but for about 25 percent of these people the total license sanction lasted for less than six months.

Table 5: Description of Minimum Sanctioning Given for First-Time Convictions of Drunk Driving.			
	1992	1993	1992 & 1993
Description of Sanction	Percent of Total N = 19401	Percent of Total N = 15114	Percent of Total N = 34515
Six points on license	100% N = 19401	100% N = 15114	100% N = 34515
At least a one month hard suspension	93.9% N = 18210	92.7% N = 14006	93.4% N = 32216
At least a six month driving sanction	75.6% N = 14277	67.5% N = 10206	70.9% N = 24483
License sanctions followed all minimum requirements	62.2% N = 12065	66.1% N = 9983	63.9% N = 22048

Goal 3:

Determine the amount of change, if any, in the number of alcohol-involved crashes, deaths and injuries in comparison to prior law.

The ultimate goal of drunk and impaired driving legislation is to deter people from drinking and driving, resulting in fewer deaths and injuries from traffic crashes in which alcohol is involved. We sought to determine if the number of alcohol-involved crashes changed after implementation of the new alcohol-impaired driving laws by comparing crashes in prelaw years to crashes in postlaw years.

This issue was addressed using computerized crash data from the Michigan State Police maintained by the UMTRI Transportation Data Center. This data set contains information on every crash reported to police in the state. Monthly crash, death, and injury frequencies were extracted for the calendar years 1986 (the year following implementation of Michigan's safety belt use law) through 1993 (the most recent available data).

There is a possible confounding factor to analyses of Michigan's crash data with respect to the 1992 implementation of the alcohol-impaired driving laws. Specifically, at the same time the new laws went into effect (January, 1992), Michigan also switched to a new crash report form. This is a potential problem for a couple of reasons. First, officer training for the new report form (which was significant) may have had an influence on how drinking-driving crashes are identified and reported by police. It is reasonable to assume that, if anything, such training would increase the likelihood of an officer coding a crash as having involved alcohol. This is due to training in the identification of alcohol cues and the importance of alcohol in crash causation being specifically addressed in crash report training. If this is true, we would expect the effect of this to be an increase in the number of drinking-driving crashes reported (caused by an increased attention to alcohol cues). Any such effect would serve to mask any possible positive effect of the new laws.

Second, the conversion to the new form caused some problems that resulted in the loss of information for some crashes. For example, some crash reports or portions thereof were rendered uninterpretable because of optical scanning errors or weather damage. While some caution should be used when interpreting analyses involving nonfatal collisions for 1992 and 1993, data on fatal collisions has remained accurate and stable over the period of time examined. This is because fatal crashes have special investigation and reporting requirements that remained relatively unaffected by the switch in Michigan's crash report form.

Crash data were analyzed using a statistical procedure known as regression corrected for autocorrelation. This procedure determined the strength of the relationship between the number of alcohol-involved crashes, deaths, and injuries and the status of the law. In addition, the procedure also accounts for statistical problems that often arise when analyzing data from a time series (such as the monthly crash frequencies that were used here).

In the analyses, we used two different indices of alcohol-involved crashes, namely "had-been-drinking" crashes and "single-vehicle-nighttime" crashes. Had-been-drinking crashes are those crashes in which police officers believe one or more of the drivers had been drinking prior to the crash. These crashes are identified in the crash data by a code recorded by police on the report form. Single-vehicle-nighttime crashes (crashes involving only a single vehicle that occurred under conditions identified as "dark" by police on the crash report form) are often used as a surrogate for alcohol-involved crashes because of the high proportion of these crashes that subsequent investigation found to involve alcohol. In order to determine if change observed in alcohol-involved crashes was part of a larger change in fatal crashes overall, we also analyzed monthly frequencies of *non-had-been-drinking* crashes. A significant change in this measure would suggest that some influence other than the drinking laws was acting on fatal crash frequencies, thus affecting the interpretation of any change or lack thereof found in the alcohol-involved fatal crash frequencies.

Unfortunately, we found that the data for nonfatal crashes in calendar years 1992 and 1993 (both of the post law years) were unusable for a meaningful evaluation of the alcohol-impaired driving laws. Data for nonfatal crashes show unrealistically large decreases for each of the nonfatal crash types investigated, an indicant of some of the difficulties experienced in the switch in crash report forms. However, as stated earlier, fatal crash reporting remained reliable during this period.

Analyses of the fatal crash data reveal that while there was no statistically significant change in *non-had-been-drinking* fatal crashes, both had-been-drinking fatal crashes and single-vehicle-nighttime fatal crashes declined significantly after the law went into effect in 1992. That is, the law appears to have resulted in a significant decline in deaths from alcohol-involved crashes.

Using the results from these analyses, it is possible to estimate a range of effects for the law. We estimate the new law was associated with a nine to 25 percent reduction in alcohol-involved fatal crashes. Increasing our confidence that the observed decrease was caused by the new laws, we note that the nine to 25 percent reduction in alcohol-involved fatal crashes is within the

range of effects found by Jones and Lacey (1991) in their review of the effects of various countermeasures to reduce alcohol-impaired driving. From our results we estimate that the law prevented between 77 and 260 deaths over the 24-month period examined (1992-1993). By using the midpoint of the law effect estimate (17 percent), the law prevented about 170 deaths in the years 1992 and 1993.

Goal 4:

Determine the extent of employment loss due to licensure sanctions of drivers.

Data from two state of Michigan agencies were used to determine the relationship between a person receiving an alcohol-impaired driving driver-license sanction and that person subsequently losing his/her job because of the license sanction. Data for each application for unemployment compensation benefits for the calendar years 1992 and 1993 were obtained from the Michigan Employment Security Commission (MESC) and these data were matched with records of drivers whose license was suspended because of an alcohol-involved driving conviction in calendar years 1992 and 1993, using driver history data from the Michigan Department of State.

Driver license number (the matching variable) was available and accurate (i.e., valid characters in each of the 13 positions of the driver license number) in 88 percent of the 945,000 cases from the MESC. Examination of the invalid cases indicated that these driver license numbers included invalid characters (i.e., letters where numbers should be and visa versa) to varying degrees. It was not possible to further explore possible biases introduced by the 12 percent nonmatch subsample.

Table 6 describes results of these analyses. The first column of the table describes the duration of the license suspension. The second column describes the proportion of drivers whose licenses were suspended for an alcohol offense in calendar years 1992-1993 who applied for unemployment compensation during calendar years 1992-1993. The third column describes the proportion of drivers whose licenses were suspended for an alcohol offense in calendar years 1992-1993 who applied for unemployment compensation during their period of license suspension or within 30 days following the end of their suspension.

When we examined the proportion of the nonfarm labor pool in Michigan (about four million people), we found that about 25 percent applied for unemployment compensation in the period 1992-1993. This is quite similar to the overall rate for persons whose license was suspended (Table 6). However, only a small proportion of persons applied for unemployment compensation during their suspension or within 30 days following their suspension (6.3 percent). That is, it appears that driver license sanctions themselves do not lead to significant job loss among those persons whose licenses are suspended.

Table 6: Percent of Drivers Whose License was Suspended for an Alcohol Offense Who Applied for Unemployment Compensation

Suspension Duration	License Suspended, Applied for Compensation at some time	License Suspended, Applied for Compensation During Suspension
<=31 days	27.5%	2.2%
32-180 days	25.1%	4.7%
>180 days	25.4%	9.8%
Overall	25.3%	6.3%

Goal 5:

Determine public opinions with respect to changes in the law designed to ensure swift sanctions, such as immediate license confiscation and destruction, the assessment of points for open intoxicants, and new crimes.

In the fall of 1992, a sample of adult Michigan residents was surveyed about the new drunk driving laws as part of a larger survey of traffic safety attitudes, perceptions, and behaviors (see Streff, Molnar, Schultz, and Christoff, 1993). The purpose of the questions on the new drunk driving laws was to measure public knowledge of the laws. The set of questions about the laws included nine items related to the following issues: (1) police action for failure to pass an alcohol test, (2) police action for refusal to take a breath alcohol test, (3) mandatory court sentence for a first alcohol-impaired driving conviction, (4) mandatory court sentence for an open beer conviction, (5) mandatory court sentence for a second conviction for alcohol-impaired driving, (6) driving location for an alcohol-impaired driving violation, (7) conditions for restoration of a revoked driver license, (8) fee for returning a revoked or suspended license, and (9) penalty for a first conviction for driving on a suspended, revoked, or denied license.

The larger survey was part of a multiyear study intended to provide information for policy planning and evaluation related to traffic safety. The survey was conducted in the fall of 1992 by UMTRI and used a statewide probability sample of 753 Michigan residents over the age of 18. Questions about the new drunk driving laws were developed by UMTRI, in collaboration with SoS. The questions were revised and pretested in the same manner as other items in the survey. First, items were revised to improve clarity, wording, and response categories. All survey items were then programmed into the Computer Assisted Telephone Interview (CATI) system of the University of Michigan Institute for Social Research, where actual interviewing was conducted (see Wagenaar, Streff, and Maybee, 1987, for a complete description of the CATI system). Finally, the complete survey instrument was pretested prior to actual implementation.

Sample design for the survey is detailed in Streff, Molnar, Schultz, and Christoff (1993). A brief overview is provided here. The survey used an equal probability Random-Digit Dial design. The sample was designed to produce a proportional distribution between listed and unlisted numbers. Households with listed numbers were evenly split into two groups: those receiving an advance letter explaining the upcoming survey and those not receiving a letter. Thus, the sample was comprised of three groups: (1) households with unlisted numbers, (2) households with listed numbers that received an advance letter, and (3) households with listed numbers that did not receive an advance letter. The purpose of the advance letters was to increase response rates. The overall response rate for the survey was 66 percent.

Sampling weights were used in analyzing the survey data because of an unequal probability of selection for some households and household members. That is, because households with more than one nonbusiness telephone number had a higher probability of selection, a household weight was calculated for each household. In addition, because smaller households had a higher probability of selection (given that only one person in a household could be selected as the respondent from all eligible adult household members), a person-level sampling weight was used. Another sampling weight was used to adjust the sample proportions for gender and age to conform to 1990 Census proportions for Michigan.

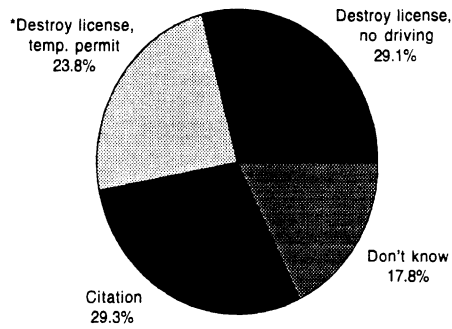
Survey responses to the nine items about the new drunk driving laws are presented on the following pages. For each item, a pie chart shows the response distributions for the total sample. Confidence interval bands for the univariate distributions are presented on the following page. These bands should not be used to assess differences between response categories or to assess distributions other than univariate distributions (Table 7). Rather, they should be used to approximate the confidence interval for a particular response category.

Responses to each item were also examined by respondent gender, age, and education, as well as by other factors potentially associated with knowledge of the laws (e.g., self-reported alcohol-impaired driving). Charts of notable bivariate relationships are included for each item. All percentages in the figures are weighted to reflect the sample design, while Ns reflect the actual number of respondents for each question. All relationships reported are statistically significant at $p < .05$.

Table 7: Confidence Interval Bands for Univariate Percentages					
Percent					
Unweighted N	10/90	20/80	30/70	40/60	50
0	10.0	20.0	30.0	40.0	50.0
50	4.2	5.7	6.5	6.9	7.1
100	3.0	4.0	4.6	4.9	5.0
150	2.4	3.3	3.7	4.0	4.1
200	2.1	2.8	3.2	3.5	3.5
250	1.9	2.5	2.9	3.1	3.2
300	1.7	2.3	2.6	2.8	2.9
350	1.6	2.1	2.4	2.6	2.7
400	1.5	2.0	2.3	2.4	2.5
450	1.4	1.9	2.2	2.3	2.4
500	1.3	1.8	2.0	2.2	2.2
550	1.3	1.7	2.0	2.1	2.1
600	1.2	1.6	1.9	2.0	2.0
650	1.2	1.6	1.8	1.9	2.0
700	1.1	1.5	1.7	1.9	1.9
753	1.1	1.5	1.7	1.8	1.8

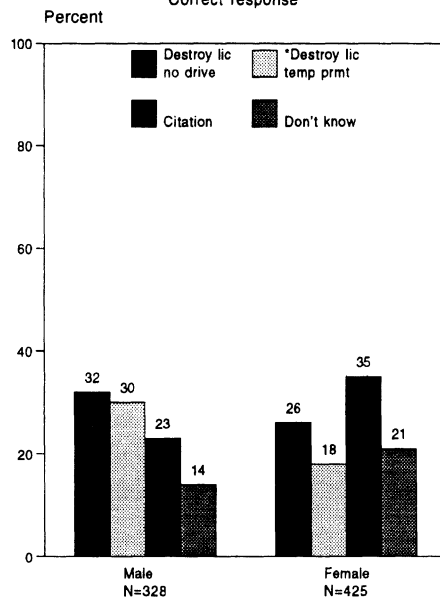
Police Action for Failure to Pass Alcohol Test

Respondents were asked a series of questions about a new set of alcohol-impaired driving laws implemented in Michigan in 1992. The purpose of the questions was to find out what the public has learned about these new laws. Because these questions measure knowledge rather than attitudes or opinions, there is a correct response for each item. The correct response is identified in the charts accompanying each item. Respondents were first asked: **After a driver is stopped for suspected drunk driving and has failed an alcohol test, which of the following driver license actions will the police take: the driver's license will be immediately destroyed and driving privileges will be suspended until the driver can prove he or she is not guilty; the driver's license will be immediately destroyed and the driver will receive a temporary permit until the case is resolved by the court; the driver will receive a citation requiring a court appearance, but nothing will happen to the driver's license until the case is resolved by the court?** A total of 753 respondents gave a valid response to this item. Responses of "don't know" were considered valid responses for this item because they provide information about a respondent's level of knowledge regarding the item. Less than a quarter of respondents knew that after a driver is stopped for suspected alcohol-impaired driving and has failed an alcohol test, "the driver's license will be immediately destroyed and the driver will receive a temporary permit until the case is resolved by the court." Over half of respondents chose an incorrect response and almost a fifth reported they do not know what driver license action will be taken by police. Men were more likely than women to choose the correct response and less likely to report they do not know. Respondents age 18-20 and over age 70 were least likely to choose the correct response, and those over age 70 were two to three times more likely than other respondents to report they do not know. Responses were not related to reported education (i.e., less than 13 years, 13-16 years, or more than 16 years).



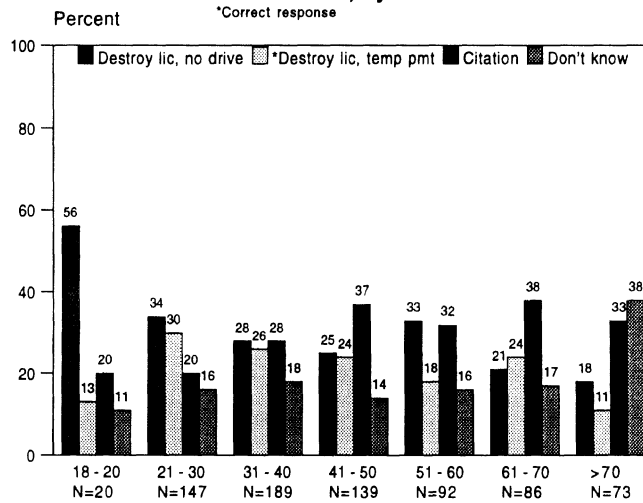
Police Action for Failure to Pass Alcohol Test

*Correct response



Police Action for Failure to Pass Alcohol Test, by Gender

*Correct response

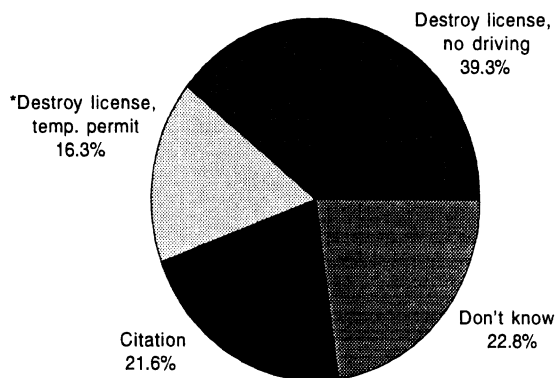


Police Action for Failure to Pass Alcohol Test, by Age

*Correct response

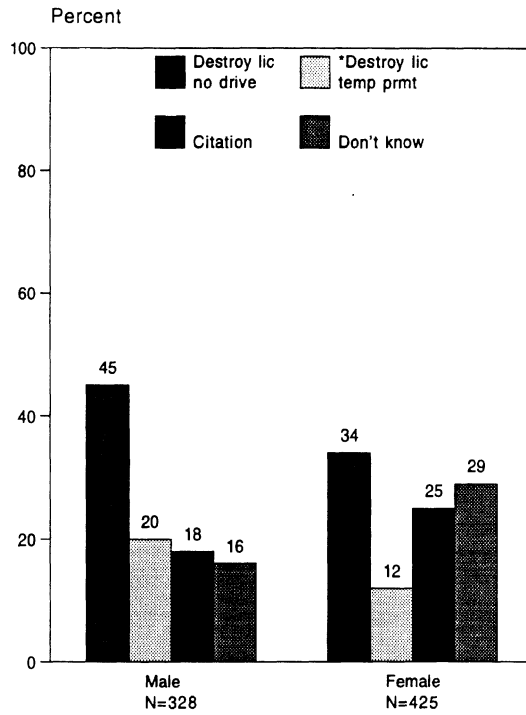
Police Action for Refusal to Take a Breath Alcohol Test

As part of a series of items about a new set of alcohol-impaired driving laws implemented in Michigan, respondents were asked: **After a driver is stopped for suspected drunk driving and the driver refuses to take a breath alcohol test, which of the following license actions will be taken on the spot: the driver's license will be immediately destroyed and driving privileges will be suspended until the driver can prove he or she is not guilty; the driver's license will be immediately destroyed and the driver will receive a temporary permit until the case is resolved by the court; the driver will receive a citation requiring a court appearance, but nothing will happen to the driver's license until the case is resolved by the court?** A total of 753 respondents gave a valid response to this item. Responses of "don't know" were considered valid responses for this item because they provide information about a respondent's level of knowledge regarding the item. The correct response for this item is identified in the accompanying charts. Less than a fifth of respondents knew that after a driver is stopped for suspected alcohol-impaired driving and the driver refuses to take a breath alcohol test, "the driver's license will be immediately destroyed and the driver will receive a temporary permit until the case is resolved by the court." Over half of respondents chose an incorrect response and almost a quarter reported they do not know what driver license action will be taken. Men were more likely than women to choose the correct response and less likely to report they do not know. Respondents age 18-20 were least likely to choose the correct response, and those over age 70 were most likely to report they do not know. Responses were not related to education.



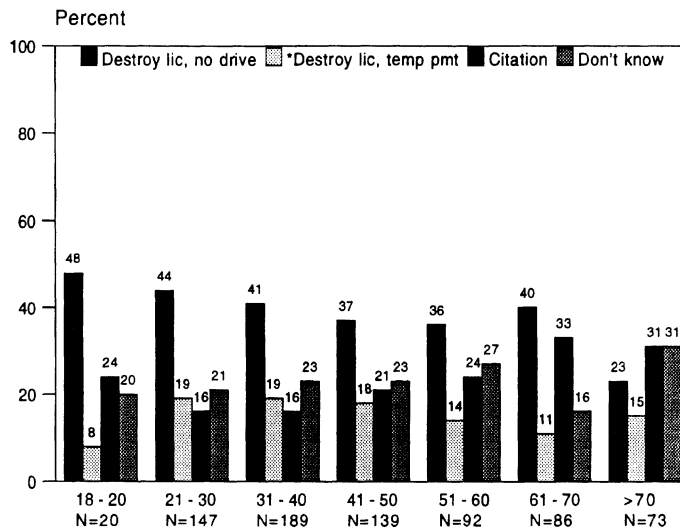
Police Action for Refusal to Take Breath Alcohol Test

*Correct response



Police Action for Refusal to Take Breath Alcohol Test, by Gender

*Correct response

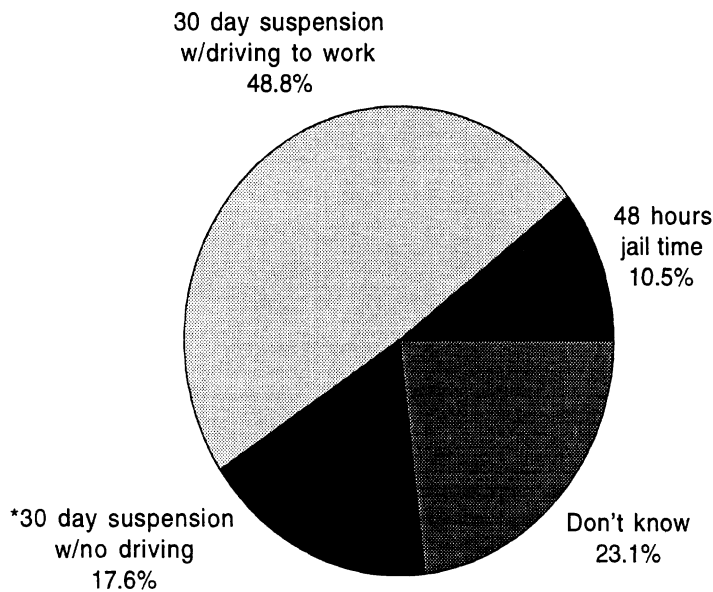


Police Action for Refusal to Take Breath Alcohol Test, by Age

*Correct response

Mandatory Court Sentence for First Alcohol-Impaired Driving Conviction

As part of a series of items about a new set of alcohol-impaired driving laws implemented in Michigan, respondents were asked: **When a person is convicted of drunk driving, and it is the driver's first conviction for such an offense, which of the following court sentences is mandatory under the new Michigan law: 48 hours of jail time; a 30-day license suspension that allows driving to and from work; a 30-day license suspension that does not allow driving for any purpose?** A total of 753 respondents gave a valid response to this item. Responses of "don't know" were considered valid responses for this item because they provide information about a respondent's level of knowledge regarding the item. The correct response for this item is identified in the accompanying charts. Less than a fifth of respondents knew that the mandatory court sentence for a driver's first conviction for alcohol-impaired driving is "a 30-day license suspension that does not allow driving for any purpose." Over half of respondents chose an incorrect response, and almost a quarter reported they do not know the mandatory court sentence. Responses were not related to gender, age, or education.

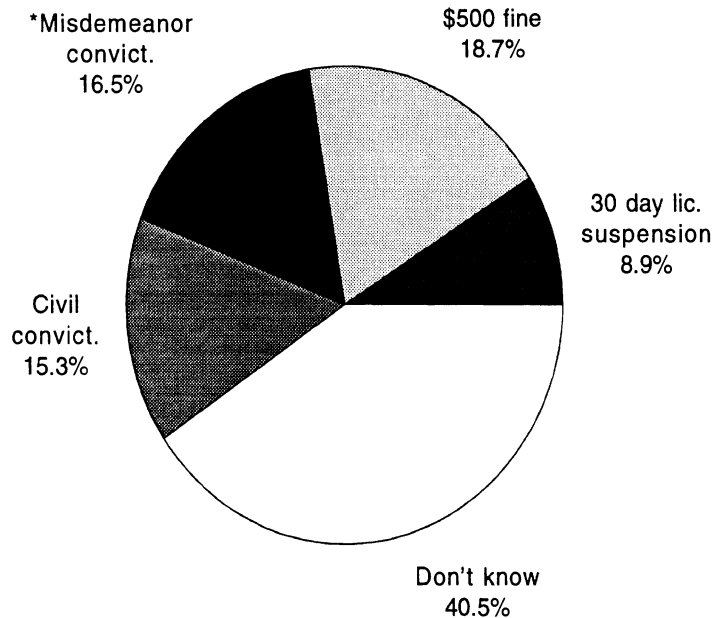


Mandatory Court Sentence for First Alcohol-Impaired Driving Conviction

*Correct response

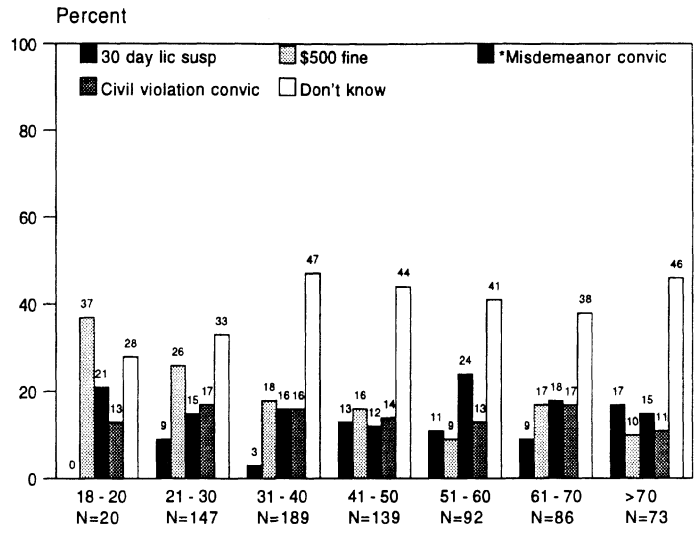
Mandatory Court Sentence for Open Beer Conviction

As part of a series of items about a new set of alcohol-impaired driving laws implemented in Michigan, respondents were asked: **If a driver is convicted of carrying an open beer in the car while driving, that driver will receive which of the following court sentences under the new Michigan law: a 30-day mandatory license suspension; a mandatory \$500 fine and four points on their record; a misdemeanor conviction and two points on their record; a conviction of a civil violation and two points on their record.** A total of 753 respondents gave a valid response to this item. Responses of "don't know" were considered valid responses for this item because they provide information about a respondent's level of knowledge regarding the item. The correct response for this item is identified in the accompanying charts. Less than a fifth of respondents knew that the mandatory court sentence for a driver convicted of carrying an open beer in the car while driving is "a misdemeanor conviction and two points on the driver's record." Over forty percent of respondents reported they do not know what court sentence a driver will receive, and the remaining respondents chose an incorrect response. Only among respondents age 18-20 and 51-60 did more than a fifth choose the correct response. In each age group, except the 18-20 age group, more respondents gave a response of "don't know" than any other single response. Responses were not related to gender. The likelihood of choosing the correct response decreased with education and the likelihood of giving a "don't know" response increased with education.



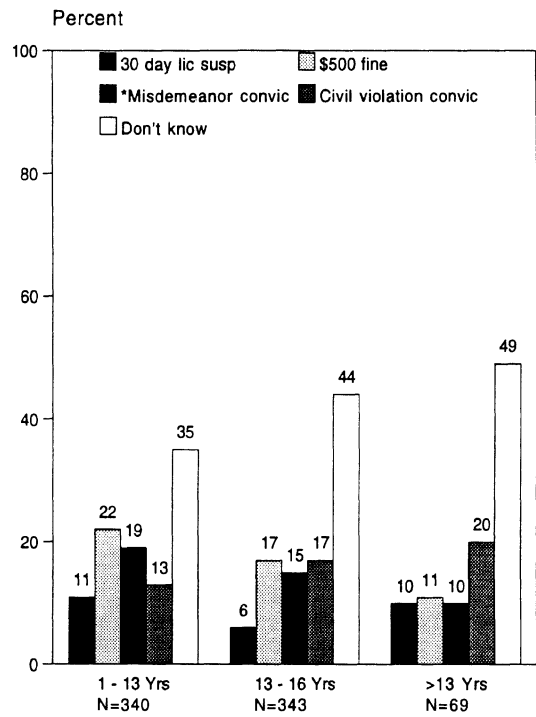
Mandatory Court Sentence for Open Beer Conviction

*Correct response



Mandatory Court Sentence for Open Beer Conviction, by Age

*Correct response

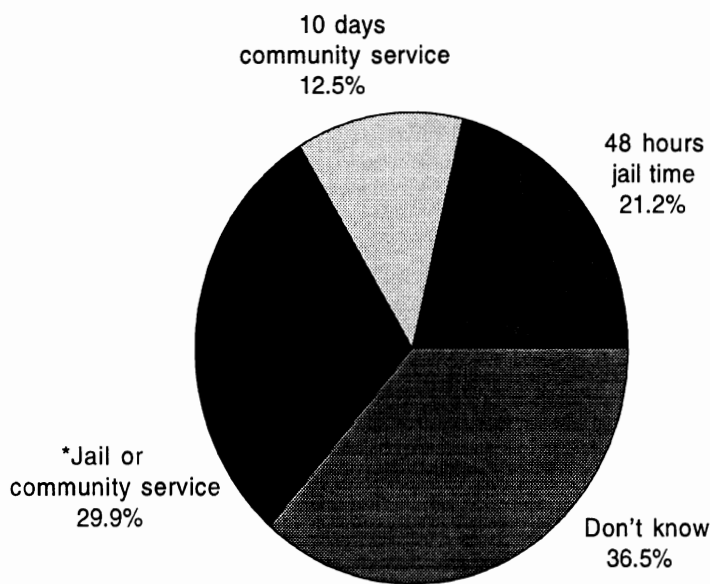


Mandatory Court Sentence for Open Beer Conviction, by Education

*Correct response

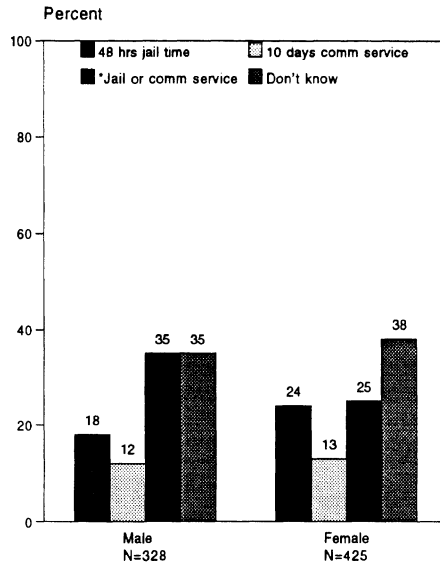
Mandatory Court Sentence for Second Conviction for Alcohol-Impaired Driving

As part of a series of items about a new set of alcohol-impaired driving laws implemented in Michigan, respondents were asked: **If a person is convicted of drunk driving for a second time, which of the following court sentences is mandatory under the new Michigan law: 48 hours of consecutive jail time; ten days of community service; 48 hours of consecutive jail time or ten days of community service?** A total of 753 respondents gave a valid response to this item. Responses of "don't know" were considered valid responses for this item because they provide information about a respondent's level of knowledge regarding the item. The correct response for this item is identified in the accompanying charts. Less than a third of respondents knew that the mandatory court sentence for a second conviction for alcohol-impaired driving is "48 hours of consecutive jail time or ten days of community service." The remaining respondents were about evenly split between choosing an incorrect response and reporting they do not know. Men were more likely than women to choose the correct response. The proportions of men and women reporting they do not know were similar. The likelihood of choosing the correct response increased until age 40 and then declined. There were only small differences in the likelihood of giving of the correct response by education; however, the likelihood of choosing a "don't know" response increased with education.



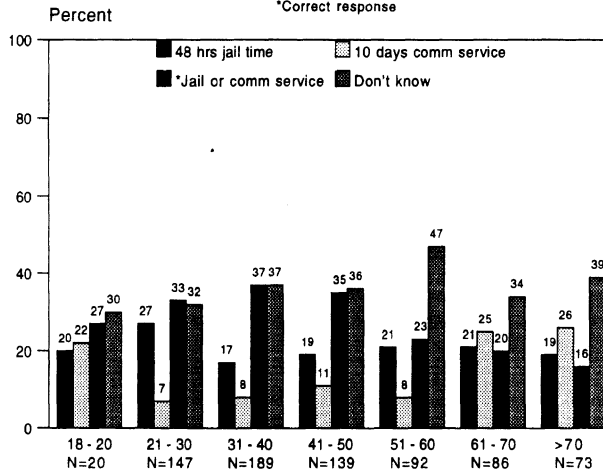
Mandatory Court Sentence for Second Alcohol-Impaired Driving Conviction

*Correct response



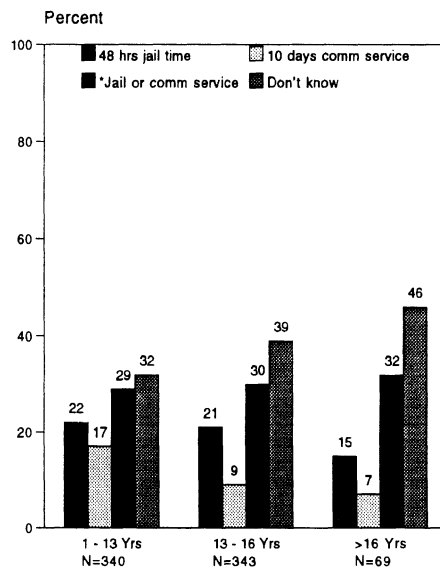
Mandatory Court Sentence for Second Alcohol-Impaired Driving Conviction, by Gender

*Correct response



Mandatory Court Sentence for Second Alcohol-Impaired Driving Conviction, by Age

*Correct response

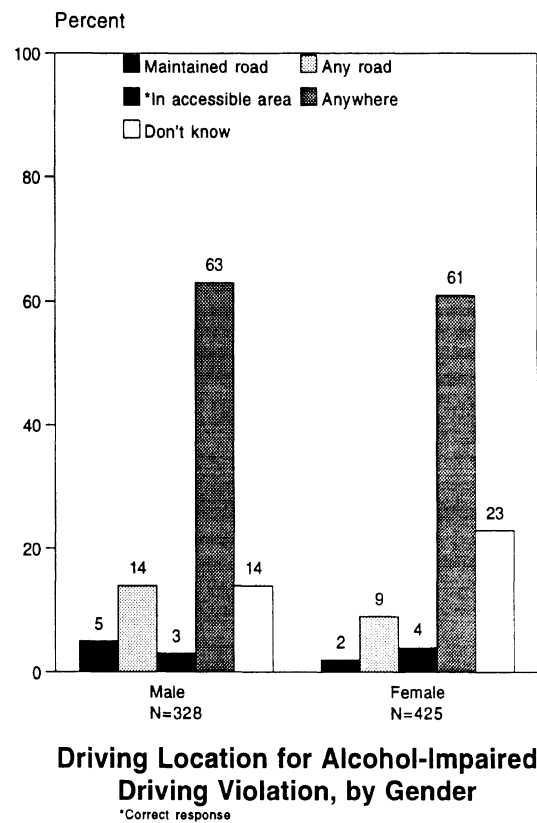


Mandatory Court Sentence for Second Alcohol-Impaired Driving Conviction, by Education

*Correct response

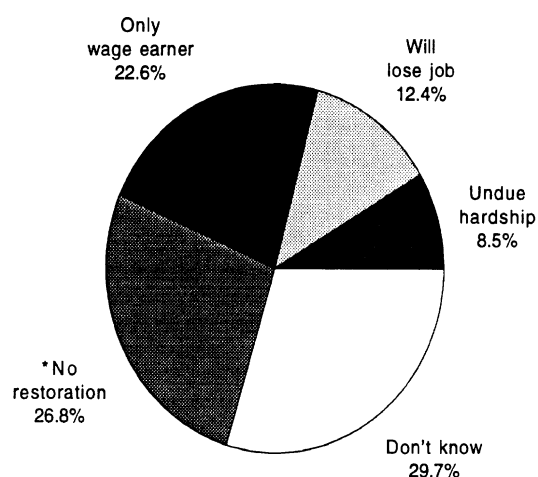
Driving Location for Alcohol-Impaired Driving Violation

As part of a series of items about a new set of alcohol-impaired driving laws implemented in Michigan, respondents were asked: **According to the new drunk driving laws in Michigan, a driver with a blood alcohol content above .10 percent is in violation of the law if that driver was: driving on a road maintained by the Michigan Department of Transportation or a local or county road commission; driving on any road; driving in an area generally accessible to motor vehicles; driving a motor vehicle anywhere, regardless of the area.** A total of 753 respondents gave a valid response to this item. Responses of "don't know" were considered valid responses for this item because they provide information about a respondent's level of knowledge regarding the item. The correct response for this item is identified in the accompanying charts. Less than four percent of respondents knew that a driver with a blood alcohol content above .10 percent is in violation of the law if that driver was "driving in an area generally accessible to motor vehicles." Over three-quarters of respondents chose an incorrect response (with most choosing the response "driving on any road"), and almost a fifth reported they do not know. Women were more likely than men to report they do not know. However, similar proportions of men and women chose the correct response. Responses were not related to age or education.



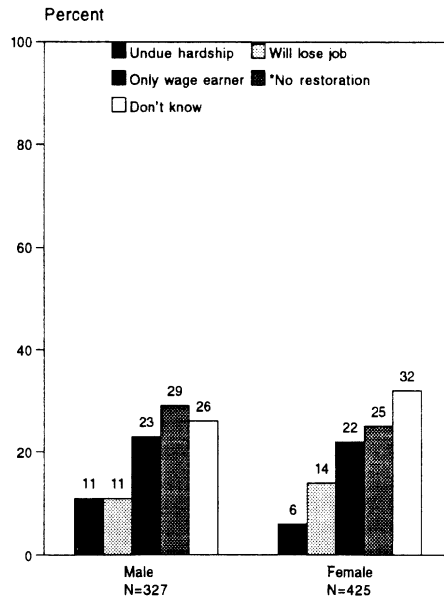
Conditions for Restoration of Revoked Driver License

As part of a series of items about a new set of alcohol-impaired driving laws implemented in Michigan, respondents were asked: **Under the new law, if a person is convicted of drunk driving and his or her license is revoked, they can have their driving privilege restored during the period of revocation only if: they can prove the revocation causes undue hardship; they can prove they will lose their job if they cannot drive; they can prove they are the only wage earner in the family and they will lose their job if they cannot drive; the new law does not allow restoration of the driving privilege during the period of revocation.** A total of 752 respondents gave a valid response to this item. Responses of "don't know" were considered valid responses for this item because they provide information about a respondent's level of knowledge regarding the item. The correct response for this item is identified in the accompanying charts. Just over a quarter of respondents knew that "the new law does not allow restoration of the driving privilege during the period of revocation" if a person is convicted of alcohol-impaired driving and his or her license is revoked. Close to half of respondents chose an incorrect response, and over a quarter reported they do not know. Men were more likely than women to choose the correct response and less likely to report they do not know, but differences were small. Respondents under age 21 and over age 60 were the least likely age groups to choose the correct response. The likelihood of giving a "don't know" response did not exhibit a consistent pattern by age but increased with education. The likelihood of choosing the correct response was higher among respondents reporting 13-16 years of education than among respondents reporting either less or more education.

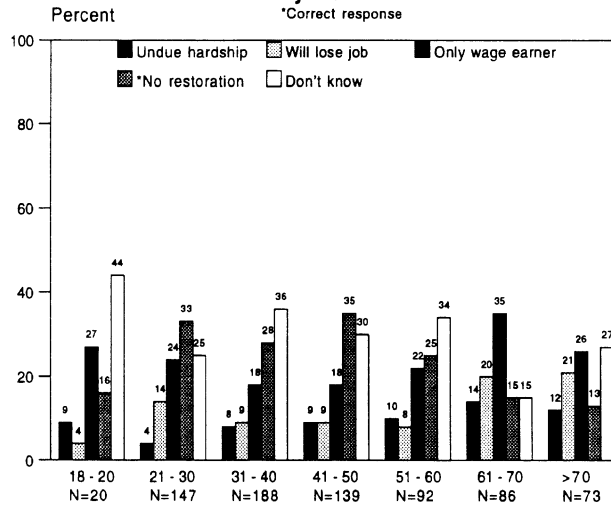


Conditions for Restoration of License

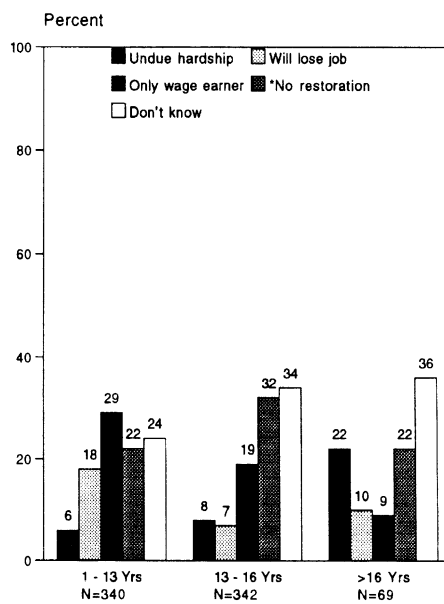
*Correct response



Conditions for Restoration of License, by Gender



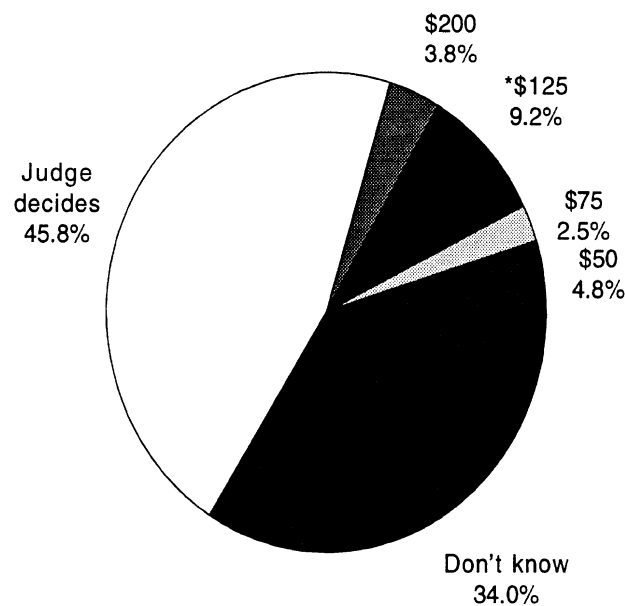
Conditions for Restoration of License, by Age



Conditions for Restoration of License, by Education

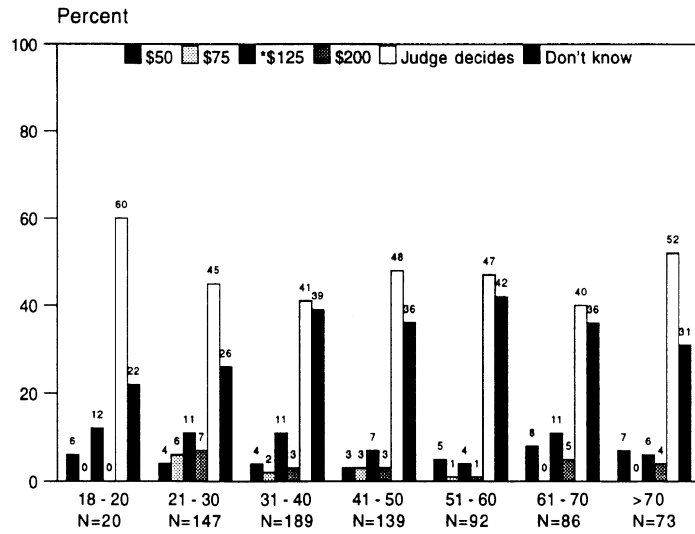
Fee for Returning Revoked or Suspended Driver License

As part of a series of items about a new set of alcohol-impaired driving laws implemented in Michigan, respondents were asked: **Under the new law, the Secretary of State's fee for returning a license to a person who has had his or her license revoked or suspended is: \$50; \$75; \$125; \$200; established by the judge as a condition of the conviction.** A total of 753 respondents gave a valid response to this item. Responses of "don't know" were considered valid responses for this item because they provide information about a respondent's level of knowledge regarding the item. The correct response for this item is identified in the accompanying charts. Less than ten percent of respondents knew that the fee for returning a revoked or suspended license is "\$125." Over half of respondents chose an incorrect response (with a plurality reporting that the fee is "established by the judge as a condition of the conviction"), and over a third reported they do not know the amount of the fee. Responses were related to age, but there was not a clear pattern to the results. The likelihood of giving a "don't know" response increased with education, but proportions of respondents choosing the correct response were similar across education groups. Responses were not related to gender.

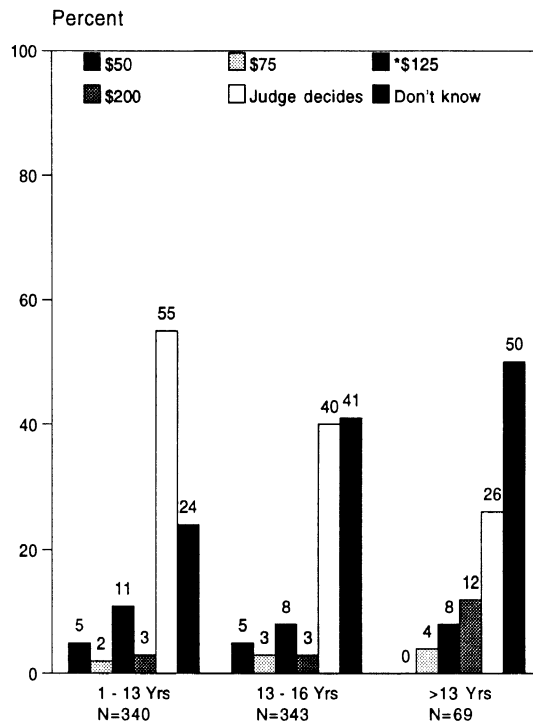


Fee for Returning Revoked or Suspended Driver License

*Correct response



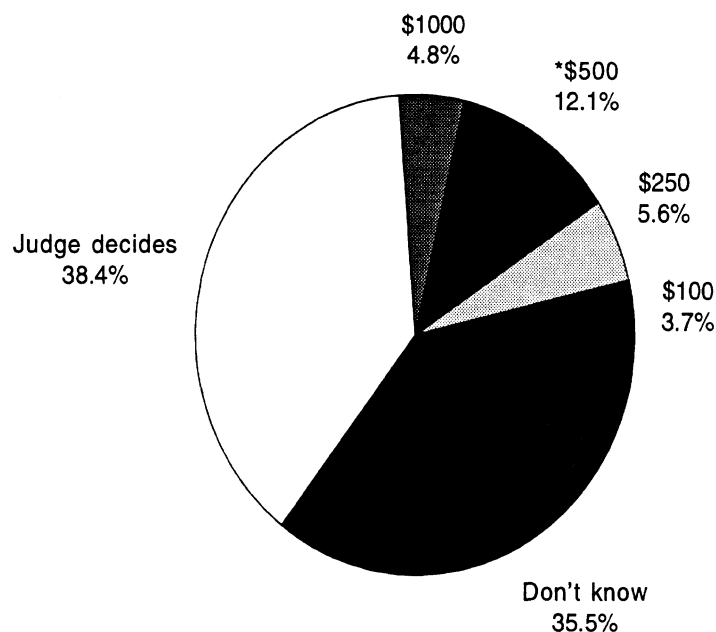
Fee for Returning Revoked or Suspended Driver License, by Age
*Correct response



Fee for Returning Revoked or Suspended Driver License, by Education
*Correct response

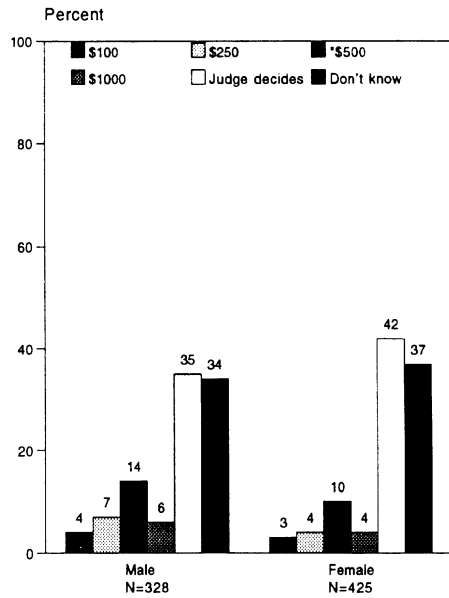
Penalty for First Conviction for Driving on Suspended, Revoked, or Denied License

As part of a series of items about a new set of alcohol-impaired driving laws implemented in Michigan, respondents were asked: **Under the new law, the penalty for a person's first conviction for driving on a suspended, revoked, or denied license has been increased to a maximum of: \$100; \$250; \$500; \$1,000; any amount the judge deems to be reasonable.** A total of 753 respondents gave a valid response to this item. Responses of "don't know" were considered valid responses for this item because they provide information about a respondent's level of knowledge regarding the item. The correct response for this item is identified in the accompanying charts. About twelve percent of respondents knew that the maximum penalty for a person's first conviction for driving on a suspended, revoked, or denied license is "\$500." Over half of respondents chose an incorrect response (with most reporting that the maximum penalty is "any amount the judge deems to be reasonable"), and over a third reported they do not know. Men were more likely than women to choose the correct response but differences were small. The youngest and oldest age groups were least likely to choose the correct response. Responses of "don't know" did not exhibit a clear pattern by age. Respondents reporting more than 16 years of education were more likely to choose the correct response than respondents reporting less education, and the likelihood of giving a "don't know" response increased with education.



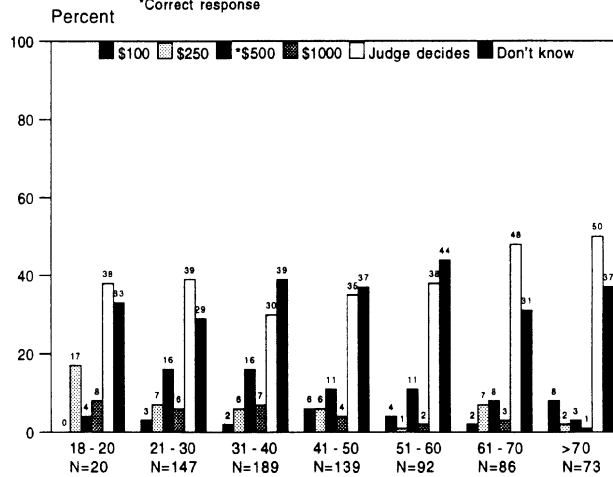
Penalty for First Conviction for Driving While License Suspended

*Correct response



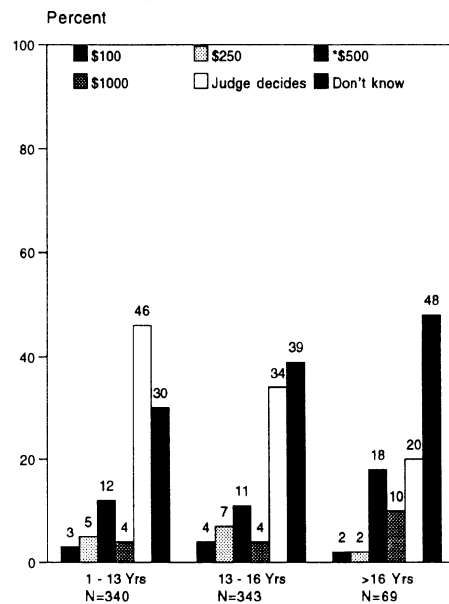
Penalty for First Conviction for Driving While License Suspended, by Gender

*Correct response



Penalty for First Conviction for Driving While License Suspended, by Age

*Correct response



Penalty for First Conviction for Driving While License Suspended, by Education

*Correct response

Knowledge of New Alcohol-Impaired Driving Laws

Taken together, responses to the nine survey items about the new alcohol-impaired driving laws in Michigan indicate that respondents had little knowledge of the laws. Less than a third chose the correct response for any single item and, for most items, less than a fifth chose the correct response. Responses to items were distributed across all possible response categories and in only one case was a single response category chosen by a majority of respondents (and that response was incorrect). While many respondents appeared to guess at the correct answer (i.e., they chose incorrect responses to the items), relatively large proportions of respondents reported they did not know the correct response. For five of the nine items, thirty percent or more of respondents gave a response of "don't know" and for seven of the nine items, over twenty percent gave such a response.

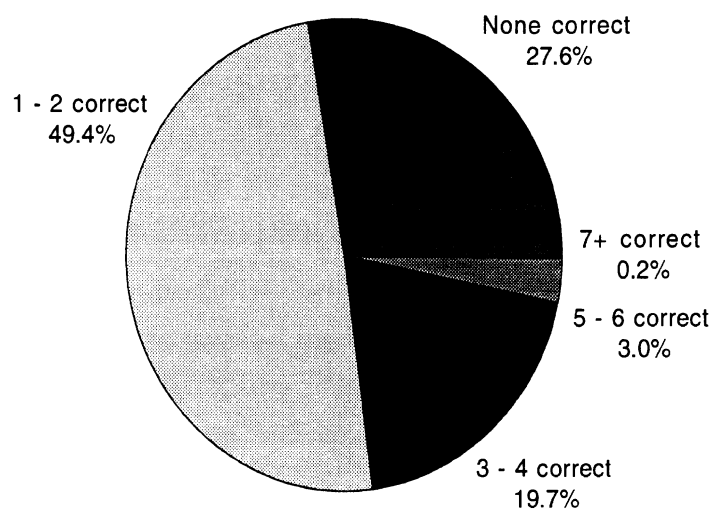
When incorrect responses were chosen, there was not a consistent pattern to choices. For example, for some items, the majority of incorrect respondents chose responses that were more restrictive than the correct response (e.g., they chose "the driver's license will be immediately destroyed and driving privileges will be suspended until the driver can prove he or she is not guilty" rather than the correct response "the driver's license will be immediately destroyed and the driver will receive a temporary permit until the case is resolved by the court"). For other items, the majority of incorrect respondents chose responses that were less restrictive than the correct response (e.g., they chose a "30-day suspension that allows driving to and from work" rather than the correct response "a 30-day license suspension that does not allow driving for any purpose").

For two items dealing with monetary fees and penalties, respondents tended to attribute more discretion to judges than judges actually have in those situations. The items asked respondents to identify the Secretary of State's fee for returning a revoked or suspended driver license and the maximum penalty for a person's first conviction for driving on a suspended, revoked, or denied license, respectively. In both cases, a plurality of respondents indicated that the amount is set by the judge. In actuality, the amounts of the fee and penalty are established by statute and are not subject to discretion by judges.

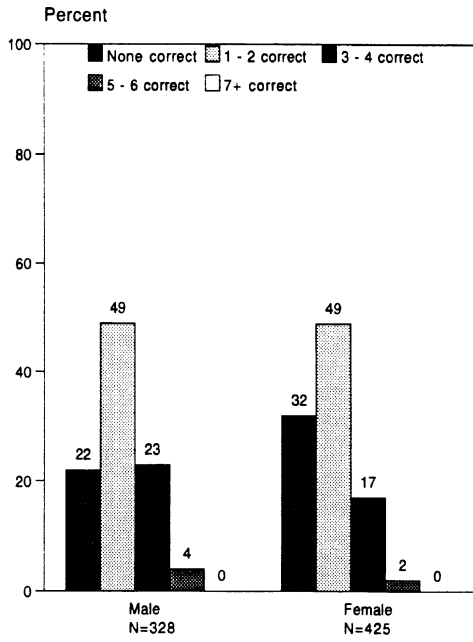
Gender was related to item responses for six of the nine items. In those cases, men were generally more likely than women to choose the correct response, and less likely than women to report they did not know. Age was related to item responses for seven of the nine items. Although, in many cases, respondents age 18-20 or over age 70 exhibited lower levels of knowledge than other age groups, there was not a consistent pattern across all items. Education was related to responses for five of the nine items. However, its effect was generally on the likelihood of giving a "don't know" response rather than on the likelihood of choosing a correct

response. That is, respondents were more likely to report they did not know as their level of education increased. However, levels of correct responses differed little by education and failed to exhibit a consistent pattern when there were statistically significant relationships.

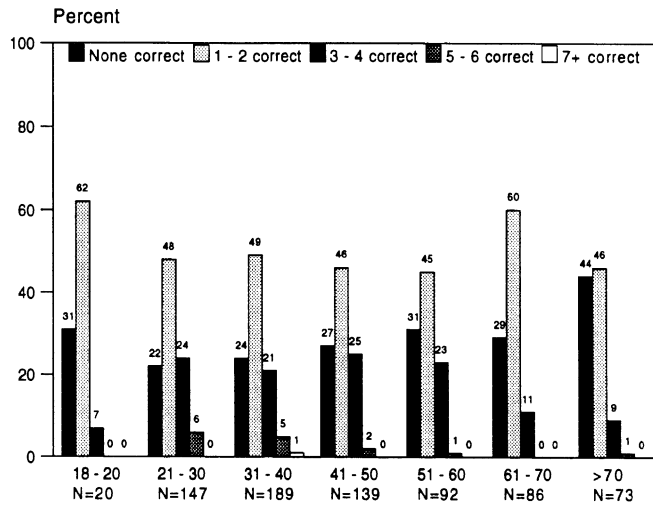
To better examine overall knowledge of the new alcohol-impaired driving laws, correct responses across all items were collapsed into one variable. The new variable identifies total correct responses to the nine items for each respondent. Over three-quarters of respondents had no more than two total correct responses. Less than one percent of respondents had seven total correct responses and no respondents had more than seven total correct responses. The number of total correct responses was higher among men than women and higher among respondents age 21-60 than among younger or older respondents. The number of total correct responses was related to the perceived seriousness of the alcohol-impaired driving problem and to frequency of drinking, but, in each case, there was not a clear pattern to the results. The number of total correct responses generally increased as the frequency of drinking to intoxication increased and was higher among respondents who reported driving after drinking to intoxication than among those who did not, although sample sizes were small. There was no relationship between education and the number of total correct responses.



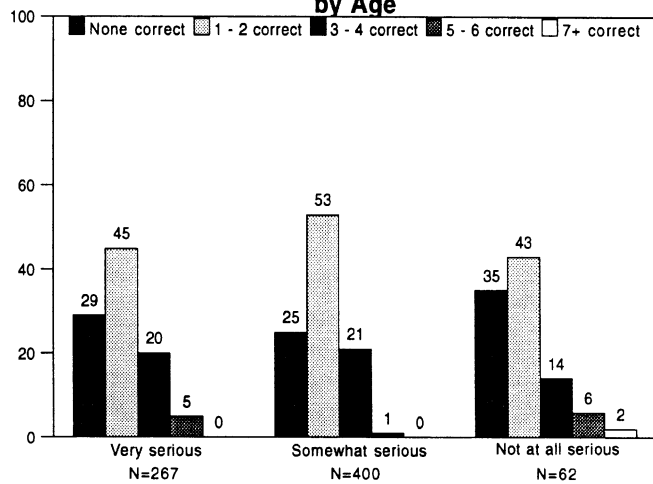
Knowledge of New Alcohol-Impaired Driving Laws



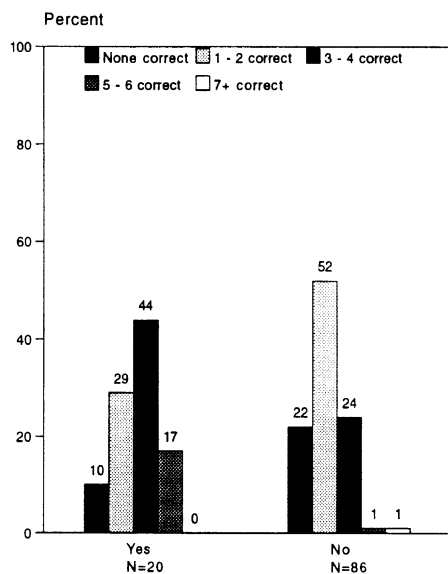
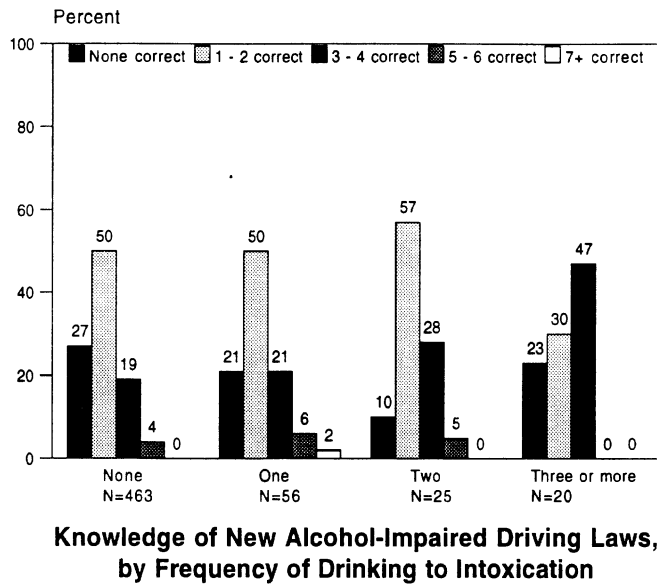
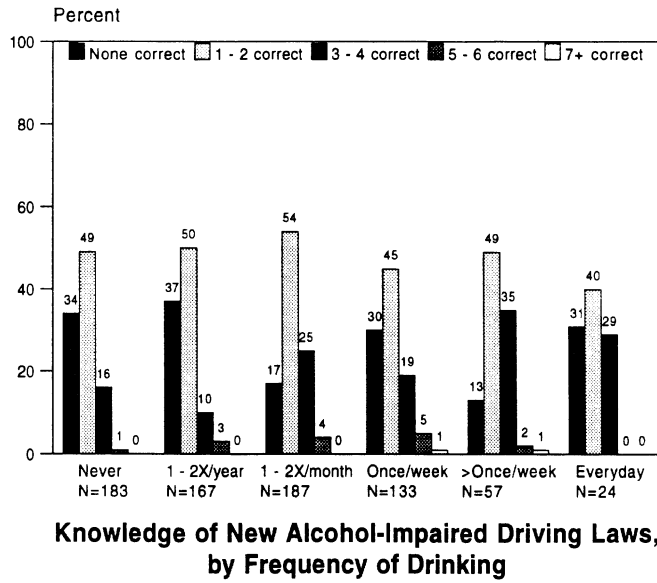
Knowledge of New Alcohol-Impaired Driving Laws, by Gender



Knowledge of New Alcohol-Impaired Driving Laws, by Age



Knowledge of New Alcohol-Impaired Driving Laws, by Seriousness of Alcohol-Impaired Driving Problem



Goal 6:

Gain an overview as to how the judicial system is handling drunk driving arrests by tracking a random sampling of cases from date of arrest through ultimate disposition.

In order to obtain more detailed information about how specific regions in Michigan are handling drunk driving cases, the 83 counties in Michigan were divided into four parts or strata. The stratum boundaries were based upon the administrative boundaries used by the Michigan Department of Transportation (M-DOT). Table 8 shows the assignment of counties to the strata and the M-DOT regions contained in each stratum.

Table 8: The Counties and Michigan Department of Transportation (M-DOT) Regions Comprising the Four Strata		
Stratum	M-DOT Regions	Counties
1 Upper Peninsula	1, 2	Alger, Baraga, Chippewa, Delta, Dickinson, Gogebic, Houghton, Iron, Keweenaw, Luce, Mackinac, Marquette, Menominee, Ontonagon, and Schoolcraft
2 Northern Lower Peninsula	3, 4, 6	Alcona, Alpena, Antrim, Arenac, Bay, Benzie, Charlevoix, Cheboygan, Clare, Crawford, Emmet, Genessee, Grand Traverse, Gladwin, Huron, Iosco, Kalkaska, Lake, Lapeer, Leelanau, Manistee, Mason, Midland, Missaukee, Ogemaw, Osceola, Oscoda, Otsego, Presque Isle, Roscommon, Saginaw, Sanilac, Shiawasee, Tuscola, and Wexford
3 Southwestern Michigan	5, 7	Allegan, Barry, Berrien, Branch, Calhoun, Cass, Clinton, Gratiot, Ionia, Isabella, Kalamazoo, Kent, Mecosta, Montcalm, Muskegon, Newaygo, Oceana, Ottawa, St. Joseph, and Van Buren
4 Southeastern Michigan	8, Metro	Eaton, Hillsdale, Ingham, Jackson, Lenawee, Livingston, Macomb, Monroe, Oakland, St. Clair, Washtenaw, and Wayne

Within each stratum 12 drunk driving convictions (OWI, OUIL, UBAL, OUIL/UBAL, OUID) during the years 1992 and 1993 were randomly selected, except for stratum 4 where 24 cases were randomly selected in order to increase the chance that cases from the city of Detroit would be included in the sample. A case was considered to be within a stratum if the court that tried the case was located within the stratum. Court records and arrest reports were gathered for each conviction. Because of lack of cooperation from record-holding agencies and destroyed records

we could not obtain complete records for 4 of the sixty potential cases. These cases were excluded from further analysis.

The cases are summarized by region of state (i.e., stratum) and for the state overall in Tables 9 and 10. Table 9 shows demographic summaries of the people in the drunk driving sample. The Vehicle Type is the vehicle they were driving when arrested. Age refers to their age on the day of arrest. The Past Traffic Crashes are the number of crashes listed in the SoS MDR over the last seven years. The Past Drunk Driving Convictions shows the number of OWI, OUIL, UBAL, OUIL/UBAL, or OUID convictions contained in the MDR for the convicted driver (note that substance abuse convictions, such as these, remain in the SoS MDR for ten years, unless there is a revocation, in which case the conviction remains in the database until driving privileges are restored, whichever is longer). The category "unknown" for past crashes and drunk driving convictions contains out-of-state drivers convicted in Michigan. The Index of Past Driving Competence shows a composite of past traffic crashes and traffic convictions. It is calculated by summing the license sanction points for each past traffic conviction, irrespective of whether a crime occurred during the same incident as another crime (in which case the SoS would only assign points for one conviction).¹ The sum of past driving convictions is then added to the number of crashes, where each crash is assigned a four point value. The resulting number is the Index of Past Driving Competence. We have separated the index into four categories: Competent (0 - 6 points), Acceptable (7 - 12 points), Unacceptable (13 - 18 points), and Problem Driver (19 or more points).

Table 10 shows summaries of arrest information for each stratum and overall. The Conviction Type is the crime for which the person was convicted. The Day of Week and Time are for when the arrest occurred. The Residence category shows whether or not the arrest was in the same county as the person lived at the time of arrest. Crash Involvement refers to whether there was a crash prior to the arrest. The License Status at Arrest category shows the state of a person's driving privileges when they are arrested. The Blood Alcohol Level (BAL) shows measured percentage of alcohol by weight in a person's blood. Since the BAL can vary over time and since the time between officer initial contact and chemical test administration varies, the BALs summarized here also vary on an individual basis (see the case studies for a more thorough examination of BAL). The Test Type is the specific chemical test used to measure BAL. The Open

¹As mentioned previously substance abuse convictions are maintained in the driver history database for at least ten years. Any felony convictions (Manslaughter, Negligent Homicide, Felony With an Auto Used, Felonious Driving, Unlawful Driving Away Auto, Murder with Auto, and Distributing a Controlled Substance) are also maintained in the database for at least ten years. All other convictions stay in the MDR for seven years. In all cases, if there is a revocation or denial of driving privileges resulting from the conviction, then the record remains in the database until driving privileges are restored (if this period is longer than the minimums described previously) or the person dies.

Intoxicants in vehicle category shows the number of convictions in which an open container of alcohol was found in the vehicle, regardless of whether an arrest was made for this offense.

The dispositions are not reviewed here because the amount of fines, incarceration, probation, and community service that a person receives is affected by a person's past traffic and criminal record and the other counts under consideration at the same time as the felony OUIL charge. Since this varies on a case-by-case basis, the dispositions also vary as a function of the individual case. This information, however, is reviewed in detail for each conviction in the case studies.

The Index of Past Driving Competence

Competent	0 - 6 points
Acceptable	7 - 12 points
Unacceptable	13 - 18 points
Problem Driver	19 or more points

Table 9: Summary Statistics for Case Studies: Defendant Demographics

	Region of State				
	Upper Peninsula N = 12	Northern Lower Peninsula N = 12	Southwest Michigan N = 11	Southeast Michigan N = 21	State of Michigan N = 56
<u>Gender</u>					
Male	91.7% (11)	83.3% (10)	72.7% (8)	90.5% (19)	85.7% (48)
Female	8.3% (1)	16.7% (2)	27.3% (3)	9.5% (2)	14.3% (8)
<u>Vehicle Type</u>					
Passenger	75.0% (9)	41.7% (5)	81.8% (9)	66.7% (14)	66.1% (37)
Sport-Utility	25.0% (3)	0	0	14.3% (3)	10.7% (6)
Pickup Truck	0	50.0% (6)	18.2% (2)	9.5% (2)	17.9% (10)
Van	0	8.3% (1)	0	4.8% (1)	3.6% (2)
Other	0	0	0	4.8% (1)	1.8% (1)
<u>Age</u>					
0 - 20	33.3% (4)	0	27.3% (3)	4.8% (1)	14.3% (8)
21 - 30	16.7% (2)	25.0% (3)	36.4% (4)	42.9% (9)	32.1% (18)
31 - 40	16.7% (2)	66.7% (8)	27.3% (3)	23.8% (5)	32.1% (18)
41 - 50	8.3% (1)	0	9.1% (1)	23.8% (5)	7.1% (4)
51 - 60	16.7% (2)	0	0	0	1.8% (1)
61 - 70	0	8.3% (1)	0	4.8% (1)	3.6% (2)
71 - 80	8.3% (1)	0	0	0	1.8% (1)
<u>Past Traffic Crashes</u>					
Unknown	16.7% (2)	0	9.1% (1)	0	5.4% (3)
None	41.6% (5)	50.0% (6)	45.5% (5)	38.1% (8)	42.9% (24)
One	16.7% (2)	8.3% (1)	36.4% (4)	33.3% (7)	25.0% (14)
Two	16.7% (2)	25.0% (4)	0	4.8% (1)	12.5% (7)
Three	0	8.3% (1)	0	4.8% (1)	3.6% (2)
Four or more	8.3% (1)	0	9.1% (1)	19.0% (4)	10.7% (6)
<u>Past Drunk Driving Convictions</u>					
Unknown	16.7% (2)	0	9.1% (1)	0	5.4% (3)
None	41.6% (5)	50.0% (6)	63.6% (7)	52.4% (11)	50.0% (28)
One	41.6% (5)	41.7% (5)	18.2% (2)	23.8% (5)	20.3% (17)
Two	0	0	9.1% (1)	14.3% (3)	7.1% (4)
Three	0	16.7% (2)	0	4.8% (1)	5.4% (3)
Four or more	0	0	0	4.8% (1)	1.8% (1)
<u>Index of Past Driving Competence</u>					
Unknown	16.7% (2)	0	9.1% (1)	0	5.4% (3)
Competent	41.6% (5)	41.7% (5)	27.3% (3)	14.3% (3)	28.6% (16)
Acceptable	16.7% (2)	16.7% (2)	27.3% (3)	33.3% (7)	25.0% (14)
Unacceptable	0	25.0% (3)	9.1% (1)	19.0% (4)	14.3% (8)
Problem Driver	25.0% (3)	16.7% (2)	27.3% (3)	33.3% (7)	26.8% (15)

Table 10: Summary Statistics for Case Studies: Arrest Information

	Region of State				
	Upper Peninsula	Northern Lower Peninsula	Southwest Michigan	Southeast Michigan	State of Michigan
	N = 12	N = 12	N = 11	N = 21	N = 56
<u>Conviction Type</u>					
OWI	41.7% (5)	75.0% (9)	72.7% (8)	57.1% (12)	64.3% (34)
OUIL	25.0% (3)	8.3% (1)	9.1% (1)	28.6% (6)	19.6% (11)
UBAL	16.7% (2)	8.3% (1)	18.2% (2)	9.5% (2)	12.5% (7)
OUIL/UBAL	16.7% (2)	8.3% (1)	0	4.8% (1)	7.1% (4)
<u>Day of Week</u>					
Monday	0	8.3% (1)	0	4.8% (1)	3.6% (2)
Tuesday	8.3% (1)	0	0	9.5% (2)	5.4% (3)
Wednesday	16.7% (2)	8.3% (1)	18.2% (2)	9.5% (2)	12.5% (7)
Thursday	25.0% (3)	0	9.1% (1)	9.5% (2)	10.7% (6)
Friday	33.3% (2)	58.3% (7)	0	19.0% (4)	26.8% (15)
Saturday	16.7% (2)	16.7% (2)	45.5% (5)	23.8% (5)	25.0% (14)
Sunday	0	8.3% (1)	27.3% (3)	23.8% (5)	16.1% (9)
<u>Time of Day</u>					
6:01 am - Noon	8.3% (1)	0	0	0	1.8% (1)
12:01 pm - 6:00 pm	0	8.3% (1)	0	9.5% (2)	5.4% (3)
6:01 pm - Midnight	50.0% (6)	41.7% (5)	27.3% (3)	42.9% (9)	41.1% (23)
12:01 am - 6:00 am	41.7% (5)	50.0% (6)	72.7% (8)	47.6% (10)	51.8% (29)
<u>Residence</u>					
In Arrest County	66.7% (8)	58.3% (7)	72.7% (8)	66.7% (14)	66.1% (37)
Out of Arrest County	33.3% (4)	41.7% (5)	27.3% (3)	33.3% (7)	34.0% (19)
<u>Crash Involved?</u>					
No	75.0% (9)	100% (12)	72.7% (8)	61.9% (13)	75.0% (42)
Yes	25.0% (3)	0	27.3% (3)	38.1% (8)	25.0% (14)
<u>License Status at Arrest</u>					
Valid	75.0% (9)	66.7% (8)	72.7% (8)	66.7% (14)	69.6% (39)
Restricted	8.3% (1)	0	9.1% (1)	0	3.6% (2)
Suspended	16.7% (2)	16.7% (2)	9.1% (1)	28.6% (6)	19.6% (11)
Revoked	0	8.3% (1)	9.1% (1)	4.8% (1)	5.4% (3)
Expired	0	8.3% (1)	0	0	1.8% (1)
<u>Blood Alcohol Level</u>					
Unknown	16.7% (2)	16.7% (2)	0	28.6% (6)	17.9% (10)
.05% - .09%	8.3% (1)	8.3% (1)	9.1% (1)	4.8% (1)	7.1% (4)
.10% - .15%	16.7% (2)	25.0% (3)	41.7% (5)	19.0% (4)	25.0% (14)
.16% - .20%	33.3% (4)	33.3% (4)	36.4% (4)	19.0% (4)	28.6% (16)
.21% - .25%	16.7% (2)	8.3% (1)	0	28.6% (6)	16.1% (9)
.26% - .30%	8.3% (1)	8.3% (1)	9.1% (1)	0	5.4% (3)
<u>Test Type</u>					
Blood	33.3% (4)	8.3% (1)	0	14.3% (3)	14.3% (8)
Breath	50.0% (6)	66.7% (8)	100% (11)	61.9% (13)	67.9% (38)
Unknown	16.7% (2)	25.0% (3)	0	23.8% (5)	17.9% (10)
<u>Open Intoxicants?</u>					
Yes	8.3% (1)	16.7% (2)	18.2% (2)	23.8% (5)	17.9% (10)
No	91.7% (11)	83.3% (10)	81.8% (9)	76.2% (16)	87.5% (46)

As shown in Table 9, most of the people in the sample of drunk driving convictions were males between the age of 21 and 40, driving passenger vehicles. About 14 percent of convicted drivers in the sample were under the age of 21.

The past driving records show some disturbing trends. Excluding those people for which we had no past driving histories, 54.7 percent of the people in the sample had at least one crash over the last seven years and 47.2 percent had at least one OWI, OUIL, UBAL, OUID, or OUIL/UBAL conviction on record. This recidivism rate suggests that the current drunk and impaired driving laws and sanctions are not having a strong specific deterrent effect on individuals with a history of drinking and driving. Again excluding those for which we had no records, the Index of Past Driving Competence (which takes into account all traffic convictions and crashes) shows that 43.4 percent of the people in the sample had Unacceptable or Problem driving backgrounds.

Table 10 shows that about 70 percent of the arrests occurred on a Friday, Saturday, or Sunday. Over half of the arrests occurred after midnight and before 6:00 am. Overall, about 35 percent of the defendants were outside of their county of residence when arrested and 30 percent were driving on a nonvalid license. This latter fact indicates that suspension or revocation of driving privileges is not an effective sanction for many people. One quarter of the defendants were involved in at least a minor crash prior to their arrest— highlighting the link between alcohol use and traffic crashes. About 60 percent of the defendants had a blood alcohol level between .10 and .20 percent (21 percent of the people in the sample tested at more than twice the legal limit for an OUIL conviction). These blood alcohol levels are quite high considering the number of cases plead to OWI. Finally, in about 18.0 percent of the arrests open containers of alcohol were found in the vehicle.

DRUNK DRIVING CASE STUDIES

Each conviction case study is reported by region of state and conviction type. Note that we did not request past criminal convictions specifically; however, many court records included this type of information. When available this information is presented. If it was not available, we have stated that it was, "not contained in the court records." This phrase means that the person may or may not have a criminal record. Further, the court records that stated prior criminal convictions may not be exhaustive for that person. Also note that the SoS MDR maintains records for only a certain length of time. Therefore, past traffic crashes could only be investigated for the preceding seven years, while past traffic convictions could only be investigated for the past ten years for substance abuse and felony convictions (unless there was a revocation or denial of driving privileges, in which case the conviction could stay on record for more than ten years). Other traffic convictions are maintained for seven years. Finally, we have listed only financial sanctions that were stated explicitly in the court records. There may be cases in which, for example, an oversight fee for probation may have been assessed but was never written into the court records. There may also be cases in which restitution was assessed after sentencing (such as cases in which restitution was "to be determined") and consequently was not included in the written records of the case.

If a crash occurred prior to the arrest, then the crash description and safety belt use was determined from the one or more of the following sources: police crash reports (UD-10), witness descriptions, and police descriptions. The Last Drinking Location is the place where the defendant (or a witness, such as a passenger) reports he or she was last consuming alcohol. If open containers of alcohol are found in the vehicle and we have no other drinking location reported, then we list the last drinking location as "in vehicle." The Index of Past Driving Competence is calculated as described earlier. Finally, the ID number are for linking summary information to the original data sources.

Stratum 1: Upper Peninsula
Operating While Impaired

- ID: 001
- Gender: Male
- City/Township of Residence: Baraga
- Vehicle Type: Passenger
- Age on Arrest Date: 25
- Date of Arrest: 03-20-92
- Day of Arrest: Friday
- Time of Arrest: 2:35 AM
- County of Arrest: Baraga
- Arresting Agency: L'Anse Village Police Department
- Arrested for: OUIL; DWLS; Preliminary Breath Test Refusal
- Other Arrest Remarks: None
- Crash Involvement: None
- Blood Alcohol Level: .30% (Blood test, warrant required)
- Last Drinking Location: Unknown
- License Status on Arrest Date: Suspended
- Past Traffic Crashes: None
- Past Traffic Convictions: OUIL
- Index of Past Driving Competence: 6
- Past Criminal Convictions: Not in court records.
- Counts: OUIL/2nd; OWI
- Videotape evidence: None reported
- Plea Arraignment: Plead guilty to new charge of OWI/2nd; Other charges dismissed.
- License sanctions: 6 month suspended license.
- Financial sanctions: Fine and Court Costs of \$400; Other of \$100; TOTAL = \$500.
- Incarceration: 5 days
- Community service: Yes, amount not specified.
- Probation: 6 months
- Programs: Complete outpatient counseling; Attend Alcoholics Anonymous.
- Other sanctions: None

Stratum 1: Upper Peninsula *Operating While Impaired*

- ID: 002
- Gender: Male
- City/Township of Residence: Cornell
- Vehicle Type: Sport-Utility
- Age on Arrest Date: 28
- Date of Arrest: 02-25-92
- Day of Arrest: Tuesday
- Time of Arrest: 11:45 PM
- County of Arrest: Delta
- Arresting Agency: Delta County Sheriff's Department
- Arrested For: OUIL/per se
- Other Arrest Remarks: None
- Crash Involvement: Single Vehicle; Rural, two-lane roadway; Defendant lost control and drove into a ditch; No injuries; Defendant was wearing a safety belt.
- Blood Alcohol Level: .14% (Breath test)
- Last Drinking Location: Bar
- License Status on Arrest Date: Valid
- Past Traffic Crashes: 7, with 2 injuries.
- Past Traffic Convictions: Energy Speed; Failed to Stop Leaving Alley or Driveway; Three Speeding; Disobeyed Stop Sign; UBAL; Violation of Basic Speed Law.
- Index of Past Driving Competence: 48
- Past Criminal Convictions: Not in court records.
- Counts: OUIL
- Videotape Evidence: None reported
- Plea Arraignment: OUIL plead to OWI.
- License Sanctions: 2 month suspended license, followed by 4 months restricted.
- Financial Sanctions: Fine of \$300; Court Costs of \$325; Victim Rights Fund of \$20; TOTAL = \$645.
- Incarceration: 40 days, 30 days suspended
- Community Service: None
- Probation: 12 months
- Programs: Attend Alcoholics Anonymous.
- Other Sanctions: None

Stratum 1: Upper Peninsula
Operating While Impaired

- ID: 003
- Gender: Male
- City/Township of Residence: Menominee
- Vehicle Type: Passenger
- Age on Arrest Date: 74
- Date of Arrest: 08-27-93
- Day of Arrest: Friday
- Time of Arrest: 8:40 PM
- County of Arrest: Menominee
- Arresting Agency: Michigan State Police
- Arrested For: OUIL/per se
- Other Arrest Remarks: None
- Crash Involvement: None
- Blood Alcohol Level: .17% (Breath test)
- Last Drinking Location: Bar
- License Status on Arrest Date: Valid
- Past Traffic Crashes: None
- Past Traffic Convictions: None
- Index of Past Driving Competence: 0
- Past Criminal Convictions: Not in court records.
- Counts: OUIL
- Videotape Evidence: None reported
- Plea Arraignment: OUIL plead to OWI.
- License Sanctions: 4 month restricted license, may drive to and from employment, alcohol treatment program, and probation.
- Financial Sanctions: Fine of \$225; Court Costs of \$175; Victim Rights Fund of \$20; Oversight Fee of \$60; TOTAL = \$480.
- Incarceration: None
- Community Service: None
- Probation: 6 months
- Programs: Complete Alcohol Highway Safety Education program.
- Other Sanctions: None

Stratum 1: Upper Peninsula
Operating While Impaired

- ID: 050
- Gender: Male
- City/Township of Residence: Hermansville
- Vehicle Type: Passenger
- Age on Arrest Date: 52
- Date of Arrest: 05-08-93
- Day of Arrest: Saturday
- Time of Arrest: 6:18 PM
- County of Arrest: Delta
- Arresting Agency: Michigan State Police
- Arrested For: OUIL/per se
- Other Arrest Remarks: None
- Crash Involvement: None
- Blood Alcohol Level: .14% (Breath test)
- Last Drinking Location: In vehicle
- License Status on Arrest Date: Valid
- Past Traffic Crashes: None
- Past Traffic Convictions: Speeding
- Index of Past Driving Competence: 2
- Past Criminal Convictions: Not in court records.
- Counts: OUIL
- Videotape Evidence: None reported
- Plea Arraignment: OUIL plead to OWI.
- License Sanctions: 90 day restricted license. May drive to and from employment, alcohol treatment, and probation.
- Financial Sanctions: Fine and costs of \$650; Other of \$25; TOTAL = \$675.
- Incarceration: None
- Community Service: None
- Probation: 6 months
- Programs: Attend alcohol addiction course.
- Other Sanctions: None

Stratum 1: Upper Peninsula
Operating While Impaired

- ID: 036
- Gender: Male
- City/Township of Residence: Cornell
- Vehicle Type: Passenger
- Age on Arrest Date: 20
- Date of Arrest: 06-17-92
- Day of Arrest: Wednesday
- Time of Arrest: 1:15 AM
- County of Arrest: Delta
- Arresting Agency: Michigan State Police
- Arrested For: OUIL
- Other Arrest Remarks: None
- Crash Involvement: Single vehicle; Rural two-lane roadway; Defendant lost control of vehicle, left roadway to right, came back across roadway, hit a culvert and flipped; Defendant received serious injuries; Defendant was not wearing a safety belt.
- Blood Alcohol Level: .19% (Blood test)
- Last Drinking Location: Unknown
- License Status on Arrest Date: Valid
- Past Traffic Crashes: Two, with no injuries.
- Past Traffic Convictions: Speeding; 2 Failure to Stop or Identify After Property Destruction Accident; Drove Left of Center.
- Index of Past Driving Competence: 24
- Past Criminal Convictions: Not in court records.
- Counts: OUIL; OWI
- Videotape Evidence: None reported
- Plea Arraignment: Plead guilty to OWI; OUIL charge dismissed.
- License Sanctions: 2 month suspension followed by possible 4 month restriction.
- Financial Sanctions: Fine and Costs of \$600; Other of \$25; TOTAL = \$625.
- Incarceration: None
- Community Service: None
- Probation: 6 months
- Programs: Attend outpatient substance abuse counseling; Attend Alcoholics Anonymous.
- Other Sanctions: None

Stratum 1: Upper Peninsula
Operating Under the Influence of Alcohol

- ID: 004
- Gender: Male
- City/Township of Residence: Brimley
- Vehicle Type: Passenger (stolen)
- Age on Arrest Date: 19
- Date of Arrest: 06-03-92
- Day of Arrest: Wednesday
- Time of Arrest: 10:08 PM
- County of Arrest: Chippewa
- Arresting Agency: Sault Ste. Marie Police Department
- Arrested For: OUIL; DWLS
- Other Arrest Remarks: None
- Crash Involvement: 2 vehicle; City, two-lane intersection; Defendant was speeding and rear-ended an ambulance. Defendant received severe injuries; Two of the four occupants in the ambulance received minor injuries, driver and front-seat passenger were uninjured; Defendant was unbelted; Driver of ambulance and front-seat passenger were belted, attendants riding in back were unbelted (belts were not available).
- Blood Alcohol Level: Unknown (.10% or greater; Blood test, warrant required).
- Last Drinking Location: Friend's residence
- License Status on Arrest Date: Suspended
- Past Traffic Crashes: Two, with one injury.
- Past Traffic Conviction: Drove While Unlicensed; OUIL; DWLS.
- Index of Past Driving Competence: 24
- Past Criminal Convictions: Two Assault; Two Disorderly Conduct; Two Malicious Destruction of Property; Disturbing the Peace; Fleeing a Police Officer.
- Counts: OUIL; DWLS/2nd.
- Videotape Evidence: None reported
- Plea Arraignment: Plead guilty OUIL, other charge was dismissed.
- License Sanctions: one year suspension.
- Financial Sanctions: None
- Incarceration: 75 days
- Community Service: None
- Probation: Not reported
- Programs: Screening for alcohol abuse problem in jail.
- Other Sanctions: None

Stratum 1: Upper Peninsula
Operating Under the Influence of Alcohol

- ID: 005
- Gender: Female
- City/Township of Residence: Muskegon
- Vehicle Type: Passenger
- Age on Arrest Date: 37
- Date of Arrest: 09-25-92
- Day of Arrest: Friday
- Time of Arrest: 8:45 AM
- County of Arrest: Houghton
- Arresting Agency: Houghton Police Department
- Arrested For: OUIL/UBAL
- Other Arrest Remarks: No Proof of Insurance; No Proof of Registration; No Operators License on Person.
- Crash Involvement: None
- Blood Alcohol Level: .21% (Breath test)
- Last Drinking Location: In vehicle
- License Status on Arrest Date: Valid
- Past Traffic Crashes: One, with one injury.
- Past Traffic Convictions: Limited Access Speed; Failed to Yield; Speeding; Failed to Display a Valid License; Energy Speed.
- Index of Past Driving Competence: 11
- Past Criminal Convictions: Not in court records.
- Counts: OUIL/per se
- Videotape Evidence: None reported
- Plea Arraignment: Plead guilty to OUIL/per se.
- License Sanctions: 180 day suspended license.
- Financial Sanctions: Fine of \$150; Court Costs of \$230; Victim Rights Fund of \$20; Alcohol Abuse Screening of \$75; TOTAL = \$475.
- Incarceration: 45 days
- Community Service: None
- Probation: 2 years
- Programs: Inpatient treatment for alcohol abuse.
- Other Sanctions: No consumption of alcoholic beverages during probation term, shall not enter establishment concerned primarily with the sale or service of alcoholic beverages.

Stratum 1: Upper Peninsula
Operating Under the Influence of Alcohol

- ID: 006
- Gender: Male
- City/Township of Residence: Vulcan
- Vehicle Type: Passenger
- Age on Arrest Date: 35
- Date of Arrest: 10-15-92
- Day of Arrest: Thursday
- Time of Arrest: 8:00 PM
- County of Arrest: Dickinson
- Arresting Agency: Norway Police Department.
- Arrested For: OUIL; Improper Plates; Preliminary Breath Test Refusal
- Other Arrest Remarks: Open intoxicants found in vehicle; No proof of insurance.
- Crash Involvement: None
- Blood Alcohol Level: Unknown; Warrant was issued for withdrawal of blood, but defendant stated he would resist the lab technicians. No blood was drawn and a warrant for obstructing an officer in possession of a warrant was requested.
- Last Drinking Location: In vehicle
- License Status on Arrest Date: Valid
- Past Traffic Crashes: None
- Past Traffic Convictions: OWI; No Proof of Insurance; Speeding; Drove with Improper License.
- Index of Past Driving Competence: 6
- Past Criminal Convictions: Reckless use of firearms.
- Counts: OUIL; Resisting Officer Serving Process; No Proof of Insurance
- Videotape Evidence: None reported
- Plea Arraignment: Plead guilty to OUIL and Resisting Officer; Other charge was dismissed.
- License Sanctions: One month suspension, followed by 5 month restricted. Can drive to and from work and alcohol treatment program.
- Financial Sanctions: Fines and costs of \$505 for OUIL and \$305 for Resisting; TOTAL = \$810.
- Incarceration: 5 days
- Community Service: 5 days
- Probation: 24 months
- Programs: Complete outpatient counseling; Attend Alcoholics Anonymous.
- Other Sanctions: No alcohol during probation period.

Stratum 1: Upper Peninsula
Unlawful Blood Alcohol Level

- ID: 007
- Gender: Male
- City/Township of Residence: Middle Village, New York
- Vehicle Type: Sport-Utility
- Age on Arrest Date: 48
- Date of Arrest: 07-02-93
- Day of Arrest: Friday
- Time of Arrest: 10:50 PM
- County of Arrest: Iron
- Arresting Agency: Michigan State Police
- Arrested For: OUIL/UBAL
- Other Arrest Remarks: None
- Crash Involvement: None
- Blood Alcohol Level: .22% (Breath test)
- Last Drinking Location: Unknown
- License Status on Arrest Date: Valid
- Past Traffic Crashes: Unknown
- Past Traffic Convictions: Unknown
- Index of Past Driving Competence: Unknown
- Past Criminal Convictions: Not in court records.
- Counts: OUIL/UBAL
- Videotape Evidence: None reported
- Plea Arraignment: Plead guilty to UBAL
- License Sanctions: 6 month suspension
- Financial Sanctions: Fine of \$165; Costs of \$340; Oversight of \$60; TOTAL = \$565.
- Incarceration: 7 days; 2 days already served, 5 days suspended.
- Community Service: None
- Probation: 6 months
- Programs: Complete Alcohol Highway Safety Education program.
- Other Sanctions: Absolutely refrain from the use of alcohol of any kind.

Stratum 1: Upper Peninsula

Operating Under the Influence of Alcohol/Unlawful Blood Alcohol Level

- ID: 008
- Gender: Male
- City/Township of Residence: Oak Park, Illinois
- Vehicle Type: Sport-Utility
- Age on Arrest Date: 53
- Date of Arrest: 05-20-93
- Day of Arrest: Thursday
- Time of Arrest: 3:30 AM
- County of Arrest: Iron
- Arresting Agency: Michigan State Police
- Arrested For: OUIL/UBAL; Preliminary Breath Test Refusal
- Other Arrest Remarks: None
- Crash Involvement: None
- Blood Alcohol Level: .20% (Blood test, warrant required)
- Last Drinking Location: Bar
- License Status on Arrest Date: Valid
- Past Traffic Crashes: Unknown
- Past Traffic Convictions: Unknown
- Index of Past Driving Competence; Unknown
- Past Criminal Convictions: Not in court records.
- Counts: OUIL/UBAL
- Videotape Evidence: None reported
- Evidence Presented: No trial
- Plea Arraignment: Plead guilty to OUIL/UBAL
- License Sanctions: 6 month suspension
- Financial Sanctions: Fine of \$165; Costs of \$340; Oversight of \$60; Restitution of \$15; TOTAL = \$580.
- Incarceration: one day
- Community Service: 30 hours, to be performed in Illinois
- Probation: 6 months
- Programs: Complete Alcohol Highway Safety Education program in Illinois.
- Other Sanctions: Absolutely refrain from the use of alcohol of any kind.

Stratum 1: Upper Peninsula
Unlawful Blood Alcohol Level

- ID: 038
- Gender: Male
- City/Township of Residence: Escanaba
- Vehicle Type: Passenger
- Age on Arrest Date: 19
- Date of Arrest: 11-14-92
- Day of Arrest: Saturday
- Time of Arrest: 1:15 AM
- County of Arrest: Delta
- Arresting Agency: Michigan State Police
- Arrested For: OUIL
- Other Arrest Remarks: None
- Crash Involvement: None
- Blood Alcohol Level: .16% (Breath test)
- Last Drinking Location: Unknown
- License Status on Arrest Date: Valid
- Past Traffic Crashes: None
- Past Traffic Convictions: Two Speeding; No Proof of Insurance.
- Index of Past Driving Competence: 4
- Past Criminal Convictions: Not in court records..
- Counts: OUIL; UBAL
- Videotape Evidence: None reported
- Plea Arraignment: Plead guilty to UBAL
- License Sanctions: 9 day suspension followed by a 171 day restricted license.
- Financial Sanctions: Fine and costs of \$700; Other of \$25; TOTAL = \$725.
- Incarceration: 10 days
- Community Service: 72 hours
- Probation: 12 months
- Programs: Attend Alcohol Highway Safety Education program.
- Other Sanctions: None

Stratum 1: Upper Peninsula

Operating Under the Influence of Alcohol/Unlawful Blood Alcohol Level

- ID: 039
- Gender: Male
- City/Township of Residence: Negaunee
- Vehicle Type: Passenger
- Age on Arrest Date: 18
- Date of Arrest: 08-06-92
- Day of Arrest: Thursday
- Time of Arrest: 12:45 AM
- County of Arrest: Marquette
- Arresting Agency: Michigan State Police
- Arrested For: VCSA; OUIL
- Other Arrest Remarks: Narcotic paraphernalia found in vehicle.
- Crash Involvement: None
- Blood Alcohol Level: .09% (Blood test, warrant required)
- Last Drinking Location: Unknown
- License Status on Arrest Date: Restricted (in violation)
- Past Traffic Crashes: One, with no injuries.
- Past Traffic Convictions: OUIL/UBAL
- Index of Past Driving Competence: 10
- Past Criminal Convictions: Not in court records.
- Counts: OUIL/2nd; Violation of License Restrictions; OUIL/UBAL
- Videotape Evidence: None reported
- Plea Arraignment: Plead guilty to OUIL/UBAL; Other charges dismissed.
- License Sanctions: Revoked
- Financial Sanctions: Fine of \$225; Costs of \$285; State fees of \$10; Victim Rights Fee of \$20; Probation Costs of \$336; Other of \$24; TOTAL = \$900.
- Incarceration: 45 days
- Community Service: None
- Probation: 24 months
- Programs: Complete substance abuse rehabilitation.
- Other Sanctions: No consumption of alcohol; No frequenting bars; Submit to random chemical tests.

Stratum 2: Northern Lower Peninsula
Operating While Impaired

- ID: 009
- Gender: Male
- City/Township of Residence: East Jordan
- Vehicle Type: Pickup
- Age on Arrest Date: 37
- Date of Arrest: 09-18-92
- Day of Arrest: Friday
- Time of Arrest: 1:40 AM
- County of Arrest: Mason
- Arresting Agency: Mason County Sheriff Department
- Arrested For: OUIL
- Other Arrest Remarks: None
- Crash Involvement: None
- Blood Alcohol Level: .13% (Test type not available)
- Last Drinking Location: Unknown
- License Status on Arrest Date: Valid
- Past Traffic Crashes: None
- Past Traffic Convictions: OWI
- Index of Past Driving Competence: 4
- Past Criminal Convictions: Not in court records.
- Counts: OUIL
- Videotape Evidence: None reported
- Plea Arraignment: OUIL plead to OWI/2nd.
- License Sanctions: 6 months restricted license. May drive to and from work and alcohol counseling program.
- Financial Sanctions: Fine of \$300; Court Costs of \$495; Judgment fee of \$5; TOTAL = \$800.
- Incarceration: 30 days served over a one year period
- Community Service: None
- Probation: one year
- Programs: Complete alcohol counseling program.
- Other Sanctions: None

Stratum 2: Northern Lower Peninsula
Operating While Impaired

- ID: 010
- Gender: Male
- City/Township of Residence: Melvin
- Vehicle Type: Passenger
- Age on Arrest Date: 28
- Date of Arrest: 09-03-93
- Day of Arrest: Friday
- Time of Arrest: 10:30 PM
- County of Arrest: Sanilac
- Arresting Agency: Croswell Police Department
- Arrested For: OUIL/per se; DWLS; Expired Registration
- Other Arrest Remarks: Outstanding traffic warrant
- Crash Involvement: None
- Blood Alcohol Level: .13% (Breath test)
- Last Drinking Location: Bar
- License Status on Arrest Date: Suspended
- Past Traffic Crashes: Two, with two injuries.
- Past Traffic Convictions: Two No Proof of Insurance; Safety Belt Violation; Equipment Violation; Failure to Display Valid License; Two Unlawful Plate/Registration; DWLS.
- Index of Past Driving Competence: 12
- Past Criminal Convictions: Not in court records.
- Counts: OUIL/per se; DWLS/2nd; Unlawful Plate/Registration
- Videotape Evidence: None reported
- Plea Arraignment: OUIL/per se plead to OWI; DWLS/2nd plead to DWLS/1st; Unlawful Plate/ Registration was dismissed.
- License Sanctions: 90 day suspended license
- Financial sanctions: Fine of \$300; Court Costs of \$250; TOTAL = \$550.
- Incarceration: None
- Community Service: None
- Probation: one year
- Programs: Complete alcohol and substance abuse program.
- Other Sanctions: Refrain from the use of alcohol; Submit to random chemical tests.

Stratum 2: Northern Lower Peninsula
Operating While Impaired

- ID: 011
- Gender: Male
- City/Township of Residence: Alpena
- Vehicle Type: Pickup
- Age on Arrest Date: 32
- Date of Arrest: 06-26-92
- Day of Arrest: Friday
- Time of Arrest: 4:30 AM
- County of Arrest: Alpena
- Arresting Agency: Alpena Sheriff's Department
- Arrested For: OUIL/UBAL
- Other Arrest Remarks: None
- Crash Involvement: None
- Blood Alcohol Level: .13% (Breath test)
- Last Drinking Location: Unknown
- License Status on Arrest Date: Valid
- Past Traffic Crashes: Two, with no injuries.
- Past Traffic Convictions: OWI
- Index of Past Driving Competence: 12
- Past Criminal Convictions: Armed Robbery.
- Counts: OUIL/per se; OWI
- Videotape Evidence: None reported
- Plea Arraignment: Plead guilty to OWI; OUIL dismissed.
- License Sanctions: 3 month suspended license followed by three months restricted license.
- Financial Sanctions: Fine of \$150; Court Costs of \$191; Judgment fee of \$5; State Fund of \$4; Victim Rights Fund of \$20; Oversight of \$120; Other of \$10; TOTAL = \$500.
- Incarceration: None
- Community Service: None
- Probation: one year
- Programs: Attend Alcoholics Anonymous; Complete outpatient counseling.
- Other Sanctions: Submit to random chemical tests; No consumption of Alcoholic beverages; Shall not enter an establishment where alcohol is sold by glass.

Stratum 2: Northern Lower Peninsula
Operating While Impaired

- ID: 012
- Gender: Male
- City/Township of Residence: Flushing
- Vehicle Type: Pickup
- Age on Arrest Date: 32
- Date of Arrest: 04-04-92
- Day of Arrest: Saturday
- Time of Arrest: 10:13 PM
- County of Arrest: Lapeer
- Arresting Agency: Lapeer County Sheriff's Department
- Arrested For: OUIL/per se
- Other Arrest Remarks: None
- Crash Involvement: None
- Blood Alcohol Level: .19% (Breath test)
- Last Drinking Location: Unknown
- License Status on Arrest Date: Valid
- Past Traffic Crashes: None
- Past Traffic Convictions: OWI
- Index of Past Driving Competence: 4
- Past Criminal Convictions: Not in court records.
- Counts: OUIL/per se
- Videotape Evidence: None reported
- Plea Arraignment: OUIL/per se plead to OWI/1st.
- License Sanctions: Six month suspended, followed by six months restricted. Allowed to drive to and from work, probation, and alcohol treatment program.
- Financial Sanctions: Fine of \$200; Court Costs of \$200; Judgment Fee of \$5; TOTAL = \$405.
- Incarceration: None
- Community Service: None
- Probation: Six months
- Programs: Attend Alcohol Highway Safety Education Level II Program; Attend Victim's Impact Panel.
- Other Sanctions: No possession or consumption of alcoholic beverages.

Stratum 2: Northern Lower Peninsula
Operating While Impaired

- ID: 041
- Gender: Male
- City/Township of Residence: Freeland
- Vehicle Type: Pickup
- Age on Arrest Date: 33
- Date of Arrest: 05-15-93
- Day of Arrest: Saturday
- Time of Arrest: 1:45 AM
- County of Arrest: Midland
- Arresting Agency: Midland Police Department
- Arrested For: Open Intoxicants in Vehicle; OUIL/per se; Expired License; No Registration.
- Other Arrest Remarks: Two open containers of intoxicants found in vehicle.
- Crash Involvement: None
- Blood Alcohol Level: .09% (Breath test)
- Last Drinking Location: In vehicle
- License Status on Arrest Date: Expired
- Past Traffic Crashes: None
- Past Traffic Convictions: Speeding
- Index of Past Driving Competence: 4
- Past Criminal Convictions: Not in court records.
- Counts: OUIL/UBAL; Open Container of Alcohol in Vehicle; Operator License Expired
- Videotape Evidence: Video of interview and breath test was taken.
- Plea Arraignment: OUIL/UBAL plead to OWI; Plead guilty to Expired License; Other charge dismissed.
- License Sanctions: 90 day restricted license. May drive to and from work and alcohol treatment program.
- Financial Sanctions: Fine of \$221; Judgment Fee of \$5; Other of \$24; TOTAL = \$250.
- Incarceration: None
- Community Service: None
- Probation: None
- Programs: Complete alcohol treatment program.
- Other Sanctions: None

Stratum 2: Northern Lower Peninsula
Operating While Impaired

- ID: 013
- Gender: Female
- City/Township of Residence: Otter Lake
- Vehicle Type: Passenger
- Age on Arrest Date: 24
- Date of Arrest: 02-03-93
- Day of Arrest: Wednesday
- Time of Arrest: 11:11 PM
- County of Arrest: Lapeer
- Arresting Agency: Lapeer County Sheriff's Department
- Arrested For: OUIL/per se.
- Other Arrest Remarks: None
- Crash Involvement: None
- Blood Alcohol Level: .18% (Breath test)
- Last Drinking Location: Friend's residence
- License Status on Arrest Date: Valid
- Past Traffic Crashes: Two, with three injuries.
- Past Traffic Convictions: Violation of Basic Speed Law; No Proof of Insurance.
- Index of Past Driving Competence: 0
- Past Criminal Convictions: Not in court records.
- Counts: OUIL/per se
- Videotape Evidence: None reported
- Plea Arraignment: OUIL/per se plead to OWI/1st.
- License Sanctions: Three months suspended.
- Financial Sanctions: TOTAL = \$725
- Incarceration: None
- Community Service: None
- Probation: Twelve months
- Programs: Complete Outpatient Counseling; Attend Victim's Impact Panel.
- Other Sanctions: No possession or consumption of alcoholic beverages.

Stratum 2: Northern Lower Peninsula
Operating While Impaired

- ID: 014
- Gender: Male
- City/Township of Residence: Beaverton
- Vehicle Type: Pickup
- Age on Arrest Date: 32
- Date of Arrest: 07-31-92
- Day of Arrest: Friday
- Time of Arrest: 1:10 AM
- County of Arrest: Gladwin
- Arresting Agency: Michigan State Police
- Arrested For: OUIL/per se.
- Other Arrest Remarks: Passenger cited for allowing an intoxicated person to drive his vehicle.
- Crash Involvement: None
- Blood Alcohol Level: .20% (Breath test)
- Last Drinking Location: Unknown
- License Status on Arrest Date: Valid
- Past Traffic Crashes: None
- Past Traffic Convictions: None
- Index of Past Driving Competence: 0
- Past Criminal Convictions: Not in court records.
- Counts: OUIL/per se
- Videotape Evidence: None reported
- Plea Arraignment: OUIL/per se plead to OWI.
- License Sanctions: 3 month restricted license; Can drive to and from work, alcohol treatment program, and probation.
- Financial Sanctions: Fines and Costs of \$525; Victim Rights Fund of \$20; TOTAL = \$545.
- Incarceration: 90 days, 89 days suspended if probation is followed.
- Community Service: None
- Probation: 6 months
- Programs: Attend Alcohol Highway Safety Education program.
- Other Sanctions: No possession or consumption of alcoholic beverages or entering an establishment where alcohol is sold for consumption.

Stratum 2: Northern Lower Peninsula
Operating While Impaired

- ID: 015
- Gender: Male
- City/Township of Residence: Clio
- Vehicle Type: Passenger
- Age on Arrest Date: 70
- Date of Arrest: 02-14-93
- Day of Arrest: Sunday
- Time of Arrest: 1:45 AM
- County of Arrest: Tuscola
- Arresting Agency: Michigan State Police
- Arrested For: OUIL/UBAL
- Other Arrest Remarks: None
- Crash Involvement: None
- Blood Alcohol Level: .16% (Breath test)
- Last Drinking Location: Unknown
- License Status on Arrest Date: Valid
- Past Traffic Crashes: Three, with no injuries.
- Past Traffic Convictions: Failed to Yield; Violation of Basic Speed Law.
- Index of Past Driving Competence: 14
- Past Criminal Convictions: Not in court records.
- Counts: OUIL/UBAL
- Videotape Evidence: None reported
- Plea Arraignment: OUIL/UBAL plead to OWI.
- License Sanctions: 3 month restricted license; Can drive to and from alcohol treatment program and probation.
- Financial Sanctions: Fine of \$155; Costs of \$125; Victims Rights Fund of \$20; TOTAL = \$300.
- Incarceration: None
- Community Service: None
- Probation: 6 months
- Programs: Attend Alcohol Highway Safety Education program.
- Other Sanctions: No possession or consumption of alcoholic beverages or entering an establishment where alcohol is sold for consumption.

Stratum 2: Northern Lower Peninsula
Operating While Impaired

- ID: 054
- Gender: Male
- City/Township of Residence: Harrison
- Vehicle Type: Van
- Age on Arrest Date: 27
- Date of Arrest: 12-07-92
- Day of Arrest: Monday
- Time of Arrest: 3:19 AM
- County of Arrest: Clare
- Arresting Agency: Clare County Sheriff's Department
- Arrested For: OWI; Improper registration; No proof of Insurance.
- Other Arrest Remarks: Defendant attempted to fake preliminary breath test by not blowing into tube; Test results were invalid.
- Crash Involvement: None
- Blood Alcohol Level: Unknown, invalid preliminary breath test; Other tests were refused.
- Last Drinking Location: Unknown
- License Status on Arrest Date: Valid
- Past Traffic Crashes: Two, with two injuries.
- Past Traffic Convictions: OWI; Failed to Yield; Disobeyed Traffic Control Device; Drove without Proper License; Failure to Stop after Personal Injury Accident.
- Index of Past Driving Competence: 24
- Past Criminal Convictions: Not in court records.
- Counts: OUIL/per se; Improper Registration.
- Videotape Evidence: None reported
- Plea Arraignment: OUIL/UBAL plead to OWI; Other count dismissed.
- License Sanctions: 150 days suspended
- Financial Sanctions: Fine of \$198; Costs of \$652; TOTAL = \$850.
- Incarceration: 90 days, 89 days suspended (credit for one day already served)
- Community Service: None
- Probation: 6 months
- Programs: Complete substance abuse counseling.
- Other Sanctions: No possession or consumption of alcoholic beverages; Must seek/maintain employment or attend vocation/education program.
- Other Information: Defendant was convicted of two DWLS charges within 13 months of present conviction.

Stratum 2: Northern Upper Peninsula
Operating Under the Influence of Alcohol

- ID: 016
- Gender: Male
- City/Township of Residence: Owosso
- Vehicle Type: Pickup
- Age on Arrest Date: 35
- Date of Arrest: 02-14-92
- Day of Arrest: Friday
- Time of Arrest: 4:47 PM
- County of Arrest: Shiawassee
- Arresting Agency: Owosso Police Department
- Arrested For: OUIL; Fleeing and Eluding Police Officer; Resisting Arrest
- Other Arrest Remarks: Defendant fought with officers as they handcuffed him.
- Crash Involvement: None
- Blood Alcohol Level: Unknown (refused chemical test, no warrant requested for blood withdrawal)
- Last Drinking Location: Unknown
- License Status on Arrest Date: Valid
- Past Traffic Crashes: None
- Past Traffic Convictions: Limited Access Speed; Prohibited Turn; OUIL; Two OWI.
- Index of Past Driving Competence: 13
- Past Criminal Convictions: Not in court records.
- Count: OUIL/2nd; OWI/3rd; Fleeing/Eluding; Obstructing Officer.
- Videotape Evidence: None reported
- Plea Arraignment: OUIL/2nd plead to OUIL/1st; all other charges dismissed.
- License Sanctions: two years suspended
- Financial Sanctions: Fine and Costs of \$475; Judgment fee of \$5; Victim Rights Fund of \$20; Other of \$20; TOTAL = \$520.
- Incarceration: 60 days
- Community Service: 6 days in lieu of 20 days in jail.
- Probation: two years
- Programs: Complete inpatient treatment program; Complete Alcohol Highway Safety Program; Attend Alcoholics Anonymous.
- Other Sanctions: Consume no alcohol or drugs.

Stratum 2: Northern Upper Peninsula

Operating Under the Influence of Alcohol/Unlawful Blood Alcohol Level

- ID: 017
- Gender: Female
- City/Township of Residence: Ossineke
- Vehicle Type: Passenger (reported stolen)
- Age on Arrest Date: 38
- Date of Arrest: 07-16-93
- Day of Arrest: Friday
- Time of Arrest: 6:15 PM
- County of Arrest: Alpena
- Arresting Agency: Michigan State Police
- Arrested For: OUIL
- Other Arrest Remarks: Open intoxicant found in vehicle.
- Crash Involvement: None
- Blood Alcohol Level: .23% (Breath test)
- Last Drinking Location: Unknown
- License Status on Arrest Date: Suspended
- Past Traffic Crashes: One, with four injuries
- Past Traffic Convictions: Improper Lane Use; OUIL.
- Index of Past Driving Competence: 13
- Past Criminal Convictions: Not in court records.
- Counts: OUIL/per se/2nd; DWLS; Open Intoxicant in Vehicle
- Videotape Evidence: None reported
- Plea Arraignment: All three charges dismissed, plead guilty to new charge of OUIL/UBAL/1st.
- License Sanctions: one year revoked
- Financial Sanctions: Fine of \$345; Costs of \$555; TOTAL = \$900.
- Incarceration: 9 days
- Community Service: None
- Probation: one year
- Programs: Complete outpatient counseling; Attend Alcoholic Anonymous.
- Other Sanctions: Consume no alcohol or enter establishment where alcohol is sold by glass; Submit to random chemical tests.

Stratum 2: Northern Upper Peninsula
Unlawful Blood Alcohol Level

- ID: 018
- Gender: Male
- City/Township of Residence: Muskegon
- Vehicle Type: Passenger
- Age on Arrest Date: 32
- Date of Arrest: 09-10-93
- Day of Arrest: Friday
- Time of Arrest: 7:34 PM
- County of Arrest: Osceola
- Arresting Agency: Michigan State Police
- Arrested For: OUIL; DWLS; Improper Registration.
- Other Arrest Remarks: Defendant vigorously resisted arrest.
- Crash Involvement: None
- Blood Alcohol Level: .26% (Blood test, warrant required)
- Last Drinking Location: Unknown
- License Status on Arrest Date: Revoked/Denied
- Past Traffic Crashes: None
- Past Traffic Convictions: OWI; Two OUIL; Careless Driving; Energy Speed; Two DWLS; No Proof of Insurance.
- Index of Past Driving Competence: 24
- Past Criminal Convictions: Not in court records.
- Counts: OUIL/UBAL/3rd; DWLS/2nd or subsequent
- Videotape Evidence: None reported
- Plea Arraignment: Plead guilty to OUIL/UBAL/3rd; other charge dismissed.
- License Sanctions: Revoked
- Financial Sanctions: None
- Incarceration: one year, no work release.
- Community Service: None
- Probation: None
- Programs: None
- Other Sanctions: None

Stratum 3: Southwestern Michigan *Operating While Impaired*

- ID: 019
- Gender: Female
- City/Township of Residence: LaGrange, Indiana
- Vehicle Type: Passenger
- Age on Arrest Date: 25
- Date of Arrest: 02-14-93
- Day of Arrest: Sunday
- Time of Arrest: 2:47 AM
- County of Arrest: Branch
- Arresting Agency: Bronson City Police Department
- Arrested For: OUIL; Improper Plates
- Other Arrest Remarks: None
- Crash Involvement: None
- Blood Alcohol Level: .09% (Breath test)
- Last Drinking Location: Unknown
- License Status on Arrest Date: Valid
- Past Traffic Crashes: Unknown
- Past Traffic Convictions: Unknown
- Index of Past Driving Competence: Unknown
- Past Criminal Convictions: Not in court records.
- Counts: OUIL; Improper Plates.
- Videotape Evidence: None reported
- Plea Arraignment: OUIL plead to OWI; Other charge dismissed.
- License Sanctions: 90 day suspension of Michigan driving
- Financial Sanctions: Fine of \$100; Costs of \$425; State Costs of \$5; TOTAL = \$530.
- Incarceration: 30 days, suspended.
- Community Service: None
- Probation: 6 month
- Programs: Complete alcohol counseling as recommended.
- Other Sanctions: No consumption of alcoholic beverages during probation; Refrain from entering establishment where intoxicating beverages are sold for on-premises consumption.

Stratum 3: Southwestern Michigan
Operating While Impaired

- ID: 020
- Gender: Male
- City/Township of Residence: Lowell
- Vehicle Type: Passenger
- Age on Arrest Date: 37
- Date of Arrest: 05-09-92
- Day of Arrest: Saturday
- Time of Arrest: 10:38 PM
- County of Arrest: Ionia
- Arresting Agency: Ionia County Sheriff's Department
- Arrested For: OUIL/UBAL
- Other Arrest Remarks: Passenger cited for possession of open intoxicant.
- Crash Involvement: None
- Blood Alcohol Level: .18% (Breath test)
- Last Drinking Location: In vehicle
- License Status on Arrest Date: Valid
- Past Traffic Crashes: One, with no injuries.
- Past Traffic Convictions: Drove While Unlicensed or License Not Valid; Violation of Basic Speed Law.
- Index of Past Driving Competence: 8
- Past Criminal Convictions: Not in court records.
- Counts: OUIL/UBAL
- Videotape Evidence: None presented
- Plea Arraignment: OUIL/UBAL plead to OWI.
- License Sanctions: one year suspension
- Financial Sanctions: Fine of \$625; Costs of \$45; Victims Rights Fund; \$20; Probation Screening of \$65; TOTAL = \$755.
- Incarceration: 5 days
- Community Service: one day
- Probation: Not reported
- Programs: None
- Other Sanctions: None
- Other Information: Defendant was arrested and convicted of OUIL seven months after the present conviction.

Stratum 3: Southwestern Michigan *Operating While Impaired*

- ID: 045
- Gender: Male
- City/Township of Residence: Galesburg
- Vehicle Type: Passenger
- Age on Arrest Date: 27
- Date of Arrest: 07-26-92
- Day of Arrest: Sunday
- Time of Arrest: 12:50 AM
- County of Arrest: Kalamazoo
- Arresting Agency: Kalamazoo Department of Public Safety
- Arrested For: OUIL/UBAL
- Other Arrest Remarks: None.
- Crash Involvement: Two vehicle; City four-lane intersection; Defendant ran a flashing red light and struck a vehicle making a turn in the intersection; Defendant received minor injuries; The driver of the second vehicle was uninjured and his passenger received serious injuries; The defendant and the passenger of the second vehicle were not belted; The driver of the second vehicle was belted.
- Blood Alcohol Level: .13% (Breath test)
- Last Drinking Location: Bar
- License Status on Arrest Date: Valid
- Past Traffic Crashes: One, with three injuries.
- Past Traffic Convictions: UBAL
- Index of Past Driving Competence: 10
- Past Criminal Convictions: Not in court records.
- Counts: OUIL/UBAL
- Videotape Evidence: None reported.
- Plea Arraignment: OUIL/UBAL plead to OWI.
- License Sanctions: two months suspension followed by four months restricted.
- Financial Sanctions: Fine of \$300; Costs of \$295; OUIL recovery cost \$275; Victims Rights Fund of \$20; Oversight fees \$10/month; Other of \$60; TOTAL = \$1,190.
- Incarceration: None
- Community Service: None
- Probation: two years
- Programs: Must seek alcohol counseling.
- Other Sanctions: Must abstain from the use of alcohol

Stratum 3: Southwestern Michigan
Operating While Impaired

- ID: 042
- Gender: Female
- City/Township of Residence: Kalamazoo
- Vehicle Type: Passenger
- Age on Arrest Date: 19
- Date of Arrest: 10-20-93
- Day of Arrest: Wednesday
- Time of Arrest: 2:25 AM
- County of Arrest: Kalamazoo
- Arresting Agency: Kalamazoo Department of Public Safety
- Arrested For: OUIL/UBAL
- Other Arrest Remarks: None
- Crash Involvement: None
- Blood Alcohol Level: .13% (Breath test)
- Last Drinking Location: Own residence
- License Status on Arrest Date: Valid
- Past Traffic Crashes: Four, with two injuries.
- Past Traffic Convictions: Two Violation of Basic Speed Law; Improper Passing; Speeding; Limited Access Speed.
- Index of Past Driving Competence: 25
- Past Criminal Convictions: Not in court records.
- Counts: OUIL/UBAL
- Videotape Evidence: None reported
- Plea Arraignment: OUIL/UBAL plead to OWI.
- License Sanctions: 3 months restricted license. May drive to and from employment, alcohol treatment program, probation, and school.
- Financial Sanctions: Fine of \$300; Costs of \$295; Victims Rights Fund of \$20; Other of \$70; TOTAL = \$685.
- Incarceration: None
- Community Service: None
- Probation: None
- Programs: None
- Other Sanctions: None

Stratum 3: Southwestern Michigan
Operating While Impaired

- ID: 051
- Gender: Female
- City/Township of Residence: Crystal
- Vehicle Type: Passenger
- Age on Arrest Date: 22
- Date of Arrest: 07-16-92
- Day of Arrest: Thursday
- Time of Arrest: 8:25 PM
- County of Arrest: Montcalm
- Arresting Agency: Montcalm County Sheriff's Department
- Arrested For: OUIL/UBAL; Expired Operators License
- Other Arrest Remarks: None
- Crash Involvement: None
- Blood Alcohol Level: .14% (Breath test)
- Last Drinking Location: Unknown
- License Status on Arrest Date: Expired
- Past Traffic Crashes: None
- Past Traffic Convictions: Failed to Display a Valid License
- Index of Past Driving Competence: 0
- Past Criminal Convictions: Not in court records.
- Counts: OUIL/UBAL
- Videotape Evidence: None reported
- Plea Arraignment: OUIL/UBAL plead to OWI; other charge dismissed.
- License Sanctions: 45 day suspension followed by a 45 day restricted license.
- Financial Sanctions: Fine of \$300; Costs of \$195; Other of \$55; TOTAL = \$550.
- Incarceration: 5 days; Credit for one day already served, remaining days to be served over two weekends.
- Community Service: None
- Probation: None
- Programs: Attend Alcohol Highway Safety Education program.
- Other Sanctions: None

Stratum 3: Southwestern Michigan
Operating While Impaired

- ID: 021
- Gender: Male
- City/Township of Residence: Eau Clair
- Vehicle Type: Passenger
- Age on Arrest Date: 19
- Date of Arrest: 01-30-93
- Day of Arrest: Saturday
- Time of Arrest: 2:00 AM
- County of Arrest: Berrien
- Arresting Agency: Berrien County Sheriff's Department
- Arrested For: OUIL
- Other Arrest Remarks: None
- Crash Involvement: None
- Blood Alcohol Level: .14% (Breath test)
- Last Drinking Location: Unknown
- License Status on Arrest Date: Valid
- Past Traffic Crashes: None
- Past Traffic Convictions: Speeding
- Index of Past Driving Competence: two
- Past Criminal Convictions: Not in court records.
- Counts: OUIL
- Videotape Evidence: None reported
- Plea Arraignment: OUIL plead to OWI.
- License Sanctions: 6 day suspension, followed by six month restricted license. Can drive to from work, school, and alcohol treatment program.
- Financial Sanctions: Fine of \$170; Costs of \$345; Victims Rights Fund of \$20; State Costs of \$5; Screening Fee of \$75; TOTAL = \$615.
- Incarceration: 6 days
- Community Service: 48 hours
- Probation: None
- Programs: Complete Alcohol and Drug Abuse Program; Attend Victim Impact Panel.
- Other Sanctions: None

Stratum 3: Southwestern Michigan *Operating While Impaired*

- ID: 057
- Gender: Male
- City/Township of Residence: Millington
- Vehicle Type: Pickup
- Age on Arrest Date: 41
- Date of Arrest: 07-10-93
- Day of Arrest: Saturday
- Time of Arrest: 2:43 AM
- County of Arrest: Genesee
- Arresting Agency: Richfield Township Police Department
- Arrested For: OUIL/UBAL
- Other Arrest Remarks: No operators license, proof of insurance, or registration.
- Crash Involvement: None
- Blood Alcohol Level: .18% (Breath test)
- Last Drinking Location: Unknown
- License Status on Arrest Date: Valid
- Past Traffic Crashes: One, with no injuries.
- Past Traffic Convictions: Limited Access Speed; Disobeyed Stop Sign.
- Index of Past Driving Competence: 8
- Past Criminal Convictions: Not in court records.
- Counts: OUIL/UBAL
- Videotape Evidence: 8 mm video of defendant's driving and sobriety tests.
- Plea Arraignment: OUIL/UBAL plead to OWI.
- License Sanctions: 90 day restricted license. May drive to and from work and alcohol treatment program.
- Financial Sanctions: Fine of \$300; Costs of \$130; Victims Rights Fund of \$20; State Costs of \$5; Oversight of \$25/month; TOTAL = \$755.
- Incarceration: None
- Community Service: None
- Probation: one year
- Programs: Attend Victim Impact Panel.
- Other Sanctions: Refrain from the use of all intoxicants.

Stratum 3: Southwestern Michigan
Operating While Impaired

- ID: 058
- Gender: Male
- City/Township of Residence: Flint
- Vehicle Type: Pickup
- Age on Arrest Date: 36
- Date of Arrest: 03-13-93
- Day of Arrest: Saturday
- Time of Arrest: 7:30 PM
- County of Arrest: Genesee
- Arresting Agency: Flint Township Police Department
- Arrested For: OUIL/UBAL
- Other Arrest Remarks: None
- Crash Involvement: Single vehicle; Rural, two-lane road; Defendant lost control of vehicle and struck a house; No injuries; Belt use is unknown.
- Blood Alcohol Level: .27% (Breath test)
- Last Drinking Location: Unknown
- License Status on Arrest Date: Valid
- Past Traffic Crashes: None
- Past Traffic Convictions: None
- Index of Past Driving Competence: 0
- Past Criminal Convictions: Not in court records.
- Counts: OUIL/UBAL
- Videotape Evidence: None reported.
- Plea Arraignment: OUIL/UBAL plead to OWI.
- License Sanctions: 90 day restricted license. May drive to and from work and alcohol treatment program.
- Financial Sanctions: Fine of \$300; Costs of \$100; Victims Rights Fund of \$20; State Costs of \$5; TOTAL = \$425.
- Incarceration: 2 days (credit for two days already served)
- Community Service: None
- Probation: 2 months, unsupervised.
- Programs: Attend Victim Impact Panel.
- Other Sanctions: None

Stratum 3: Southwestern Michigan
Operating Under the Influence of Alcohol

- ID: 022
- Gender: Male
- City/Township of Residence: Marshall
- Vehicle Type: Passenger
- Age on Arrest Date: 19
- Date of Arrest: 09-29-93
- Day of Arrest: Wednesday
- Time of Arrest: 5:04 AM
- County of Arrest: Calhoun
- Arresting Agency: Albion Department of Public Safety
- Arrested For: Possession of Marijuana; Improper Plates; No Proof of Insurance; Preliminary Breath Test Refusal; OUIL; DWLS.
- Other Arrest Remarks: Open container of intoxicant found in vehicle; Defendant had outstanding warrant for Failure to Appear.
- Crash Involvement: None
- Blood Alcohol Level: .14% (Breath test)
- Last Drinking Location: Unknown
- License Status on Arrest Date: Revoked
- Past Traffic Crashes: One, with one injury.
- Past Traffic Convictions: Careless Driving; OWI; Four DWLS; OUIL; Open Intoxicants in Vehicle.
- Index of Past Driving Competence: 31
- Past Criminal Convictions: Not in court records.
- Counts: OUIL/3rd; DWLS/2nd
- Videotape Evidence: None reported
- Plea Arraignment: OUIL/3rd plead to OUIL/1st; DWLS dismissed.
- License Sanctions: one year revoked
- Financial Sanctions: Fine of \$800; Costs of \$65; Victims Rights Fund of \$20; State costs of \$9; Screening fee of \$75; TOTAL = \$969.
- Incarceration: one month
- Community Service: None
- Probation: None
- Programs: Unknown
- Other Sanctions: None

Stratum 3: Southwestern Michigan *Unlawful Blood Alcohol Level*

- ID: 043
- Gender: Male
- City/Township of Residence: Comstock Park
- Vehicle Type: Passenger
- Age on Arrest Date: 21
- Date of Arrest: 09-26-93
- Day of Arrest: Sunday
- Time of Arrest: 3:20 AM
- County of Arrest: Kent
- Arresting Agency: Grand Rapids Police Dept
- Arrested For: OUIL/per se; Improper Registration; DWLS
- Other Arrest Remarks: Outstanding warrant for Failure to Appear.
- Crash Involvement: Single vehicle; Road type unknown; Defendant lost control of vehicle and hit a utility pole. Defendant was uninjured, his passenger received moderate injuries. Use of safety belts is unknown.
- Blood Alcohol Level: .16% (Breath test)
- Last Drinking Location: Unknown
- License Status on Arrest Date: Suspended
- Past Traffic Crashes: One, with no injuries.
- Past Traffic Convictions: Drove While Unlicensed; Violation of Basic Speed Law; Drove Without Proper License; Drove Wrong Way on One-Way Street; Two No Proof of Insurance; Failed to Stop for School Bus; Three DWLS; Speeding.
- Index of Past Driving Competence: 23
- Past Criminal Convictions: Not in court records.
- Counts: OWI; OUIL/per se; Improper Registration; DWLS/2nd or subsequent.
- Videotape Evidence: None reported
- Plea Arraignment: Plead guilty to UBAL; Other charges dismissed.
- License Sanctions: 2 years suspended.
- Financial Sanctions: Mostly unknown; Screening fee of \$65; TOTAL = \$65.
- Incarceration: Unknown
- Community Service: Unknown
- Probation: Unknown
- Programs: Complete substance abuse counseling; Attend Victim's Impact Panel.
- Other Sanctions: None
- Other Information: Defendant failed to appear for sentencing and a bench warrant was issued.

Stratum 3: Southwestern Michigan
Unlawful Blood Alcohol Level

- ID: 040
- Gender: Male
- City/Township of Residence: Kalamazoo
- Vehicle Type: Passenger
- Age on Arrest Date: 40
- Date of Arrest: 08-07-93
- Day of Arrest: Saturday
- Time of Arrest: 2:25 AM
- County of Arrest: Kalamazoo
- Arresting Agency: Portage Police
- Arrested For: OUIL/UBAL; No Proof of Insurance
- Other Arrest Remarks: None
- Crash Involvement: None
- Blood Alcohol Level: .19% (Breath test)
- Last Drinking Location: Bar
- License Status on Arrest Date: Valid
- Past Traffic Crashes: None
- Past Traffic Convictions: OWI; Disobeyed Stop Sign; Speeding; Vehicular Manslaughter (out of state).
- Index of Past Driving Competence: 16
- Past Criminal Convictions: Not in court records.
- Counts: OUIL/UBAL
- Videotape Evidence: None reported
- Plea Arraignment: Plead guilty to UBAL
- License Sanctions: Revoked
- Financial Sanctions: Fine of \$500; Costs of \$301; Victims Rights Fund of \$30; State costs of \$9; Oversight of \$15/month; TOTAL = \$1,200.
- Incarceration: 15 days (fifteen more days were added for failure to pay fines)
- Community Service: None
- Probation: 2 years
- Programs: Complete substance abuse outpatient counseling.
- Other Sanctions: Shall abstain from use of alcohol.

Stratum 4: Southeastern Michigan
Operating While Impaired

- ID: 023
- Gender: Male
- City/Township of Residence: Port Huron
- Vehicle Type: Pickup
- Age on Arrest Date: 40
- Date of Arrest: 12-19-92
- Day of Arrest: Saturday
- Time of Arrest: 6:18 PM
- County of Arrest: St. Clair
- Arresting Agency: Port Huron Police Department
- Arrested For: OUIL; Expired Plate
- Other Arrest Remarks: Outstanding arrest warrant for Burning Without Permit.
- Crash Involvement: Single vehicle; City four-lane roadway; Defendant jumped curb with vehicle and struck a fence; He then backed away from fence, pulled forward crossing two traffic lanes and went up on an island striking a light pole; He backed up again and continued down the road where he was pulled over by police officers; No injuries; Belt use was unknown.
- Blood Alcohol Level: .09% (Breath test)
- Last Location of Drinking: Unknown
- License Status on Arrest Date: Suspended
- Past Traffic Crashes: Five, with one injury.
- Past Traffic Convictions: DWLS; Two No Proof of Insurance; Speeding.
- Index of Past Driving Competence: 24
- Past Criminal Convictions: Not in court records.
- Counts: OUIL; DWLS; Expired Plates; Leaving Scene of Property Damage
- Videotape Evidence: None reported
- Plea Arraignment: OUIL plead to OWI; Plead guilty to DWLS; Other charges dismissed.
- License Sanctions: 90 day suspension
- Financial Sanctions: Fines and Costs of \$690; TOTAL = \$690.
- Incarceration: None
- Community Service: 138 hours in lieu of all fines and costs
- Probation: 6 month
- Programs: Complete alcohol counseling as determined by probation.
- Other Sanctions: None

Stratum 4: Southeastern Michigan
Operating While Impaired

- ID: 024
- Gender: Male
- City/Township of Residence: New Baltimore
- Vehicle Type: Passenger
- Age on Arrest Date: 18
- Date of Arrest: 11-14-92
- Day of Arrest: Saturday
- Time of Arrest: 1:37 AM
- County of Arrest: Macomb
- Arresting Agency: Macomb County Sheriff Department
- Arrested For: OUIL/per se; Fail to Change Address on Operators License; Safety Belt Violation.
- Other Arrest Remarks: None
- Crash Involvement: None
- Blood Alcohol Level: .12% (Breath test)
- Last Drinking Location: Unknown
- License Status on Arrest Date: Valid
- Past Traffic Crashes: One, with no injuries.
- Past Traffic Convictions: Speeding; Limited Access Speed.
- Index of Past Driving Competence: 7
- Past Criminal Convictions: Not in court records.
- Counts: OUIL/per se; Fail to Change Address on Operator License; Safety Belt Violation.
- Videotape Evidence: None reported
- Plea Arraignment: OUIL plead to OWI; Other charges dismissed.
- License Sanctions: 120 day restricted; May drive to and from school, probation, and work.
- Financial Sanctions: Fine and costs of \$500; Crime Victim Fund of \$20; Reimbursement of \$47.94; Screening of \$75; TOTAL = \$642.94.
- Incarceration: None
- Community Service: None
- Probation: 120 days
- Programs: Attend Court Mini Alcohol Program.
- Other Sanctions: Must continue with High School; No consumption of alcohol.

Stratum 4: Southeastern Michigan
Operating While Impaired

- ID: 025
- Gender: Male
- City/Township of Residence: Warren
- Vehicle Type: Passenger
- Age on Arrest Date: 22
- Date of Arrest: 09-01-92
- Day of Arrest: Tuesday
- Time of Arrest: 1:30 AM
- County of Arrest: Macomb
- Arresting Agency: Warren Police Department
- Arrested For: OUIL
- Other Arrest Remarks: None
- Crash Involvement: Single vehicle; City, offroad on baseball field; Defendant was driving on a baseball field and ran into a fence; No injuries; Belt use unknown.
- Blood Alcohol Level: Unknown (Refused breath test, no warrant requested)
- Last Drinking Location: In vehicle
- License Status on Arrest Date: Valid
- Past Traffic Crashes: None
- Past Traffic Convictions: Disobeyed Stop Sign; No Proof of Insurance.
- Index of Past Driving Competence: 2
- Past Criminal Convictions: Not in court records.
- Counts: OUIL
- Videotape Evidence: None reported
- Plea Arraignment: OUIL plead to OWI.
- License Sanctions: 90 day suspension.
- Financial Sanctions: Fine of \$300; Costs of \$220; Judgment Fee of \$5; Reimbursement of \$275; TOTAL = \$800.
- Incarceration: None
- Community Service: None
- Probation: one year
- Programs: Complete Alcohol Highway Safety Education program.
- Other Sanctions: None

Stratum 4: Southeastern Michigan
Operating While Impaired

- ID: 026
- Gender: Male
- City/Township of Residence: Royal Oak
- Vehicle Type: Passenger
- Age on Arrest Date: 33
- Date of Arrest: 03-17-93
- Day of Arrest: Wednesday
- Time of Arrest: 8:02 PM
- County of Arrest: Oakland
- Arresting Agency: Troy Police Department
- Arrested For: OUIL/UBAL; Preliminary Breath Test Refusal
- Other Arrest Remarks: Defendant attempted to mask results of breath test by placing a penny in his mouth prior to test.
- Crash Involvement: None
- Blood Alcohol Level: .15% (Breath Test)
- Last Drinking Location: Unknown
- License Status on Arrest Date: Valid
- Past Traffic Crashes: Two, with four injuries.
- Past Traffic Convictions: Two Speeding; No Proof of Insurance.
- Index of Past Driving Competence: 12
- Past Criminal Convictions: Not in court records.
- Counts: OUIL
- Videotape Evidence: None reported
- Plea Arraignment: OUIL plead to OWI.
- License Sanctions: 90 day restricted license, can drive to probation and to work.
- Financial Sanctions: Fine and Costs of \$515; Probation Oversight Fee of \$300; Other of \$20; TOTAL = \$835.
- Incarceration: one day, already served.
- Community Service: None
- Probation: one year
- Programs: Attend Alcohol Awareness class.
- Other Sanctions: None

Stratum 4: Southeastern Michigan
Operating While Impaired

- ID: 027
- Gender: Male
- City/Township of Residence: East Lansing
- Vehicle Type: Sport-Utility
- Age on Arrest Date: 22
- Date of Arrest: 09-05-93
- Day of Arrest: Sunday
- Time of Arrest: 9:39 PM
- County of Arrest: Washtenaw
- Arresting Agency: Pittsfield Police Department
- Arrested For: OUIL/UBAL
- Other Arrest Remarks: None
- Crash Involvement: Single vehicle; city intersection; Defendant ran a red light and struck another vehicle; No injuries; Belt use unknown.
- Blood Alcohol Level: .19% (Breath Test)
- Last Drinking Location: Unknown
- License Status on Arrest Date: Valid
- Past Traffic Crashes: One, with no injuries.
- Past Traffic Convictions: Careless Driving; Two Speeding.
- Index of Past Driving Competence: 11
- Past Criminal Convictions: Not in court records.
- Counts: OUIL; OWI
- Videotape Evidence: None reported
- Plea Arraignment: Plead Guilty to OWI; OUIL dismissed.
- License Sanctions: 90 day restricted license, can drive to and from work and alcohol treatment program.
- Financial Sanctions: Fine and Costs of \$425; Victim Rights Fund of \$20; Judgment Fee of \$5; TOTAL = \$450.
- Incarceration: None
- Community Service: None
- Probation: None
- Programs: Attend Alcohol Highway Safety Education program.
- Other Sanctions: None

Stratum 4: Southeastern Michigan
Operating While Impaired

- ID: 028
- Gender: Male
- City/Township of Residence: Detroit
- Vehicle Type: Passenger
- Age on Arrest Date: 35
- Date of Arrest: 07-10-93
- Day of Arrest: Saturday
- Time of Arrest: 1:47 AM
- County of Arrest: Oakland
- Arresting Agency: Oak Park Police Department
- Arrested For: OUIL; OUIL/per se; DWLS; No Proof of Insurance; Expired Plates.
- Other Arrest Remarks: Nine suspensions for unsettled tickets; Ten outstanding misdemeanor warrants.
- Crash Involvement: None
- Blood Alcohol Level: .24% (Breath Test)
- Last Drinking Location: Unknown
- License Status on Arrest Date: Suspended
- Past Traffic Crashes: None
- Past Traffic Convictions: Two Failed to Display a Valid License; DWLS; Disobeyed Traffic Signal; Speeding.
- Index of Past Driving Competence: 9
- Past Criminal Convictions: Not in court records.
- Counts: OUIL/per se; DWLS
- Videotape Evidence: None reported
- Plea Arraignment: Plead guilty to DWLS; OUIL/per se plead to OWI.
- License Sanctions: 90 day suspension
- Financial Sanctions: Fine of \$200; Costs of \$65; Victim Rights Fund of \$20; Judgment Fee of \$5; Reimbursement of \$150; Screening and Probation of \$135; TOTAL = \$575.
- Incarceration: 10 days, suspended.
- Community Service: None
- Probation: one year
- Programs: Attend Alcoholics Anonymous; Complete Alcohol Highway Safety Education Program.
- Other Sanctions: No alcohol or drugs during probation term; Submit to random chemical tests.

Stratum 4: Southeastern Michigan
Operating While Impaired

- ID: 029
- Gender: Female
- City/Township of Residence: Taylor
- Vehicle Type: Passenger
- Age on Arrest Date: 40
- Date of Arrest: 07-23-93
- Day of Arrest: Friday
- Time of Arrest: 7:24 PM
- County of Arrest: Wayne
- Arresting Agency: Department of Police-Wyandotte
- Arrested For: OUIL; No Proof of Insurance; Expired License Plate; Open Container of Intoxicant in Vehicle.
- Other Arrest Remarks: Defendant was in possession of two expired Michigan driver licenses.
- Crash Involvement: Single vehicle; City two-lane road; Defendant lost control of vehicle and struck a curb; Defendant received minor injuries.
- Blood Alcohol Level: Unknown (Blood Test)
- Last Drinking Location: In vehicle
- License Status on Arrest Date: Suspended
- Past Traffic Crashes: Five, with four injuries.
- Past Traffic Convictions: Four Speeding; Disobeyed Traffic Signal; Disobeyed Stop Sign; Violation of Basic Speed Law.
- Index of Past Driving Competence: 36
- Past Criminal Convictions: Not in court records.
- Counts: OUIL and one other unknown count.
- Videotape Evidence: None reported
- Plea Arraignment: OUIL plead to OWI; Other charge dismissed.
- License Sanctions: 90 day suspension
- Financial Sanctions: Fine of \$200; Costs of \$300; Other of \$200; TOTAL = \$700.
- Incarceration: None
- Community Service: None
- Probation: one year
- Programs: Complete mental health counseling program.
- Other Sanctions: None

Stratum 4: Southeastern Michigan
Operating While Impaired

- ID: 030
- Gender: Male
- City/Township of Residence: Milford
- Vehicle Type: Sport-Utility
- Age on Arrest Date: 41
- Date of Arrest: 05-02-93
- Day of Arrest: Sunday
- Time of Arrest: 1:30 AM
- County of Arrest: Oakland
- Arresting Agency: City of Wixom Police Department
- Arrested For: OUIL; Preliminary Breath Test Refusal
- Other Arrest Remarks: None
- Crash Involvement: None
- Blood Alcohol Level: Unknown (test was refused, no warrant requested)
- Last Drinking Location: Unknown
- License Status on Arrest Date: Valid
- Past Traffic Crashes: One, with no injuries.
- Past Traffic Convictions: OWI
- Index of Past Driving Competence: 8
- Past Criminal Convictions: Not in court records.
- Counts: OUIL
- Videotape Evidence: None reported
- Plea Arraignment: OUIL plead to OWI.
- License Sanctions: 90 day restricted license
- Financial Sanctions: Fines and Costs of \$520; Oversight Fees of \$450; TOTAL = \$970.
- Incarceration: None
- Community Service: None
- Probation: 18 months
- Programs: Attend Alcoholics Anonymous; Attend Victim Impact Panel; Complete outpatient counseling.
- Other Sanctions: No consumption of alcohol; Submit to random chemical tests.

Stratum 4: Southeastern Michigan *Operating While Impaired*

- ID: 046
- Gender: Male
- City/Township of Residence: Detroit
- Vehicle Type: Sport-Utility
- Age on Arrest Date: 29
- Date of Arrest: 04-12-92
- Day of Arrest: Sunday
- Time of Arrest: 11:17 PM
- County of Arrest: Oakland
- Arresting Agency: Southfield Police Department
- Arrested For: Open Intoxicants in Motor Vehicle; OUIL
- Other Arrest Remarks: Outstanding misdemeanor warrant.
- Crash Involvement: None
- Blood Alcohol Level: .17% (Breath Test)
- Last Drinking Location: Own residence
- License Status on Arrest Date: Valid
- Past Traffic Crashes: None
- Past Traffic Convictions: Speeding; Prohibited Turn; Equipment Violation; Three No Proof of Insurance.
- Index of Past Driving Competence: 7
- Past Criminal Convictions: Not in court records.
- Counts: OUIL; Open Intoxicant in Vehicle.
- Videotape Evidence: None reported
- Plea Arraignment: OUIL plead to OWI; Other charge dismissed.
- License Sanctions: 180 day restricted license, may drive to and from work, alcohol treatment program, community service, and probation.
- Financial Sanctions: Fines of \$250; Costs of \$250; Judgment Fee of \$25; Assessment Fee of \$65; Oversight Fee of \$225; TOTAL = \$815.
- Incarceration: None
- Community Service: 5 days
- Probation: 9 months
- Programs: Complete Substance Abuse program; Attend Victim's Impact Panel.
- Other Sanctions: Shall not use alcohol; Shall not frequent places engaged chiefly in the sale of alcohol; Submit to random chemical tests.

Stratum 4: Southeastern Michigan
Operating While Impaired

- ID: 056
- Gender: Male
- City/Township of Residence: Dexter
- Vehicle Type: Passenger
- Age on Arrest Date: 45
- Date of Arrest: 08-08-93
- Day of Arrest: Sunday
- Time of Arrest: 2:11 AM
- County of Arrest: Washtenaw
- Arresting Agency: Washtenaw County Sheriff's Department
- Arrested For: OUIL/per se
- Other Arrest Remarks: None
- Crash Involvement: None
- Blood Alcohol Level: .23% (Breath test)
- Last Drinking Location: unknown
- License Status on Arrest Date: Valid
- Past Traffic Crashes: None
- Past Traffic Convictions: None
- Index of past Driving Competence: 0
- Past Criminal Convictions: Not in court records.
- Counts: OUIL/UBAL
- Videotape Evidence: None reported
- Plea Arraignment: OUIL/UBAL plead to OWI.
- License Sanctions: 90 day restricted license. May drive to and from employment and alcohol treatment program.
- Financial Sanctions: Fines and Costs of \$600; Oversight Fees of \$75; Other of \$25; TOTAL = \$700.
- Incarceration: 15 days, suspended upon successful completion of probation.
- Community Service: None
- Probation: 4 months
- Programs: Attend Alcoholics Anonymous; Attend Victim Impact Panel; Complete Substance Abuse Prevention program.
- Other Sanctions: None

Stratum 4: Southeastern Michigan
Operating While Impaired

- ID: 047
- Gender: Male
- City/Township of Residence: Detroit
- Vehicle Type: Passenger
- Age on Arrest Date: 30
- Date of Arrest: 12-08-92
- Day of Arrest: Tuesday
- Time of Arrest: 10:00 PM
- County of Arrest: Wayne
- Arresting Agency: Detroit Police Department
- Arrested For: OUIL
- Other Arrest Remarks: Two open containers of alcohol found in vehicle.
- Crash Involvement: None
- Blood Alcohol Level: .16% (Breath test)
- Last Drinking Location: Unknown
- License Status on Arrest Date: Valid
- Past Traffic Crashes: One, with no injuries.
- Past Traffic Convictions: OWI, Failure to Stop or Identify After Property Damage Accident; Reckless Driving; Violation of License Restrictions; Three DWLS; Disobeyed Traffic Signal; Speeding; Failed to Yield.
- Index of Past Driving Competence: 35
- Past Criminal Convictions: Not in court records.
- Counts: OUIL/UBAL
- Videotape Evidence: None reported
- Plea Arraignment: OUIL/UBAL plead to OWI.
- License Sanctions: 90 day suspended license.
- Financial Sanctions: None
- Incarceration: None
- Community Service: None
- Probation: one year
- Programs: Attend Victim Impact Panel; Complete Alcohol Highway Safety Education program; Attend outpatient treatment.
- Other Sanctions: None

Stratum 4: Southeastern Michigan *Operating While Impaired*

- ID: 049
- Gender: Male
- City/Township of Residence: Detroit
- Vehicle Type: Passenger
- Age on Arrest Date: 26
- Date of Arrest: 03-28-92
- Day of Arrest: Saturday
- Time of Arrest: 12:10 AM
- County of Arrest: Wayne
- Arresting Agency: Detroit Police Department
- Arrested For: OUIL; Leaving Scene of Property Damage Accident.
- Other Arrest Remarks: Defendant falsely stated that he was a police officer.
- Crash Involvement: Two vehicle; City four-lane roadway; Defendant turned wide and struck a second car on the back driver side; Defendant then fled the scene followed by the car he hit; The second car flagged down an officer who pulled the defendant over; No injuries; Defendant was not belted; Driver of second car was belted.
- Blood Alcohol Level: Unknown (Refused chemical test, no warrant requested)
- Last Drinking Location: Unknown
- License Status on Arrest Date: Valid
- Past Traffic Crashes: Four, with three injuries.
- Past Traffic Convictions: Two DWLS; Disobeyed Traffic Signal; No Proof of Insurance.
- Index of Past Driving Competence: 23
- Past Criminal Convictions: Not in court records.
- Counts: OUIL/UBAL
- Videotape Evidence: None reported
- Plea Arraignment: OUIL/UBAL plead to OWI.
- License Sanctions: 90 day restricted license. May drive to and from work.
- Financial Sanctions: Fees and Costs of \$300; Victim Rights Fund of \$20; TOTAL = \$320.
- Incarceration: None
- Community Service: None
- Probation: 9 months
- Programs: Attend Victim Impact Panel; Complete Alcohol Highway Safety Education program; Attend outpatient treatment.
- Other Sanctions: None
- Other Information: In violation of his probation, defendant was arrested for OUIL three months after the present OWI conviction and later convicted for OUIL.

Stratum 4: Southeastern Michigan

Operating Under the Influence of Alcohol/Unlawful Blood Alcohol Level

- ID: 048
- Gender: Male
- City/Township of Residence: Detroit
- Vehicle Type: Tow Truck
- Age on Arrest Date: 42
- Date of Arrest: 09-10-93
- Day of Arrest: Friday
- Time of Arrest: 1:30 AM
- County of Arrest: Wayne
- Arresting Agency: Detroit Police Department
- Arrested For: OUIL; Outstanding Traffic Warrant
- Other Arrest Remarks: None
- Crash Involvement: Three vehicle; City four-lane roadway; Defendant lost control of tow truck and sideswiped two parked cars; Defendant then attempted to flee but was immediately pulled over by officer; No injuries; Defendant was belted.
- Blood Alcohol Level: .15% (Breath test)
- Last Drinking Location: Bar
- License Status on Arrest Date: Valid
- Past Traffic Crashes: One, with no injuries.
- Past Traffic Convictions: None
- Index of Past Driving Competence: 4
- Past Criminal Convictions: Not in court records.
- Counts: OUIL/UBAL
- Videotape Evidence: None reported
- Plea Arraignment: Plead guilty to OUIL/UBAL.
- License Sanctions: None
- Financial Sanctions: Unavailable
- Incarceration: Unavailable
- Community Service: Unavailable
- Probation: Unavailable
- Programs: Unavailable
- Other Sanctions: Unavailable

Stratum 4: Southeastern Michigan
Unlawful Blood Alcohol Level

- ID: 031
- Gender: Male
- City/Township of Residence: Mt. Clemens
- Vehicle Type: Passenger
- Age on Arrest Date: 24
- Date of Arrest: 3-14-93
- Day of Arrest: Sunday
- Time of Arrest: 12:21 AM
- County of Arrest: Macomb
- Arresting Agency: Fraser Police Department
- Arrested For: OUIL/UBAL; OWI/2nd; Possession of Marijuana; Possession of Narcotic Paraphernalia; Violation of Safety Belt Law; Failed to Change Address on Operators License.
- Other Arrest Remarks: None
- Crash Involvement: None
- Blood Alcohol Level: .16% (Breath test)
- Last Drinking Location: Unknown
- License Status on Arrest Date: Valid
- Past Traffic Crashes: Three, with three injuries.
- Past Traffic Convictions: Energy Speed; Two Speeding; Improper use of Lights; OWI.
- Index of Past Driving Competence: 23
- Past Criminal Convictions: Not in court records.
- Counts: OUIL; UBAL; Fail to Change Address on Operators License; Violation of Safety Belt Law; Possession of Marijuana (POM); Possession of Narcotic Paraphernalia (PONP).
- Videotape Evidence: None reported
- Plea Arraignment: Plead Guilty to UBAL, POM and PONP; All other charges were dismissed.
- License Sanctions: Two months suspended, followed by four months restricted.
- Financial Sanctions: Fine of \$500; Court Costs of \$520; Oversight Fees of \$30/month during probation period; TOTAL = \$1,740.
- Incarceration: None
- Community Service: None
- Probation: 2 years
- Programs: Complete outpatient substance abuse counseling; Attend Alcoholics Anonymous.
- Other Sanctions: Shall not associate with any person with a known criminal records, nor those of unsavory reputation; Shall not engage in anti-social conduct; No consumption of alcoholic beverages during probation.

Stratum 4: Southeastern Michigan
Unlawful Blood Alcohol Level

- ID: 032
- Gender: Male
- City/Township of Residence: Harper Woods
- Vehicle Type: Passenger
- Age on Arrest Date: 44
- Date of Arrest: 06-19-93
- Day of Arrest: Saturday
- Time of Arrest: 10:48 PM
- County of Arrest: Macomb
- Arresting Agency: St. Clair Shores Police Department
- Arrested For: OUIL/per se
- Other Arrest Remarks: No operators license; No proof of insurance; No Registration.
- Crash Involvement: None
- Blood Alcohol Level: .21% (breath test)
- Last Drinking Location: Bar
- License Status on Arrest Date: Valid
- Past Traffic Crashes: One, with no injuries.
- Past Traffic Convictions: OWI
- Index of Past Driving Competence: 10
- Past Criminal Convictions: Not in court records.
- Counts: OUIL/UBAL
- Videotape Evidence: None reported
- Plea Arraignment: OUIL/UBAL plead to UBAL
- License Sanctions: 6 months suspended
- Financial Sanctions: Fines and Costs of \$820; Oversight of \$840; TOTAL = \$1,660.
- Incarceration: 12 days to be served over 6 month period.
- Community Service: None
- Probation: 2 years
- Programs: Complete outpatient alcohol treatment; Attend Alcoholics Anonymous.
- Other Sanctions: No alcohol during probation term.

Stratum 4: Southeastern Michigan
Operating Under the Influence of Alcohol

- ID: 033
- Gender: Male
- City/Township of Residence: Detroit
- Vehicle Type: Passenger
- Age on Arrest Date: 38
- Date of Arrest: 10-29-92
- Day of Arrest: Thursday
- Time of Arrest: 12:21 AM
- County of Arrest: Macomb
- Arresting Agency: Warren Police Department
- Arrested For: OUIL; DWLS.
- Other Arrest Remarks: None
- Crash Involvement: None
- Blood Alcohol Level: Unknown
- Last Drinking Location: Unknown
- License Status on Arrest Date: Revoked
- Past Traffic Crashes: One, with one injury.
- Past Traffic Convictions: Prohibited Turn; Two Speeding; OUIL; No Proof of Insurance; Failed to Display Valid License; Five DWLS; Two OWI; UBAL; OUIL/UBAL.
- Index of Past Driving Competence: 48
- Past Criminal Convictions: Larceny; Possession of Stolen Property.
- Counts: OUIL/3rd; DWLS/2nd; Unlawful Registration/Plate
- Videotape Evidence: None reported
- Plea Arraignment: OUIL/3rd plead to OUIL/2nd; DWLS/2nd plead to DWLS/1st; Unlawful Registration/Plate charge dismissed.
- License Sanctions: one year revoked
- Financial Sanctions: Fine of \$100; Court Costs of \$900; TOTAL = \$1,000.
- Incarceration: 30 days
- Community Service: None
- Probation: one year
- Programs: Complete outpatient alcohol treatment.
- Other Sanctions: Electronically monitored house arrest (tether) for five months after jail term.

Stratum 4: Southeastern Michigan
Operating Under the Influence of Alcohol

- ID: 053
- Gender: Male
- City/Township of Residence: Romulus
- Vehicle Type: Passenger
- Age on Arrest Date: 26
- Date of Arrest: 02-10-93
- Day of Arrest: Wednesday
- Time of Arrest: 5:50 PM
- County of Arrest: Wayne
- Arresting Agency: Romulus Police Department
- Arrested For: OUIL; DWLS.
- Other Arrest Remarks: None
- Crash Involvement: Two vehicle; City four-lane roadway; Defendant was speeding and lost control of vehicle; He travelled into oncoming traffic lane and struck a vehicle head-on; Defendant and his passenger were seriously injured; The driver and occupant of second vehicle received minor injuries; Neither defendant nor his passenger were wearing safety belts; The driver and passenger of second vehicle were both belted.
- Blood Alcohol Level: .25% (blood test, taken from hospital records requested through warrant)
- Last Drinking Location: Unknown
- License Status on Arrest Date: Suspended
- Past Traffic Crashes: None.
- Past Traffic Convictions: OWI; Speeding; UBAL; Two DWLS; Failed to Display a Valid License.
- Index of Past Driving Competence: 18
- Past Criminal Convictions: Not in court records.
- Counts: OUIL/2nd; DWLS/2nd
- Videotape Evidence: None reported
- Plea Arraignment: OUIL/2nd plead to OUIL/1st; DWLS/2nd plead to DWLS/1st.
- License Sanctions: Revoked
- Sanctions: Defendant died from gunshot wound before sentencing.

Stratum 4: Southeastern Michigan
Operating Under the Influence of Alcohol

- ID: 052
- Gender: Male
- City/Township of Residence: Waterford
- Vehicle Type: Pickup
- Age on Arrest Date: 49
- Date of Arrest: 10-08-93
- Day of Arrest: Thursday
- Time of Arrest: 5:10 PM
- County of Arrest: Oakland
- Arresting Agency: Waterford Police Department
- Arrested For: OUIL; Open Intoxicant in Vehicle.
- Other Arrest Remarks: No proof of insurance; No operators license on person.
- Crash Involvement: None
- Blood Alcohol Level: Unknown, test was refused.
- Last Drinking Location: Relative's residence
- License Status on Arrest Date: Valid
- Past Traffic Crashes: Four, with one injury.
- Past Traffic Convictions: OWI
- Index of Past Driving Competence: 16
- Past Criminal Convictions: Not in court records.
- Counts: OUIL/UBAL; No Proof of Insurance; Open Intoxicants in Vehicle.
- Videotape Evidence: None reported
- Plea Arraignment: Plead no contest to OUIL; Plead guilty to other counts.
- License Sanctions: 5 months suspended followed by 7 months of restricted driving. Can drive to and from employment, probation, and alcohol treatment program.
- Financial Sanctions: Fines and Costs of \$690; Oversight of \$30/month; Other of \$70; TOTAL = \$1,120.
- Incarceration: None
- Community Service: None
- Probation: one year
- Programs: Complete outpatient alcohol treatment.
- Other Sanctions: Refrain from the use of intoxicating liquors, narcotics, of frequenting places where such are sold; Support dependents and work faithfully at suitable employment.

Stratum 4: Southeastern Michigan
Operating Under the Influence of Alcohol

- ID: 034
- Gender: Male
- City/Township of Residence: Detroit
- Vehicle Type: Passenger
- Age on Arrest Date: 65
- Date of Arrest: 09-04-92
- Day of Arrest: Friday
- Time of Arrest: 4:35 AM
- County of Arrest: Oakland
- Arresting Agency: Southfield Police Department
- Arrested For: OUIL/3rd
- Other Arrest Remarks: None
- Crash Involvement: None
- Blood Alcohol Level: .22% (Breath test)
- Last Drinking Location: Unknown
- License Status on Arrest Date: Suspended
- Past Traffic Crashes: None
- Past Traffic Convictions: OUIL; Two DWLS; Limited Access Speed; Three Failed to Display Valid License; UBAL.
- Index of Past Driving Competence: 18
- Past Criminal Convictions: Not in court records.
- Counts: OUIL/3rd; DWLS/2nd
- Videotape Evidence: None reported
- Plea Arraignment: None; Failed to appear, default judgment.
- License Sanctions: 5 years revoked
- Financial Sanctions: Fine of \$500; Court Costs of \$95; Attorney Fees of \$25; TOTAL = \$620.
- Incarceration: 180 days, suspended if defendant completes inpatient substance abuse program.
- Community Service: In lieu of some of the financial sanctions.
- Probation: 2 years
- Programs: Inpatient substance abuse program recommended.
- Other Sanctions: None

Stratum 4: Southeastern Michigan
Operating Under the Influence of Alcohol

- ID: 035
- Gender: Male
- City/Township of Residence: Westminister
- Vehicle Type: Van
- Age on Arrest Date: 29
- Date of Arrest: 05-28-93
- Day of Arrest: Friday
- Time of Arrest: 11:45 PM
- County of Arrest: Oakland
- Arresting Agency: Oakland County Sheriff's Department
- Arrested For: Speeding; Open Intoxicant in Vehicle; OUIL/UBAL
- Other Arrest Remarks: None
- Crash Involvement: None
- Blood Alcohol Level: .15% (Breath test)
- Last Drinking Location: Unknown
- License Status on Arrest Date: Valid
- Past Traffic Crashes: None
- Past Traffic Convictions: OWI; Two OUIL; DWLS.
- Index of Past Driving Competence: 18
- Past Criminal Convictions: Not in court records.
- Counts: OUIL; Open Intoxicant in Vehicle
- Videotape Evidence: None reported
- Plea Arraignment: Plead guilty to both counts.
- License Sanctions: 35 day suspension, followed by a 21 month restricted license. May drive to and from employment, alcohol treatment program, community service, and probation.
- Financial Sanctions: Fine and costs of \$945; Oversight of \$450; TOTAL = \$1,395.
- Incarceration: 15 days
- Community Service: Amount unknown
- Probation: 18 months
- Programs: Attend Alcoholics Anonymous.
- Other Sanctions: No consumption of alcohol or visiting places where alcohol is sold for consumption; Submit to random chemical tests.

Stratum 4: Southeastern Michigan
Operating Under the Influence of Alcohol

- ID: 037
- Gender: Female
- City/Township of Residence: Westland
- Vehicle Type: Passenger
- Age on Arrest Date: 29
- Date of Arrest: 01-06-92
- Day of Arrest: Monday
- Time of Arrest: 9:35 PM
- County of Arrest: Monroe
- Arresting Agency: Monroe County Sheriff's Department
- Arrested For: OUIL
- Other Arrest Remarks: None
- Crash Involvement: Two-Vehicle; City six-lane intersection; Defendant was speeding and collided into the back of a second vehicle stopped at a stop light; Defendant and driver of second vehicle received minor injuries; Both were wearing safety belts.
- Blood Alcohol Level: .25% (Blood test)
- Last Drinking Location: Unknown
- License Status on Arrest Date: Suspended
- Past Traffic Crashes: None
- Past Traffic Convictions: OWI; OUIL; Speeding.
- Index of Past Driving Competence: 14
- Past Criminal Convictions: Not in court records.
- Counts: OUIL/2nd
- Videotape Evidence: None reported
- Plea Arraignment: OUIL/2nd plead to OUIL/1st,
- License Sanctions: Revoked for 2 years.
- Financial Sanctions: Fine of \$350; Costs of \$350; Other of \$5; Reimbursement of \$200;
TOTAL = \$905.
- Incarceration: 90 days; Fourteen days already served; Balance to be served two years in the future.
- Community Service: None
- Probation: Two years
- Programs: Complete outpatient alcohol treatment; Attend Alcoholics Anonymous.
- Other Sanctions: Shall not consume or possess alcoholic beverages; Shall not frequent or be present in establishments primarily concerned with the sale or service of alcohol; Submit to random chemical tests.

Goal 7:

Determine the degree of use of the new crimes of OUIL-Death and OUIL-Incapacitating injury and the disposition in those cases.

On January 1, 1992, two new felony drunk driving laws went into effect. One of the laws made it a felony to operate a motor vehicle with a blood alcohol level of .10 percent or more by weight of alcohol and kill someone (OUIL-Death, see Table 1). Sanctions for OUIL-Death are up to 15 years in prison and/or a fine of \$2,500 to \$10,000. The other law made it a felony to operate a motor vehicle under the influence of alcohol (.10 percent or more blood alcohol by weight of alcohol) and cause a long-term incapacitating injury (OUIL-Incapacitating Injury, see Table 1). According to the 1992 Michigan Vehicle code, an incapacitating injury is one, "...that has caused a person to be in a comatose state, a quadriplegic state, a hemiplegic state, or a paraplegic state which is likely to continue for one year or more." (Michigan Department of State, 1992, pg. 146). Sanctions for OUIL-Incapacitating Injury are up to five years in prison and/or a fine of \$1,000 to \$5,000.

According to the Secretary of State MDR, during the first two years of these laws (1992 and 1993) there was a total of 44 people convicted of at least one of the felony OUIL crimes. Of these 44 people, four were convicted on multiple counts-- three were convicted on double counts of OUIL-Death and one person was convicted of OUIL-Death and OUIL-Incapacitating Injury. Therefore, there was a total of 48 convictions for OUIL-Death and OUIL-Incapacitating Injury during 1992 and 1993. Table 11 shows the frequency of these convictions by year of conviction and crime.

Crime	1992	1993	1992 & 1993
OUIL-Death	14	27	41
OUIL-Incapacitating Injury	3	4	7

In order to get a measure of the frequency in which the felony OUIL crimes were being plead to other charges, we searched the SoS MDR to find cases where felony OUIL (offense code 41 or 42) were listed as the original charge and some other offense as the conviction. This analysis showed that there were 16 cases in which one of the felony OUIL crimes was the original but not

the convicted offense. The frequencies of these cases are shown in Table 12 by crime and year of conviction.

Table 12: Frequencies of OUIL-Death and OUIL-Incapacitating Injury Cases that were Plead to a Different Charge by Year of Conviction and Overall.			
Original Charge	1992	1993	1992 & 1993
OUIL-Death	2	1	3
OUIL-Incapacitating Injury	7	6	13

Of the three cases in which OUIL-Death was the original charge, one was convicted of negligent homicide (offense code 02), one was convicted of felonious driving (offense code 04), and one was convicted of OUIL. Of the 13 cases with OUIL-Incapacitating Injury as the original charge, three were convicted of felonious driving, one was convicted of OUIL, one was convicted of UBAL, five were convicted of OWI, and three were convicted of OUIL/UBAL.

In order to investigate disposition of OUIL-Death and OUIL-Incapacitating Injury convictions, court and police records for each OUIL-Death and OUIL-Incapacitating Injury were requested. Of the 44 people convicted of the new felony drunk driving crimes, records for seven people could not be acquired. Five of these people have their case in the court of appeals and records would not be released (four of these cases were OUIL-Death and one was a double conviction for OUIL-Death and OUIL-Incapacitating Injury). For the sixth person, the SoS MDR records showed that they had a conviction for OUIL-Incapacitating Injury, but court and police records showed that her conviction was for OUIL and a second count of Conspiracy (she confessed to being the driver of a vehicle involved in a serious personal injury crash and later admitted that it was her boyfriend driving the vehicle). Records for the seventh person convicted of OUIL-Incapacitating Injury could not be located at the court in which the case was reportedly tried.

Subtracting these cases, we were left with 37 people to review. Of these people, three were convicted on double counts of OUIL-Death. Since for all three people the second OUIL-Death occurred from the same incident and were tried at the same time, these cases were combined for analysis.

Tables 13 and 14 show summary information for the four OUIL-Incapacitating Injury cases and the 33 OUIL-Death cases. In Table 13, the Vehicle Type shows the vehicle that was being driven by the defendant when the crash occurred. The Age category shows the age on the day of the crash. Past Traffic Crashes shows what the MDR reflects for the defendant over the last seven years. The Past Drunk Driving convictions show the number of previous OWI, OUIL, UBAL, OUID, and/or OUIL/UBAL convictions over the last ten years (or possibly longer if the person has a revocation or denial for the offense). The label "unknown" for past crashes and drunk driving convictions contains out-of-state drivers convicted in Michigan. The Index of Past Driving Competence shows a composite of past traffic crashes and convictions. It is calculated by summing the license sanction points for each past traffic conviction on record, irrespective of whether a crime occurred during the same incident as some other crime (in which case the SoS would assign points for only one of the convictions). Note that felony and substance abuse convictions remain on record for at least ten years while other convictions remain for seven years. This result is then added to the number of crashes over the last seven years, where each crash is assigned a four point value. The resulting number is the Index of Past Driving Competence. We have separated the index into four categories: Competent (0 - 6 points), Acceptable (7 - 12 points), Unacceptable (13 - 18 points), and Problem Driver (19 or more points).

Table 14 shows summaries of arrest information for each felony. The Day of Week and Time are for when the crash occurred. The times are derived from police narratives and crash reports (UD-10s). The Residence category shows whether or not the crash was in the same county as the person lives. The License Status category shows the person's driving privileges on the day of the crash. The Blood Alcohol Level (BAL) shows measured percentage of alcohol by weight in a person's blood stream on the day of the crash. Since the BAL changes over time and since the time between officer initial contact and chemical test administration varied on a case-by-case basis, see the case studies for a more through examination of BAL. The Test Type is the chemical test used to measure BAL. In several of the cases, a preliminary breath test was administered in the field and then a blood test was later given. In these cases the more accurate blood test is the value and test type recorded. The Open Intoxicants in vehicle category shows the number of convictions in which an open container of alcohol was found in the vehicle regardless of whether an arrest was made for this offense.

The dispositions are not reviewed here because the amount of fines, incarceration, probation, and community service that a person receives is affected by a person's past traffic and criminal record and the other counts under consideration at the same time as the felony OUIL

charge. Since this varies on a case-by-case basis, the dispositions also vary as a function of the individual case. This information, however, is reviewed in detail for each conviction in the case studies.

Finally, as shown in Table 2, the minimum sanction on driving privileges for either OUIL-Death or OUIL-Incapacitating Injury is a revoked license. Of the 37 people we reviewed, 36 had their license revoked. The remaining person died before he was sentenced so no driving privilege sanction was specified. Table 2 also shows that the minimum disposition is one or more of the following: a minimum fine of \$2500 for OUIL-Death or \$1000 for OUIL-Incapacitating Injury and incarceration of up to 15 years for OUIL-Death or five years for OUIL-Incapacitating Injury. Of the 37 people reviewed, 34 received at least these minimum sanctions. Of the remaining three, one died before sentencing and the other two received minimal fines and probation with three to six months on electronic tether (i.e., in-home house arrest).

The Index of Past Driving Competence

Competent	0 - 6 points
Acceptable	7 - 12 points
Unacceptable	13 - 18 points
Problem Driver	19 or more points

Table 13: Summary Statistics for Felony OUIL Cases: Defendant Demographics			
	Crime		
	OUIL-Incap. Injury		OUIL-Death
	N = 4		N = 33
<u>Gender</u>			
Male	50.0%	(N = 2)	87.9% (N = 29)
Female	50.0%	(N = 2)	12.1% (N = 4)
<u>Vehicle Type</u>			
Passenger	75.0%	(N = 3)	66.7% (N = 22)
Sport-Utility	0.0%	(N = 0)	3.0% (N = 1)
Pickup Truck	25.0%	(N = 1)	21.2% (N = 7)
Van	0.0%	(N = 0)	9.1% (N = 3)
<u>Age</u>			
0 - 20	0.0%	(N = 0)	24.2% (N = 8)
21 - 30	25.0%	(N = 1)	21.2% (N = 7)
31 - 40	50.0%	(N = 2)	33.3% (N = 11)
41 - 50	25.0%	(N = 1)	12.1% (N = 4)
51 - 60	0.0%	(N = 0)	6.1% (N = 2)
61 - 70	0.0%	(N = 0)	3.0% (N = 1)
<u>Past Traffic Crashes</u>			
Unknown	0.0%	(N = 0)	6.1% (N = 2)
None	25.0%	(N = 1)	42.4% (N = 14)
One	75.0%	(N = 3)	21.2% (N = 7)
Two	0.0%	(N = 0)	24.2% (N = 8)
Three	0.0%	(N = 0)	6.1% (N = 2)
<u>Past Drunk Driving Convictions</u>			
Unknown	0.0%	(N = 0)	6.1% (N = 2)
None	25.0%	(N = 1)	57.6% (N = 19)
One	75.0%	(N = 3)	30.3% (N = 10)
Two	0.0%	(N = 0)	3.0% (N = 1)
Three	0.0%	(N = 0)	0.0% (N = 0)
Four or more	0.0%	(N = 0)	3.0% (N = 1)
<u>Index of Past Driving Competence</u>			
Unknown	0.0%	(N = 0)	6.1% (N = 2)
Competent	50.0%	(N = 2)	30.3% (N = 10)
Acceptable	0.0%	(N = 0)	24.2% (N = 8)
Unacceptable	25.0%	(N = 1)	18.2% (N = 6)
Problem Driver	25.0%	(N = 1)	21.2% (N = 7)

Table 14: Summary Statistics for Felony OUIL Cases: Crash and Arrest Information		
	Crime	
	OUIL-Incap. Injury N = 4	OUIL-Death N = 33
<u>Day of Week Crash Occurred</u>		
Monday	0.0% (N = 0)	6.1% (N = 2)
Tuesday	0.0% (N = 0)	6.1% (N = 2)
Wednesday	0.0% (N = 0)	6.1% (N = 2)
Thursday	0.0% (N = 0)	6.1% (N = 2)
Friday	25.0% (N = 1)	15.2% (N = 5)
Saturday	25.0% (N = 1)	30.3% (N = 10)
Sunday	50.0% (N = 2)	30.3% (N = 10)
<u>Time of Day Crash Occurred</u>		
Unknown	25.0% (N = 1)	0.0% (N = 0)
6:01 am - Noon	0.0% (N = 0)	0.0% (N = 0)
12:01 pm - 6:00 pm	0.0% (N = 0)	21.2% (N = 7)
6:01 pm - Midnight	25.0% (N = 1)	57.6% (N = 19)
12:01 am - 6:00 am	50.0% (N = 2)	21.2% (N = 7)
<u>Residence</u>		
In Arrest County	100% (N = 4)	51.5% (N = 17)
Out of Arrest County	0.0% (N = 0)	48.5% (N = 16)
<u>License Status on Day of Crash</u>		
Valid	75.0% (N = 3)	78.8% (N = 26)
Restricted	0.0% (N = 0)	3.0% (N = 1)
Suspended	25.0% (N = 1)	18.2% (N = 6)
Revoked	0.0% (N = 0)	0.0% (N = 0)
Expired	0.0% (N = 0)	0.0% (N = 0)
<u>Blood Alcohol Level</u>		
Unknown	50.0% (N = 2)	9.1% (N = 3)
.05% - .09%	0.0% (N = 0)	6.1% (N = 2)
.10% - .15%	25.0% (N = 1)	33.3% (N = 11)
.16% - .20%	0.0% (N = 0)	18.2% (N = 6)
.21% - .25%	25.0% (N = 1)	21.2% (N = 7)
.26% - .30%	0.0% (N = 0)	6.1% (N = 2)
<u>Test Type</u>		
Blood	50.0% (N = 2)	72.7% (N = 24)
Breath	0.0% (N = 0)	15.2% (N = 5)
Unknown	50.0% (N = 2)	12.1% (N = 4)
<u>Open Intoxicants in vehicle?</u>		
Yes	25.0% (N = 1)	27.3% (N = 9)
No	75.0% (N = 3)	72.7% (N = 24)

As shown in Table 13, most people convicted of the new felony crimes were males between the age of 31 and 40 driving passenger vehicles. As can also be seen in this table, nearly 25 percent of the OUIL-Death convictions were for people under the legal drinking age of 21. This finding provides strong support for special licensing and/or legislation for young drivers, such as graduated licensing or "zero-tolerance" laws (see Rink, 1994; Insurance Institute for Highway Safety, 1994).

The past driving records show some interesting trends. Excluding those people for which we had no past driving histories, 57.1 percent of the people convicted for one of the new felony drunk driving crimes had at least one crash over the last seven years and 42.9 percent had at least one OWI, OUIL, UBAL, OUID, or OUIL/UBAL conviction on record. Again excluding those for which we had no records, the Index of Past Driving Competence (which takes into account all traffic convictions and crashes) shows that 42.9 percent of the people had Unacceptable or Problem driving backgrounds.

Table 14 shows that nearly every crash occurred on a Friday, Saturday, or Sunday between 6:00 pm and midnight. Excluding the unknown case, 80.6 percent of the crashes occurred between 6:00 pm and 6:00 am. Overall, 43.2 percent of the defendants were outside of their county of residence when the crash occurred and 78.8 percent were driving on a valid license. About one third of the defendants had a blood alcohol level between .10 and .15 percent. About 30 percent had a BAL of .20 percent or greater. In 27.0 percent of the crashes, open containers of alcohol were found in the vehicle. This number may not be indicative of in-vehicle drinking because in many of the crashes the vehicle flipped throwing objects (such as beer cans) out of open or broken windows.

There were some other interesting crash-trends not captured in the summary tables. Of the crashes we summarized, seven (19.0 percent) involved the defendant's car striking a pedestrian (or bicycle rider), seven involved the defendant travelling the wrong direction in a traffic lane (including improper passing), and five (13.5 percent) involved the defendant failing to heed a traffic control device.

Safety belt use information showed the unfortunate consequences of failing to buckle up. In the non-pedestrian-involved crashes for which we had safety belt use information, there were 29 people who received either an incapacitating injury or were killed (i. e., the injuries for which the defendant was tried). Of these people, only eight (27.6 percent) were wearing a safety belt.

Given that this belt use rate is only half of the overall belt use rate for Michigan (Streff, Molnar & Christoff, 1993; Streff, Eby, Molnar, Joksch, and Wallace, 1993), many of the injuries could have been reduced or prevented had safety belts been used.

CASE STUDIES FOR OUIL-INCAPACITATING INJURY AND OUIL-DEATH CONVICTIONS

Each case study is reported by conviction type. Note that we did not request past criminal convictions specifically; however, many court records included this type of information. When available, this information is presented. If it is not available, we have stated that it was, "not in court records." This phrase means that the person may or may not have a criminal record. Further, the court records that stated criminal convictions may not be exhaustive for that person. Also note that the SoS MDR only maintains records for a certain length of time. Therefore, past traffic crashes could be investigated for only the preceding seven years, while past traffic convictions could be investigated over only the last ten years for felony and substance abuse convictions and seven years for all other convictions. Finally, we have listed only financial sanctions that were stated explicitly in the court records. There may be cases in which, for example, an oversight fee for probation was assessed but not written into the court records. There may also be cases in which restitution was assessed after sentencing and was consequently not included in the written disposition for the case.

The crash descriptions were derived from the one or more of the following sources: police crash reports (UD-10), witness descriptions, and police descriptions. The Last Drinking Location category is taken from defendant self report and/or witness statements. Safety belts use was taken from witness statements and UD-10s. The IDs are for linking the summaries to the original data.

Operating Under the Influence of Alcohol Causing an Incapacitating Injury

- ID: 100
- Gender: Female
- City/Township of Residence: White Lake
- Vehicle Type: Passenger
- Age on Day of Crash: 40
- Time of Crash: 11:00 PM
- Date of Crash: 05-24-92
- Day of Crash: Sunday
- Date of Arrest: 05-24-92
- County of Arrest: Oakland
- Arresting Agency: Township of White Lake Police Department
- Arrested For: OUIL
- Other Arrest Remarks: Open container of alcohol found in vehicle.
- Crash Information: Single vehicle; rural two-lane road; Driver failed to negotiate a curve; Passenger paralyzed, driver had minor injuries.
- Use of Safety Belts: Neither occupant was belted.
- Last Drinking Location: Campground
- Blood Alcohol Level: .12% (Blood test)
- License Status on Arrest Date: Valid
- Past Traffic Crashes: One, with one injury.
- Past Traffic Convictions: Failed to Yield.
- Index of Past Driving Competence: 6
- Past Criminal Convictions: Not in court records.
- Counts: OUIL-Incapacitating Injury; Open Container of Intoxicant in Vehicle.
- Videotape Evidence: None reported
- Plea Arraignment: Plead guilty to both counts.
- License Sanctions: 5 years revoked.
- Financial Sanctions: Fines and costs of \$900; Victim Rights Fund of \$30; Oversight of \$30/month during probation term; TOTAL = \$2,010.
- Incarceration: 90 days
- Community Service: None
- Probation: Three years
- Programs: Complete mental health treatment; Attend Alcoholics/Narcotics Anonymous; Complete substance abuse program.
- Other Sanctions: May not operate any form of motor vehicle during probation term.

Operating Under the Influence of Alcohol Causing an Incapacitating Injury

- ID: 101
- Gender: Female
- City/Township of Residence: Lansing
- Vehicle Type: Passenger
- Age on Day of Crash: 42
- Time of Crash: 3:30 AM
- Date of Crash: 05-22-92
- Day of Crash: Friday
- Date of Arrest: 05-22-92
- County of Arrest: Ingham
- Arresting Agency: Lansing Police Department
- Arrested For: OUIL
- Other Arrest Remarks: None
- Crash Information: Single vehicle; City, two-lane road; Driver was arguing with passengers while speeding and failed to negotiate turn striking a metal pole head-on; Five occupants, four were injured including driver; One three year old backseat passenger received closed-head and spinal injuries.
- Use of Safety Belts: Defendant was not belted, two of the four passengers were not belted, one was unknown, and passenger that received incapacitating injury was not in a child restraint device.
- Blood Alcohol Level: Unknown (Chemical tests refused, no warrant requested)
- Last Drinking Location: Bar
- License Status on Arrest Date: Valid
- Past Traffic Crashes: None
- Past Traffic Convictions: Speeding; OUIL; Failed to Yield; OWI.
- Index of Past Driving Competence: 14
- Past Criminal Convictions: Not in court records.
- Counts: OUIL-Incapacitating Injury
- Videotape Evidence: None reported
- Plea Arraignment: Plead guilty.
- License Sanctions: one year revoked/denied
- Financial Sanctions: Victim Rights Fund of \$30; TOTAL = \$30.
- Incarceration: One year, with work release
- Community Service: None
- Probation: Two years
- Programs: Complete alcohol and substance abuse treatment as recommended.
- Other Sanctions: May not possess or have control of firearms; May not engage in assaultive behavior.

Operating Under the Influence of Alcohol Causing an Incapacitating Injury

- ID: 102
- Gender: Male
- City/Township of Residence: Jackson
- Vehicle Type: Passenger
- Age on Day of Crash: 35
- Time of Crash: 4:15 AM
- Date of Crash: 11-14-92
- Day of Crash: Saturday
- Date of Arrest: 11-14-92
- County of Arrest: Jackson
- Arresting Agency: Michigan State Police
- Arrested For: OUIL-Incapacitating Injury; Leaving Scene of Serious Personal Injury Accident; Possession of Marijuana.
- Other Arrest Remarks: Upon returning to crash scene, defendant fled as officer attempted to pull him over; Open intoxicants found in vehicle.
- Crash Information: Single vehicle; two-lane city roadway; Defendant crossed center divider and opposite shoulder and hit two pedestrians; Defendant was uninjured; Both pedestrians were seriously injured.
- Use of Safety Belts: The defendant was not wearing a safety belt, the other occupant was unknown.
- Blood Alcohol Level: .23% (blood test two hours after crash, search warrant required)
- Last Drinking Location: In vehicle
- License Status on Arrest Date: Suspended
- Past Traffic Crashes: One, with two injuries.
- Past Traffic Convictions: Two Failed to Yield; Speeding; Limited Access Speed; Two No Proof of Insurance; Two OWI; Improper Passing; Open Intoxicants in Vehicle.
- Index of Past Driving Competence: 32
- Past Criminal Convictions: Not in court records.
- Counts: OUIL-Incapacitating Injury; Failure to Stop at Serious PIA; Possession of Controlled Substance; and an unknown fourth count.
- Videotape Evidence: None reported.
- Plea Arraignment: Plead no contest to OUIL-Incapacitating Injury and Failure to Stop at Serious PIA; Other charges dismissed.
- License Sanctions: one year revoked.
- Financial Sanctions: Fine of \$500; Costs of \$1000; Victim Rights Fund of \$30; TOTAL = \$1,530.
- Incarceration: one year
- Community Service: None
- Probation: 60 months
- Programs: Attend Victim's Impact Panel after release from jail.
- Other Sanctions: No alcohol during probation period; Submit to random chemical tests; No driving during probation period.

Operating Under the Influence of Alcohol Causing an Incapacitating Injury

- ID: 118
- Gender: Male
- City/Township of Residence: Cadillac
- Vehicle Type: Pickup
- Age on Crash Date: 24
- Time of Crash: Unknown
- Date of Crash: 02-15-92
- Day of Crash: Sunday
- Date of Arrest: 02-15-92
- County of Arrest: Wexford
- Arresting Agency: City of Cadillac Police Department
- Arrested For: OUIL-Death; Failure to Stop at Serious Personal Injury Accident.
- Other Arrest Remarks: Unknown
- Crash Information: Two vehicle; One killed; The rest is unknown.
- Use of Safety Belts: Unknown
- Blood Alcohol Level: Unknown; greater than .10%
- Last Drinking Location: Unknown
- License Status on Arrest Date: Valid
- Past Traffic Crashes: None
- Past Traffic Convictions: Disobeyed Traffic Signal; Failed to Display a Valid License; OWI.
- Index of Past Driving Competence: 6
- Past Criminal Convictions: Not in court records.
- Counts: OUIL-Incapacitating Injury (The original counts were: OUIL-Death and Failure to Stop at Serious Personal Injury Accident. It is not clear why the counts were changed).
- Videotape Evidence: None reported
- Plea Arraignment: Plead no contest to OUIL-Incapacitating Injury; other charge dismissed.
- License Sanctions: 5 years revoked.
- Financial Sanctions: Fines and costs of \$900; Victim Rights Fund of \$30; Oversight of \$30/month; TOTAL = \$2,010.
- Incarceration: 90 days
- Community Service: None
- Probation: Three years
- Programs: Complete mental health treatment; Attend Alcoholics/Narcotics Anonymous; Complete substance abuse program.
- Other Sanctions: May not operate any form of motor vehicle during probation term.

Operating Under the Influence of Alcohol Causing Death

- ID: 103
- Gender: Male
- City/Township of Residence: Carsonville
- Vehicle Type: Sport-Utility
- Age on Day of Crash: 33
- Time of Crash: 11:00 PM
- Date of Crash: 08-23-92
- Day of Crash: Sunday
- Date of Arrest: 12-03-92
- County of Arrest: Sanilac
- Arresting Agency: Sanilac County Sheriff Department
- Arrested For: OUIL-Death
- Other Arrest Remarks: None
- Crash Information: Single vehicle; Rural, two-lane highway; Driver swerved off of roadway flipping vehicle; Driver and occupant were thrown from vehicle; Passenger killed, driver unconscious and airlifted to hospital.
- Use of Safety Belts: Neither occupant were wearing safety belts.
- Blood Alcohol Level: .15% (Blood test)
- Last Drinking Location: Relative's residence
- License Status on Arrest Date: Valid
- Past Traffic Crashes: Two, with five injuries.
- Past Traffic Convictions: Prohibited Turn; Improper Turn; Disobeyed traffic Signal; Limited Access Speed; DWLS; Speed; DWLS; No Proof of Insurance; Open Intoxicants in Vehicle.
- Index of Past Driving Competence: 24
- Past Criminal Convictions: Not in court records.
- Counts: OUIL-Death
- Videotape Evidence: Not reported
- Plea Arraignment: Plead no contest; Requested restricted driving privileges and work release from jail.
- License Sanctions: 3 years revoked.
- Financial Sanctions: Fines and costs of \$250; Victim Rights Fund of \$30; Oversight Fee of \$30; Restitution of \$3,200; TOTAL = \$3,510.
- Incarceration: one year with six-day/week work release.
- Community Service: None
- Probation: three years
- Programs: Alcohol and drug assessment required and must follow recommended treatment program.
- Other Sanctions: No alcohol during probation period; must submit to random chemical tests.

Operating Under the Influence of Alcohol Causing Death

- ID: 104
- Gender: Male
- City/Township of Residence: Emmet
- Vehicle Type: Pickup
- Age on Day of Crash: 18
- Time of Crash: 8:30 PM
- Date of Crash: 04-10-92
- Day of Crash: Friday
- Date of Arrest: 04-22-92
- County of Arrest: St. Clair
- Arresting Agency: St. Clair County Sheriff Department
- Arrested For: OUIL-Death
- Other Arrest Remarks: Had been responsible for crash eight months earlier where a fatality occurred; Open Intoxicants were found in vehicle.
- Crash Information: Single vehicle; Rural two-lane road; Driver ran off roadway striking bridge abutment causing vehicle to flip; All four occupants were ejected, one killed, three injured.
- Safety Belt Use: None were wearing safety belts.
- Blood Alcohol Level: Unknown (Warrant was requested)
- Last Drinking Location: In vehicle
- License Status on Arrest Date: Valid
- Past Traffic Crashes: One, with one injury and one fatality.
- Past Traffic Convictions: Disobeyed Stop Sign; Disobeyed Traffic Signal; Careless Driving.
- Index of Past Driving Competence: 13
- Past Criminal Convictions: Not in court records.
- Counts: OUIL-Death; Negligent Homicide.
- Videotape Evidence: Not reported
- Plea Arraignment: None; Convicted by jury of OUIL-Death; Outcome of Negligent Homicide count unknown.
- License Sanctions: Revoked
- Financial Sanctions: Victim Rights Fund of \$30; Restitution of \$4,262; TOTAL = \$4,292.
- Incarceration: 3.5 to 15 years
- Community Service: None
- Probation: None
- Programs: None
- Other Sanctions: None

Operating Under the Influence of Alcohol Causing Death

- ID: 105
- Gender: Female
- City/Township of Residence: Midland
- Vehicle Type: Passenger
- Age on Day of Crash: 18
- Time of Crash: 10:30 PM
- Date of Crash: 05-01-92
- Day of Crash: Friday
- Date of Arrest: 05-01-92
- County of Arrest: Livingston
- Arresting Agency: Livingston County Sheriff Department
- Arrested For: OUIL-Death
- Other Arrest Remarks: None
- Crash Information: Two vehicle; City, four -lane Interstate; Defendant rear-ended another car causing it to flip; One killed and one injured in second vehicle; Defendant and her passenger received moderate injuries.
- Use of Safety Belts: Defendant was belted; Driver of second vehicle and one passenger was belted; The passenger who was killed was not wearing a safety belt.
- Blood Alcohol Level: .13% (Blood test)
- Last Drinking Location: Wedding
- License Status on Arrest Date: Valid
- Past Traffic Crashes: Two, with one injury.
- Past Traffic Convictions: Two Speed; No Proof of Insurance.
- Index of Past Driving Competence: 14
- Past Criminal Convictions: Not in court records.
- Counts: OUIL-Death
- Videotape Evidence: None reported
- Plea Arraignment: Plead no contest.
- License Sanctions: Revoked indefinitely
- Financial Sanctions: Fees and Court cost of \$600; Oversight fee of \$30/mo during probation term; Restitution is to be determined; TOTAL = \$2,400 plus restitution.
- Incarceration: one year (212 days credit for in-patient alcohol treatment)
- Community Service: None
- Probation: 5 years
- Programs: Counseling as recommended.
- Other Sanctions: 6 months on in-home electronic monitoring (tether) after release from jail.
- Other Notes: Because of long-term disability to another injured party, defendant is now charged with OUIL-Incapacitating Injury and felonious driving.

Operating Under the Influence of Alcohol Causing Death

- ID: 106
- Gender: Male
- City/Township of Residence: Whitmore Lake
- Vehicle Type: Passenger
- Age on Day of Crash: 19
- Time of Crash: 11:30 PM
- Date of Crash: 09-30-92
- Day of Crash: Wednesday
- Date of Arrest: 10-19-92
- County of Arrest: Livingston
- Arresting Agency: Green Oak Police Department
- Arrested For: Negligent Homicide; OUIL
- Other Arrest Remarks: None
- Crash Information: Single vehicle; Rural two-lane road; Driver failed to negotiate a curve; Two occupants; Passenger thrown from car and killed; Driver had moderate injuries.
- Use of Safety Belts: Driver only, passenger not belted.
- Blood Alcohol Level: .10% (Blood test taken three hours after crash)
- Last Drinking Location: Own residence
- License Status on Arrest Date: Valid
- Past Traffic Crashes: Two, with one injury.
- Past Traffic Convictions: Two Speed; Drove Left of Center; Failed to Stop or Identify After Personal Injury Accident; No Proof of Insurance.
- Index of Past Driving Competence: 24
- Past Criminal Convictions: Not in court records.
- Counts: OUIL-Death
- Videotape Evidence: None reported
- Plea Arraignment: Plead no contest, with one year incarceration sentence agreement.
- License Sanctions: Revoked indefinitely
- Financial Sanctions: Fees and Court cost of \$600; Oversight fee of \$30/mo during probation term; Restitution is to be determined; Victim rights fund of \$30; TOTAL = \$2,430 plus restitution.
- Incarceration: one year
- Community Service: None
- Probation: 5 years
- Programs: Complete substance abuse program.
- Other Sanctions: Cannot possess or consume alcohol or controlled substance; May not frequent businesses that sell alcohol as principle business.

Operating Under the Influence of Alcohol Causing Death

- ID: 107
- Gender: Male
- City/Township of Residence: Grandville
- Vehicle Type: Van
- Age on Day of Crash: 33
- Time of Crash: 12:15 PM
- Date of Crash: 10-31-92
- Day of Crash: Saturday
- Date of Arrest: 10-19-92
- County of Arrest: Kent
- Arresting Agency: Grand Rapids Police Department
- Arrested For: Manslaughter; OUIL
- Other Arrest Remarks: Two outstanding arrest warrants; Improper plates; No proof of insurance or registration.
- Crash Information: Two vehicle; City roadway intersection; Driver ran a red light and broadsided a vehicle on driver's side killing the driver and injuring the passenger; Defendant received minor injuries.
- Use of Safety Belts: All occupants in both vehicles were belted.
- Blood Alcohol Level: .18% (Breath test)
- Last Drinking Location: Unknown
- License Status on Arrest Date: Suspended
- Past Traffic Crashes: One, with three injured in a ten vehicle crash.
- Past Traffic Convictions: Drove While License Expired; Two No Proof of Insurance; Speeding; OWI; DWLS.
- Index of Past Driving Competence: 14
- Past Criminal Convictions: Not in court records.
- Counts: OUIL-Death
- Videotape Evidence: None reported
- Plea Arraignment: Plead no contest.
- License Sanctions: Revoked indefinitely
- Financial Sanctions: Unknown
- Incarceration: 4 to 15 years
- Community Service: None
- Probation: None
- Programs: None
- Other Sanctions: Court reserves the right to assess restitution if released on parole.

Operating Under the Influence of Alcohol Causing Death

- ID: 108
- Gender: Male
- City/Township of Residence: Charlotte
- Vehicle Type: Passenger
- Age on Day of Crash: 19
- Time of Crash: 11:12 PM
- Date of Crash: 12-05-92
- Day of Crash: Saturday
- Date of Arrest: 12-05-92
- County of Arrest: Eaton
- Arresting Agency: Eaton County Sheriff's Department
- Arrested For: OUIL; Fleeing Scene of Serious Personal Injury Accident.
- Other Arrest Remarks: Defendant fled to friends house and attempted to hide from sheriffs who were following him; Open intoxicants were found in the vehicle.
- Crash Information: Two vehicle; Rural two-lane highway; Defendant lost control of vehicle traveling approximately 100 MPH and crossed into other lane, hitting another vehicle head on; Killed backseat passenger in his car and injured two others; Driver had minor injuries; Minor injuries to two occupants in second vehicle.
- Use of Safety Belts: No one in defendant's car were wearing safety belts; Driver and occupant of second car were belted.
- Blood Alcohol Level: .12% (Blood test)
- Last Drinking Location: In vehicle
- License Status on Arrest Date: Valid
- Past Traffic Crashes: Three, with five injuries.
- Past Traffic Convictions: None
- Index of Past Driving Competence: 12
- Past Criminal Convictions: Not in court records.
- Counts: OUIL-Death; Failure to Stop at Serious personal injury accident; Habitual Offender/2nd.
- Videotape Evidence: Crash scene was videotaped
- Plea Arraignment: Plead guilty to OUIL-Death; Other charges dismissed.
- License Sanctions: Revocation/Denial
- Financial Sanctions: Possible restitution.
- Incarceration: 10 to 15 years
- Community Service: None
- Probation: None
- Programs: None
- Other Sanctions: None
- Other Information: Defendant was concurrently convicted of criminal charges Breaking and Entering with Intent; Assault with Intent to Rob While Unarmed; Habitual Offender. Sentenced to 14 to 22.5 years consecutive with sentence for OUIL-Death.

Operating Under the Influence of Alcohol Causing Death

- ID: 109
- Gender: Male
- City/Township of Residence: Grand Rapids
- Vehicle Type: Passenger
- Age on Day of Crash: 57
- Time of Crash: 12:00 AM
- Date of Crash: 08-14-92
- Day of Crash: Friday
- Date of Arrest: 08-14-92
- County of Arrest: Kent
- Arresting Agency: Kent County Sheriff's Department
- Arrested For: Negligent Manslaughter; Other Hazardous Violations; OUIL
- Other Arrest Remarks: Open container of intoxicant found in vehicle.
- Crash Information: Two vehicle; Four-lane state highway; Defendant was driving wrong way on highway and struck another vehicle head-on; Only occupant in other vehicle was killed; Defendant received minor injuries.
- Use of Safety Belts: Both occupants were belted.
- Blood Alcohol Level: .12% (Blood test, warrant required)
- Last Drinking Location: In vehicle
- License Status on Arrest Date: Valid
- Past Traffic Crashes: None
- Past Traffic Convictions: Speeding; Limited Access Speed.
- Index of Past Driving Competence: 4
- Past Criminal Convictions: Not in court records.
- Counts: OUIL-Death
- Videotape Evidence: None reported
- Plea Arraignment: Plead guilty to OUIL-Death.
- License Sanctions: Revoked/denied
- Financial Sanctions: Unspecified restitution for funeral and counseling fees.
- Incarceration: 2 to 15 years
- Community Service: None
- Probation: None
- Programs: None
- Other Sanctions: None

Operating Under the Influence of Alcohol Causing Death

- ID: 110
- Gender: Female
- City/Township of Residence: Mt. Clemens
- Vehicle Type: Passenger
- Age on Day of Crash: 24
- Time of Crash: 2:45 AM
- Date of Crash: 01-05-92
- Day of Crash: Sunday
- Date of Arrest: 07-27-92
- County of Arrest: Macomb
- Arresting Agency: Clinton Township Police Department
- Arrested For: OUIL-Death
- Other Arrest Remarks: None
- Crash Information: Single vehicle; Rural two-lane roadway; Defendant struck and killed pedestrian who was walking in traffic lane in unlighted area; Pedestrian was determined to be at fault; Pedestrian had Blood Alcohol Level of .14 percent.
- Use of Safety Belts: Defendant was belted, and her passenger was unknown.
- Blood Alcohol Level: .15% (Breath test)
- Last Drinking Location: Friend's residence
- License Status on Arrest Date: Valid
- Past Traffic Crashes: Three, with one injury.
- Past Traffic Convictions: Speeding; Violation of Basic Speed Law.
- Index of Past Driving Competence: 16
- Past Criminal Convictions: Not in court records.
- Counts: OUIL-Death
- Videotape Evidence: Not reported
- Plea Arraignment: Plead guilty to OUIL-Death with agreement of probation instead of incarceration.
- License Sanctions: One year revoked
- Financial Sanctions: Restitution of \$600; Victim Rights Fund of \$30; Oversight fees of \$30/month for probation period; TOTAL = \$1,350.
- Incarceration: None
- Community Service: None
- Probation: Two years
- Programs: Six months on electronic monitoring (tether); Complete alcohol counseling.
- Other Sanctions: Must submit to random chemical tests; No consumption of alcoholic beverages and frequently places where alcohol is consumed on premises.

Operating Under the Influence of Alcohol Causing Death

- ID: 111
- Gender: Male
- City/Township of Residence: Wyoming
- Vehicle Type: Pickup
- Age on Day of Crash: 27
- Time of Crash: 9:30 PM
- Date of Crash: 10-09-92
- Day of Crash: Friday
- Date of Arrest: 10-13-92
- County of Arrest: Mecosta
- Arresting Agency: Mecosta County Sheriff's Department
- Arrested For: OUIL-Death
- Other Arrest Remarks: None
- Crash Information: Single vehicle; Four-lane state highway within city; Defendant's vehicle drifted off road with no evidence of skidding, sliding, or steering back toward roadway along 40 foot grassy shoulder striking several trees; Defendant severely injured, passenger killed; Defendant was presently taking anti-depressant drugs; Cause of crash believed to be loss of consciousness.
- Use of Safety Belts: None used by either occupant.
- Blood Alcohol Level: .19% (Blood test)
- Last Drinking Location: Unknown
- License Status on Arrest Date: Valid
- Past Traffic Crashes: One, with no injuries.
- Past Traffic Convictions: Violation of Basic Speed Law.
- Index of Past Driving Competence: 6
- Past Criminal Convictions: Not in court records.
- Counts: OUIL-Death
- Videotape Evidence: None reported
- Plea Arraignment: Plead guilty to OUIL-Death.
- License Sanctions: Revoked
- Financial Sanctions: TOTAL = \$2,500.
- Incarceration: 3 to 15 years
- Community Service: None
- Probation: None
- Programs: Complete mental and substance abuse counseling.
- Other Sanctions: No contact with family of deceased.

Operating Under the Influence of Alcohol Causing Death

- ID: 112
- Gender: Male
- City/Township of Residence: South Lyon
- Vehicle Type: Pickup
- Age on Day of Crash: 20
- Time of Crash: 10:00 PM
- Date of Crash: 09-16-92
- Day of Crash: Wednesday
- Date of Arrest: 09-16-92
- County of Arrest: Washtenaw
- Arresting Agency: Washtenaw County Sheriff's Department
- Arrested For: Manslaughter
- Other Arrest Remarks: None
- Crash Information: Two Vehicle; Four-lane Interstate; Defendant rear-ended a second vehicle causing it to swerve and flip; Driver of second vehicle thrown from car and killed; Defendant received minor injuries.
- Use of Safety Belts: Driver of second vehicle was not wearing belt; Defendant, unknown.
- Blood Alcohol Level: .12% (Blood test)
- Last Drinking Location: Bowling league
- License Status on Arrest Date: Valid
- Past Traffic Crashes: Two, with one injury.
- Past Traffic Convictions: Two Speeding; OWI; Limited Access Speed; Failure to Stop or Identify After Property Damage Accident; Careless Driving.
- Index of Past Driving Competence: 26
- Past Criminal Convictions: Not in court records.
- Counts: OUIL-Death
- Videotape Evidence: None reported
- Plea Arraignment: Plead no contest to OUIL-Death.
- License Sanctions: Revoked
- Financial Sanctions: Victim Rights Fund of \$30; TOTAL = \$30.
- Incarceration: 3 to 15 years
- Community Service: Participate in service at trauma center if released on parole.
- Probation: None
- Programs: Complete mental health treatment.
- Other Sanctions: None

Operating Under the Influence of Alcohol Causing Death

- ID: 113
- Gender: Male
- City/Township of Residence: Alma
- Vehicle Type: Passenger
- Age on Day of Crash: 19
- Time of Crash: 3:30 AM
- Date of Crash: 06-01-93
- Day of Crash: Tuesday
- Date of Arrest: 06-10-93
- County of Arrest: Gratiot
- Arresting Agency: Gratiot County Sheriff's Department
- Arrested For: Negligent Homicide
- Other Arrest Remarks: Open intoxicants found in vehicle.
- Crash Information: Single vehicle; Rural two-lane road; Defendant lost control of vehicle causing it to flip; All three occupants were thrown from vehicle; One killed, one seriously injured.
- Use of Safety Belts: No occupants were wearing safety belts.
- Blood Alcohol Level: .08% (Blood test, three hours after crash, warrant required)
- Last Drinking Location: In vehicle
- License Status on Arrest Date: Valid
- Past Traffic Crashes: None
- Past Traffic Convictions: Drove While Unlicensed or License Not Valid; Disobeyed Stop Sign; Three Speeding; Failed to Display a Valid License; Failed to Yield; Three Violations of Restricted License; Careless Driving.
- Index of Past Driving Competence: 25
- Past Criminal Convictions: Not in court records.
- Counts: OUIL-Death; Manslaughter with a Motor vehicle
- Videotape Evidence: None reported
- Plea Arraignment: Plead no contest to OUIL-Death; Other charge dismissed.
- License Sanctions: Revoked
- Financial Sanctions: None
- Incarceration: 3 to 15 years
- Community Service: None
- Probation: None
- Programs: None
- Other Sanctions: None
- Other Information: Defendant was arrested and convicted of OUIL while awaiting adjudication in OUIL-Death case.

Two Operating Under the Influence of Alcohol Causing Death

- ID: 114
- Gender: Male
- City/Township of Residence: Walker
- Vehicle Type: Passenger
- Age on Day of Crash: 28
- Time of Crash: 8:30 PM
- Date of Crash: 08-16-92
- Day of Crash: Sunday
- Date of Arrest: 08-16-93
- County of Arrest: Kent
- Arresting Agency: Kent County Sheriff's Department
- Arrested For: Negligent Manslaughter
- Other Arrest Remarks: None
- Crash Information: Single vehicle, city two-lane road; Defendant was drag racing another vehicle while driving in the wrong lane and struck two pedestrians standing in the road; Both pedestrians were killed; Defendant and his two passengers were uninjured.
- Use of Safety Belts: Unknown
- Blood Alcohol Level: .18% (Blood test)
- Last Drinking Location: Park
- License Status on Arrest Date: Valid
- Past Traffic Crashes: None
- Past Traffic Convictions: Two Speeding.
- Index of Past Driving Competence: 5
- Past Criminal Convictions: Not in court records.
- Counts: Two Counts of OUIL-Death.
- Videotape Evidence: None reported
- Plea Arraignment: Plead no contest to both OUIL-Death counts.
- License Sanctions: Revoked
- Financial Sanctions: Victim Rights Fund of \$30.
- Incarceration: 2.67 to 15 years for both counts; Sentences to run concurrently.
- Community Service: None
- Probation: None
- Programs: None
- Other Sanctions: None

Operating Under the Influence of Alcohol Causing Death

- ID: 115
- Gender: Male
- City/Township of Residence: Carson City
- Vehicle Type: Passenger
- Age on Day of Crash: 22
- Time of Crash: 4:30 AM
- Date of Crash: 04-18-93
- Day of Crash: Sunday
- Date of Arrest: 04-18-93
- County of Arrest: Montcalm
- Arresting Agency: Montcalm County Sheriff's Department
- Arrested For: OUIL-Death
- Other Arrest Remarks: None
- Crash Information: Single vehicle; Rural two-lane road; Defendant lost control of vehicle, went off of road and struck a utility pole; Defendant and four passengers were injured; one passenger was killed.
- Use of Safety Belts: Three of the four injured occupants were wearing belts, the other two occupants, including the deceased, were not.
- Blood Alcohol Level: .14% (Breath test)
- Last Drinking Location: Party after prom
- License Status on Arrest Date: Valid
- Past Traffic Crashes: One, with no injuries.
- Past Traffic Convictions: OWI; DWLS; Unlawful Use or Display of License.
- Index of Past Driving Competence: 10
- Past Criminal Convictions: Not in court records.
- Counts: OUIL-Death
- Videotape Evidence: Defendant was videotaped during interview following crash.
- Plea Arraignment: Plead guilty
- License Sanctions: Revoked indefinitely
- Financial Sanctions: Fine of \$200; Court costs of \$200; Victim Rights Fund of \$30; Oversight Fee of \$30/month for length of probation; TOTAL = \$1,510.
- Incarceration: one year
- Community Service: None
- Probation: 3 years
- Programs: None
- Other Sanctions: No use of alcohol or entering establishments which dispense alcohol for consumption; Submit to random chemical testing

Operating Under the Influence of Alcohol Causing Death

- ID: 116
- Gender: Male
- City/Township of Residence: Benton Harbor
- Vehicle Type: Pickup
- Age on Day of Crash: 40
- Time of Crash: 9:40 PM
- Date of Crash: 07-29-93
- Day of Crash: Thursday
- Date of Arrest: 07-29-93
- County of Arrest: Berrien
- Arresting Agency: Benton Harbor Police Department
- Arrested For: OUIL
- Other Arrest Remarks: None
- Crash Information: Single vehicle; City four-lane, one-way road; Defendant hit and killed elderly pedestrian attempting to cross road.
- Use of Safety Belts: Unknown
- Blood Alcohol Level: .23% (Breath test)
- Last Drinking Location: At work
- License Status on Arrest Date: Valid
- Past Traffic Crashes: One, with no injuries.
- Past Traffic Convictions: No Proof of Insurance.
- Index of Past Driving Competence: 4
- Past Criminal Convictions: Not in court records.
- Counts: OUIL-Death
- Videotape Evidence: None reported
- Plea Arraignment: Plead no contest.
- License Sanctions: Four years revoked
- Financial Sanctions: Fine of \$250; Court costs of \$250; Oversight Fee of \$20/month for length of probation; Victim Rights Fund of \$30; Restitution to be determined; TOTAL = \$1,250 plus possible restitution.
- Incarceration: one year
- Community Service: None
- Probation: 3 years
- Programs: Participate in substance and alcohol program.
- Other Sanctions: No use of alcohol or entering establishments which dispense alcohol for consumption.

Operating Under the Influence of Alcohol Causing Death

- ID: 117
- Gender: Male
- City/Township of Residence: Flint
- Vehicle Type: Passenger
- Age on Day of Crash: 64
- Time of Crash: 10:21 AM
- Date of Crash: 09-12-92
- Day of Crash: Saturday
- Date of Arrest: 09-12-92
- County of Arrest: Arenac
- Arresting Agency: Arenac County Sheriff's Department
- Arrested For: OUIL
- Other Arrest Remarks: None
- Crash Information: Four vehicle; City four-lane intersection; Defendant rear-ended a second car forcing it into the intersection; In the intersection the second vehicle was struck by a third vehicle forcing the second vehicle into a fourth vehicle; The driver of the second vehicle was killed; Defendant received an incapacitating injury; The driver of the third vehicle received minor injuries; The driver of the fourth vehicle was uninjured.
- Use of Safety Belts: All vehicles contained a single occupant; All were belted except the driver of the third vehicle.
- Blood Alcohol Level: Unknown
- Last Drinking Location: Unknown
- License Status on Arrest Date: Suspended
- Past Traffic Crashes: Two, with one injury.
- Past Traffic Convictions: OWI
- Index of Past Driving Competence: 12
- Past Criminal Convictions: Not in court records.
- Counts: OUIL-Death; DWLS.
- Videotape Evidence: None reported
- Plea Arraignment: Unknown
- Sanctions: Defendant passed away before sentencing

Operating Under the Influence of Alcohol Causing Death

- ID: 119
- Gender: Male
- City/Township of Residence: Detroit
- Vehicle Type: Van
- Age on Day of Crash: 48
- Time of Crash: 10:00 PM
- Date of Crash: 07-04-92
- Day of Crash: Saturday
- Date of Arrest: 08-04-92
- County of Arrest: Wayne
- Arresting Agency: Michigan State Police
- Arrested For: OUIL-Death
- Other Arrest Remarks: Open containers of alcohol found in vehicle
- Crash Information: Single vehicle; City four-lane, Interstate Highway; Defendant lost control of vehicle and hit a guardrail flipping the vehicle; The passenger was thrown from vehicle and killed; the defendant received moderate injuries.
- Use of Safety Belts: Neither occupant were wearing belts.
- Blood Alcohol Level: .11% (Blood test)
- Last Drinking Location: In vehicle
- License Status on Arrest Date: Valid
- Past Traffic Crashes: None
- Past Traffic Convictions: Energy Speed; Two Disobeyed Traffic Signal.
- Index of Past Driving Competence: 7
- Past Criminal Convictions: Not in court records.
- Counts: OUIL-Death
- Videotape Evidence: None reported
- Plea Arraignment: Plead no contest.
- License Sanctions: Revoked
- Financial Sanctions: Victim Rights Fund of \$30; Unknown Oversight Fees; TOTAL = \$30 plus oversight fees.
- Incarceration: None
- Community Service: 20 hours in lieu of oversight fees
- Probation: 3 years, first 3 months on house-arrest tether.
- Programs: Attend Alcoholics Anonymous.
- Other Sanctions: No use of alcohol or entering establishments which dispense alcohol for consumption.

Operating Under the Influence of Alcohol Causing Death

- ID: 120
- Gender: Male
- City/Township of Residence: Auburn Hills
- Vehicle Type: Passenger
- Age on Day of Crash: 29
- Time of Crash: 6:00 PM
- Date of Crash: 10-22-92
- Day of Crash: Thursday
- Date of Arrest: 12-14-92
- County of Arrest: Wayne
- Arresting Agency: Pontiac Police Department
- Arrested For: OUIL-Death; Manslaughter; Failure to Stop at Serious Personal Injury Accident; No Operators License.
- Other Arrest Remarks: Vehicle had improper plates and was registered to unknown person; defendant and his passengers fled the crash scene and were pointed out by witnesses and quickly apprehended; Defendant was on parole for drug possession.
- Crash Information: Two vehicle; City four-lane intersection; Defendant was speeding and ran a red light hitting a second vehicle on the front driver side; All three occupants in defendant's vehicle received moderate injuries; Driver of second vehicle received serious injuries and the passenger was killed.
- Use of Safety Belts: No occupants in either vehicle were wearing belts.
- Blood Alcohol Level: Not available
- Last Drinking Location: Bar
- License Status on Arrest Date: Suspended
- Past Traffic Crashes: None
- Past Traffic Convictions: DWLS
- Index of Past Driving Competence: 2
- Past Criminal Convictions: Two Possession of a Controlled Substance
- Counts: OUIL-Death; Manslaughter-Homicide with Motor Vehicle; Failure to Stop at Serious Personal Injury Accident; Operating with No License; Habitual Offender/3rd.
- Videotape Evidence: None reported
- Plea Arraignment: Plead no contest to all counts.
- License Sanctions: Revoked
- Financial Sanctions: Victim Rights Fund of \$30; Possible Restitution; TOTAL = \$30 plus possible restitution.
- Incarceration: 6 to 15 years for OUIL-Death and 6 to 15 years for Manslaughter, both sentences vacated; 40 to 60 months for failure to stop at PIA sentence vacated; 6 to 30 years for habitual offender/3rd consecutive sentence; 90 days for operating without a license concurrent sentence.
- Community Service: None
- Probation: None
- Programs: None
- Other Sanctions: None

Operating Under the Influence of Alcohol Causing Death

- ID: 122
- Gender: Male
- City/Township of Residence: Wheeler
- Vehicle Type: Van
- Age on Day of Crash: 60
- Time of Crash: 9:00 PM
- Date of Crash: 11-21-92
- Day of Crash: Saturday
- Date of Arrest: 11-22-92
- County of Arrest: Saginaw
- Arresting Agency: Saginaw County Sheriff's Department
- Arrested For: OUIL-Death
- Other Arrest Remarks: None
- Crash Information: Two vehicle; City two-lane road; Defendant crossed center divider and struck another vehicle head-on driver's side; Defendant and his passenger received serious injuries, driver of second vehicle was killed and his passenger received serious injuries.
- Use of Safety Belts: Defendant and his passenger were not wearing belts; Driver and passenger of second vehicle were wearing belts.
- Blood Alcohol Level: .23% (blood test, warrant required)
- Last Drinking Location: Bar
- License Status on Arrest Date: Valid
- Past Traffic Crashes: None
- Past Traffic Convictions: None
- Index of Past Driving Competence: 0
- Past Criminal Convictions: Not in court records.
- Counts: OUIL-Death
- Videotape Evidence: Crash scene was videotaped.
- Plea Arraignment: Plead no contest.
- License Sanctions: Revoked
- Financial Sanctions: Victim Rights Fund of \$30; TOTAL = \$30.
- Incarceration: 7 to 15 years
- Community Service: None
- Probation: None
- Programs: None
- Other Sanctions: None

Two Operating Under the Influence of Alcohol Causing Death

- ID: 121
- Gender: Male
- City/Township of Residence: Essexville
- Vehicle Type: Passenger
- Age on Day of Crash: 17
- Time of Crash: 1:30 AM
- Date of Crash: 05-25-92
- Day of Crash: Monday
- Date of Arrest: 06-01-94
- County of Arrest: Bay
- Arresting Agency: Bay County Sheriff's Department
- Arrested For: Two OUIL-Death
- Other Arrest Remarks: Defendant had been stopped by officer on suspicion of larceny 1.5 hours before crash and had trunk searched where no evidence of alcohol was found; Defendant was on probation at time of crash.
- Crash Information: Single vehicle; Rural two-lane road; Defendant lost control of car, went into a ditch, and flipped his vehicle; All five occupants were thrown from car; Defendant and two passengers were seriously injured, the other two passengers were killed.
- Use of Safety Belts: No belts were being worn.
- Blood Alcohol Level: .09% (blood test, warrant required, 3 hours after crash)
- Last Drinking Location: Friend's residence
- License Status on Arrest Date: Valid
- Past Traffic Crashes: None
- Past Traffic Convictions: Drove While Unlicensed; Unlawful Rider on Motorcycle/Moped.
- Index of Past Driving Competence: 2
- Past Criminal Convictions: Retail Fraud; Receiving and Concealing Stolen Property Over \$100; Larceny \$100 or less; Possession of Molotov Cocktail/Other Explosive Device; Minor in Possession of Alcohol and Tobacco.
- Counts: Two OUIL-Death
- Videotape Evidence: None reported
- Plea Arraignment: Defendant was tried in Circuit Court rather than juvenile court; Plead guilty to both counts.
- License Sanctions: Revoked/denied
- Financial Sanctions: Victim Rights Fund of \$30; Parents ordered to pay \$700 for dependent's time in juvenile home; TOTAL = \$730.
- Incarceration: 5 to 15 years for both counts, sentences run concurrently.
- Community Service: None
- Probation: None
- Programs: Defendant was placed in outpatient treatment program with 24 hour at home tether while awaiting adjudication. After two weeks he was discharged for noncompliance with program and placed in a juvenile home.
- Other Sanctions: Cannot see girlfriend.

Two Operating Under the Influence of Alcohol Causing Death

- ID: 123
- Gender: Male
- City/Township of Residence: Swartz Creek
- Vehicle Type: Pickup
- Age on Day of Crash: 36
- Time of Crash: 6:00 AM
- Date of Crash: 06-07-92
- Day of Crash: Sunday
- Date of Arrest: 08-03-92
- County of Arrest: Bay
- Arresting Agency: Michigan State Police
- Arrested For: Two OUIL-Death
- Other Arrest Remarks: Defendant attempted to hide cooler of beer in back of pickup.
- Crash Information: Two vehicle; Four-lane Interstate; Defendant had stopped at a rest stop and then reentered the freeway going in the wrong direction; He struck a second vehicle head-on; Defendant received moderate injuries; The pregnant driver and one passenger of the second vehicle were killed and a third occupant received serious injuries.
- Use of Safety Belts: The defendant was wearing a safety belt, all occupants in the second vehicle were not belted.
- Blood Alcohol Level: .24% (blood test taken from medical records obtained through search warrant)
- Last Drinking Location: Bachelor party
- License Status on Arrest Date: Valid
- Past Traffic Crashes: None
- Past Traffic Convictions: OUIL
- Index of Past Driving Competence: 6
- Past Criminal Convictions: Not in court records.
- Counts: Two OUIL-Death
- Videotape Evidence: None reported
- Plea Arraignment: Plead guilty to both counts.
- License Sanctions: None
- Financial Sanctions: Victim Rights Fund of \$30; Restitution of \$10,758; TOTAL = \$10,788.
- Incarceration: 7 to 12 years for both counts, sentences run concurrently.
- Community Service: None
- Probation: None
- Programs: None
- Other Sanctions: None
- Other Information: The case was appealed, outcome unknown.

Operating Under the Influence of Alcohol Causing Death

- ID: 124
- Gender: Male
- City/Township of Residence: Detroit
- Vehicle Type: Passenger
- Age on Day of Crash: 37
- Time of Crash: 4:21 PM
- Date of Crash: 04-26-93
- Day of Crash: Monday
- Date of Arrest: 04-26-93
- County of Arrest: Oakland
- Arresting Agency: Michigan State Police
- Arrested For: OUIL-Death
- Other Arrest Remarks: None
- Crash Information: Single vehicle; Six-lane Interstate; Defendant was travelling at approximately 90 MPH and sideswiped a second vehicle while passing; Defendant continued another mile down interstate and then ran off the roadway and flipped; Both occupants were ejected from the car; Defendant received serious injuries, his passenger was killed.
- Use of Safety Belts: Neither occupant were wearing safety belts.
- Blood Alcohol Level: .30% (blood test). Deceased passenger had a BAL of .35% with evidence of marijuana and cocaine detected.
- Last Drinking Location: Unknown
- License Status on Arrest Date: Suspended
- Past Traffic Crashes: None
- Past Traffic Convictions: Failed to Display a Valid License; Four DWLS; OWI.
- Index of Past Driving Competence: 12
- Past Criminal Convictions: Not in court records.
- Counts: Manslaughter with a Motor Vehicle; OUIL-Death; OUIL/2nd; DWLS; Felony Habitual Offender/2nd.
- Videotape Evidence: None reported
- Plea Arraignment: Plead guilty to OUIL/2nd, DWLS, and Habitual Offender/2nd. Convicted by jury of Manslaughter with a Motor Vehicle and OUIL-Death.
- License Sanctions: Five years revoked
- Financial Sanctions: Fine of \$200; Victim Rights Fund of \$30; Restitution to be determined; TOTAL = \$230 plus restitution.
- Incarceration: 5 to 22 years for Habitual Offender/2nd; 90 days for DWLS and OUIL/2nd; all three sentences are concurrent. Sentenced 5 to 15 years for OUIL-Death and Manslaughter; both sentences were vacated.
- Community Service: None
- Probation: None
- Programs: None
- Other Sanctions: None

Operating Under the Influence of Alcohol Causing Death

- ID: 125
- Gender: Male
- City/Township of Residence: Corunna
- Vehicle Type: Passenger
- Age on Day of Crash: 49
- Time of Crash: 8:30 PM
- Date of Crash: 09-13-92
- Day of Crash: Sunday
- Date of Arrest: 09-13-92
- County of Arrest: Shiawassee
- Arresting Agency: Shiawassee County Sheriff's Department
- Arrested For: OUIL-Death
- Other Arrest Remarks: None
- Crash Information: Two vehicle; Two-lane city road intersection; Defendant ran a stop sign and struck a second vehicle on the driver's side; Defendant received minor injuries; Driver of second vehicle was killed and the passenger received serious injuries.
- Use of Safety Belts: The defendant was not wearing a safety belt. The driver and passenger of the second vehicle were belted.
- Blood Alcohol Level: .16% (blood test).
- Last Drinking Location: Football game
- License Status on Arrest Date: Valid
- Past Traffic Crashes: Three, with one injury.
- Past Traffic Convictions: UBAL; Violation of Basic Speed Law; Improper Passing.
- Index of Past Driving Competence: 23
- Past Criminal Convictions: Not in court records.
- Counts: OUIL-Death; Felonious Driving
- Videotape Evidence: None reported
- Plea Arraignment: Plead guilty to OUIL-Death and no contest to Felonious Driving.
- License Sanctions: Revoked
- Financial Sanctions: Unknown
- Incarceration: 2 to 12 years for OUIL-Death; 16 to 24 months for Felonious driving; both sentences concurrent.
- Community Service: None
- Probation: None
- Programs: Complete substance abuse counseling.
- Other Sanctions: None

Operating Under the Influence of Alcohol Causing Death

- ID: 126
- Gender: Male
- City/Township of Residence: Detroit
- Vehicle Type: Passenger (stolen)
- Age on Day of Crash: 23
- Time of Crash: 4:15 PM
- Date of Crash: 06-06-92
- Day of Crash: Saturday
- Date of Arrest: 06-06-92
- County of Arrest: Lapeer
- Arresting Agency: Michigan State Police
- Arrested For: OUIL-Death
- Other Arrest Remarks: Open container of alcohol found in Defendant's vehicle; Vehicle had been reported stolen.
- Crash Information: Three vehicle; Two-lane rural state highway; Defendant crossed over center line into oncoming traffic; A second vehicle travelling in opposite direction tried to avoid defendant by steering into improper lane and was struck by first vehicle on rear passenger side; The first vehicle continued along wrong side of road and struck a third vehicle head-on; Defendant and his passenger received serious injuries, driver of second vehicle was uninjured, driver of third vehicle received injuries and the passenger was killed.
- Use of Safety Belts: The defendant and his passenger were not wearing a safety belt. The occupants of the other vehicles were belted.
- Blood Alcohol Level: .20% (blood test from hospital records obtained through warrant).
- Last Drinking Location: Friend's residence and in vehicle.
- License Status on Arrest Date: Valid
- Past Traffic Crashes: None
- Past Traffic Convictions: Four Speeding; Drove with Improper License; Limited Access Speed; Six DWLS.
- Index of Past Driving Competence: 30
- Past Criminal Convictions: Not in court records.
- Counts: OUIL-Death; Two Counts of Felonious Driving.
- Videotape Evidence: None reported
- Plea Arraignment: Plead guilty to OUIL-Death; Felonious driving counts dismissed.
- License Sanctions: Revoked
- Financial Sanctions: Unknown
- Incarceration: 3 to 15 years
- Community Service: None
- Probation: None
- Programs: None
- Other Sanctions: None

Operating Under the Influence of Alcohol Causing Death

- ID: 127
- Gender: Male
- City/Township of Residence: Rochester Hills
- Vehicle Type: Passenger
- Age on Day of Crash: 38
- Time of Crash: 10:30 PM
- Date of Crash: 10-18-92
- Day of Crash: Sunday
- Date of Arrest: 11-18-92
- County of Arrest: Oakland
- Arresting Agency: Troy Police Department
- Arrested For: OUIL-Death; OUIL/3rd; Felonious Driving.
- Other Arrest Remarks: None
- Crash Information: Four vehicle; Four-lane city roadway intersection; Defendant ran a red light and was clipped on the driver-side by a second vehicle; The first vehicle continued through the intersection and was hit on the passenger side by a third vehicle; The third vehicle spun hitting a fourth vehicle; Defendant was seriously injured; Second vehicle did not stop and was never found; The driver of the third vehicle was killed and the passenger seriously injured; The driver of the fourth vehicle received minor injuries.
- Use of Safety Belts: The defendant and driver of the third car were wearing only the shoulder belt; The passenger of vehicle three and the driver of vehicle four were completely belted.
- Blood Alcohol Level: .16% (blood test, warrant required).
- Last Drinking Location: Unknown
- License Status on Arrest Date: Restricted
- Past Traffic Crashes: None
- Past Traffic Convictions: Speeding; Disobeyed Traffic Signal; OWI; OUIL.
- Index of Past Driving Competence: 14
- Past Criminal Convictions: Not in court records.
- Counts: OUIL-Death; Manslaughter with a Motor Vehicle; OUIL/3rd; Felonious Driving.
- Videotape Evidence: None reported
- Plea Arraignment: Plead guilty to all counts.
- License Sanctions: Revoked
- Financial Sanctions: Fine of \$1000; TOTAL = \$1,000.
- Incarceration: 7 to 15 years for both OUIL-Death and Manslaughter; 3 to 5 year for OUIL/3rd; 14 to 24 months for felonious driving; All sentences served concurrently.
- Community Service: None
- Probation: None
- Programs: None
- Other Sanctions: Turn passport and residence alien card over to court.

Operating Under the Influence of Alcohol Causing Death

- ID: 128
- Gender: Male
- City/Township of Residence: Redford
- Vehicle Type: Passenger
- Age on Day of Crash: 23
- Time of Crash: 7:22 PM
- Date of Crash: 01-31-92
- Day of Crash: Friday
- Date of Arrest: 1-31-92
- County of Arrest: Oakland
- Arresting Agency: Milford Police Department
- Arrested For: Preliminary Breath Test Refusal; OUIL-Death.
- Other Arrest Remarks: None
- Crash Information: Two vehicle; Two-lane rural roadway; Defendant crossed center line and struck an oncoming vehicle head-on; Defendant was seriously injured and the driver of the second vehicle was killed.
- Use of Safety Belts: Unknown
- Blood Alcohol Level: .22% (blood test, warrant required).
- Last Drinking Location: Friend's residence
- License Status on Arrest Date: Valid
- Past Traffic Crashes: None
- Past Traffic Convictions: Disobeyed Stop Sign; Limited Access Speed.
- Index of Past Driving Competence: 4
- Past Criminal Convictions: Not in court records.
- Counts: OUIL-Death
- Videotape Evidence: None reported
- Plea Arraignment: Plead guilty.
- License Sanctions: Revoked
- Financial Sanctions: None
- Incarceration: 2 to 15 years
- Community Service: None
- Probation: None
- Programs: None
- Other Sanctions: None

Operating Under the Influence of Alcohol Causing Death

- ID: 129
- Gender: Female
- City/Township of Residence: Lansing
- Vehicle Type: Passenger
- Age on Day of Crash: 32
- Time of Crash: 3:30 PM
- Date of Crash: 12-12-92
- Day of Crash: Saturday
- Date of Arrest: 12-14-92
- County of Arrest: Eaton
- Arresting Agency: Michigan State Police
- Arrested For: OUIL-Death
- Other Arrest Remarks: Open containers of alcohol were found in vehicle.
- Crash Information: Single vehicle; Four-lane state highway; Defendant was speeding and ran off of road and car flipped several times; The passenger was ejected from the car and killed; Defendant was seriously injured.
- Use of Safety Belts: No belts were being worn.
- Last Drinking Location: Bar
- Blood Alcohol Level: .29% (blood test)
- License Status on Arrest Date: Valid
- Past Traffic Crashes: One, with one injury
- Past Traffic Convictions: Disobeyed Stop Sign; Disobeyed Traffic Signal.
- Index of Past Driving Competence: 10
- Past Criminal Convictions: Not in court records.
- Counts: OUIL-Death
- Videotape Evidence: None reported
- Plea Arraignment: Plead no contest.
- License Sanctions: Revoked
- Financial Sanctions: Fines and Costs of \$2,500; Oversight Fees of \$30/month for Probation Period; Victims Rights Fund of \$30; Total = \$4330
- Incarceration: one year
- Community Service: None
- Probation: 5 years
- Programs: Participate in mental health and/or substance abuse program; Shall attend school and complete GED and/or high school education.
- Other Sanctions: May not possess or consume alcoholic beverages or be in company of anyone possessing or consuming same; Shall not enter or frequent places where the main purpose of business is to serve alcoholic beverages for consumption on the premises; Submit to random chemical tests; Must seek and maintain employment.

Operating Under the Influence of Alcohol Causing Death

- ID: 130
- Gender: Male
- City/Township of Residence: Utica
- Vehicle Type: Passenger
- Age on Day of Crash: 33
- Time of Crash: 6:00 PM
- Date of Crash: 06-27-92
- Day of Crash: Saturday
- Date of Arrest: 06-27-92
- County of Arrest: Macomb
- Arresting Agency: Stoney Creek Metropolitan Park Ranger
- Arrested For: OUIL-Death
- Other Arrest Remarks: Open container of alcohol was found in vehicle.
- Crash Information: Two vehicle; Two-lane rural roadway; Defendant was attempting to pass several vehicles on a double yellow line and struck a motorcycle head-on; Defendant was uninjured; Driver of motorcycle was killed.
- Use of Safety Belts: Defendant was belted; helmet use is unknown.
- Last Drinking Location: Unknown
- Blood Alcohol Level: .24% (blood test, warrant required)
- License Status on Arrest Date: Suspended
- Past Traffic Crashes: One, with one injury.
- Past Traffic Convictions: Two OWI; Three OUIL; DWLS.
- Index of Past Driving Competence: 32
- Past Criminal Convictions: Not in court records.
- Counts: OUIL-Death; DWLS.
- Videotape Evidence: None reported
- Plea Arraignment: Plead guilty to both counts, with minimum sentence cap of five years recommended.
- License Sanctions: 5 years revoked
- Financial Sanctions: Victims Rights Fund of \$30; Total = \$30
- Incarceration: 7 to 9 years
- Community Service: None
- Probation: None
- Programs: Participate in substance abuse program.
- Other Sanctions: None
- Other Information: The plea of guilty to OUIL-Death was later appealed based upon the Grand Traverse County Circuit Judge, Hon. Philip E. Rodgers, ruling that the OUIL-Death statute was unconstitutional. The plea motion was denied.

Operating Under the Influence of Alcohol Causing Death

- ID: 131
- Gender: Male
- City/Township of Residence: South Bend, Indiana
- Vehicle Type: Passenger
- Age on Day of Crash: 49
- Time of Crash: 9:30 PM
- Date of Crash: 06-07-92
- Day of Crash: Sunday
- Date of Arrest: 06-07-92
- County of Arrest: Berrien
- Arresting Agency: Michigan State Police
- Arrested For: OUIL-Death
- Other Arrest Remarks:
- Crash Information: Two vehicle; Five-lane city state highway; Defendant was travelling approximately 70 MPH in a 40 MPH zone and lost control of vehicle; Vehicle crossed all five traffic lanes and struck a second vehicle on its driver's side; Defendant received minor injuries and his passenger was uninjured; Driver of second vehicle was killed.
- Use of Safety Belts: Defendant was unbelted and his passenger was belted; Driver of vehicle two was belted.
- Blood Alcohol Level: Unknown
- Last Drinking Location: Unknown
- License Status on Arrest Date: Valid
- Past Traffic Crashes: Unknown
- Past Traffic Convictions: Unknown
- Index of Past Driving Competence: Unknown
- Past Criminal Convictions: Not in court records.
- Counts: OUIL-Death
- Videotape Evidence: None reported
- Plea Arraignment: Plead no contest.
- License Sanctions: Revoked
- Financial Sanctions: Victims Rights Fund of \$30; Total = \$30
- Incarceration: 4 to 15 years
- Community Service: None
- Probation: None
- Programs: None
- Other Sanctions: None

Operating Under the Influence of Alcohol Causing Death

- ID: 133
- Gender: Male
- City/Township of Residence: Kalamazoo
- Vehicle Type: Passenger
- Age on Day of Crash: 38
- Date of Crash: 05-12-92
- Day of Crash: Tuesday
- Date of Arrest: 05-12-92
- County of Arrest: Kalamazoo
- Arresting Agency: Kalamazoo County Sheriff's Department
- Arrested For: OUIL; Felonious Driving
- Other Arrest Remarks: None
- Crash Information: Two vehicle; City four-lane intersection; Defendant made a left turn in front of an oncoming second vehicle, which then collided with the passenger side of the defendant's vehicle; Defendant was uninjured, two of his passengers received serious injuries, one was killed; The driver and passenger of the second vehicle were uninjured.
- Use of Safety Belts: Defendant was belted and his three passengers were not; Driver and passenger of second vehicle were belted.
- Blood Alcohol Level: .16% (blood test, warrant required)
- Last Drinking Location: Baseball game
- License Status on Arrest Date: Valid
- Past Traffic Crashes: None
- Past Traffic Convictions: UBAL; Speeding; DWLS; No Proof of Insurance.
- Index of Past Driving Competence: 11
- Past Criminal Convictions: Not in court records.
- Counts: OUIL-Death
- Videotape Evidence: None reported
- Plea Arraignment: Plead no contest.
- License Sanctions: one year revoked/denied
- Financial Sanctions: Victim Rights Fund of \$30; Reimbursement of \$270; Total = \$300.
- Incarceration: 2 to 15 years
- Community Service: None
- Probation: None
- Programs: None
- Other Sanctions: None

Operating Under the Influence of Alcohol Causing Death

- ID: 136
- Gender: Male
- City/Township of Residence: Detroit
- Vehicle Type: Passenger
- Age on Day of Crash: 44
- Time of Crash: 1:30 PM
- Date of Crash: 10-04-92
- Day of Crash: Sunday
- Date of Arrest: 12-08-92
- County of Arrest: Wayne
- Arresting Agency: Detroit Police Department
- Arrested For: OUIL-Death
- Other Arrest Remarks: None
- Crash Information: Eight vehicle; City, four-lane intersection; Defendant was speeding and ran a stopsign; His vehicle was struck on the back passenger side causing it to begin to spin as it proceeded through the intersection; He then hit a pedestrian who was in a crosswalk; Once through the intersection the car caromed off of six parked cars; The pedestrian was killed; The defendant and driver of the second vehicle were uninjured.
- Use of Safety Belts: Defendant was not belted; Driver of second vehicle was belted.
- Blood Alcohol Level: .23% (Breath test)
- Last Drinking Location: Friend's residence
- License Status on Arrest Date: Valid
- Past Traffic Crashes: None
- Past Traffic Convictions: OWI
- Index of Past Driving Competence: 4
- Past Criminal Convictions: Not in court records.
- Counts: OUIL-Death
- Videotape Evidence: None reported
- Plea Arraignment: Plead no contest.
- License Sanctions: Revoked
- Financial Sanctions: Restitution of \$3082; TOTAL = \$3,082.
- Incarceration: one year
- Community Service: Unspecified amount in emergency room.
- Probation: 5 years
- Programs: Attend Alcoholics Anonymous; Attend substance abuse treatment.
- Other Sanctions: None

Operating Under the Influence of Alcohol Causing Death

- ID: 135
- Gender: Male
- City/Township of Residence: Warren
- Vehicle Type: Pickup
- Age on Day of Crash: 36
- Time of Crash: 9:30 PM
- Date of Crash: 05-03-92
- Day of Crash: Sunday
- Date of Arrest: 05-03-92
- County of Arrest: Wayne
- Arresting Agency: Detroit Police Department
- Arrested For: Manslaughter
- Other Arrest Remarks: None
- Crash Information: Single vehicle; City, seven-lane intersection; Defendant struck a pedestrian crossing the street; The defendant fled the scene and was later apprehended after being in a second crash; The pedestrian was killed; The defendant and his three passengers were uninjured.
- Use of Safety Belts: Defendant and his three passengers were not belted.
- Blood Alcohol Level: .22% (Breath test); Deceased pedestrian had a BAL of .14%.
- Last Drinking Location: Friend's residence
- License Status on Arrest Date: Suspended
- Past Traffic Crashes: Two, with no injuries.
- Past Traffic Convictions: Speeding; Limited Access Speed; Violation of Basic Speed Law.
- Index of Past Driving Competence: 14
- Past Criminal Convictions: Not in court records.
- Counts: OUIL-Death
- Videotape Evidence: None reported
- Plea Arraignment: Plead guilty.
- License Sanctions: Revoked
- Financial Sanctions: Victims Rights Fund of \$30; Oversight of \$30/month for Probation; TOTAL = \$1,830.
- Incarceration: one year
- Community Service: 500 hours
- Probation: 5 years
- Programs: Attend Alcoholics Anonymous; Attend substance abuse treatment.
- Other Sanctions: None

Operating Under the Influence of Alcohol Causing Death

- ID: 137
- Gender: Male
- City/Township of Residence: Maineville, Ohio
- Vehicle Type: Pickup
- Age on Day of Crash: 35
- Time of Crash: 12:15 PM
- Date of Crash: 06-06-92
- Day of Crash: Saturday
- Date of Arrest: 06-06-92
- County of Arrest: Crawford
- Arresting Agency: Crawford County Sheriff's Department
- Arrested For: OUIL-Death; Leaving the Scene of Serious Personal Injury Accident.
- Other Arrest Remarks: None
- Crash Information: Single vehicle; Rural, two-lane state highway; Defendant was travelling approximately 85 MPH in a 55 MPH zone and struck a bicycle rider who was on the side of the roadway; The spouse of the rider asked defendant to call 911; Defendant fled scene; Defendant was later apprehended by an officer who observed vehicle parked at a house; Defendant and his passenger were uninjured; The bicycle rider was killed.
- Use of Safety Belts: Unknown
- Blood Alcohol Level: .14% (blood test taken four hours after crash, warrant required)
- Last Drinking Location: Friend's Residence and in vehicle.
- License Status on Arrest Date: Valid
- Past Traffic Crashes: Unknown
- Past Traffic Convictions: Unknown
- Index of Past Driving Competence: Unknown
- Past Criminal Convictions: Not in court records.
- Counts: OUIL-Death
- Videotape Evidence: Crash scene, bicycle, and defendant's vehicle were videotaped.
- Plea Arraignment: No contest, with agreement that minimum jail would not exceed 4 years.
- License Sanctions: Revoked
- Financial Sanctions: Unavailable
- Incarceration: 3 to 15 years
- Community Service: None
- Probation: None
- Programs: None
- Other Sanctions: None

Operating Under the Influence of Alcohol Causing Death

- ID: 138
- Gender: Male
- City/Township of Residence: Newaygo
- Vehicle Type: Passenger
- Age on Day of Crash: 19
- Time of Crash: 12:30 AM
- Date of Crash: 08-22-92
- Day of Crash: Saturday
- Date of Arrest: 88-22-92
- County of Arrest: Newaygo
- Arresting Agency: Michigan State Police
- Arrested For: OUIL
- Other Arrest Remarks: Bag of marijuana found next to vehicle which the defendant admitted to using.
- Crash Information: Single vehicle; Rural two lane road; Defendant was travelling approximately 80 MPH in a 40 MPH zone, failed to negotiate a turn, left the roadway, struck a tree on the driver side, and pivoted 80 degrees; Defendant and one passenger received moderate injuries; A third passenger was killed.
- Use of Safety Belts: No occupant was wearing a safety belt.
- Blood Alcohol Level: .17% (Blood Test)
- Last Drinking Location: Friend's residence
- License Status on Arrest Date: Valid
- Past Traffic Crashes: Two, with one injury.
- Past Traffic Convictions: Drove Without Proper License; Disobeyed Stop Sign; Energy Speed; OWI.
- Index of Past Driving Competence: 14
- Past Criminal Convictions: Not in court records.
- Counts: OUIL-Death
- Videotape Evidence: None reported
- Plea Arraignment: Plead no contest.
- License Sanctions: Revoked
- Financial Sanctions: Fine of \$500; Costs of \$250; Victim Rights Fund of \$30; TOTAL = \$780 plus possible restitution.
- Incarceration: one year
- Community Service: None
- Probation: 3 years
- Programs: Inpatient substance abuse treatment.
- Other Sanctions: None

Goal 8:

Determine the amount and nature of plea-based convictions and make a comparison to prior law.

There was a concern that the new legislation, requiring both swifter adjudication and more severe sanctions than the prior law, would entice prosecutors to accept the lesser plea of OWI for people charged with OUIL, UBAL, OUID, or OUIL/UBAL. Therefore, we sought to investigate the relationship between original charge and ultimate conviction and to see how this relationship changed, if at all, between the first two years of the law and the two years preceding.

All alcohol and impaired driving original charges (OUIL, UBAL, OUID, OWI, OUIL/UBAL, and Open Intoxicant) for the prelaw (1990 and 1991) and postlaw years (1992 and 1993) were examined to determine the final conviction and the type of trial (Plea, Bench, or Jury). When we examined the data codes for the original charge, we found very high missing data rates for convictions resulting from arrests occurring in 1990 and 1991 (96% and 58% missing, respectively). These high missing data rates make it impossible to compare prelaw to postlaw plea activity. However, sufficient data on the original charge were available for 1992 and 1993 (16% and 15% missing data for original charge, respectively). These data are presented in Tables 15, 16, and 17.

**Table 15: Percentage of Convicted Charges for Various Original Charges in *Plea-Based* Convictions
Postlaw years (1992 and 1993).**

Original Charge	Convicted Charge					
	UBAL	OUIL	OID	OWI	OUIL/UBAL	Open Intox.
UBAL	62.2% (804)	3.3% (41)	N/A	31.5% (395)	0.9% (11)	N/A
OUIL	6.3% (1,779)	37.5% (10,562)	N/A	54.7% (15,393)	1.2% (333)	N/A
OID	1.2% (3)	2.0% (5)	37.5% (93)	58.5% (145)	N/A	N/A
OWI	1.6% (55)	5.2% (178)	N/A	90.4% (3,091)	1.8% (60)	N/A
OUIL/UBAL	11.9% (8,291)	12.1% (8,431)	N/A	55.2% (38,388)	20.3% (14,107)	N/A
Open Intox.	0.5% (3)	N/A	N/A	N/A	N/A	98.9% (544)

**Table 16: Percentage of Convicted Charges for Various Original Charges in *Bench-Based* Convictions
Postlaw years (1992 and 1993).**

Original Charge	Convicted Charge					
	UBAL	OUIL	OID	OWI	OUIL/UBAL	Open Intox.
UBAL	42.9% (3)	N/A	N/A	42.9% (3)	14.3% (1)	N/A
OUIL	6.0% (24)	25.8% (103)	N/A	67.5% (270)	0.5% (2)	N/A
OID	N/A	N/A	N/A	100% (3)	N/A	N/A
OWI	N/A	N/A	N/A	95.0% (19)	5.0% (1)	N/A
OUIL/UBAL	14.8% (170)	14.1% (162)	N/A	61.6% (705)	9.1% (104)	N/A
Open Intox.	N/A	N/A	N/A	N/A	N/A	100% (5)

Table 17: Percentage of Convicted Charges for Various Original Charges in Jury-Based Convictions Postlaw years (1992 and 1993)						
Original Charge	Convicted Charge					
	UBAL	OUIL	OID	OWI	OUIL/UBAL	Open Intox.
UBAL	87.5% (7)	N/A	N/A	12.5% (1)	N/A	N/A
OUIL	5.0% (12)	50.0% (120)	N/A	40.0% (96)	4.2% (10)	N/A
OID	N/A	N/A	33.3% (1)	66.7% (2)	N/A	N/A
OWI	2.5% (1)	5.0% (2)	N/A	82.5% (33)	5.0% (2)	N/A
OUIL/UBAL	17.1% (100)	14.2% (83)	N/A	24.1% (141)	43.7% (255)	N/A
Open Intox.	N/A	N/A	N/A	N/A	N/A	100% (1)

As can be seen in Table 15 (postlaw, plea-based convictions), there are many cases in which the convicted charge differs from the original charge. Considering only those cases in which UBAL, OUIL, OUID, or UBAL/OUIL was the original charge, 55.0 percent of the time the charge was pled to OWI.

Table 16 shows bench-based trials for the postlaw years. During these years 63.3 percent of the cases with UBAL, OUIL, OUID, or UBAL/OUIL as the original charge were convicted of OWI—an increase of 8.3 percentage points higher than plea-based convictions.

Finally, Table 17 shows the relationship between original charge and convicted charge for jury-based convictions during the postlaw period. These data show that only 29.0 percent of the cases with UBAL, OUIL, OUID, or UBAL/OUIL as the original charge were convicted of the bigger offense of OWI. These results show that during the postlaw period, persons who were tried by a jury were more likely to be convicted of the more serious drunk driving offense rather than on the lesser OWI offense than were persons whose conviction was plea or bench-trial based. One possible reason for this difference is an increased awareness of the severity and consequences associated with drunk driving. This increased awareness may be due in part to publicity surrounding the implementation of the new drunk and impaired driving legislation.

Goal 9:

Determine the amount and nature of appeals taken from court and administrative hearings and determine how appellate courts are handling those appeals.

The new drunk and impaired driving legislation set limits and deadlines on various types of appeals. We were interested in examining the frequencies and results of appeals after the new legislation went into effect. In particular, we examined six types of cases: motions to set aside hardship ex parte licenses, nonissuance letters, cases taken to the Court of Appeals, appeals by law enforcement, rehearings and appeals on Commercial Driver Licenses (CDL), and alcohol habitual offender cases. The information for this goal was collected over calendar years 1992, 1993, and 1994 by the Secretary of State office and forwarded to UMTRI for analysis.

Hardship Ex Parte Licenses

A hardship ex parte appeal is when a person with a suspended or revoked license appeals for temporary driving privileges so that they can work or perform other necessary activities that they believe cannot be done without driving privileges while they await an appeal hearing in circuit court. Ex parte describes the fact that only the petitioner presents information to the court. The new drunk and impaired driving legislation was intended to eliminate hardship ex parte licenses.

During 1993, there were a total of 487 hardship ex parte licenses granted. Table 18 shows the number of these licenses by county. We were also interested in investigating how many hardship ex parte licenses were granted to habitual alcohol offenders. According to the new laws, an habitual alcohol offender is a person convicted of two OUIL, UBAL, OUID, OUIL/UBAL, OUIL-Death, and/or OUIL-Incapacitating Injury within seven years or three OWI, OUIL, UBAL, OUID, OUIL/UBAL, OUIL-Death, and/or OUIL-Incapacitating Injury within ten years. During 1993, a total of 43 hardship ex parte licenses were granted to habitual alcohol offenders. The last column in Table 18 shows the number of hardship ex parte licenses granted to habitual alcohol offenders by county. Counties not shown in Table 18 indicate that no ex parte licenses were granted in that county during 1993.

Table 18: Hardship Ex Parte Licenses Granted in 1993 by County and the Number of Those Cases in Which the Grantee was a Habitual Alcohol Offender.		
County	Number of Hardship Ex Parte Licenses	Number of Habitual Offenders
Allegan	8	1
Alpena	3	0
Barry	1	0
Bay	1	0
Benzie	5	1
Berrien	3	0
Branch	4	0
Calhoun	15	0

County	Number of Hardship Ex Parte Licenses	Number of Habitual Offenders
Charlevoix	1	0
Cheboygan	41	6
Chippewa	4	1
Clare	2	0
Clinton	2	0
Crawford	2	0
Delta	5	0
Dickinson	3	0
Eaton	3	1
Emmet	3	0
Genesee	8	0
Gladwin	4	0
Hillsdale	6	1
Houghton	1	0
Huron	8	0
Ingham	17	0
Ionia	1	0
Iron	1	0
Jackson	7	2
Kalamazoo	29	1
Kalkaska	2	0
Kent	18	0
Lapeer	11	2
Luce	1	0
Mackinac	5	0
Macomb	20	1
Manistee	17	5
Marquette	51	7

County	Number of Hardship Ex Parte Licenses	Number of Habitual Offenders
Mecosa	2	0
Menominee	2	0
Midland	4	0
Missaukee	1	0
Monroe	3	0
Montcalm	2	1
Muskegon	11	0
Newaygo	6	0
Oakland	31	1
Oceana	3	1
Ogemaw	2	0
Osceola	1	1
Ottawa	8	3
Presque Isle	5	0
Roscommon	1	0
Saginaw	16	0
St. Clair	1	0
St. Joseph	3	0
Sanilac	21	5
Schoolcraft	1	0
Shiawassee	1	0
Tuscola	30	1
Van Buren	4	0
Washtenaw	3	0
Wayne	12	1

Nonissuance Letters

The circuit court's authority to grant restricted hardship licenses was limited in the 1991 drunk and impaired driving package. For various reasons, however, courts still occasionally grant such licenses. The State Court Administrator office provides form orders for these types of hearings. In certain cases this form order includes a statement that the SoS shall not issue a restricted license. When this statement is in the order and the court tries to grant a restricted license without authority, the order lacks internal consistency. In these cases the SoS follows the portion of the order saying no restricted license shall be issued and sends the petitioner a letter stating that the restricted license cannot be issued. Table 19 summarizes the number of these letters issued by county for 1993. Counties not included in this list are those in which no nonissuance letters were sent.

Table 19: Nonissuance Letters Sent by SoS as a Function of County	
County	Number
Calhoun	1
Cheboygan	1
Chippewa	1
Genessee	3
Grand Traverse	4
Gratiot	1
Lenawee	3
Macomb	6
Manistee	1
Marquette	1
Monroe	2
Oakland	4
St. Clair	1
Wayne	6

Secretary of State Appeals to the Court of Appeals

When a Circuit Court orders license sanctions to be removed or changed and the court has no jurisdiction to grant this relief, the SoS will attempt to appeal the order to the Court of Appeals. Table 20 shows a summary of the 1993 cases. (Court of Appeals deadlines are difficult to meet and occasionally records are inadequate for appeal. Therefore, in many cases rehearings are requested successfully, thus obviating the need to seek review in the Court of Appeals.) On occasion, a petitioner will seek review of a SoS action in the Court of Appeals. In 1993 there were three such cases. These cases are summarized in Table 21.

Table 20: SoS Court of Appeal Cases Started in 1993		
County and Court of Appeal	Reason for Appeal	Court Decision
Branch County Circuit	Court granted restrictions over SoS revocation/denial in violation of MCL 323(6).	Case closed: Inadequate record created for appeal.
Calhoun County Circuit	Court ordered implied consent suspension and points removed.	Case was not pursued on advice from Attorney General.
Monroe County Circuit	Court ordered implied consent suspension and points removed.	Case was not pursued on advice from Attorney General.
Oakland County Circuit	Court granted restrictions over SoS revocation/denial in violation of MCL 323(6) and over trial court sentence.	Case was dismissed, petitioner deceased
Oakland County Circuit	Court granted restrictions over SoS revocation/denial in violation of MCL 323(6).	Pending
Oakland County Circuit	Court granted restrictions over trial court and over licensing sentence.	Court of Appeals reversed the circuit court decision.
Wayne County Circuit	Court ordered implied consent suspension and points removed.	Pending
Wayne County Circuit	Court ordered restrictions then full restoration over trial court licensing sentence.	Court of Appeals reversed the circuit court.

Table 21: Petitioner Court of Appeal Cases Started in 1993		
County and Court of Appeal	Reason for Appeal	Court Decision
Clinton County Circuit	Circuit court upheld SoS decision on review of hearing officer record in habitual offender hearing.	Pending
Kent County Circuit	Petitioning to expunge SoS record.	SoS filed motion to dismiss. Court decision pending.
Ottawa County Circuit	Circuit court upheld SoS decision and trial court revocation/denial of habitual offender.	Pending

Law Enforcement Appeals of Secretary of State Actions

Law enforcement officers may appeal implied consent cases to the circuit courts for review when they lose a case before DLAD and the driver is not suspended. Table 22 summarizes these cases

Table 22: Review of Police Appeals During 1992 and 1993.		
Court	Reasons for Not Issuing Implied Consent Suspension	Court Decision
Charlevoix	Not arrested for crime described in statute.	Court affirmed DLAD decision
Grand Traverse	Refusal was reasonable.	Pending
Iron	Petitioner first refused test and then changed his mind. Officer would not administer chemical test. Not commendable police practice.	Court affirmed DLAD decision
Oakland	Insufficient proof of Advice of Rights.	Court affirmed DLAD decision
Oakland	Officer failed to appear at refusal hearing. Challenges notice process.	Pending
Oakland	Determined that stop was not valid.	Pending
Wayne	Officer did not use the most current chemical test rights form.	Pending

Motions for Rehearing and Appeals: Commercial Driver License

A person is denied a commercial driver license when his or her operator's license has been suspended or revoked within 36 months of CDL application, regardless of whether the suspension or revocation was for an alcohol-related conviction. Some operators appeal the decision to deny a CDL to circuit court. A 1993 law prohibits circuit courts from granting CDLs. (MCL 257.323(8)). The SoS must seek rehearing or appeal the case to the Court of Appeal to get the order rescinded or reversed. During 1993 there were 19 such cases. Table 23 summarizes the status of each case.

Status Description	Number
Pending in Court of Appeals	1
CDL order reversed by circuit court	3
Moot as eligible during appeal process	4
Appeal not timely and lack of prosecution	7
Applicant received additional suspension and moot	1
Technical errors in denial order (closed)	2
Court of Appeals reversed circuit court and removed CDL	1

Motions for Rehearings: Habitual Alcohol Offenders

The 1991 drunk and impaired driving package prohibits circuit courts from granting restricted licenses to persons who have had their licenses revoked or denied due to multiple alcohol convictions. The courts may only review the record created in the Driver License Appeal Division (DLAD) to see if the decision was supported by substantial, material, and competent evidence on the record as a whole (See Appendix B for a more detailed explanation). If the SoS fails to meet this standard, the court must return full licensure to the appellee.

When a circuit court grants licensing relief outside of the statute, the DLAD must carefully review the file to see if an appeal to the Court of Appeals will have a high likelihood of success. This review involves checking with the prosecutor to see if appropriate legal arguments were made on the circuit court record and whether or not the SoS can meet the 21 day deadline within which to appeal.

Frequently records are inadequate and the DLAD must ask prosecutors to file a motion to vacate judgment or a motion for a rehearing so that an appropriate record may be made. This record may then be appealed to the Court of Appeals. In certain cases the 21 day appeal deadline is missed. This requires a rehearing since delayed leaves of appeal are rarely granted.

Many appeals involve actions that have split jurisdiction; that is, the circuit court has jurisdiction to review a portion of the licensing sanction but does not have jurisdiction to review the underlying habitual offender revocation/denial action. Courts sometimes grant restrictions without taking this into consideration. When this occurs, at a rehearing the SoS may then request the court to remand the case to the DLAD for further review of the underlying habitual offender sanction.

Frequency of activity in both 1993 and 1994 is summarized in Tables 24 and 25. Activity in 1994 is included because persons receiving a license revocation/denial may not appeal for licensing relief until at least one year from the date of the action. (A first revocation is not reviewable for one year. A subsequent revocation is not reviewable for five years if the revocation is within seven years of a prior revocation.) Therefore, there were very few habitual alcohol offender rehearings requested in 1993. Counties not listed in Tables 24 and 25 indicates that those counties had no motions for rehearing on habitual alcohol offender cases in 1993 or 1994.

Table 24: Results of Motions for Rehearing: Habitual Alcohol Offenders (1993)			
County	Missed Appeal and Rehearing Deadline	Prosecuting Attorney Stipulation Error	Motion Denied
Macomb	1	0	0
Monroe	0	2	0
St. Clair	1	0	1

Table 25: Results of Motion for Rehearing: Habitual Alcohol Offenders (1994)						
County	Missed Appeal and rehearing Deadlines	Prosecuting Attorney Stipulation Error	Motion Denied	Motion Granted, Order Reversed	Pending and Other	Remands
Allegan	0	1	0	0	0	1
Antrim	0	0	0	0	0	1
Berrien	0	0	0	0	2	1
Calhoun	0	2	0	0	1	0
Chippewa	0	0	0	0	0	3
Delta	0	0	0	0	1	0
Dickenson	0	0	0	0	1	0
Eaton	0	1	0	0	0	0
Genesee	0	1	0	0	1	0
Gratiot	0	0	0	1	0	0
Grand Traverse	0	0	0	0	0	3
Huron	0	0	0	1	0	0
Ingham	0	2	0	0	1	4
Ionia	0	1	0	0	0	0
Kalamazoo	3	0	0	1	0	0
Kent	1	1	1	0	0	1
Livingston	0	0	0	0	1	0
Mackinac	0	1	0	0	0	0
Macomb	2	1	2	2	3	2
Marquette	0	1	0	0	0	0
Menominee	1	0	0	0	1	0
Midland	0	0	0	1	0	0
Monroe	0	1	0	0	0	1
Muskegon	0	0	0	0	3	1
Oakland	0	0	0	2	1	3

County	Missed Appeal and rehearing Deadlines	Prosecuting Attorney Stipulation Error	Motion Denied	Motion Granted, Order Reversed	Pending and Other	Remands
Oceana	0	0	0	0	1	0
Ottawa	0	0	0	1	0	0
Presque Isle	0	0	0	0	0	1
Roscommon	0	0	0	0	1	0
Saginaw	0	0	0	0	0	3
St. Clair	1	3	0	0	2	1
St. Joseph	0	0	0	0	0	1
Tuscola	0	0	0	0	1	0
Van Buren	0	0	0	1	0	0
Washtenaw	0	4	0	1	0	0
Wayne	0	0	0	1	0	15
TOTAL (106)	8	20	3	12	21	42

Goal 10:

Determine the number of persons driving while their license is suspended, revoked, or denied as the result of drunk driving arrests and determine the percentage of violators.

As shown in Table 2 (page 4), all non-OWI drunk driving convictions require that the person's driving privileges be taken away entirely for at least a one month period (a "hard" suspension). During the suspension, revocation, or denial period, however, a person may choose to drive (illegally) despite the sanction on his driving privileges. If so, then taking away state-sanctioned driving privileges may not be effective as a deterrent for drunk driving. We were interested in determining the number and percentage of people whose license is suspended, revoked, or denied because of an alcohol conviction who violate their driving sanction.

We first compiled a list of all people with alcohol-related suspensions, revocations, or denials during 1992 and 1993 (using SoS MDR data). During these years there were 119,971 suspensions, revocations, or denials for alcohol-related convictions. All traffic convictions and crashes for this group during the same years were then identified. For each person, we determined if there was a crash or traffic arrest during his suspension, revocation, or denial period. Of the 119,971 cases reviewed, 12,684 (10.6 percent) had at least one crash or traffic conviction during his sanction period.

Based upon the preceding analysis, we can say that during 1992 and 1993, 10.6 percent of persons whose license was suspended, revoked, or denial for an alcohol conviction *definitely* drove at some time during their sanction. However, we also have a random sample of drunk driving cases from 1992 and 1993 (see goal 6). Analysis of these cases showed that 30 percent of the drivers were under suspension, revocation, or denial when they were arrested. This finding suggests that the percentage of people who drive under suspension is much greater than ten or 11 percent.

There is no doubt that there are also people driving under suspension who are not getting in crashes or being arrested. Prior research shows that people who drive under suspension or revocation tend to drive more safely; that is, they obey traffic laws, drive during low risk times, wear their safety belts, pay greater attention to other traffic, and keep their vehicles maintained (e.g., Ross & Gonzalez, 1988). This suggests that the percentage of people driving under suspension and not getting caught is much greater than the percentage of those getting in

crashes or being arrested. In fact, Ross and Gonzalez (1988) found that 66 percent of the people under suspension or revocation admitted to driving during their sanction.

Based upon the Ross and Gonzalez (1988) study and the current results, we estimate that the percentage of people driving during an alcohol-related suspension, revocation, or denial in 1992 and 1993 is somewhere between 30 and 70 percent. In other words, during these two years somewhere between 36,000 and 84,000 people were driving during their license sanction in the 24 months following the new drunk and impaired driving laws.

Table 26: Estimated Number of People Who Have Driven at Least Once During a Suspension or Revocation Period During 1992 and 1993.	
Number of people with an alcohol-related suspended or revoked license during 1992 and 1993.	119,971
Number of people with at least one crash or conviction during license sanction period.	12,684 (10.6 percent)
Estimated percent of people who drove at least once during their license sanction period in 1992 and 1993.	30 to 70 percent
Estimated number of people who drove at least once during their license sanction period in 1992 and 1993.	36,000 to 84,000

REFERENCES

- Charney, E. H. (1991). History and substance of the 1991 drunk driving legislation, *Colleague*, **4**, 1-12.
- Insurance Institute for Highway Safety (1994). Graduating from bikes to cars means lots more responsibility, *Status Report*, *29*, 6-9.
- Jones, R.K., & Lacey, J.H. (1991). *Review of the Literature Evaluating the Effect of Countermeasures to Reduce Alcohol Impaired Driving (1980-1989)*. DOT-HS 808 023. Washington, D.C.: National Highway Traffic Safety Administration.
- Michigan Department of State (1992). *1992 Michigan Vehicle Code and Related Laws Concerning Ownership and Use of Vehicles*. Lansing, MI.
- Rink, J. (1994). Portrait of a young driver. *Michigan Living*, October, 12-13.
- Ross, H. L. & Gonzalez, P. (1988). Effects of license revocation on drunk-driving offenders. *Accident Analysis and Prevention*, *20*, 379-391.
- Secretary of State (1992). Yearly Report of Drunk Driving Conviction Statistics (PRG/DR/6305). Michigan Department of State: Lansing, MI.
- Secretary of State (1993). Yearly Report of Drunk Driving Conviction Statistics (PRG/DR/6305). Michigan Department of State: Lansing, MI.
- Streff, F.M., Molnar, L.J., Schultz, R.H., & Christoff, C. (1993). *Michigan Omnibus State Safety Survey: Fall 1992*. Ann Arbor, MI: The University of Michigan Transportation Research Institute.
- Streff, F.M., Molnar, L.J., Christoff, C. (1993). *Direct Observation of Safety Belt Use in Michigan: Summer 1992*. The University of Michigan Transportation Research Institute.
- Streff, F.M., Eby, D.W., Molnar, L.J., Joksich, H.C., & Wallace, R.R. (1993). *Direct Observation of Safety Belt and Motorcycle Helmet Use in Michigan: Fall 1993*. Ann Arbor, MI: The University of Michigan Transportation Research Institute.
- Wagenaar, A.C., Streff, F.M., and Maybee, R. (1987). *Michigan Omnibus State Survey: Summer 1987*. Ann Arbor, MI: The University of Michigan Transportation Research Institute.

APPENDIX A:
Mean number of days from date of drunk driving arrest to start of suspension, revocation, or denial, standard deviation (σ), and number of cases (N) as a function of conviction year and court location²

²Note that missing courts and blank cells indicate that there was no conviction activity for that court and time period.

Mean number of days from date of drunk driving arrest to start of suspension, revocation, or denial, standard deviation (σ), and number of cases (N) as a function of conviction year and district court location.

DISTRICT COURT	1992			1993			1992 & 1993		
	MEAN	σ	N	MEAN	σ	N	MEAN	σ	N
001 - ADRIAN	48.9	65.2	910	33.2	43.3	736	41.9	57.0	1646
002 - ALBION	91.8	88.1	56	62.8	43.3	37	80.2	74.9	93
003 - ALLEGAN	50.6	56.4	691	44.2	47.6	521	47.9	52.9	1212
004 - ALLEN PARK	78.9	110.9	419	35.0	68.6	374	58.2	95.9	793
007 - ALPENA	159.1	159.0	387	78.7	77.4	290	124.6	136.4	677
008 - ANN ARBOR	42.8	54.7	721	43.3	65.8	448	43.0	59.2	1169
009 - ANN ARBOR 14A	97.4	106.8	357	76.6	98.3	170	90.7	104.6	527
010 - ATLANTA	93.7	86.6	90	41.1	37.2	63	72.0	75.2	153
030 - BAD AXE	32.1	58.7	257	26.4	38.3	281	29.1	49.2	538
031 - BALDWIN	53.6	38.1	97	60.4	60.8	128	57.5	52.4	225
032 - BATTLE CREEK	85.6	81.2	808	72.7	76.7	676	79.7	79.4	1484
033 - BAY CITY	62.1	62.0	912	44.6	52.6	560	55.5	59.2	1472
035 - BELLAIRE	95.3	97.2	214	63.0	56.8	188	80.2	82.5	402
037 - BERKLEY	63.1	74.4	108	50.0	58.5	62	58.3	69.3	170
038 - BESSEMER	94.9	107.1	182	91.3	98.5	155	93.3	103.3	337
039 - BEULAH	62.7	49.2	85	36.3	30.3	100	48.4	42.2	185
040 - BIG RAPIDS	83.0	57.0	451	89.1	48.6	399	85.9	53.3	850
042 - BLOOMFIELD HILLS	73.6	90.1	1166	45.0	69.1	994	60.4	82.4	2160

DISTRICT COURT	1992			1993			1992 & 1993		
	MEAN	σ	N	MEAN	σ	N	MEAN	σ	N
045 - BRIGHTON	86.4	95.1	191	60.8	77.6	131	76.0	89.3	322
047 - BURTON	64.6	59.6	64	132.3	132.2	4	68.6	68.0	68
070 - CADILLAC	74.9	76.1	391	43.4	51.2	311	61.0	68.1	702
072 - CARO	63.6	72.4	514	43.1	52.6	408	54.6	65.2	922
073 - CASSOPOLIS	54.6	66.1	225	37.5	45.0	340	44.3	55.1	565
074 - CENTER LINE	113.4	93.3	306	77.1	67.4	217	98.3	85.4	523
075 - CENTREVILLE	72.9	77.4	432	50.7	55.5	371	62.7	69.0	803
076 - CHARLEVOIX	139.9	109.3	308	76.7	77.8	186	116.1	103.3	494
077 - CHARLOTTE	102.6	95.4	714	67.0	72.7	495	88.0	88.6	1209
078 - CHEBOYGAN	36.4	56.2	228	35.2	33.2	255	35.7	45.5	483
079 - CHELSEA	93.0	102.8	203	43.3	51.9	279	64.3	81.3	482
080 - CLARE	192.0	0.0	1				192.0	0.0	1
081 - CLARKSTON	107.5	125.3	436	76.9	103.6	307	94.9	117.8	743
083 - COLDWATER	91.4	99.3	358	40.6	59.1	284	68.9	87.6	642
084 - CORUNNA	83.2	89.8	505	60.3	73.7	440	72.6	83.5	945
085 - CRYSTAL FALLS	37.0	55.8	140	50.0	84.5	65	41.1	66.6	205
111 - DAVISON	55.1	64.6	94	198.6	192.7	5	62.4	82.6	99
112 - DEARBORN	106.7	106.7	794	65.0	84.7	781	86.0	98.6	1575
113 - DEARBORN HTS.	87.4	104.5	614	53.0	71.9	484	72.2	93.2	1098
114 - DETROIT	116.7	119.6	1660	105.7	137.3	1219	112.0	127.5	2879

DISTRICT COURT	1992			1993			1992 & 1993		
	MEAN	σ	N	MEAN	σ	N	MEAN	σ	N
140 - EAGLE RIVER	34.6	23.1	10	20.9	20.9	7	28.9	23.2	17
144 - EAST LANSING	76.7	91.8	632	44.4	73.0	396	64.2	86.5	1028
147 - ECORSE	35.5	75.7	91	45.7	94.5	73	40.0	84.8	164
150 - ESCANABA	64.5	75.8	255	44.5	56.6	230	55.0	68.1	485
180 - FARMINGTON	116.0	104.4	214	72.8	107.2	369	88.6	108.2	583
181 - FARMINGTON HILLS	120.4	104.6	400	87.8	105.5	118	113.0	105.7	518
183 - FENTON	72.7	69.1	74	101.6	73.0	7	75.2	69.9	81
184 - FERNDALE	128.2	144.5	265	78.6	119.9	150	110.3	138.2	415
186 - FLINT	86.8	107.3	1213	70.6	97.2	939	79.8	103.3	2152
187 - FLUSHING	77.2	63.5	68	93.6	90.3	9	79.1	67.4	77
188 - FRASER	97.4	118.5	234	61.2	108.2	178	81.7	115.5	412
210 - GARDEN CITY	74.7	106.6	227	43.1	64.9	250	58.1	88.7	477
211 - GAYLORD	71.8	84.7	220	67.6	63.2	236	69.6	74.4	456
212 - GENESEE COUNTY	118.6	117.1	1482	75.4	92.1	1421	97.5	107.8	2930
214 - GLADWIN	42.3	63.3	263	24.3	26.9	200	34.5	51.7	463
215 - GRAND BLANC	77.8	60.2	56	92.8	123.1	4	78.8	66.4	60
216 - GRAND HAVEN	73.4	59.4	442	53.6	60.1	282	65.7	60.5	724
218 - GRAND RAPIDS	72.4	87.9	1024	51.8	76.0	657	64.3	84.1	1681
219 - GRAND RAPIDS 63rd	98.6	86.8	395	67.1	62.6	332	84.2	78.3	727
220 - GRANDVILLE	65.5	107.2	63	49.0	61.5	69	56.9	86.8	132

DISTRICT COURT	1992			1993			1992 & 1993		
	MEAN	σ	N	MEAN	σ	N	MEAN	σ	N
221 - GRAYLING	190.6	208.1	5	29.7	21.0	3	130.3	182.5	8
250 - HAMTRAMCK	81.3	107.2	106	69.7	115.4	62	77.0	110.4	168
252 - HARPER WOODS	61.0	91.2	116	44.9	79.3	103	53.4	86.2	219
253 - HARRISON	57.7	79.2	297	40.6	57.7	314	48.9	69.5	611
254 - HARRISVILLE	69.6	59.9	34	59.3	69.3	32	64.6	64.8	66
255 - HART	52.4	68.8	198	35.5	29.3	226	43.4	52.3	424
256 - HASTINGS	45.5	62.8	300	41.0	63.4	227	43.6	63.1	527
257 - HAZEL PARK	132.8	141.3	147	54.5	85.5	109	99.4	126.8	256
259 - HIGHLAND PARK	105.9	88.8	54	99.5	105.5	37	103.3	96.0	91
260 - HILLSDALE	52.3	65.7	367	41.9	54.2	279	47.8	61.2	646
261 - HOLLAND	98.4	95.5	387	55.9	57.2	408	76.6	81.1	795
262 - HOUGHTON	29.3	46.1	154	31.4	50.4	132	30.3	48.1	286
263 - HOWELL	91.8	90.8	537	60.9	93.2	351	79.6	93.0	888
264 - HUDSONVILLE	71.9	72.7	206	55.4	63.7	154	64.8	69.5	360
292 - INKSTER	178.5	160.4	228	88.6	127.5	158	141.7	154.3	386
293 - IONIA	60.6	71.0	447	51.7	70.8	359	56.7	71.1	806
294 - IRON MOUNTAIN	68.3	74.2	140	36.1	26.2	113	53.9	60.1	253
297 - ISHPEMING	48.8	60.9	183	32.9	51.0	221	40.1	56.3	404
298 - ITHACA	35.0	27.5	346	32.6	32.3	380	33.8	30.1	726
320 - JACKSON	106.9	123.7	969	50.6	67.6	666	83.9	108.2	1635

DISTRICT COURT	1992		1993		1992 & 1993	
	MEAN	σ	N	MEAN	σ	N
350 - KALAMAZOO	76.9	77.5	820	61.2	82.6	504
351 - KALAMAZOO 9th	77.9	101.5	841	43.1	66.7	548
352 - KALKASKA	73.7	73.7	134	59.2	68.1	153
353 - KENTWOOD	61.0	49.8	299	41.4	47.5	227
380 - LAKE CITY	39.5	38.7	101	32.0	31.0	80
381 - LANSE	22.9	19.4	123	22.9	28.2	81
382 - LANSING	99.9	111.5	558	55.1	84.0	359
383 - LAPEER	84.2	85.7	829	56.6	70.8	698
385 - LELAND	50.5	70.0	98	28.2	38.5	118
386 - LINCOLN PARK	72.6	94.6	267	42.5	58.3	355
387 - LIVONIA	60.7	81.8	548	43.2	81.1	392
389 - LOWELL	37.3	33.7	160	36.9	26.2	163
410 - MADISON HTS.	152.0	135.3	548	40.0	70.5	246
411 - MANISTEE	45.0	51.8	173	40.8	38.2	207
412 - MANISTIQUE	37.8	37.3	86	24.9	31.4	100
413 - MARQUETTE	31.3	53.0	337	24.1	42.6	336
414 - MARSHALL	94.6	101.3	307	68.5	90.0	234
415 - MASON	109.6	103.8	797	78.9	97.1	573
417 - MENOMINEE	55.9	64.8	112	37.6	45.1	121
418 - MIDLAND	75.5	68.6	485	64.6	61.0	372

DISTRICT COURT	1992				1993				1992 & 1993			
	MEAN	σ	N		MEAN	σ	N		MEAN	σ	N	
419 - MIO	98.6	104.9	114		60.0	59.0	85		82.1	90.4	199	
421 - MONROE	87.4	78.8	980		65.2	71.6	632		78.7	76.8	1612	
423 - MT. CLEMENS 41st	105.2	111.7	1288		53.1	64.0	723		86.5	100.4	2011	
425 - MT. MORRIS	71.6	89.8	88		131.3	88.8	3		73.5	90.4	91	
426 - MT. PLEASANT	45.1	53.4	408		42.5	57.6	369		43.8	55.5	777	
427 - MUNISING	30.5	31.6	58		32.6	49.9	87		31.8	43.5	145	
428 - MUSKOGON	75.0	76.5	972		50.7	56.6	791		64.1	69.3	1763	
430 - MARINE CITY	111.4	99.1	436		73.7	92.5	282		96.6	98.3	718	
431 - MT. CLEMENS- CLINTON TWP.	117.5	120.7	796		85.6	108.3	561		104.3	116.8	1357	
451 - NEW BALTIMORE	185.0	145.9	563		70.1	78.7	418		136.0	134.5	981	
454 - NEWBERRY	16.7	18.1	44		12.5	13.8	32		14.9	16.6	76	
455 - NILES	41.4	56.7	265		30.1	38.5	273		35.7	48.7	538	
480 - OAK PARK	88.8	115.5	685		25.0	58.2	437		64.0	102.1	1122	
481 - ONTONAGON	82.3	79.0	74		44.4	67.2	45		68.0	77.0	119	
510 - PAW PAW	55.9	72.8	340		44.4	58.3	266		50.8	67.1	606	
511 - PETOSKEY	115.0	100.0	326		83.7	71.0	252		101.4	89.9	578	
514 - PLYMOUTH	70.3	88.8	1342		57.1	97.0	805		65.4	92.2	2147	
515 - PONTIAC	157.1	142.5	418		63.6	96.5	272		120.2	134.3	690	
516 - PORT HURON	69.4	76.0	830		43.7	57.5	636		58.2	69.8	1466	
517 - PORTAGE	78.3	99.6	292		31.8	37.7	162		61.7	85.9	454	

DISTRICT COURT	1992			1993			1992 & 1993		
	MEAN	σ	N	MEAN	σ	N	MEAN	σ	N
540 - REDFORD TWP.	62.0	102.9	316	40.9	69.9	298	51.8	89.1	614
541 - REED CITY	87.5	60.9	143	89.0	76.6	93	88.1	67.5	236
542 - RIVER ROUGE	51.2	86.4	160	31.8	63.6	156	41.6	76.6	316
543 - RIVERVIEW	66.7	75.8	107	40.3	51.9	63	56.9	69.1	170
544 - ROCHESTER	91.9	116.4	901	42.3	66.4	690	70.3	100.9	1591
545 - ROCKFORD	69.8	85.4	440	63.1	90.5	297	67.1	87.6	737
546 - ROGERS CITY	39.0	37.8	109	36.7	52.3	67	38.1	43.9	176
547 - ROMEO	178.6	134.6	424	62.5	85.3	194	142.2	132.7	618
548 - ROMULUS	83.6	111.2	916	55.9	83.9	822	70.5	100.2	1738
549 - ROSCOMMON	65.7	89.3	174	44.1	73.0	233	53.3	81.1	407
550 - ROSEVILLE	87.7	106.9	537	39.0	66.6	353	68.4	96.0	890
551 - ROYAL OAK	83.3	85.3	266	35.3	57.9	195	63.0	78.6	461
580 - SAGINAW	86.2	95.7	1248	56.5	79.8	870	74.0	90.7	2118
581 - SANDUSKY	49.6	69.9	495	50.3	65.4	354	49.9	68.1	849
582 - SAULT STE. MARIE	60.4	79.4	155	35.2	48.4	151	47.9	67.1	306
583 - SOUTH HAVEN	57.3	75.7	336	52.5	80.4	270	55.2	77.8	606
584 - SOUTHFIELD	55.3	70.3	761	36.7	50.9	635	46.8	62.9	1396
585 - SOUTHGATE	84.9	101.9	277	50.2	84.4	210	70.0	96.3	487
587 - ST. CLAIR SHORES	106.2	114.3	456	41.3	60.1	227	84.7	104.2	683
588 - ST. IGNACE	41.0	78.3	111	18.7	29.6	138	28.6	57.8	249

DISTRICT COURT	1992				1993				1992 & 1993			
	MEAN	σ	N		MEAN	σ	N		MEAN	σ	N	
589 - ST. JOHNS	57.6	72.1	596		39.0	48.4	414		49.9	64.1	1010	
590 - ST. JOSEPH	30.6	43.9	948		25.9	47.2	793		28.5	45.5	1741	
591 - STANDISH	37.9	34.6	202		35.3	37.6	141		36.8	35.9	343	
592 - STANTON	76.9	69.7	351		47.8	61.0	247		64.9	67.8	598	
593 - STERLING HTS.	169.0	128.0	866		98.0	95.0	637		138.9	120.4	1503	
595 - SALINE	81.9	103.8	178		69.3	103.6	66		78.5	103.9	244	
620 - TAWAS CITY	39.3	47.6	207		41.3	69.6	154		40.1	58.0	361	
621 - TAYLOR	86.5	106.5	570		56.8	97.7	410		74.1	103.9	980	
623 - TRAVERSE CITY	32.4	44.6	583		29.5	35.3	539		31.0	40.4	1122	
625 - TROY	70.1	86.0	470		41.6	73.6	315		58.7	82.5	785	
651 - UTICA-SHELBY TWP.	148.9	128.2	728		63.0	98.8	368		120.1	125.9	1096	
681 - WALKER	66.5	78.0	141		59.6	88.2	109		63.5	82.7	250	
682 - WALLED LAKE	113.2	116.1	1415		45.9	77.1	842		88.1	108.3	2257	
683 - WARREN	105.1	105.9	628		78.7	86.6	425		94.4	99.4	1053	
684 - WATERFORD	101.4	115.2	691		56.5	82.2	448		83.8	105.8	1139	
687 - WAYNE	60.5	89.3	203		30.3	49.4	160		47.2	75.9	363	
688 - WEST BRANCH	84.6	92.4	230		71.3	110.1	159		79.2	100.2	389	
689 - WESTLAND	82.0	98.6	518		49.4	80.4	417		67.4	92.3	935	
690 - WHITE CLOUD	55.9	55.4	422		59.8	55.0	414		57.8	55.2	836	
691 - WOODHAVEN	79.4	100.0	845		59.6	89.0	602		71.2	96.0	1447	

DISTRICT COURT	1992			1993			1992 & 1993		
	MEAN	σ	N	MEAN	σ	N	MEAN	σ	N
692 - WYANDOTTE	32.9	47.1	115	42.0	85.9	78	36.6	65.8	193
693 - WYOMING	112.7	136.8	342	59.7	98.4	226	91.6	125.7	568
720 - YPSILANTI	73.1	91.4	219	41.0	68.5	75	64.9	87.3	294
721 - YPSILANTI TWP.	105.3	99.3	430	99.0	116.6	262	102.9	106.2	692
722 - YPSILANTI 14A				79.4	107.1	47	79.4	107.1	47

Mean number of days from date of drunk driving arrest to start of suspension, revocation, or denial, standard deviation (σ), and number of cases (N) as a function of conviction year and federal court location.

FEDERAL COURT	1992			1993			1992 & 1993		
	MEAN	σ	N	MEAN	σ	N	MEAN	σ	N
114 - DETROIT	120.5	15.6	4	173.4	74.6	8	155.8	66.4	12

Mean number of days from date of drunk driving arrest to start of suspension, revocation, or denial, standard deviation (σ), and number of cases (N) as a function of conviction year and federal court location.

MAGISTRATE COURT	1992			1993			1992 & 1993		
	MEAN	σ	N	MEAN	σ	N	MEAN	σ	N
039 - BEULAH				46.5	19.5	2	46.5	19.5	2
078 - CHEBOYGAN	45.7	45.5	33				45.7	45.5	33
085 - CRYSTAL FALLS	18.0	0.0	1				18.0	0.0	1
221 - GRAYLING	94.7	107.5	147	71.3	118.3	104	85.0	112.7	251
254 - HARRISVILLE	72.0	0.0	1	41.7	11.8	3	49.3	16.7	4
255 - HART	43.1	54.3	37	25.1	10.3	11	38.9	48.5	48
262 - HOUGHTON	55.0	0.0	1				55.0	0.0	1
383 - LAPEER	72.0	42.7	4	156.4	141.7	10	132.3	127.8	14
389 - LUDINGTON	33.0	23.8	3	21.5	5.5	2	28.4	19.6	5
417 - MENOMINEE				10.0	0.0	1	10.0	0.0	1
546 - ROGERS CITY				23.0	0.0	1	23.0	0.0	1
549 - ROSCOMMON	134.0	0.0	1				134.0	0.0	1
690 - WHITE CLOUD	27.7	23.1	6	58.5	12.5	2	35.4	24.9	8

Mean number of days from date of drunk driving arrest to start of suspension, revocation, or denial, standard deviation (σ), and number of cases (N) as a function of conviction year and municipal court location.

MUNICIPAL COURT	1992			1993			1992 & 1993		
	MEAN	σ	N	MEAN	σ	N	MEAN	σ	N
141 - EAST DETROIT	95.5	100.3	199	47.4	60.1	175	73.0	87.3	374
223 - GROSSE POINTE	135.0	149.1	19	37.8	18.9	13	95.5	125.0	32
224 - GROSSE POINTE FARMS	110.9	134.2	47	54.9	84.8	36	86.6	118.7	83
225 - GROSSE POINTE PARK	89.4	110.7	68	62.5	115.8	58	77.0	113.9	126
226 - GROSSE POINTE SHORES	127.8	100.4	43	44.4	31.3	19	102.2	93.6	62
228 - GROSSE POINTE WOODS	64.1	80.9	93	40.2	53.9	53	55.4	73.2	146

Mean number of days from date of drunk driving arrest to start of suspension, revocation, or denial, standard deviation (σ), and number of cases (N) as a function of conviction year and probate court location.

PROBATE COURT	1992			1993			1992 & 1993		
	MEAN	σ	N	MEAN	σ	N	MEAN	σ	N
001 - ADRIAN	24.5	14.9	6	24.5	20.5	2	24.5	16.5	8
003 - ALLEGAN	89.3	56.6	3				89.3	56.6	3
007 - ALPENA	191.0	0.0	1				191.0	0.0	1
008 - ANN ARBOR	124.0	15.6	3	167.3	181.6	3	145.7	130.7	6
033 - BAY CITY	117.3	39.8	3				117.3	39.8	3
035 - BELLAIRE				24.0	0.0	1	24.0	0.0	1
039 - BEULAH	36.0	0.0	1	10.0	0.0	2	18.7	12.3	3
072 - CARO				44.0	0.0	1	44.0	0.0	1
075 - CENTREVILLE	25.0	0.0	1				25.0	0.0	1
076 - CHARLEVOIX	12.0	0.0	1				12.0	0.0	1
077 - CHARLOTTE	106.0	81.2	3	30.0	1.0	2	75.6	73.1	5
078 - CHEBOYGAN	48.0	19.0	2	62.0	7.0	2	55.0	15.9	4
083 - COLDWATER				52.0	0.0	1	52.0	0.0	1
084 - CORUNNA	144.0	0.0	1				144.0	0.0	1
085 - CRYSTAL FALLS				10.0	0.0	1	10.0	0.0	1
114 - DETROIT	291.0	0.0	1				291.0	0.0	1
150 - ESCANABA	8.0	0.0	1				8.0	0.0	1
186 - FLINT	18.0	0.0	1	10.0	0.0	1	14.0	4.0	2
211 - GAYLORD				52.0	0.0	1	52.0	0.0	1

PROBATE COURT	1992			1993			1992 & 1993		
	MEAN	σ	N	MEAN	σ	N	MEAN	σ	N
214 - GLADWIN				23.0	0.0	2	23.0	0.0	2
216 - GRAND HAVEN	127.0	66.0	2	59.0	0.0	1	104.3	62.7	3
218 - GRAND RAPIDS	24.7	9.9	7	60.6	41.4	9	44.9	36.4	16
253 - HARRISON	66.0	0.0	1	10.0	0.0	1	38.0	28.0	2
255 - HART				65.0	32.0	2	65.0	32.0	2
256 - HASTINGS	186.0	0.0	1				186.0	0.0	1
260 - HILLSDALE	25.3	6.5	3				25.3	6.5	3
263 - HOWELL	145.0	0.0	1				145.0	0.0	1
293 - IONIA	49.0	0.0	1				49.0	0.0	1
294 - IRON MOUNTAIN	44.0	0.0	1	19.0	0.0	1	31.5	12.5	2
320 - JACKSON	245.0	176.0	2				245.0	176.0	2
350 - KALAMAZOO	57.0	32.0	2	86.5	75.5	2	71.8	59.8	4
352 - KALKASKA				171.0	0.0	1	171.0	0.0	1
382 - LANSING	14.0	8.0	2	19.0	3.2	6	17.8	5.3	8
383 - LAPEER				41.0	0.0	1	41.0	0.0	1
385 - LELAND				19.5	3.5	2	19.5	3.5	2
414 - MARSHALL	47.8	25.6	4	43.0	53.1	3	45.7	39.9	7
417 - MENOMINEE				96.0	0.0	1	96.0	0.0	1
418 - MIDLAND	24.0	7.0	2	14.0	0.0	1	20.7	7.4	3
421 - MONROE	34.0	0.0	1				34.0	0.0	1

PROBATE COURT	1992			1993			1992 & 1993		
	MEAN	σ	N	MEAN	σ	N	MEAN	σ	N
422 - MT. CLEMENS	74.0	28.1	3	129.8	113.8	6	111.2	97.9	9
426 - MT. PLEASANT				13.0	0.0	1	13.0	0.0	1
427 - MUNISING	37.0	0.0	1				37.0	0.0	1
428 - MUSKEGON	119.8	107.6	6	34.0	4.2	4	85.5	93.4	10
481 - ONTONAGON	26.0	0.0	1				26.0	0.0	1
510 - PAW PAW	281.0	0.0	1	74.5	48.5	2	143.3	105.1	3
511 - PETOSKEY	55.0	4.0	2	88.0	0.0	1	66.0	15.9	3
515 - PONTIAC	180.2	106.2	9	140.3	122.0	12	157.4	117.2	21
516 - PORT HURON	47.7	33.0	3	99.0	45.5	4	77.0	47.9	7
541 - REED CITY				62.0	0.0	1	62.0	0.0	1
546 - ROGERS CITY	27.0	0.0	1				27.0	0.0	1
549 - ROSCOMMON				50.0	0.0	2	50.0	0.0	2
580 - SAGINAW	170.0	62.3	6				170.0	62.3	6
581 - SANDUSKY	19.0	0.0	1				19.0	0.0	1
589 - ST. JOHNS	25.0	7.0	2	72.0	0.0	1	40.7	22.9	3
620 - TAWAS CITY				72.0	0.0	1	72.0	0.0	1
623 - TRAVERSE CITY	39.0	0.0	1				39.0	0.0	1
688 - WEST BRANCH	524.0	106.0	2	51.0	0.0	1	366.3	239.2	3
689 - WESTLAND	91.1	108.1	9	77.6	11.0	5	86.3	87.2	14

Mean number of days from date of drunk driving arrest to start of suspension, revocation, or denial, standard deviation (σ), and number of cases (N) as a function of conviction year and circuit court location.

CIRCUIT COURT	1992			1993			1992 & 1993		
	MEAN	σ	N	MEAN	σ	N	MEAN	σ	N
003 - ALLEGAN	148.1	123.4	8	165.6	137.3	9	157.4	131.2	17
007 - ALPENA	226.0	0.0	1	198.3	82.6	4	203.8	74.7	5
008 - ANN ARBOR	162.0	132.9	35	100.3	103.3	46	127.0	121.0	81
010 - ATLANTA				0.0	0.0	1	112.0	0.0	1
030 - BAD AXE	44.7	9.7	3	175.0	0.0	1	77.3	57.1	4
031 - BALDWIN	114.5	28.5	2	83.8	30.1	4	94.0	32.9	6
033 - BAY CITY	149.9	112.0	12	108.8	71.2	12	129.3	96.1	24
035 - BELLAIRE	131.3	21.4	3				131.3	21.4	3
038 - BESSMER	241.5	111.5	2				241.5	111.5	2
039 - BEULAH	93.7	85.1	3	110.3	70.1	3	102.0	78.4	6
040 - BIG RAPIDS	228.3	55.7	4	136.3	66.8	6	173.1	77.1	10
070 - CADILLAC	231.3	94.9	7	165.6	77.8	8	196.3	92.2	15
072 - CARO	147.6	102.0	19	64.9	64.2	16	109.8	96.1	35
073 - CASSOPOLIS	67.0	0.0	1	55.0	1.0	2	59.0	5.7	3
075 - CENTREVILLE	117.4	121.7	19	124.0	104.9	23	121.0	112.9	42
076 - CHARLEVOIX	202.7	57.7	3	96.0	49.8	5	136.0	74.0	8
077 - CHARLOTTE	163.1	68.9	27	115.0	96.2	34	136.3	88.5	61
078 - CHEBOYGAN	116.7	66.1	23	84.7	22.3	13	105.1	56.6	36
083 - COLDWATER	114.8	42.0	4	130.5	39.5	2	120.0	41.8	6

CIRCUIT COURT		MEAN	0	N	MEAN	0	N	MEAN	0	N
		1992			1993			1992 & 1993		
084 - CORUNNA	229.5	114.7	4	176.3	123.1	11	190.5	123.2	15	
085 - CRYSTAL FALLS				113.3	105.2	4	113.3	105.2	4	
114 - DETROIT	134.0	106.6	82	123.1	83.0	44	130.2	99.1	126	
150 - ESCANABA	157.5	38.3	4	125.4	55.5	9	135.3	53.0	13	
186 - FLINT	187.5	84.1	14	198.5	118.9	12	192.6	101.8	26	
211 - GAYLORD	120.1	95.5	13	133.0	85.7	16	127.2	90.5	29	
214 - GLADWIN	150.9	159.3	7	74.2	73.1	12	102.4	118.7	19	
216 - GRAND HAVEN	108.2	87.4	38	144.7	109.0	47	128.3	101.5	85	
218 - GRAND RAPIDS	182.6	122.0	142	141.1	81.2	158	160.7	104.6	300	
221 - GRAYLING	125.0	0.0	1	143.0	0.0	1	134.0	9.0	2	
253 - HARRISON	79.0	0.0	1	128.0	88.6	3	115.8	79.6	4	
254 - HARRISVILLE				65.0	0.0	1	65.0	0.0	1	
255 - HART	48.2	40.4	20	44.3	21.6	15	46.5	33.7	35	
256 - HASTINGS	172.6	68.1	5	211.5	103.0	4	189.9	87.6	9	
260 - HILLSDALE	69.0	52.5	5	40.6	22.8	7	52.4	40.6	12	
262 - HOUGHTON	32.3	8.4	3	69.8	40.5	4	53.7	36.2	7	
263 - HOWELL	139.4	69.4	23	197.8	86.7	19	165.9	83.0	42	
293 - IONIA	92.1	116.3	11	99.1	98.5	16	96.2	106.2	27	
294 - IRON MOUNTAIN	84.0	43.7	3	75.3	24.6	3	79.7	35.7	6	
298 - ITHACA	95.0	70.4	9	82.4	111.9	19	86.4	100.6	28	

CIRCUIT COURT	1992				1993				1992 & 1993			
	MEAN	σ	N		MEAN	σ	N		MEAN	σ	N	
320 - JACKSON	156.8	123.5	59		102.8	67.5	46		133.1	106.2	105	
350 - KALAMAZOO	200.1	132.8	59		160.6	128.4	66		179.3	132.0	125	
352 - KALKASKA					63.0	33.9	3		63.0	33.9	3	
380 - LAKE CITY	79.0	45.0	2		262.0	0.0	1		140.0	93.8	3	
382 - LANSING	179.1	109.3	66		171.0	128.4	53		175.5	118.3	119	
383 - LAPEER	172.5	115.9	17		135.9	123.6	23		151.4	121.7	40	
385 - LELAND	138.8	89.6	5		183.5	169.5	2		151.6	119.8	7	
389 - LUDINGTON	121.4	61.7	11		87.9	61.9	11		104.6	64.0	22	
411 - MANISTEE	74.0	42.9	5		70.4	35.7	5		72.2	39.5	10	
412 - MANISTIQUE	83.0	0.0	1						83.0	0.0	1	
413 - MARQUETTE	70.2	49.7	11		70.4	91.1	9		70.3	71.4	20	
414 - MARSHALL	166.0	46.3	3		235.7	107.6	12		221.7	102.3	15	
417 - MENOMINEE	24.2	5.8	5		46.6	18.2	5		35.4	17.6	10	
418 - MIDLAND	159.8	109.2	15		163.4	120.0	20		161.8	115.5	35	
419 - MIO					316.0	0.0	1		316.0	0.0	1	
421 - MONROE	117.2	77.1	23		178.5	102.6	12		138.2	91.5	35	
422 - MT. CLEMENS	182.6	112.0	62		194.2	108.8	80		189.1	110.4	142	
426 - MT. PLEASANT	208.3	96.3	13		144.5	124.0	25		166.3	119.2	38	
427 - MUNISING					76.5	46.5	2		76.5	46.5	2	
428 - MUSKEGON	95.7	47.9	51		88.6	71.3	73		91.5	62.9	124	

CIRCUIT COURT	1992				1993				1992 & 1993			
	MEAN	σ	N		MEAN	σ	N		MEAN	σ	N	
454 - NEWBERRY	74.0	0.0	1		81.0	0.0	1		77.5	3.5	2	
510 - PAW PAW	84.9	63.4	25		113.3	115.5	19		97.2	90.8	44	
511 - PETOSKEY	58.5	36.5	2		108.0	60.3	4		91.5	58.4	6	
515 - PONTIAC	154.9	134.8	441		137.8	130.2	378		147.0	133.0	819	
516 - PORT HURON	220.8	75.4	50		220.6	105.6	74		220.7	94.6	124	
541 - REED CITY	203.5	124.5	2		84.7	65.4	10		104.5	90.1	12	
546 - ROGERS CITY	268.0	190.3	6		201.0	170.0	5		237.5	184.4	11	
549 - ROSCOMMON	61.0	0.0	1						61.0	0.0	1	
580 - SAGINAW	131.3	107.5	24		147.5	76.2	35		140.9	90.6	59	
581 - SANDUSKY	181.6	117.9	5		67.0	51.6	28		84.4	77.8	33	
582 - SAULT STE. MARIE	120.5	23.5	4		126.0	109.0	2		122.3	65.8	6	
589 - ST. JOHNS	185.2	116.3	18		121.3	111.0	9		163.9	118.5	27	
590 - ST. JOSEPH	54.6	48.6	20		70.1	77.2	15		61.3	62.9	35	
591 - STANDISH	235.0	0.0	1		261.0	0.0	1		248.0	13.0	2	
592 - STANTON	119.0	37.8	4		98.4	44.0	5		107.6	42.6	9	
620 - TAWAS CITY	64.6	29.5	5		88.8	39.9	6		77.8	37.5	11	
623 - TRAVERSE CITY	124.7	97.1	23		95.9	76.3	33		107.7	86.6	56	
688 - WEST BRANCH					229.0	64.0	2		229.0	64.0	2	
690 - WHITE CLOUD	84.2	74.2	15		43.8	65.5	18		62.2	72.4	33	

APPENDIX B:
Circuit Court Bench Reference on Driver License Restoration Appeals

**Circuit Court Bench Reference
on Driver License Restoration Appeals**

Section	Relief Available Under Sec.323	Standard of Review
<p>Sec.303, Rev/Den Habitual Offenders</p>	<p>Arrests prior to 1/1/92 - Hardship or merit review available.</p> <p>Arrests after 1/1/92 - Review of the record. No hardship review available. The record during the minimum rev/den is the driving record and after that, it is the DLAD hearing transcript.</p> <p>NOTE: 1993 P.A. 359 amended Sec.323(6) to clarify that no restricted privileges may be granted pursuant to Sec.323(3).</p>	<p>Prior to 1/1/92 - If merit review, preponderance of the evidence. Was the record supported by "substantial, material and competent evidence on the record as a whole"?</p> <p>After 1/1/92 - Substantial rights prejudiced because of :</p> <ul style="list-style-type: none"> a) in viol. of a Constitution or law; b) in excess of authority/jurisdiction; c) unlawful procedure resulting in prejudice; d) not supported by competent, material, & substantial evidence on whole record; e) arbitrary, capricious, or clear abuse of discretion; f) substantial & material error of law. <p>See Sec.323(6).</p>
<p>Sec.303(1)(k) 2 Convictions 3 Years Prior to Application</p>	<p>Hardship or Merit</p>	<p>If merit review, preponderance of the evidence. Was the record supported by "substantial, material, and competent evidence on the record as a whole"?</p>
<p>Sec.303(1)(l) Non-resident licensure</p>	<p>Can't order SOS to grant out-of-state licensure. ONLY Michigan relief may be available. (see underlying reason for sanction)</p> <p>Petitioner may appeal in the other state.</p>	<p>See underlying reason for sanction.</p>

Section	Relief Available Under Sec.323	Standard of Review
Sec.319 Mandatory Suspensions	Hardship or Merit	If merit review, preponderance of the evidence. Was the record supported by "substantial, material, and competent evidence on the record as a whole"?
Sec.319b & 312f Commercial Motor Vehicle Actions	None, see Sec.323(8) and 323c(1)	Not applicable
Sec.319e Drug Suspensions	None, see Sec.323(9) and Sec.303(1)(n)	Not applicable
Sec.320 Driver Improvement Sanctions	Court may, "affirm, modify, or set aside" action. Hardship or merit review available.	If merit review, preponderance of the evidence. Was the record supported by "substantial, material, and competent evidence on the record as a whole"?
Sec.324 Mandatory Suspensions for Illegal Use of License	Court may, "affirm, modify, or set aside" action. Hardship or merit review available.	If merit review, preponderance of the evidence. Was the record supported by "substantial, material, and competent evidence on the record as a whole"?
Sec.625b Court Ordered Licensing Sanctions for Drunk Driving or Under 21 BAC	None, see Sec.323(5) & <u>Paulson v SOS</u> , 154 Mich. App. 626, (1986). <u>Dabrowski v Secretary of State</u> , 201 Mich. App. 218 (1993), <u>Nigro v Secretary of State</u> , 201 Mich. App. 218 (1993) {Sentence cannot be reduced without reason} <u>Dudley v Secretary of State</u> , 204 Mich. App. 152 (1993)	Not applicable.
Sec.625f Implied Consent	On a first suspension, hardship or a merit review is available. On a second suspension, courts are limited to a merit review of the record of the DLAD hearing. If the driver fails to appear at the hearing, there is no record for review. Cannot shorten suspension or order restrictions. <u>Kester v SOS</u> , 152 Mich. App. 329, (1986).	If merit review, preponderance of the evidence. Was the record supported by "substantial, material, and competent evidence on the record as a whole"?

Section	Relief Available Under Sec.323	Standard of Review
Sec.904 Mandatory Additional Sanctions for DWLS, et. al.	Court may, "affirm, modify, or set aside" action. Hardship or merit review available.	If merit review, preponderance of the evidence. Was the record supported by "substantial, material, and competent evidence on the record as a whole"?

