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## **An Evaluation of Michigan's Repeat Alcohol Offender Laws**

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16. Abstract <p>UMTRI was selected to evaluate the impact and effectiveness of Michigan's repeat alcohol offender package of laws by investigating fourteen research objectives. These objectives ranged from determining the effects of the laws on crashes and crash-related injury to determining the effectiveness of sanctioning on drunk driving recidivism to assessing the opinions of prosecuting attorneys in Michigan. The study found about a 30 percent decrease in the rate of crashes involving drivers currently under license suspension/revocation. This decrease in crashes resulted in about a 37 percent decrease in injury rates and a 13 percent decrease in fatality rates from crashes involving drivers currently under suspension/ revocation. The study also found that there was about a 39 percent decrease in crashes involving people with two or more previous alcohol-related convictions, while there was only a one percent decrease in crashes involving people with one previous alcohol-related conviction. The analysis of injuries revealed more than a 40 percent postlaw decrease in injuries resulting from crashes involving drivers with two-or-more previous alcohol-related convictions. Comparison between the prelaw and postlaw years showed that the number of two-plus offenders decreased by about 5 percent: the number of three-plus offenders decreased by about 18 percent. Comparison between prelaw and postlaw years revealed that the rate of DWLS recidivism increased by 2 percent. Thus, the laws did not seem to have the intended effect of reducing DWLS recidivism. The new repeat offender sanctions were found to be applied quite infrequently, but ignition interlocks had the lowest rate of future recidivism. Plea bargaining to a lesser alcohol offense was found to be quite frequent, but did not affect repeat offender status. Prosecuting attorneys, in general, did not report increases in workload and thought that the repeat offender laws make it easier to prosecute drunk driving cases. Several other findings are presented.</p>					
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# 1. Introduction

During the last decade, Michigan has taken aggressive legislative actions to combat drunk driving. 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 impaired (see Charney, 1991, for a history and review of this 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, created two new felony drunk driving crimes, set consistent licensing sanctions, and eliminated hardship appeals for habitual offenders. These new laws became effective on January 1, 1992.

The University of Michigan Transportation Research Institute (UMTRI) conducted an evaluation of the impact and effectiveness of these laws during the first 2 years of implementation (Streff & Eby, 1994). We found that the courts were implementing the laws and minimum sanctions as intended, and that the laws appeared to reduce alcohol-involved traffic fatalities by as much as 25 percent. We also found that suspending, revoking, or denying a person's driving privileges did not seem to lead to employment loss. Unfortunately, the study also found that an estimated 30 to 70 percent of people with a suspended, revoked or denied license drove at least some of time during their sanction period and that this package of laws had little effect on reducing the incidence of repeat drunk driving.

Heartened by the positive effects of the 1992 drunk and impaired driving laws on first-time drunk-driving offenders, the Michigan legislature turned its attention to reducing the incidence of repeat drunk driving and driving with a suspended license. On October 16, 1998, the Michigan legislature passed a package of 20 bills to address these problems (see Charney, 2000 and Streff, Spradlin, & Eby, 2001 for overviews of concepts and components of the repeat drunk driving package). These laws define a repeat alcohol offender as one of the following: (1) a person with two or more alcohol-related convictions within 7 years; (2) a person with three or more convictions for driving with a suspended,

revoked, or denied license within 7 years; or (3) a person with three or more alcohol-related convictions within the last 10 years. The package of laws, the majority of which was implemented on October 1, 1999, was specifically designed to aid law enforcement in separating the multiple-offender from his or her vehicle, to strengthen legal consequences for repeat alcohol offenders, and to provide uniform licensing actions and treatments. Specifically, the following changes and additions were made to Michigan's drunk driving laws:

- Mandatory minimum 1-year use of an ignition interlock device is required for repeat alcohol offenders who are approved to return to the road;
- Vehicle immobilization is required for repeat offenders;
- When appropriate, vehicle forfeiture is to be applied;
- Metal license plate confiscation is required for repeat offenders;
- Vehicle registration denial for persons with three or more alcohol-related convictions, or four or more driving while suspended/revoked actions;
- Mandatory substance abuse treatment for persons convicted of a second alcohol-related offense;
- Creation of several new felony crimes, including: Driving While License Suspended Resulting in a Death or Serious Injury; Drunk Driving Resulting in a Death or Serious Injury in an Off Road Vehicle; and Drunk Driving Child Endangerment.

In addition, lesser offenses, such as operating a vehicle while impaired, now count as a prior offense when classifying repeat alcohol offenders. This prevents offenders who plea bargain down to a lesser offense from avoiding the consequences of repeat offender laws over time. Furthermore, the new laws state that any combination of three

alcohol-related offenses within 10 years would be a felony, with only one "zero-tolerance" (youth alcohol) conviction allowed in this combination of offenses.

UMTRI was selected to evaluate the impact and effectiveness of Michigan's repeat alcohol offender package of laws. In discussions with the Michigan Department of State (DOS) and the Michigan Office of Highway Safety Planning (OHSP) 14 research objectives were defined for a 3-year evaluation. These objectives were:

- (1) Determine the amount of change from prelaw levels in the number of crashes, and associated injuries and deaths caused by persons whose licenses are under suspension or revocation;
- (2) Determine the amount of change from prelaw levels in the number of crashes, and associated injuries and deaths caused by persons convicted of first-time or second-time alcohol offenses, and repeat offenders not currently under suspension;
- (3) Determine the amount of change from prelaw levels in the number of first-time repeat (two-time offenders) and multiple repeat offenders;
- (4) Determine the extent to which vehicle immobilization, ignition interlock, license plate confiscation, and substance abuse treatment are being issued to eligible convicted persons;
- (5) With respect to vehicle immobilization, determine the extent to which companies are available to hold immobilized vehicles and to what extent immobilization orders are being violated;
- (6) With respect to ignition interlocks, determine the extent to which persons sentenced to this sanction continue to violate drinking and driving laws;
- (7) With respect to license plate confiscation, determine the extent to which persons sentenced to this sanction continue to violate drinking and driving laws and their

suspension;

(8) With respect to substance abuse treatment, determine the extent to which treatment services are available to offenders and the extent to which persons sentenced to this sanction continue to violate drinking and driving laws;

(9) Determine the extent to which the use of "lesser offenses" for repeat alcohol offenders described in the new laws changes the proportion of cases that involve repeat offense convictions, and whether prosecutors are charging multiple offenders under the multiple offender statutes;

(10) Determine the extent to which new felony repeat offender, DWLS death/injury felony, and OUIL/OWI child endangerment laws are charged and present trial results and sentences;

(11) Determine the extent to which vehicle forfeiture is applied by the courts in sentencing;

(12) Track the denial of vehicle registrations to the extent possible using data collected by the DOS;

(13) Compare and contrast recidivism rates for persons receiving the various sentencing options; and

(14) Determine the perceptions and knowledge of prosecuting attorneys charged with implementing changes with respect to the new laws, the implementation of the laws, and the extent to which the new laws serve their deterrent and rehabilitative functions.

This report presents the data collection procedures, analyses, and results for each research objective separately. The following abbreviations for alcohol-related crimes will be used in the report:

<b>Name</b>	<b>Abbreviation</b>
Minor in Possession of Alcohol	MIP
Zero Tolerance	Zero Tol
Unlawful Bodily Alcohol Content	UBAC
Operated Under the Influence of Liquor	OUIL
Operated Under the Influence of a Controlled Substance	OUID
Operated While Impaired	OWI
Combined Operated Under the Influence of Liquor and Unlawful Bodily Alcohol Content	OUIL/UBAC
Driving While License Suspended, Revoked, or Denied	DWLS/R
Operating Under the Influence of Liquor and/or Operated While Impaired Causing Serious Injury	OUIL/OWI-Injury
Operating Under the Influence of Liquor and/or Operated While Impaired Causing Death	OUIL/OWI-Death
Driving While License Suspended or Revoked Causing Serious Injury	DWLS/R-Injury
Driving While License Suspended or Revoked Causing Death	DWLS/R-Death
Knowingly Allowing Another to Operate While DWLS Causing Serious Injury	Allowing DWLS/Injury
Knowingly Allowing Another to Operate While DWLS Causing Death	Allowing DWLS/Death





## 2. Research Objectives

**2.1. Determine the amount of change from prelaw levels (before 10/99) in the number of crashes and associated injuries and deaths caused by persons whose licenses are under suspension or revocation.**

### Methods

A driver license suspension indicates the loss of driving privileges for an established period of time. The license is returned upon expiration of the suspension period and payment of a \$125 reinstatement fee. Revocation indicates the permanent loss of driving privileges. After the minimum period of revocation, usually 1 year to 5 years, drivers may re-apply for a license and try to prove they will be safe drivers in the future. The DOS may deny the license or grant a restricted license.

DOS Master Driving Record (MDR) data, extracted on April 29, 2002, were used in this analysis. The MDR data contain the complete driving history records of all Michigan drivers including convictions and license actions. Michigan drivers whose driver licenses were suspended or revoked for any period of time during each of the years 1997 to 2001, were identified from the MDR conviction data set. Crash data were obtained from the Michigan Vehicle Crash Data file, the primary source of police-reported crash information in Michigan. This file contained complete crash records through 2001. Driver license numbers of these drivers were compared against the license numbers of drivers involved in crashes recorded in the Michigan Vehicle Crash Data files for years 1997 - 2001. This identified the subset of drivers who had been involved in crashes during the study years. It should be noted that crash involvement does not necessarily mean that the driver caused the crash. Drivers in the crash data set may have caused the crash, may have contributed to the cause, or may have been innocent victims. Assigning fault for crashes found in the Michigan Vehicle Crash Data files is difficult and can easily lead to inaccuracies. Therefore, all crashes, regardless of fault, are included in these analyses.

Because a driver may be involved in a crash when his or her driver's license was neither suspended nor revoked, the actual periods of license suspension or revocation were identified for each crash-involved driver and only those crashes that occurred during

the time that the license was actually under suspension or revocation were retained for analysis. The resulting list contained all the crashes involving drivers with suspended or revoked licenses. The list is a census (rather than a sample) of all Michigan crashes involving drivers that were under driver license suspension and revocation, allowing a direct comparison of the number of crashes that occurred in the 2 years before implementation of the repeat offender laws (1997-1998) with crashes that occurred in the 2 years after implementation (2000-2001).

## Results

Table 1 shows the number of Michigan drivers who had their license suspended or revoked for at least some portion of the year for the years 1997 - 2001. The table also shows the number of crashes in which these drivers were involved during the time that their licenses were actually suspended or revoked and the number of injuries and fatalities resulting from these crashes.

	1997	1998	1999	2000	2001
<b>Drivers with license suspended or revoked</b>	294,374	341,681	386,426	426,531	438,750
<b>Crashes</b>	5,678	6,164	4,932	6,089	5,097
<b>Injuries</b>	3,075	3,122	2,480	2,875	2,414
<b>Fatalities</b>	28	34	33	25	48

As shown in Table 1, the number of persons with suspended or revoked licenses increased annually between 1997 and 2001. Although the number of crashes was the lowest for 1999, the year that the law was passed, there is no identifiable trend in the number of crashes involving drivers with suspended or revoked licenses. There does appear to be a small downward trend in the number of injuries over the 5-year period. The number of fatalities per year is small, and no yearly trend is evident. The lack of a trend is not unusual because the overall numbers are small and can be affected by multiple deaths in a small number of crashes.

Because of the large difference in the number of drivers with a suspended or revoked licenses each year, Table 2 presents the rates of crashes, injuries, and fatalities by the number of drivers with suspended or revoked licenses. These data show that the crash rate per driver decreased over the 5-year period. The largest decrease in the rate coincides with the year that the law was implemented (1999). There was also a decrease in the injury rate, with the largest decrease again found for 1999. There was no clear pattern in the fatality rate, probably for the reasons previously discussed.

<b>Table 2: Crash, Injury, and Fatality Rates per 100 Drivers with Suspended or Revoked Licenses (1997-2001).</b>					
	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>
<b>Crash Rate</b>	1.929	1.804	1.276	1.428	1.162
<b>Injury Rate</b>	1.045	0.914	0.642	0.674	0.550
<b>Fatality Rate</b>	0.0095	0.0100	0.0085	0.0059	0.0109

In order to get a better idea of the change in crash and crash-related injury frequency before and after implementation of the repeat offender law, Table 3 presents the combined crash, injury, and fatality rates for the 2 years before implementation (prelaw; 1997 and 1998) and the 2 years after (postlaw; 2000 and 2001). This table also shows the difference in rates and percentage reduction in rates between the prelaw and postlaw periods for crashes, injuries, and fatalities. As can be seen, large reductions in the postlaw period were found in the number of crashes, injuries, and fatalities involving drivers with a suspended or revoked license.

<b>Table 3: Changes in Crash, Injuries, and Fatality Rates per 100 drivers with Suspended or Revoked Licenses Before and After the Repeat Offender Laws.</b>				
	<b>Prelaw (1997-1998)</b>	<b>Postlaw (2000 - 2001)</b>	<b>Difference</b>	<b>Percentage change</b>
<b>Crash Rate</b>	1.862	1.293	-0.569	-30.6%
<b>Injury rate</b>	0.974	0.611	-0.363	-37.3%
<b>Fatality rate</b>	0.0097	0.0084	-0.0013	-13.4%

**2.2. Determine the amount of change from prelaw levels (before 10/99) in the number of crashes and associated injuries and deaths caused by persons convicted of a first-time or second-time alcohol offense, and repeat offenders not currently under suspension.**

**Methods**

DOS MDR data, extracted on April 29, 2002, and Michigan Vehicle Crash Data files for years 1997 to 2001 were used in this analysis. Driver license numbers of drivers who had been convicted of an alcohol offense at least once from January 1, 1997 through December 31, 2001 were identified from the Conviction Data Set of the MDR. The driver license numbers of these drivers were compared against the license numbers of drivers who were involved in crashes recorded in the Michigan Vehicle Crash Data. Only drivers who were involved in a crash during the study time period (calendar years 1997 to 2001) were retained for further analysis. As discussed previously, crash involvement does not necessarily imply crash causation. Assigning fault for crashes found in the Michigan Vehicle Crash Data files is difficult and inaccurate. Therefore, all crashes, regardless of fault, are included in these analyses.

The conviction history of each crash-involved driver was examined to determine if the driver started the year 1997 with zero, one, or two-or-more previous alcohol-related convictions on his or her record. The driver's record was then followed through the end of 2001 to denote his or her transition from one alcohol-related conviction status to another (i.e., from zero to one conviction, from one to two convictions, and so on). This defined the time intervals within the study time period when the driver was a first-time alcohol offender or a repeat alcohol offender. The time periods when the driver's license was suspended or revoked were also noted for each driver. Each crash was then classified by the driver's repeat offender status at the time of the crash. The number of crashes, injuries, and fatalities for first offenders and repeat offenders were tabulated for each year and then compared.

**Results**

The number of Michigan drivers convicted of an alcohol-related offense by year is shown in Table 4. The overall number of drivers with previous alcohol-related convictions

who were involved in crashes appears to be roughly constant between 1997 and 1999. Whether the lower number of crash involved drivers in 2000 and 2001 is part of a downward trend cannot be determined accurately without more years of data.

<b>Table 4: Number of Crash-Involved Drivers with at Least One Previous Alcohol-Related Offense (1997 - 2001).</b>				
<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>
55,807	56,584	57,029	55,413	51,532

Table 5 shows the number of crashes involving these drivers with previous alcohol convictions as a function of the number of previous alcohol convictions at the time of the crash. Percentages of the total are also included. Overall, the number of crashes remained relatively constant over the 5-year period. However, there was a decrease in the proportion of crashes involving drivers with two or more previous alcohol-related convictions. Table 6 shows the combined results for the 2 years prior to implementation of the repeat offender law (prelaw; 1997-1998) and the 2 years after implementation (postlaw; 2000-2001). As can be seen, the number of crashes involving drivers with one previous alcohol-related conviction decreased only slightly while crashes involving repeat alcohol offenders decreased greatly.

<b>Table 5: Number of Crashes Involving Drivers with Previous Alcohol-Related Convictions by Number of Convictions (1997-2001).</b>					
<b>Number of previous alcohol-related convictions</b>	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>
<b>One</b>	4,327 (89.8%)	4,247 (90.1%)	4,282 (91.1%)	4,411 (93.3%)	4,051 (93.7%)
<b>Two or more</b>	490 (10.2%)	468 (9.9%)	416 (8.9%)	316 (6.7%)	273 (6.3%)
<b>Total</b>	4,817 (100%)	4,715 (100%)	4,698 (100%)	4,727 (100%)	4,324 (100%)

<b>Table 6: Number of Crashes Before and After Law Change Involving Drivers with Previous Alcohol-Related Convictions by Number of Convictions</b>				
<b>Number of previous alcohol-related convictions</b>	<b>Prelaw</b>	<b>Postlaw</b>	<b>Difference</b>	<b>% Change</b>
<b>One</b>	8,574	8,462	-112	-1.3%
<b>Two or more</b>	958	589	-369	-38.5%
<b>Total</b>	9,532	9,051	-481	-5.0%

Table 7 shows the number of injuries resulting from crashes involving drivers with previous alcohol-related convictions at the time of the crash by year and number of previous alcohol-related convictions. The total number of injuries decreased each year. The study also revealed a slight decline in the percentage of crash-related injuries involving repeat alcohol offenders, although in 2001, the percentage slightly increased. Table 8 shows the combined results for the 2 years prior to implementation of the repeat offender law (prelaw) and the after implementation (postlaw), in order to compare injuries between these periods. There was a considerable decrease in the numbers of crash-related injuries involving drivers with one or two-or-more past alcohol convictions.

<b>Table 7: Number of Injuries from Crashes Involving Drivers with Previous Alcohol-Related Convictions by Number of Convictions (1997-2001).</b>					
<b>Number of previous alcohol-related convictions</b>	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>
<b>One</b>	2,242 (88.8%)	2,236 (89.3%)	2,082 (90.2%)	2,035 (92.3%)	1,768 (91.9%)
<b>Two or more</b>	283 (11.2%)	269 (10.7%)	227 (9.8%)	169 (7.7%)	155 (8.1%)
<b>Total</b>	2,525 (100%)	2,505 (100%)	2,309 (100%)	2,204 (100%)	1,923 (100%)

<b>Table 8: Number of Injuries Before and After Law Change Involving Drivers with Previous Alcohol-Related Convictions by Number of Convictions</b>				
<b>Number of previous alcohol-related convictions</b>	<b>Prelaw</b>	<b>Postlaw</b>	<b>Difference</b>	<b>% Change</b>
<b>One</b>	4,478	3,803	-675	-15.1%
<b>Two or more</b>	552	324	-228	-41.3%
<b>Total</b>	5,030	4,127	-903	-18.0%

Table 9 shows the numbers of fatalities resulting from the crashes involving drivers with previous alcohol-related convictions at the time of the crash by year and number of previous alcohol convictions. As can be seen in this table, overall there were very few fatal injuries involving drivers with previous alcohol convictions, either before or after implementation of the repeat offender law. As such, little can be said about the effects of the repeat offender legislation on crash fatalities involving repeat alcohol offenders.

<b>Table 9: Number of Fatalities from Crashes Involving Drivers with Previous Alcohol-Related Convictions by Number of Convictions (1997-2001).</b>					
<b>Number of previous alcohol-related convictions</b>	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>
<b>One</b>	12 (75.0%)	20 (83.3%)	8 (66.7%)	10 (90.9%)	7 (46.7%)
<b>Two or more</b>	4 (25.0%)	4 (16.7%)	4 (33.3%)	1 (9.1%)	8 (53.3%)
<b>Total</b>	16 (100%)	24 (100%)	12 (100%)	11 (100%)	15 (100%)

In order to more closely examine crash involvement of drivers who are repeat alcohol offenders, we investigated the records of people who, at the time of their crash, had two or more alcohol-related convictions and no current restriction on their driving record. The results for crashes, injuries, and fatalities by year are shown in Table 10. Also shown in this table are the percentages of all crashes involving drivers with two or more previous alcohol-related convictions. The numbers by year show no consistent trends for crashes, injuries, or fatalities. However, the proportions of crashes and injuries involving repeat offenders with valid driving privileges, relative to all crashes and injuries involving repeat offenders, has increased greatly since 1999. Conversely, the proportion of crashes and injuries involving repeat offenders currently under suspension or revocation has decreased. Thus, it appears that the repeat offender law has been effective in reducing the crashes and injuries caused by repeat alcohol offenders driving with invalid licenses.

**Table 10: Number of Crashes, Injuries, and Fatalities by Calendar Year Involving Drivers with Two or More Previous Alcohol-Related Convictions and Whose License was Not Suspended/Revoked at Time of Crash.**

	1997	1998	1999	2000	2001
<b>Crashes</b>	73 (14.9%)*	67 (14.3%)	63 (15.1%)	101 (32.0%)	92 (33.7%)
<b>Injuries</b>	39 (8.0%)#	30 (11.1%)	29 (12.8%)	38 (22.5%)	40 (25.8%)
<b>Fatalities</b>	0 (0%)¶	0 (0%)	2 (50%)	0 (0%)	1 (12.5%)

\* Percent of crashes involving all drivers with two-or-more alcohol convictions.

# Percent of crash-related injuries involving all drivers with two-or-more alcohol convictions.

¶ Percent of crash-related fatalities involving all drivers with two-or-more alcohol convictions.



### **2.3. Determine the amount of change from prelaw levels (before 10/99) in the number of first-time repeat (two-time offenders) and multiple repeat offenders.**

#### **Methods**

The following analyses were conducted separately for alcohol offenses and suspended license violations. Items from the MDR Conviction Data Set and Action Data Set were used in these analyses. Offenses to be included as alcohol offenses were identified using the Offense Code Index for Traffic Violations and the guidelines specified in the Driver License Appeals Practice Manual. Accordingly, the following offenses were considered to be alcohol offenses: OUIL/UBAC/OUID - §625(1) (offense codes 1000, 1010, 1020, 1100, 1110); OWI - §625(3) (offense codes 1200, 1210, 1220); OUIL/OWI Death/Injury - §625(4) & (5) (offense codes 1030, 1035, 1120, 1040, 1130); Zero Tol - §625(6) (offense code 1240); Child Endangerment - §625(7) (offense code 1150); .04 CDL - §625m(1) (offense code 1230).

Five alcohol offense conviction working files were created--one for each calendar year: 1997, 1998, 1999, 2000, and 2001. Convictions were identified using the Conviction Data Set in the MDR. Initially, each working file included all records with a conviction date within the calendar year. The records of cases that were dismissed, acquitted, or not prosecuted were deleted from the working files. Per the MDR Standard Action Manual, records marked as a bond forfeiture were also deleted from the working files, resulting in working files that contained only records of convicted cases. According to MCL 257.625, multiple driving offenses from the same incident are counted as one offense when determining how many alcohol convictions an individual has. As described in the Standard Action Manual, when multiple records were present for a driver, those records with a common arrest date and court code were considered to be from the same incident and one record from each was retained in the working file to count the number of prior offenses. The final working files consisted of one record for each alcohol offense conviction during the year. Great care was taken to ensure that multiple records from the same incident were not mistakenly counted as separate convictions even after these corrections were made. The conviction and action records associated with each conviction were examined for a 10 percent random sample from each working file to determine if each conviction being treated as unique was indeed so. We found each sample to be accurate. Further,

arrest and conviction frequency counts were compared to corresponding figures released in the Drunk Driving Audit and in DOS press releases and were found to be consistent.

In order to identify the convictions that were either a driver's second alcohol offense or a third-plus alcohol offense, the number of each driver's prior alcohol offenses was counted. Again, five working files, one for each year, were created for analysis. Each record in each of these working files was then merged with the Conviction Data Set to obtain all previous alcohol offense conviction records with a conviction date that was earlier than the date of the record. If drivers had multiple convictions in a calendar year, this merge step was completed for each conviction to allow a conviction number to be generated for each conviction. Again, dismissed, acquitted, nonprosecuted, bond forfeited, and multiple records for the same incident were deleted, which resulted in working files that contained one record for each incident resulting from an alcohol-offense conviction.

Michigan's repeat offender laws specify a time-frame during which prior alcohol convictions may be counted toward repeat offender status: two or more convictions within 7 years; or, three or more convictions within 10 years. To remain consistent with the legislation, the same time frames were used in this analysis. Three counts were generated for each conviction record in each working file: 1) all alcohol convictions; 2) convictions within 7 years of the conviction date; and, 3) convictions within 10 years of the conviction date. The original conviction was included in each count. Finally, as stated in MCL 257.625, only one zero tolerance offense (code 1240) was counted toward repeat offender status.

From each of the five working files, counts were generated for the number of two-time offenders (two convictions in the past 7 years and fewer than three convictions in the past 10 years) and three-plus offenders (three-or-more convictions in the past 10 years). The numbers of two-time and three-plus convictions were both divided by the number of convictions to get conviction rates for both repeat offender levels. Those rates were compared across the 5 years.

The procedures described above were repeated to examine suspended license

violations with the following exceptions: the repeat offender laws only consider prior convictions within the past 7 years for suspended license violations, therefore, a count was not generated for convictions within the past 10 years; and, due to time constraints and the larger size of the suspended license convictions working file, a 5 percent random sample of conviction and action records was examined to determine if multiple records from the same incident were being mistakenly counted as separate convictions. We found the working file to be accurate.

Offenses to be included as suspended license violations were identified using the Offense Code Index for Traffic Violations and the guidelines specified in the Driver License Appeals Practice Manual. The following offenses were considered to be suspended license offenses: DWLS - §904(1) (offense codes 3200, 3210, 3230); §904(a) (offense code 3010); DWLS Causing Death - §904(4) (offense code 3235); DWLS Causing Serious Injury - §904(5) (offense code 3245).

## **Results**

Table 11 shows the total number of alcohol-related offenders, the number of two-time offenders, and three-plus offenders by calendar year. Also shown in this table are the proportion of the yearly number of offenders accounted for by the two-time, three-plus offenders, and all repeat offenders. Considering the counts within each category across the years, we found a decrease in all counts after 1999. However, when the proportions of repeat offenders relative to the total number of offenders were examined, we found that there was no difference in the proportions of two-time offenders by year, and a slight decrease in the proportions of three-plus offenders and all repeat-alcohol offenders after 1999. Comparison between the prelaw and postlaw years (Table 11a) revealed that the number of all alcohol convictions decreased by about 2.5 percent. The number of two-plus alcohol offenders decreased by nearly 5 percent, while the number of three-plus offenders decreased by about 18 percent. Combining two-plus and three-plus offenders, we found about a 10 percent decrease in repeat alcohol convictions.

Table 12 shows the total number of DWLS offenders and the number of repeat DWLS offenders by calendar year. Also shown in this table are the proportions of the

yearly number of offenders accounted for by repeat DWLS offenders. Considering the counts within each category across the years, we found a substantial decrease in all counts after 1999. However, when the proportions of repeat DWLS offenders relative to the total number of DWLS offenders were examined, we found that there was no difference. Comparison between the prelaw and postlaw years (Table 12a) revealed that the number of all DWLS convictions increased by about 2 percent.

<b>Table 11: Number of Offenders, Two-Time Offenders, Three-Plus Offenders, and All Repeat Offenders by Calendar Year and the Proportions of the Total.</b>					
<b>Category</b>	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>
<b>Number of offenders</b>	58,031	58,033	59,328	57,505	55,818
<b>Two-time offenders</b>	11,624 (20.0%)	11,563 (19.9%)	11,506 (19.4%)	11,026 (19.2%)	11,075 (19.8%)
<b>Three-plus offenders</b>	7,574 (13.1%)	7,608 (3.1%)	7,558 (12.7%)	6,671 (11.6%)	5,830 (10.4%)
<b>All repeat offenders</b>	19,198 (33.1%)	19,171 (33.0%)	19,064 (32.1%)	17,697 (30.8%)	16,905 (30.3%)

<b>Table 11a: Comparison Between Prewlaw and Postlaw Years on Number, and Percent Change in All Offenders, Two-Plus Offenders, Three-Plus Offenders, and All Repeat Offenders.</b>				
<b>Category</b>	<b>Prewlaw</b>	<b>Postlaw</b>	<b>Difference</b>	<b>% Change</b>
<b>Number of offenders</b>	116,064	113,323	-2741	-2.4%
<b>Two-plus offenders</b>	23,187	22,101	-1,086	-4.7%
<b>Three-plus offenders</b>	15,182	12,501	-2,681	-17.7%
<b>All repeat offenders</b>	38,369	34,602	-3,767	-9.8%

<b>Table 12: Number of DWLS Offenders, Repeat DWLS Offenders, and Proportions of the Total by Calendar Year.</b>					
<b>Category</b>	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>
<b>Number of DWLS offenders</b>	91,772	90,887	89,484	82,018	75,457
<b>All repeat DWLS offenders</b>	24,500 (26.7%)	27,509 (30.3%)	29,656 (33.1%)	27,561 (33.6%)	25,525 (33.8%)

**Table 12a: Comparison Between Prelaw and Postlaw Years on Number, and Percent Change in the Number of DWLS Offenders and All Repeat DWLS Offenders.**

<b>Category</b>	<b>Prelaw</b>	<b>Postlaw</b>	<b>Difference</b>	<b>% Change</b>
<b>Number of offenders</b>	182,659	157,475	-25,184	-13.8%
<b>All repeat DWLS offenders</b>	52,009	53,086	1,077	2.1%

**2.4. Determine the extent to which specific sanctions (vehicle immobilization, license plate confiscation, ignition interlock, and substance abuse treatment) are being issued to eligible convicted persons.**

**Methods**

The Conviction Data Set and Action Data Set of the DOS MDR and the Plate Confiscation Entries of the Repeat Offender Database were used to complete this objective. The Repeat Offender Database is maintained by the DOS and includes data related to sanctions created by the new repeat offender law. The extent to which vehicle immobilization, and license plate confiscation were issued to eligible drivers was examined. Ignition interlocks were also considered, but the DOS data were incomplete and this sanction could not be investigated. The use of substance abuse treatment could not be examined because sufficient data were not available in the driving records.

Vehicle immobilization may be ordered for any alcohol offense conviction other than zero tolerance. A working file was created using the Conviction Data Set and included records for all alcohol offense convictions, excluding zero tolerance (offense codes 1000, 1010, 1020, 1100, 1110, 1200, 1210, 1220, 1030, 1035, 1120, 1040, 1130, 1150, 1230) resulting from an arrest on or after October 1, 1999. The working file was merged with the Repeat Offender Database and records were matched by driver license number and arrest date. Cases in which vehicle immobilization was ordered were counted.

Vehicle immobilization may also be ordered for any second or greater DWLS conviction (offense codes 3200, 3210, 3230, 3010, 3235, 3245). Similar procedures were used to determine how many suspension violators were eligible for vehicle immobilization and how many received this order.

Metal license plates may be confiscated at the time of arrest for any alcohol offense arrest other than Zero Tol, that is the driver's second or more arrest. Using the same conviction counting procedure described in Section 2.3, the number of prior alcohol offense convictions were counted for each arrest in the working file. Records from the working file that represented a second or greater alcohol offense arrest were eligible for license plate confiscation at the time of arrest. Those records were merged with the Repeat Offender

Database and matched by driver license number and arrest date. A record in Repeat Offender Database with an arrest date matching the arrest date in the working file indicated that a license plate was confiscated because of the arrest in the working file.

License plates may also be confiscated for a third or greater DWLS violation arrest. The same procedures as described previously were used to determine how many DWLS violators were eligible for license plate confiscation and how many experienced this action.

## Results

Table 13 shows, for each repeat offender sanction, the number of cases eligible for receiving the particular sanction, the number of people who received the sanction, and the percent of eligible cases in which the sanction was applied. Vehicle immobilization was ordered in less than 6 percent of all eligible cases. License plate confiscation was applied in nearly one-half of eligible alcohol-related cases and about 15 percent of DWLS cases.

<b>Sanction</b>	<b>Eligible Cases</b>	<b>N Receiving Sanction</b>	<b>% Receiving Sanction</b>
<b>Vehicle Immobilization</b>			
Alcohol-related	123,988	8,246	6.7
DWLS-related	73,893	2,885	3.9
<b>Total</b>	197,881	11,131	5.6
<b>License Plate Confiscation</b>			
Alcohol-related	37,397	16,977	45.4
DWLS-related	43,643	6,592	15.1
<b>Total</b>	81,040	23,569	29.1

**2.5. With respect to vehicle immobilization, determine the extent to which companies are available to hold immobilized vehicles and to what extent immobilization orders are being violated.**

When the project was devised, this objective was to be investigated utilizing questions on surveys of various groups impacted by the new repeat alcohol offender laws. However, prior to survey administration, the Michigan legislature required many Michigan departments to trim their budgets. The Michigan Office of Highway Safety Planning and the Michigan Department of State decided to cut all surveys on this project, except for the prosecuting attorney survey. Consequently, this objective could not be investigated.



**2.6. With respect to ignition interlocks, determine the extent to which persons sentenced to this sanction continue to violate drinking and driving laws.**

**Methods**

Driver's license restrictions requiring ignition interlock device use were identified using the Action Dataset in the MDR. Each record for a license action may include up to eight reasons (act\_reason) for that action. Four act\_reason codes refer to ignition interlock devices:

- DL "May only operate vehicle equipped with interlock device, may drive to and from calibration, original action to be reinstated upon violation"
- DN "Ignition interlock required for 1 year from date of restriction"
- DO "Ignition interlock extended thru: [some time period]"
- 46 "May only operate vehicle equipped with interlock device, violation of interlock, original action to be reinstated"

Action records that contained at least one of those four codes, had an action-origination-date on or after October 1, 1999, had an action-start-date on or after October 1, 1999, and were posted before December 25, 2001, were included in the analysis (n=8,566 records). Those records, along with records in the Conviction Dataset of the MDR were used to answer the following questions:

- How many drivers were arrested for an alcohol offense at any time after the start of a first ignition interlock device restriction (including after the restriction had ended or during subsequent ignition interlock device restrictions)?
- How many drivers were arrested for an alcohol offense during an ignition interlock device restriction?

To answer the first question, the 8,566 action records with an ignition interlock device restriction were sorted by driver license number and action-start-date. The record with the earliest action-start-date for each driver was retained (n=5,677). Therefore, the working file contained one record for each driver and included the starting date of their earliest ignition interlock device restriction. Alcohol offenses (offense codes 1000, 1010,

1020, 1100, 1110, 1200, 1210, 1220, 1030, 1035, 1120, 1040, 1130, 1240, 1150, 1230) with an arrest date on or after the action-start date were added to this file. Two frequency counts were obtained: 1) the number of drivers with an arrest for an alcohol offense after the start of a first ignition interlock device restriction; and, 2) the number of alcohol offense arrests per driver.

To answer the second question, the alcohol offense arrest date (n=93) was compared to the action-start-date, action-end-date, and action-lifted-date of all ignition interlock device restrictions for that driver. For 89 of these records, the action-end-dates and action-lifted-dates were coded as zero, indicating that the interlock restriction was indefinite. Two frequency counts were obtained: 1) the number of drivers with an arrest for an alcohol offense during an ignition interlock device restriction; and, 2) the number of alcohol offense arrests per driver during the restriction period.

## **Results**

Between October 1, 1999 and December 31, 2001 there were a total of 5,677 drivers with an ignition-interlock-device restriction. We found 93 alcohol-related arrest records after the start of the ignition-interlock restriction, for a total of 88 drivers (1.6 percent of drivers with an ignition-interlock restriction). Of these 88 drivers, 84 had one arrest, three had two arrests, and one had three arrests. Since the majority of drivers with alcohol-related arrests had no restriction end date or lift date on their record (indicating an indefinite restriction period, most (87 drivers) were arrested during the ignition-interlock-restriction period.

**2.7. With respect to license plate confiscation, determine the extent to which persons sentenced to this sanction continue to violate drinking and driving laws and their suspension.**

**Methods**

The analyses investigated the extent to which drivers continued to violate alcohol laws and their driving-suspension sanctions. Drivers with a license plate confiscation were identified using the Repeat Offender Dataset pertaining to license plate confiscation. There were 32,386 records in the repeat offender data set that had a valid driver license number. License plate confiscation occurs at the time of arrest; therefore the driver license number and the confiscation-date were retained from this data file. License plate confiscation records with a confiscation-date on or after October 1, 1999 and before January 1, 2002, and a record post-date before December 31, 2001, were included in this analysis (n=30,958). An alcohol offense or suspension violation occurring after the date of a first license plate confiscation was considered to be a continued violation. The license plate confiscation records were sorted by driver license number and confiscation-date. One record containing the earliest confiscation-date was retained for each driver (n=28,507).

Records for alcohol offense arrests (offense codes 1000, 1010, 1020, 1100, 1110, 1200, 1210, 1220, 1030, 1035, 1120, 1040, 1130, 1240, 1150, 1230) were added to the working file from the Conviction Dataset of the MDR. Alcohol offense arrest dates occurring after the confiscation-dates were retained in the working file (n=2,075). Two frequency counts were obtained: 1) the number of drivers with an alcohol offense arrest after having a license plate confiscated; and, 2) the number of alcohol arrests following a first license plate confiscation for those who continued to violate drinking driving laws.

Records for suspension violation arrests (offense codes 3010, 3200, 3210, 3230, 3235, 3245) were added to the working file from the Conviction Dataset. Suspension violation arrest dates occurring after the confiscation-date were retained in the working file (n=5,495). Two frequency counts were obtained: 1) the number of drivers with a suspension violation arrest after having a license plate confiscated; and, 2) the number of suspension violation arrests following a first license plate confiscation.

## **Results**

Between October 1, 1999 and December 31, 2001, there were a total of 28,507 drivers who had their license plates confiscated. There were 2,075 alcohol-related arrests after the plate confiscation date, for a total of 1,894 drivers (6.6 percent of all drivers with a license plate confiscation). Of these drivers, 1,726 had one alcohol arrest; 155 had two arrests; and 13 had three arrests. We also found a total of 5,495 suspension-violation-arrest records, for a total of 4,003 drivers (14.0 percent of all drivers with a license plate confiscation). Of these drivers, 2,979 had one suspension-violation arrest; 719 had two arrests, 209 had three arrests; 58 had four arrests; 22 had five arrests; and 19 had six or more suspension-violation arrests.

**2.8. With respect to substance abuse treatment, determine the extent to which treatment services are available to offenders and the extent to which persons sentenced to this sanction continue to violate drinking and driving laws.**

**Methods and Results**

As part of the repeat offender package, substance abuse treatment is mandatory for a second or greater alcohol offense conviction. In order to address this issue, we first investigated the DOS MDR. We found that the Repeat Offender Datasets did not contain any information regarding substance abuse treatment. Only two items in the state driver history records, both in the Action Data Set, indicate alcohol treatment referrals: 1) an action reason code of "AK" (referral to a specific alcohol treatment program), and 2) positions 7-8 in the G-Field which contain 2-digit alcohol referral codes. The codes represent specific programs to which drivers may be referred to (e.g., Alcoholics Anonymous).

Action records with an occurrence date on or after October 1, 1999 and before January 1, 2002 were included in this analysis. Only 646 records in the Action Dataset contained an action reason code of "AK" and only 625 records contained a valid treatment referral code in the G-Field. According to 2000 and 2001 records in the Conviction Dataset, approximately 32,000 drivers should have been sentenced to substance abuse treatment for alcohol offense convictions (offense codes 1000, 1010, 1020, 1100, 1110, 1200, 1210, 1220, 1030, 1035, 1120, 1040, 1130, 1240, 1150, 1230) during those 2 years alone. The Repeat Offender Dataset and the MDR do not appear to contain the appropriate data to complete the analysis for this objective.

As a different way to investigate this objective, we reviewed and present findings from a study authored by the Michigan Public Health Institute (MPHI, undated), entitled, "Challenges of Reducing Drunk Driving Recidivism." This report, the product of an inter-agency workgroup on drunk driving recidivism, was coordinated by OHSP which identified specific goals. The MPHI report summarized information collected via a literature review, a survey of judges and probation officers in Michigan, and in-depth profiles of selected treatment programs in Michigan in order to meet the workgroup goals.

The study surveyed judges and probation officers in Michigan regarding programs utilized for drinking drivers, and conducted in-depth profiles on nine treatment programs in the state. Survey respondents identified over 400 different programs. These are often coordinated with, and sometimes replace other traditional sanctions such as jail and probation. The programs vary widely, and range from long-term inpatient residential facilities to victim impact panels, weekend programs, and traditional counseling.

The interagency workgroup selected nine out of the more than 400 treatment programs identified in the survey to be profiled in detail by MPH. They included two residential, three outpatient, one prevention, and three probation programs. Each selected program included education components, recognized that relapse is part of the treatment process, and encouraged or required participation in Alcoholics Anonymous meetings. None of them provided detoxification services, and none have been formally evaluated.

The treatment programs selected by the workgroup covered a variety of issues in their approaches. Two of the programs offer culturally sensitive services. Another program has established working relationships with more than 60 community resources. A unique supervision program does extensive follow-up with clients who fail to report. A team approach was used in another program involving the judge, prosecutor's office, probation department, treatment providers, and the offender. Another program assists clients in developing a social support system.

Regarding determining appropriate treatment, the survey MPH conducted of judges and senior probation officers identified five factors respondents considered most when making treatment and sentencing decisions: prior drunk driving offenses; offender's driving record; results of any pre-sentence screening/assessment; the severity of damages or injuries; and blood alcohol content (BAC). More than one-half of the respondents considered a BAC range between .15 and .19 as high, and one-fifth believed a high BAC to be .20 or greater. Survey results suggest respondents regard BAC level as a predictor of recidivism, and first offenders are sentenced differently than repeat alcohol offenders.

The most frequent sanctions in Michigan according to the survey were license

suspension, probation, fines, and outpatient treatment or counseling. Less than one-third of survey participants based their recommendation on program availability within the community, and the extent to which services are available was not identified as problematic. Respondents selected programs they considered effective, even though no program evaluations have been conducted. Components of what they perceive as the most effective programs included monitoring by alcohol tests, intensive supervised probation, support groups, mandatory jail terms, and residential treatment.

Training or informational materials would be useful to survey respondents regarding effective combinations of treatment and sanctions, effective program components, and characteristics commonly associated with offenders at a high risk for recidivism. Overall perceptions of respondents regarding the extent to which current treatment and sanctions are successful were consistent with findings in the literature.

According to MPHI's survey, the most frequently reported barriers to treatment were the offender's unwillingness to change his or her behavior and to participate in treatment; the offender's lack of resources; a lack of inpatient beds; and a lack of funding. District court respondents were more likely to perceive funding, staff, jail space, plea bargaining, and the offender's lack of resources as barriers. Circuit courts were more likely to perceive screening/assessment problems between arrest and sentencing as barriers.

Evaluations of treatment programs have led to improvements in treatment over the years, but many evaluations conducted in the 1970s and 1980s are criticized for their lack of experimental controls, or for a limited range of methodologies. The outcome measure that identifies success or failure is usually recidivism, but this is problematic, particularly since the odds of arrest are small, and rearrest data are limited.

Michigan has adopted mandatory substance abuse assessment and treatment for specific offenses. This requires a comprehensive legal framework for immediate follow-up of those offenders not in compliance. Court ordered treatment may be the only method for getting some offenders into treatment, as they frequently deny they have alcohol addiction issues, even when confronted by family and friends. The alcohol prevention community

does not view mandatory treatment or assessment as the solution to drinking and driving problems. In fact, there is potential that the effectiveness of certain treatment programs may even be jeopardized by forcing unwilling participants to attend.

Combinations of traditional legal sanctions with some form of rehabilitation for underlying alcohol problems is generally associated with the lowest recidivism rates. Rehabilitative sentences appear to reduce recidivism likelihood more than punishment sentences, and the use of less formal punishment for first offenders is often the most effective deterrent (Taxman & Piquero, 1998). Additional interagency collaboration is needed to address the treatment issues of recidivist drinking drivers, and future research needs to consider quality methods for appropriate program evaluations.



**2.9. Determine the extent to which the use of "lesser offenses" for repeat alcohol offenders described in the new laws changes the proportion of cases that involve repeat offense convictions. Are prosecutors charging multiple offenders under the multiple offender statutes or are they charging these persons with first time offenses?**

### **Methods**

Specific data indicating if prosecutors charged multiple offenders under the multiple offender statutes or with first time offenses are not available in the driving records. However, the use of "lesser offenses" can be examined using the Conviction Dataset and Locator Dataset in the DOS MDR. The Conviction Dataset includes information about the arrest and conviction of driving offenses. Several items from this data set were used in these analyses: driver license number; the unique identifying number for the event being recorded; arrest date; conviction date; original-charge; convicted-charge; and charge-disposition. The Locator Dataset contains data that are supplemental to other dataset types (Conviction, Action, etc.). For this analysis, the original offense charged was used from the Locator Dataset.

Using the Conviction Dataset, a working file was created that included the records for all arrests (regardless of the offense type) occurring between October 1, 1999 and December 31, 2001, inclusive. Records with a charge-disposition indicating that the case was dismissed or acquitted, or there was a bond forfeiture, were deleted so that the working file contained only cases that resulted in conviction.

Each record in the working file was then matched with the Locator Dataset by driver license number and unique identifying number. Cases with either an invalid or missing original-charge or convicted-charge were deleted from the working file. The working file contained all records with a valid original-charge and convicted-charge.

The original charge was then compared to the convicted charge to determine how often "lesser offenses" were used. Several frequency counts for different outcomes were obtained: original charge equaled the convicted charge; original charge and convicted charge were different alcohol offenses; and, original charge was an alcohol offense but convicted charge was not an alcohol offense.

In order to determine if the lesser offenses affected the driver's repeat offender status, the number of prior alcohol offenses (offense codes 1000, 1010, 1020, 1100, 1110, 1200, 1210, 1220, 1030, 1035, 1120, 1040, 1130, 1240, 1150, 1230) were counted using the same counting procedure described in Section 2.3. Per MCL 257.625, multiple driving offenses from the same incident were counted as one offense in the count of total alcohol offenses. As described in the DOS Standard Action Manual, when multiple records were present for a driver, those records with a common arrest date and court code were considered to be from the same incident and one record from each was retained in the working file to count the number of prior offenses. Nearly all of the lesser offense records (99.7%) were from unique incidents and comprised the working file. The lesser offense was included with the priors in the final count of alcohol offenses. For example, if a driver had  $n$  alcohol offenses the "lesser" offense was the  $n$ th alcohol offense.

## Results

Of the 122,699 eligible alcohol offense cases for this analysis (either the original charge of the convicted charge was an alcohol offense), we found that 50,658 (41.3%) were convicted on the original charge. An additional 68,638 (55.9%) cases were convicted on a different alcohol offense, most commonly OUIL plead down to OWI. The remaining 3,271 cases (2.7%) were convicted of a non-alcohol-related offense, usually some moving violation. Thus, in nearly all cases (97.2%), plea arrangements did not affect repeat offender status.

We analyzed separately the 3,271 cases in which the original charge was an alcohol offense and the convicted charge was a non-alcohol offense to determine whether this outcome altered their repeat offender status. We found that for 2,252 drivers, the originally charged offense would have been their first alcohol offense; for 676 drivers the originally charged offense would have been their second alcohol offense within 7 years; and for 332 drivers the originally charged offense would have been their third or greater alcohol offense within 10 years. Thus, it is clear that these plea arrangements had little effect on people's repeat alcohol offender status.

## **2.10. Determine the extent to which new felony repeat offender, DWLS death/injury felony, and OUIL/OWI child endangerment laws are charged and present trial results and sentences.**

### **Methods**

Part of the repeat alcohol offender package of laws included the creation of several new felony crimes: Driving while license suspended causing a death (DWLS/R-death); driving while license suspended cause an incapacitating injury (DWLS/R-Injury); knowingly allowing another person to drive while suspended causing death (Knowingly DWLS/R-Death); knowingly allowing another person to drive while suspended causing injury (Knowingly DWLS/R-Injury); endangering a child's life by driving while drunk (OUIL/OWI child endangerment); and, three or more alcohol-related convictions within the last 10 years (three-plus). To determine the extent to which these new felony offender laws were being charged, and to present sample trial results and sentences, case studies of people convicted of these laws in the 2 years following implementation were conducted.

Specific convictions for case study were selected from the MDR. The number of DWLS/R death/injury felony cases was determined by analyzing the Conviction Dataset; specifically offense codes 3235 (DWLS/R-death) and 3245 (DWLS/R-Injury) were filtered from the conviction data set. A total of seven DWLS/R-death and 11 DWLS/R-injury cases were identified. These 18 cases from the Conviction Dataset were merged with the MDR Client Dataset to provide the name, birth date, and sex of the offender as well as the court in which the case was adjudicated. Court records for each of the 18 cases were requested from the appropriate courts (see Appendix A for an example request letter).

The number of cases in which an individual allowed another person to drive while suspended causing death/injury were filtered using offense codes 1343 (Knowingly DWLS/R-Death) and 1342 (Knowingly DWLS/R-Injury). No cases with these offense codes were found in the conviction data set and, therefore, no case studies for these felonies were conducted.

The new felony OWI/OUIL child endangerment crime is only a felony when the offender has a prior alcohol or child endangerment conviction in the last 7 years or two

prior alcohol offenses in the last 10 years. Alcohol violation history for individuals with an offense code 1150 (child endangerment) in the conviction data set were looked at individually. Fifteen individuals were found to have at least two prior alcohol convictions in the last 10 years and 531 individuals with one prior alcohol violation in the last 7 years were identified. The Conviction Dataset comprised of these 546 individuals was then merged with the Client Dataset to provide information on each individual and the court in which the case was adjudicated. Because of the large number of cases, it was impractical to perform case-study analyses on all cases. Therefore, only a total of 55 OUIL/OWI child endangerment cases were randomly sampled--all fifteen child endangerment cases with two priors in the last 10 years, and 40 child endangerment cases with one prior in the last 7 years.

The final set of felony cases to be determined were those individuals with three or more alcohol-related convictions within the last 10 years. A total of 17,652 cases were found. The cases were then merged with the Client Dataset to provide identifying information on each individual and the court in which the case was adjudicated. Again, it was impractical to gather court information on each of these cases, so a random sample of 40 cases was selected.

The name, driver license number, and court in which the case was adjudicated were gathered for each selected case. Cases were sorted by court. For each court in which there was one or more cases a letter requesting all court information for the case(s) was sent. Within 2 weeks, all courts that had not responded were contacted by telephone. Data from each court was requested a minimum of three times.

A total of 113 cases were requested and data for 95 cases were received. Of the 18 missing cases: one was appealed, so the case was not available for the court to provide; one court refused to provide data on the two cases we requested from them based on their Chief Judge's decision; four names could not be found in the court computer system; and, for unknown reasons, the remaining 11 cases were not returned from the courts within our timeframe. The response rates by case type were: DWLS/R-Death (4 out of 7); DWLS/R-Injury (10 out of 11); Child Endangerment (46 out of 55); and

Three-plus (35 out of 40).

A data-collection template was developed that contained all the data elements that we wanted to gather from each case. The court records were carefully read to obtain as much of the data for the template as possible. For cases in which incomplete data were sent, courts were recontacted in order to gather the missing data. Case study information from courts was enhanced by data collected from the MDR for each case. This information included the license status, traffic-conviction history, and crash history at the time of arrest, if these data were not included in the court information.

## **Results**

We present each case study as a summary of similar relevant facts. If no information was available for an item we indicate this by stating "unknown." Driving history data were supplemented with data from the DOS driver history file. Criminal history was included only if this information was present in the court records; no independent search of criminal history was performed.

## DWLS/R DEATH

ID: 057  
Gender: Male  
City/Township of Residence: Commerce, MI  
Vehicle Type: Passenger Car  
Age on Arrest Date: 19 years  
Date of Arrest: 03/15/2001  
Day of Arrest: Thursday  
Time of Arrest: Unknown  
Date of Conviction: 09/24/2001  
Sentencing Date: 11/05/2001  
County of Arrest: Oakland  
Arresting Agency: Oakland County Sheriff Department

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Suspended  
This Offense Crash Involvement: Yes

Past Traffic Crashes: 2 (02/26/1996, 07/06/2000 Each Two Vehicles)  
Past Traffic Convictions: 15  
Past Criminal Convictions: Unknown

Original Charges at Arrest: DWLS/R Causing Death; Failing to Stop at Scene of Serious PIA; Negligent Homicide  
Plea Agreement: No  
Convictions: DWLS/R Causing Death; Failing to Stop at Scene of Serious PIA; Negligent Homicide

Children: No  
Financial Sanctions: \$810.00  
Probation: 2 years  
Vehicle Immobilization: 180 days  
Incarceration: 3 years ; work release as of 12/12/2001  
Community Service: Serve if indigent in lieu of court costs/attorney fees  
License Sanctions: Unknown  
Sanctions/Conditions: Substance abuse treatment program. Complete 3R's questionnaire for participation, if eligible, in Oakland County 3R's Program

Other Information: Death as a result of victim falling off trunk of vehicle. Work release from jail, defendant is manager of their family party store. Motion for electronic tether made 04/17/2002.

## DWLS/R DEATH

ID: 061  
Gender: Male  
City/Township of Residence: Jackson, MI  
Vehicle Type: Passenger Car  
Age on Arrest Date: 17 years  
Date of Arrest: 10/09/2001  
Day of Arrest: Tuesday  
Time of Arrest: 2:30 a.m.  
Date of Conviction: 10/17/2001  
Sentencing Date: Dismissed 10/17/2001  
County of Arrest: Jackson  
Arresting Agency: Jackson Police Department

Blood Alcohol Level: .05 (PBT)  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: Unknown

Past Traffic Crashes: None  
Past Traffic Convictions: 3  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL/UBAC Zero Tol; DWLS/R  
Plea Agreement: Unknown  
Convictions: Guilty per plea, uncertain as to which specific charges.  
Case dismissed, no further information available.

Children: No  
Financial Sanctions: Unknown  
Probation: Unknown  
Vehicle Immobilization: Unknown  
Incarceration: Unknown  
Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: Unknown

Other Information: Unknown

## DWLS/R DEATH

ID: 067  
Gender: Male  
City/Township of Residence: Ann Arbor, MI  
Vehicle Type: Passenger Car  
Age on Arrest Date: 16 years  
Date of Arrest: 08/26/2001  
Day of Arrest: Sunday  
Time of Arrest: 3:19 a.m.  
Date of Conviction: 01/29/2002  
Sentencing Date: 03/08/2002  
County of Arrest: Washtenaw  
Arresting Agency: Eastern Michigan University Police Department

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Not licensed (never applied in any state)  
This Offense Crash Involvement: Yes

Past Traffic Crashes: None  
Past Traffic Convictions: 10  
Past Criminal Convictions: 10/16/2001 MIP, with .13 BAC

Original Charges at Arrest: Reckless Driving; DWLS/R  
Plea Agreement: Yes  
Convictions: DWLS/R  
Children: No  
Financial Sanctions: Unknown  
Probation: Unknown  
Vehicle Immobilization: Unknown  
Incarceration: Unknown  
Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: Unknown

Other Information: Driving a stolen car at 45-60 mph in a 25 mph zone. Extensive prior police and juvenile court contacts. Denied for the juvenile diversion/restoration program based on prior record. Numerous juvenile cases on file.



## DWLS/R DEATH

ID: 072  
Gender: Male  
City/Township of Residence: East China, MI  
Vehicle Type: Unknown  
Age on Arrest Date: 28 years  
Date of Arrest: 11/11/2000  
Day of Arrest: Saturday  
Time of Arrest: Unknown  
Date of Conviction: 10/19/2001  
Sentencing Date: 11/19/2001  
County of Arrest: St. Clair  
Arresting Agency: Unknown

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: Yes

Past Traffic Crashes: 1 (12/25/1998, Two Vehicles)  
Past Traffic Convictions: 11  
Past Criminal Convictions: Yes

Original Charges at Arrest: OUIL Causing Death; OUIL Causing Serious Injury (3 counts); DWLS/R Causing Death; DWLS/R Causing Serious Injury (3 counts); Habitual 2<sup>nd</sup> Offense

Plea Agreement: No  
Convictions: DWLS/R Causing Death; DWLS/R Causing Serious Injury (3 counts)

Children: No  
Financial Sanctions: \$60.00  
Probation: Unknown  
Vehicle Immobilization: Unknown  
Incarceration: 7-22 years, 16 years minimum total for these charges, concurrent sentencing, minimum jail time 7 years.

Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: Unknown

Other Information: Jury trial. Two vehicle crash resulting in three people seriously injured and one death.

## DWLS/R CAUSING SERIOUS INJURY

ID: 058  
Gender: Male  
City/Township of Residence: Edgerton, OH  
Vehicle Type: Passenger Car  
Age on Arrest Date: 20 years  
Date of Arrest: 11/29/2001  
Day of Arrest: Thursday  
Time of Arrest: 3:30 a.m.  
Date of Conviction: 12/18/2001  
Sentencing Date: 01/28/2002  
County of Arrest: Hillsdale  
Arresting Agency: Michigan State Police/Jonesville

Blood Alcohol Level: .167 (PBT); .14 (Breath)  
License Status on Arrest Date: Suspended by State of Ohio; no MI License  
This Offense Crash Involvement: Yes, 1 vehicle

Past Traffic Crashes: None  
Past Traffic Convictions: Two in MI. In Ohio: 11/24/1999 Underage Consumption, Furnishing; 05/25/2001 DWI 2<sup>nd</sup> Offense; 6/19/01 Underage Consumption  
Past Criminal Convictions: As a juvenile, eight misdemeanors & two felony convictions. Six charges not considered by guidelines. Jailed seven times. See offense list below.

Original Charges at Arrest: OUIL Causing Serious Injury; Oper No License; Attempted Oper DWLS/R Causing Serious Injury; OUIL per se  
Plea Agreement: Yes  
Convictions: Attempted Oper DWLS/R Causing Serious Injury; OUIL  
Children: No  
Financial Sanctions: \$3,100.00 plus restitution (owes \$8,150.00 in Ohio)  
Probation: 5 years  
Vehicle Immobilization: Unknown  
Incarceration: 16-30 months for DWLS/R-Injury; 93 days for OUIL, concurrent sentences  
Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: Pre-approved for special incarceration program. Complete outpatient substance abuse program.  
Other Information: Probation as an adult three times, violated it each time. On probation to two different courts when this offense took place. Five county outpatient alcohol and drug programs completed previously. Sent to "Fresh Start" program 09/08/2000, unclear if completed.

05/31/1995 Aggravated Trafficking (Six months juvenile detention, probation until 05/31/1997, pay costs; 06/30/1995 Unauthorized Use of a Motor Vehicle; 07/04/1995 Criminal Mischief; 06/01/1996 Petty Theft; 07/30/1996 Curfew Violation; 07/30/1996 Criminal Trespass; 08/17/1998 DUI (license suspended); 08/28/1998, 09/01/1998, & 11/02/1998 Underage Consumption

**Convictions As Adult:**

10/31/1999 Reckless Operation; 11/19/1999 Underage Consumption, Furnishing Alcohol to Minors; 05/17/2000 & 04/05/2001 Underage Consumption; 05/24/2000, 11/28/2000, & 03/27/2001 Probation Violations; 5/2001 Reckless Operation; 03/24/2002 DWI 2<sup>nd</sup> Offense

## DWLS/R CAUSING SERIOUS INJURY

ID: 060  
Gender: Male  
City/Township of Residence: Otsego, MI  
Vehicle Type: Passenger Car  
Age on Arrest Date: 19 years  
Date of Arrest: 11/30/2000  
Day of Arrest: Thursday  
Time of Arrest: Unknown  
Date of Conviction: 06/11/2001  
Sentencing Date: 07/30/2001  
County of Arrest: Kalamazoo  
Arresting Agency: Portage Police Department

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Suspended  
This Offense Crash Involvement: Yes

Past Traffic Crashes: 2 (06/01/1999, 06/11/1999 Two Vehicles each time, resulting in one serious injury each time)  
Past Traffic Convictions: 7  
Past Criminal Convictions: Unknown

Original Charges at Arrest: DWLS/R Causing Serious Injury; Driving, Failure to Maintain Security (no insurance)  
Plea Agreement: Yes  
Convictions: DWLS/R Causing Serious Injury  
Children: No  
Financial Sanctions: \$2,537.00 plus restitution (restitution unknown)  
Probation: 4 years; last 60 days of probation subject to court's review

Vehicle Immobilization: Unknown  
Incarceration: 60 days  
Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: Unknown

Other Information: Arrested again 02/13/2001 for DWLS/R Causing Serious Injury and Motor Vehicle Oper. Without Security (Insurance). He was free after posting bond following the 02/13/2001 incident.

## DWLS/R CAUSING SERIOUS INJURY

ID: 062  
Gender: Male  
City/Township of Residence: Traverse City, MI  
Vehicle Type: Pickup truck  
Age on Arrest Date: 31 years  
Date of Arrest: 11/29/1999  
Day of Arrest: Monday  
Time: 7:19 a.m.  
Date of Conviction: 07/20/2000  
Sentencing Date: 01/14/2000  
County of Arrest: Grand Traverse  
Arresting Agency: Kalkaska County Sheriff Department

Blood Alcohol Level: No Alcohol Involvement  
License Status on Arrest Date: Revoked (prior revocation began 6/24/98)  
This Offense Crash Involvement: Yes

Past Traffic Crashes: 1 (02/01/1998, One Vehicle)  
Past Traffic Convictions: 13  
Past Criminal Convictions: Unknown

Original Charges at Arrest: DWLS/R Causing Serious Injury; Expired Plates  
Plea Agreement: No  
Convictions: DWLS/R Causing Serious Injury; Expired Plates  
Children: No  
Financial Sanctions: \$135,000.00 restitution; + \$2,661.00 other fees  
Probation: Unknown  
Vehicle Immobilization: Unknown  
Incarceration: 3-5 years, concurrent  
Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: Electronic tether at a cost of \$270.00 for approximately one month.

Other Information: Accident due to black ice in darkness, defendant lost control of his vehicle as he was on his way to work in the morning, driving while his license was revoked. No alcohol or controlled substances were involved. Attorney argued case should be dismissed as there was no criminal intent. Judge refused based on license revocation for habitual drunk driving. Verdict by jury, with later appeal request dismissed.

## DWLS/R CAUSING SERIOUS INJURY

ID: 063  
Gender: Male  
City/Township of Residence: Clarkston, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 21 years  
Date of Arrest: 06/22/2000  
Day of Arrest: Thursday  
Time of Arrest: 8:20 p.m.  
Date of Conviction: 09/19/2001  
Sentencing Date: 11/01/2001  
County of Arrest: Oakland  
Arresting Agency: Lake Orion Police Department

Blood Alcohol Level: Unknown; two arrests while on bond .18 & .20 (Blood)  
License Status on Arrest Date: An issue, as it was previously Suspended, but eligible for reinstatement on the condition of appear for driver's license re-examination. Failure to appear for re-exam caused license to be officially suspended again the next day. Suspended initially as a consequence of an unsatisfactory driving record.

This Offense Crash Involvement: Yes

Past Traffic Crashes: None  
Past Traffic Convictions: At least 18 total. 04/02/1997 OUIL; 06/18/1997 Oper Minor Any BAC, Child Endangerment; 05/07/1998 Oper Any BAC Child Endangerment.; 10/06/2000 DWLS/R; 12/23/2000 OUIL 3<sup>rd</sup> Offense  
Past Criminal Convictions: 06/24/1996 Retail Fraud 1<sup>st</sup> Degree; 10/06/2002 Fleeing and Eluding Police Officer.

Original Charges at Arrest: DLWS/R-Injury; Fleeing and Eluding Police Officer, 3<sup>rd</sup> Degree (occurred while out on bond for this arrest); OUIL per se 3<sup>rd</sup> Offense; OUIL per se

Plea Agreement: Yes  
Convictions: OUIL per se 3<sup>rd</sup> Offense  
Children: No  
Financial Sanctions: Unknown  
Probation: Unknown  
Vehicle Immobilization: 1 year starting 05/01/2009  
Incarceration: 2 years -7 years, six months (sentencing concurrent)  
Community Service: Unknown  
License Sanctions: Revoked  
Sanctions/Conditions: Unknown

Other Information: Collision with a motorcycle. Two other alcohol driving arrests occurred while out on bond for motorcycle

incident (details below).

At least two prior injury accidents and 16 assorted Motor Vehicle Code offenses, including but not limited to: OUIL; Person Under 21 with B.A.C. (2); Careless Driving; DWLS/R; Failure to Display License (3); No Proof of Insurance (2); Other moving violations (5)

While out on bond for the incident reported here, defendant operated a motor vehicle 10/06/2000 at a high rate of speed (77 mph in a 40 mph zone) and failed to obey a police officer's signal. After a high speed chase, he was stopped, arrested, and charged with Fleeing & Eluding, 3<sup>rd</sup> Degree, and OUIL 3<sup>rd</sup> Offense. His BAC level was .20 per a blood test that day. Defendant was arrested again 12/23/2000 for an OUIL 3<sup>rd</sup> Offense, with a blood BAC level of .18. He was later charged with a 2<sup>nd</sup> Felony count of OUIL 3<sup>rd</sup> Offense.

## DWLS/R CAUSING SERIOUS INJURY

ID: 064  
Gender: Male  
City/Township of Residence: Midland, MI  
Vehicle Type: Passenger Car  
Age on Arrest Date: 22 years  
Date of Arrest: 12/14/2000  
Day of Arrest: Thursday  
Time of Arrest: Unknown  
Date of Conviction: 08/13/2001  
Sentencing Date: 10/17/2001  
County of Arrest: Midland  
Arresting Agency: Midland Police Department

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Suspended  
This Offense Crash Involvement: Yes

Past Traffic Crashes: 1997 (Four Seriously Injured)  
Past Traffic Convictions: 8 (See list below)  
Past Criminal Convictions: Yes (See list below)

Original Charges at Arrest: DWLS/R Causing Serious Injury; Driving, Failure to Maintain Security (insurance)

Plea Agreement: Yes  
Convictions: DWLS/R Causing Injury  
Children: No  
Financial Sanctions: \$1,540.00  
Probation: 3 years  
Vehicle Immobilization: Unknown  
Incarceration: 1 year  
Community Service: 120 hours  
License Sanctions: Yes, per SOS  
Other Sanctions/Conditions: Outpatient treatment. Alternate to violence program.

Other Information: 05/07/2001 License reinstated when tickets in Detroit (were paid. Vehicle forfeiture ordered.

Criminal & Traffic Convictions: 10/18/1991 Felony/Auto Used; 06/26/1995 Speed 45/40; 09/13/1996 FAC for Registration and/or plate violation; 06/23/1997 Accident 2 vehicles, 4 people injured; 12/21/1998 Speed 45/35; 0 5 / 3 1 / 2 0 0 0 ; Disobeyed Stop Sign; 09/24/2000 DWLS/R License suspended until 11/28/2000



## DWLS/R CAUSING SERIOUS INJURY

ID: 065  
Gender: Male  
City/Township of Residence: Grand Haven, MI  
Vehicle Type: Passenger Car  
Age on Arrest Date: 37 years  
Date of Arrest: 09/06/2001  
Day of Arrest: Thursday  
Time of Arrest: 6:08 p.m.  
Date of Conviction: 01/02/2002  
Sentencing Date: 01/02/2002  
County of Arrest: Ottawa  
Arresting Agency: Grand Haven Public Safety

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: Yes

Past Traffic Crashes: None  
Past Traffic Convictions: 1 in MI  
Past Criminal Convictions: All in FL: 03/07/1995 Grand Theft; 05/30/1995 Grand Theft; 04/28/2000 Fleeing & Eluding

Original Charges at Arrest: OUIL Injury (3 counts); Habitual 4<sup>th</sup> Offense  
Plea Agreement: Yes  
Convictions: DWLS/R Injury (3 counts)  
Children: No  
Financial Sanctions: Unknown  
Probation: Unknown  
Vehicle Immobilization: Unknown  
Incarceration: 4 years (concurrent)  
Community Service: Unknown  
License Sanctions: Unknown  
Other Sanctions/Conditions: Unknown

Other Information: Defendant fleeing from another property damage incident when this arrest occurred. Four people sustained serious to critical injuries. Open beer observed in vehicle.

## DWLS/R CAUSING SERIOUS INJURY

ID: 068  
Gender: Male  
City/Township of Residence: Traverse City, MI  
Vehicle Type: Passenger Car  
Age on Arrest Date: 17 years  
Date of Arrest: 09/17/2000  
Day of Arrest: Sunday  
Time of Arrest: Unknown  
Date of Conviction: 02/26/2001  
Sentencing Date: 03/23/2001  
County of Arrest: Grand Traverse  
Arresting Agency: Grand Traverse Sheriff Department

Blood Alcohol Level: No Alcohol Involvement; 0 (PBT)  
License Status on Arrest Date: None; never applied for MI License  
This Offense Crash Involvement: Yes (Two Vehicles, Four Serious Injuries)

Past Traffic Crashes: None  
Past Traffic Convictions: 4  
Past Criminal Convictions: Trespassing, Joyriding. As of 12/11/2000 on probation for two Minor in Possessions and Illegal Entry, all from year 2000.

Original Charges at Arrest: DWLS/R Causing Serious Injury (2 counts)  
Plea Agreement: Yes  
Convictions: DWLS/R Causing Serious Injury (1 count)  
Children: No  
Financial Sanctions: \$2,036.57  
Probation: 3 years  
Vehicle Immobilization: Unknown  
Incarceration: 21-60 months/ Received 1 year for violating bond - 11/28/2000 failed breath tests.

Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: Daily alcohol/drug testing at "Addiction Treatment Services (Probation Residential Service) as of 11/01/2000. Released from jail 08/29/2001 into their facility for 90-120 days. Then instructed to use electronic monitoring system with daily alcohol/drug testing. Psychological evaluation, substance abuse treatment, pursue GED. Jailed 11/28/2000 for failing breath tests (a bond violation).

Other Information: Probation violations 01/11/2002, 01/29/2002, 01/30/2002, and 02/22/2002. Probation revoked 03/19/2002, and sentenced for probation violations to one year, nine months incarceration (with credit for 261 days previously served).

## DWLS/R CAUSING SERIOUS INJURY

ID: 069  
Gender: Male  
City/Township of Residence: Stanwood, MI  
Vehicle Type: Pickup truck  
Age on Arrest Date: 34 years old  
Date of Arrest: 12/11/1999  
Day of Arrest: Saturday  
Time of Arrest: 4:51 a.m.  
Date of Conviction: 10/13/2000  
Sentencing Date: Unknown  
County of Arrest: Kent  
Arresting Agency: Kent County Sheriff Department

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: Yes

Past Traffic Crashes: 2 (07/21/1990 One Vehicle, One Serious Injury,  
06/28/1998 Two Vehicles)

Past Traffic Convictions: 12  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL 3<sup>rd</sup> Offense; DWLS/R Injury  
Plea Agreement: Unknown  
Convictions: DWLS/R 3<sup>rd</sup> Offense; Felonious Driving; Habitual  
Children: No  
Financial Sanctions: \$1,120.00  
Probation: 1 year  
Vehicle Immobilization: Unknown  
Incarceration: 30 days  
Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: Unknown

Other Information: Unknown

## DWLS/R CAUSING SERIOUS INJURY

ID:	070
Gender:	Female
City/Township of Residence:	Crystal Falls, MI
Vehicle Type:	Unknown
Age on Arrest Date:	46 years
Date of Arrest:	06/15/2001
Day of Arrest:	Friday
Time of Arrest:	Unknown
Date of Conviction:	09/24/2001
Sentencing Date:	09/24/2001
County of Arrest:	Iron
Arresting Agency:	Iron River Police Department
Blood Alcohol Level:	Unknown
License Status on Arrest Date:	Suspended (per me)
This Offense Crash Involvement:	Yes
Past Traffic Crashes:	None
Past Traffic Convictions:	7
Past Criminal Convictions:	None
Original Charges at Arrest:	DWLS/R Injury; Resisting Arrest; Bench Warrant FTA
Plea Agreement:	Yes
Convictions:	DWLS/R Injury
Children:	No
Financial Sanctions:	\$650.00
Probation:	2 years
Vehicle Immobilization:	Unknown
Incarceration:	8 months
Community Service:	Unknown
License Sanctions:	Unknown
Sanctions/Conditions:	Substance abuse treatment at Iron County Community Health
Other Information:	06/18/2002 Probation violation, served six months in jail beginning 01/26/2002 with 30 days consecutive. Allow first four months on tether, with credit for one day of jail for every two days spent on tether.

## DWLS/R CAUSING SERIOUS INJURY

ID: 071  
Gender: Male  
City/Township of Residence: Orleans, MI  
Vehicle Type: Passenger Car  
Age on Arrest Date: 29 years  
Date of Arrest: 08/05/2001  
Day of Arrest: Sunday  
Time of Arrest: 8:55 p.m.  
Date of Conviction: 09/26/2001  
Sentencing Date: 11/08/2001  
County of Arrest: Kent  
Arresting Agency: Grand Rapids Police Department & Michigan State Police/Rockford

Blood Alcohol Level: None administered due to passengers with serious injuries  
License Status on Arrest Date: Revoked (2 prior suspensions) (Prior Suspension 03/20/2001 thru 03/19/2002)  
This Offense Crash Involvement: Yes

Past Traffic Crashes: Unknown  
Past Traffic Convictions: 44  
Past Criminal Convictions: Yes (Eight felonies & 11 misdemeanors, see list below)

Original Charges at Arrest: OUI Controlled Substance Causing Serious Injury (two counts); DWLS/R Causing Serious Injury (two counts); Felonious Assault with a Dangerous Weapon; Fleeing & Eluding 3<sup>rd</sup> Offense; Resisting and Obstructing Police Officer; Possession Marijuana

Plea Agreement: Yes  
Convictions: OUI Controlled Substance Causing Serious Injury (one count); DWLS/R Causing Serious Injury (one count); Felonious Assault with a Dangerous Weapon; Fleeing & Eluding 3<sup>rd</sup> Offense; Habitual 4<sup>th</sup> Offender

Children: No  
Financial Sanctions: Unknown  
Probation: Unknown  
Vehicle Immobilization: Unknown  
Incarceration: 5-25 years total, concurrent (OUI Controlled Substance Causing Serious Injury 6-15 years, DWLS/R Causing Serious Injury 6-15 years, Felonious Assault 5-10 years, Fleeing & Eluding 10-25 years)

Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: Evaluation for relationship with alcohol.

Other Information:

Two people seriously injured, as a result of fleeing at speeds of up to 110 mph. Cocaine in blood, and on probation for possession of cocaine when arrested. Previous Treatment in "Project Rehabilitation" four years ago.

01/27/1989 DWLS/R 2<sup>nd</sup> Offense; 03/13/1989 DWLS/R 2<sup>nd</sup> Offense; 04/18/1989 DWLS/R 2<sup>nd</sup> Offense; 05/19/1989 Two Bench Warrants; 11/06/1989 Breaking & Entering a Building with Intent; 11/27/1989 Bench Warrant; 01/04/1990 Larceny O/100; 05/03/1990 DWLS/R 2<sup>nd</sup> Offense; 05/09/1990 DWLS/R 2<sup>nd</sup> Offense; 07/06/1990 DWLS/R; 08/08/1990 DWLS/R 2<sup>nd</sup> Offense; 08/20/1990 DWLS/R 2<sup>nd</sup> Offense; 09/10/1990 Bench Warrant for OUIL; 12/18/1990 3 Bench Warrants; 04/15/1991 RF 1<sup>st</sup> Offense; 11/11/1992 DLWS/R 2<sup>nd</sup> Offense; 03/23/1994 DWLS/R; 09/20/1994 Possession Marijuana; 10/10/1994 Resisting & Obstructing Police; 10/17/1995 Possession Controlled Substance; 02/28/1997 Trespassing; Discharged from probation 06/03/1997 for Larceny O/100 03/14/1998 Fleeing & DWLS/R; 07/07/1998 Bench Warrants for DWLS/R, Fleeing; 08/18/1998 Possession Cocaine less than 25 grams; 05/05/1999 Fleeing, DWLS/R; 07/07/1999 Bench Warrant for Probation Violation; 10/22/1999 Bench Warrant OTSC DWLS/R; 12/17/1999 DWLS/R, Bench Warrant for Failing to Appear UDAA; 05/22/2000 Resisting & Obstructing Police; 09/29/2000 Two Bench Warrants for DWLS/R 2<sup>nd</sup> Offense & Reckless Driving; 01/09/2001 Attempted Home Invasion, 2<sup>nd</sup> Offense; 01/19/2001 Possession Cocaine less than 25 grams; 02/05/2001 DWLS/R 2<sup>nd</sup> Offense; 03/01/2001 Possession Cocaine, Home Invasion 2<sup>nd</sup> Offense

## CHILD ENDANGERMENT

ID: 001  
Gender: Male  
City/Township of Residence: Mt. Pleasant, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 52 years  
Date of Arrest: 04/24/2000  
Day of Arrest: Monday  
Time of Arrest: 2:30 a.m.  
Date of Conviction: 07/19/2000  
Sentencing Date: 07/19/2000  
County of Arrest: Isabella  
Arresting Agency: Michigan State Police/Mt. Pleasant

Blood Alcohol Level: .146 (PBT)  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: No

Past Traffic Crashes: None  
Past Traffic Convictions: 3  
Past Criminal Convictions: Unknown

Original Charges at Arrest: Child Endangerment, OUIL/UBAC  
Plea Agreement: Yes  
Convictions: Child Endangerment; OWI  
Children: Daughter (11 years)  
Financial Sanctions: \$2,225.00  
Probation: 1 Year  
Vehicle Immobilization: Unknown  
Incarceration: 93 days, suspend 78 days if completes all terms;  
serving time on days off work  
Community Service: 5 days, to be completed within 60 days  
License Sanctions: Unknown  
Sanctions/Conditions: Victim Impact Panel and Substance abuse assessment  
and aftercare as recommended per assessment

Other Information: Unknown

## CHILD ENDANGERMENT

ID: 002  
Gender: Male  
City/Township of Residence: Shepard, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 45 years  
Date of Arrest: 09/03/2000  
Day of Arrest: Sunday  
Time of Arrest: 12:28 a.m.  
Date of Conviction: 10/09/2000  
Sentencing Date: 11/07/2000  
County of Arrest: Roscommon  
Arresting Agency: Michigan State Police

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Alabama License, expiration date 9/24/00  
This Offense Crash Involvement: No

Past Traffic Crashes: None  
Past Traffic Convictions: 3  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL/UBAC; Child Endangerment; DWLS/R; Driver with Open Intoxicants in Motor Vehicle

Plea Agreement: Yes  
Convictions: OWI; Child Endangerment  
Children: Son (11 years)  
Financial Sanctions: \$1,120.00  
Probation: 6 months  
Vehicle Immobilization: Unknown  
Incarceration: 5 days  
Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: Unknown

Other Information: None



## CHILD ENDANGERMENT

ID: 003  
Gender: Female  
City/Township of Residence: Muskegon, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 30 years  
Date of Arrest: 05/21/2000  
Day of Arrest: Sunday  
Time of Arrest: Unknown  
Date of Conviction: 09/14/2000  
Sentencing Date: 10/16/2000  
County of Arrest: Muskegon  
Arresting Agency: Muskegon County Sheriff Department

Blood Alcohol Level: .173 (PBT); .15/.14 (Breath)  
License Status on Arrest Date: Denied (Suspended twice, Revoked once prior)  
This Offense Crash Involvement: No

Past Traffic Crashes: 1 (07/24/1996, 2 Vehicles)  
Past Traffic Convictions: 23  
Past Criminal Convictions: 05/28/1989 MIP; 7/7/89 Larceny Under \$100.00;  
08/25/1991 OUIL 1<sup>st</sup>; 08/15/1992 OUIL 2<sup>nd</sup>; 04/23/1993  
DWLS/R; 08/25/1993 DWLS/R; 11/10/1996 Disorderly;  
11/21/96 DWLS/R; 11/21/1997 DWLS/R; 03/11/1997  
DWLS/R; 06/06/1999 OUIL 1<sup>st</sup>; 2/29/00 Possession of  
Cocaine & Marijuana; 03/07/2000 Probation Violation  
(FAC); 05/21/2000 Child Endangerment 2<sup>nd</sup> & DWLS/R  
2<sup>nd</sup>

Original Charges at Arrest: OUIL per se 3<sup>rd</sup> Offense; Child Endangerment 2<sup>nd</sup>  
Offense; DWLS/R 2<sup>nd</sup> Offense

Plea Agreement: Yes  
Convictions: Child Endangerment 2<sup>nd</sup> Offense, DWLS/R 2<sup>nd</sup> Offense  
Children: Daughter (8 years)  
Financial Sanctions: \$560.00  
Probation: 2 years, starting 10/13/2000  
Vehicle Immobilization: Unknown  
Incarceration: Unknown  
Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: Unknown

Other Information: Also has traffic citations for speeding, expired plates,  
failure to stop, driving without headlights, no proof of  
insurance and no operator's license.

## CHILD ENDANGERMENT

ID: 005  
Gender: Female  
City/Township of Residence: Westland, MI  
Vehicle Type: Pickup truck  
Age on Arrest Date: 32 years  
Date of Arrest: 04/08/2000  
Day of Arrest: Saturday  
Time of Arrest: 2:06 a.m.  
Date of Conviction: 07/20/2000  
Sentencing Date: 07/20/2000  
County of Arrest: Antrim  
Arresting Agency: Bellaire Police Department

Blood Alcohol Level: .12 (PBT);.072/.12 (Blood)  
License Status on Arrest Date: Valid  
This Offense Crash Involvement: No

Past Traffic Crashes: None  
Past Traffic Convictions: 13  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL per se; Child Endangerment; Driver with Open Intoxicants in Motor Vehicle; DWI

Plea Agreement: Yes  
Convictions: Child Endangerment; OWI  
Children: Male (12 years)  
Financial Sanctions: \$1,249.00  
Probation: 1 Year  
Vehicle Immobilization: Unknown  
Incarceration: 90 days, suspend 85 days in abeyance  
Community Service: 24 hours, to be completed within 90 days  
License Sanctions: Confiscated per ticket  
Sanctions/Conditions: Substance abuse assessment and outpatient substance abuse counseling within 30 days. Victim Impact Panel.

Other Information: Three passengers in cab of truck and 2 passengers in bed of truck. None sober enough or having valid license to drive.

## CHILD ENDANGERMENT

ID: 006  
Gender: Male  
City/Township of Residence: Holland, MI  
Vehicle Type: Pickup truck  
Age on Arrest Date: 28 years  
Date of Arrest: 08/05/2000  
Day of Arrest: Saturday  
Time of Arrest: Unknown  
Date of Conviction: 12/22/2000  
Sentencing Date: Unknown  
County of Arrest: Allegan  
Arresting Agency: Allegan County Sheriff Department

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: No

Past Traffic Crashes: None  
Past Traffic Convictions: 5  
Past Criminal Convictions: Unknown

Original Charges at Arrest: Child Endangerment, DWLS/R, Speed 65/55  
Plea Agreement: Dismissed  
Convictions: Unknown  
Children: Two Daughters, Son (ages unknown)  
Financial Sanctions: \$200.00 bond refunded upon case dismissal  
Probation: Unknown  
Vehicle Immobilization: Unknown  
Incarceration: Unknown  
Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: Unknown

Other Information: Case dismissed at pre-trial 12/22/2000. Reason for dismissal unknown.

## CHILD ENDANGERMENT

ID: 007  
Gender: Female  
City/Township of Residence: Lansing, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 26 years  
Date of Arrest: 03/17/2001  
Day of Arrest: Saturday  
Time of Arrest: 10:55 p.m.  
Date of Conviction: 04/23/2001  
Sentencing Date: 06/22/2001  
County of Arrest: Ingham  
Arresting Agency: Lansing Police Department

Blood Alcohol Level: .15/.15 (Breath)  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: No

Past Traffic Crashes: None  
Past Traffic Convictions: 6  
Past Criminal Convictions: Unknown

Original Charges at Arrest: Child Endangerment, OUIL  
Plea Agreement: Yes  
Convictions: Child Endangerment; OUIL  
Children: Four Females (5, 6, 9, 10 years)  
Financial Sanctions: \$899.00  
Probation: 1 Year  
Vehicle Immobilization: Unknown  
Incarceration: 3 days  
Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: Complete outpatient counseling as recommended, obtain GED. Victim Impact Panel

Other Information: Unknown

## CHILD ENDANGERMENT

ID: 008  
Gender: Male  
City/Township of Residence: Holland, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 29 years  
Date of Arrest: 01/13/2000  
Day of Arrest: Thursday  
Time of Arrest: 10:56 p.m.  
Date of Conviction: 04/28/2000  
Sentencing Date: Unknown  
County of Arrest: Allegan  
Arresting Agency: Allegan County Sheriff Department

Blood Alcohol Level: .16 (PBT)  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: No

Past Traffic Crashes: None  
Past Traffic Convictions: 8  
Past Criminal Convictions: Unknown

Original Charges at Arrest: Child Endangerment, DWLS/R, Speed 65/55  
Plea Agreement: Yes  
Convictions: Dismissed per plea  
Children: One (Sex/Age Unknown)  
Financial Sanctions: Unknown  
Probation: Unknown  
Vehicle Immobilization: Unknown  
Incarceration: Unknown  
Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: Unknown

Other Information: Vehicle impounded upon arrest.

## CHILD ENDANGERMENT

ID: 009  
Gender: Female  
City/Township of Residence: Plainwell, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 38 years  
Date of Arrest: 08/26/2000  
Day of Arrest: Saturday  
Time of Arrest: 11:18 p.m.  
Date of Conviction: 10/17/2000  
Sentencing Date: Unknown  
County of Arrest: Barry  
Arresting Agency: Barry County Sheriff Department

Blood Alcohol Level: .10 (PBT)  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: No

Past Traffic Crashes: None  
Past Traffic Convictions: 4  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL/UBAC  
Plea Agreement: Yes  
Convictions: Dismissed per plea  
Children: Unknown  
Financial Sanctions: Unknown  
Probation: Unknown  
Vehicle Immobilization: Unknown  
Incarceration: Unknown  
Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: Unknown

Other Information: None

## CHILD ENDANGERMENT

ID: 010  
Gender: Male  
City/Township of Residence: Holland, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 26 years  
Date of Arrest: 05/13/2001  
Day of Arrest: Sunday  
Time of Arrest: Unknown  
Date of Conviction: 05/30/2001  
Sentencing Date: Unknown  
County of Arrest: Allegan  
Arresting Agency: Allegan County Sheriff Department

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: No

Past Traffic Crashes: 1 (11/05/1995, 2 Vehicles)  
Past Traffic Convictions: 11  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL  
Plea Agreement: Yes  
Convictions: Dismissed per plea agreement  
Children: Male (age unknown)  
Financial Sanctions: Unknown  
Probation: Unknown  
Vehicle Immobilization: Unknown  
Incarceration: Unknown  
Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: Unknown

Other Information: None

## CHILD ENDANGERMENT

ID: 012  
Gender: Male  
City/Township of Residence: Dimondale, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 39 years  
Date of Arrest: 04/07/2000  
Day of Arrest: Friday  
Time of Arrest: Unknown  
Date of Conviction: 04/26/2000  
Sentencing Date: 06/24/2000  
County of Arrest: Eaton  
Arresting Agency: Eaton County Sheriff Department

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: Yes

Past Traffic Crashes: At least one  
Past Traffic Convictions: 5  
Past Criminal Convictions: Unknown

Original Charges at Arrest: Child Endangerment (2 counts); OWI  
Plea Agreement: No  
Convictions: Child Endangerment (2 counts); OWI  
Children: Daughter (7 years), Son (7 years)  
Financial Sanctions: \$1,390.00  
Probation: 18 Months  
Vehicle Immobilization: Unknown  
Incarceration: 30 days, with work release 5 days/week; 300 days suspended if complete probation terms

Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: 120 days on electronic tether upon release from jail.

Other Information: One vehicle crash resulting in one serious injury.



## CHILD ENDANGERMENT

ID: 013  
Gender: Male  
City/Township of Residence: Ann Arbor, MI  
Vehicle Type: Unknown  
Age on Arrest Date: 32 years  
Date of Arrest: 07/19/2001  
Day of Arrest: Thursday  
Time of Arrest: Unknown  
Date of Conviction: 09/04/2001  
Sentencing Date: 10/16/2001  
County of Arrest: Washtenaw  
Arresting Agency: Ann Arbor Police Department

Blood Alcohol Level: .16 (Breath)  
License Status on Arrest Date: Denied  
This Offense Crash Involvement: No

Past Traffic Crashes: 1 (12/07/1996, 2 Vehicles)  
Past Traffic Convictions: 7  
Past Criminal Convictions: Domestic Violence; 02/21/1997 UBAC; 03/30/1999 Assault with Dangerous Weapon; 05/08/2001 OWI, two other OUIL convictions

Original Charges at Arrest: Child Endangerment 2<sup>nd</sup>; OUIL 3<sup>rd</sup>; DWLS/R; Oper. Without License on Person; Habitual Felony Offender

Plea Agreement: Yes  
Convictions: Child Endangerment 2<sup>nd</sup>; Oper. Without License on Person

Children: Daughter (age unknown)  
Financial Sanctions: \$2,840.00  
Probation: 2 Years  
Vehicle Immobilization: Unknown  
Incarceration: 275  
Community Service: 60 days  
License Sanctions: Unknown  
Sanctions/Conditions: Daily Antabuse medication, Dawn Farm long-term treatment facility.

Other Information: None

## CHILD ENDANGERMENT

ID: 014  
Gender: Male  
City/Township of Residence: Warren, MI (relocated to Dickson, TN)  
Vehicle Type: Van  
Age on Arrest Date: 41 years  
Date of Arrest: 07/05/2000  
Day of Arrest: Wednesday  
Time of Arrest: 12:16 a.m.  
Date of Conviction: 02/27/2001  
Sentencing Date: 05/17/2001  
County of Arrest: Macomb  
Arresting Agency: Macomb County Sheriff Department

Blood Alcohol Level: .20 (PBT); .21/.20 (Breath)  
License Status on Arrest Date: None on person, expired on date of arrest.  
This Offense Crash Involvement: No

Past Traffic Crashes: None  
Past Traffic Convictions: 5 Total; 08/18/1996 Drove While License Expired & No Proof of Insurance; 07/07/2000 Oper. Without License on Person; 07/19/2001 OWI  
Past Criminal Convictions: Unknown

Original Charges at Arrest: Child Endangerment (2 counts), Oper. Without License on Person  
Plea Agreement: Yes  
Convictions: Child Endangerment (1 count)  
Children: Daughter (14 years); Female (14 years)  
Financial Sanctions: \$855.00  
Probation: Unknown  
Vehicle Immobilization: Unknown  
Incarceration: Unknown  
Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: Unknown

Other Information: None

## CHILD ENDANGERMENT

ID: 016  
Gender: Male  
City/Township of Residence: Clinton Township, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 25 years  
Date of Arrest: 10/02/1999  
Day of Arrest: Saturday  
Time of Arrest: 10:50 p.m.  
Date of Conviction: 04/03/2000  
Sentencing Date: 08/08/2000  
County of Arrest: Macomb  
Arresting Agency: New Baltimore Police Department

Blood Alcohol Level: .21 (PBT); .22 (Blood)  
License Status on Arrest Date: Appears valid  
This Offense Crash Involvement: No

Past Traffic Crashes: None  
Past Traffic Convictions: 7  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL/UBAC 2<sup>nd</sup> Offense; Child Endangerment  
Plea Agreement: Yes  
Convictions: OUIL/UBAC 2<sup>nd</sup> Offense  
Children: Son (8 months)  
Financial Sanctions: \$840.00  
Probation: 2 years; started 08/08/2000, discharged early on 07/19/2001 with improvement

Vehicle Immobilization: 30 days  
Incarceration: No  
Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: Drivers Intervention Program, \$375.00

Other Information: None

## CHILD ENDANGERMENT

ID: 017  
Gender: Male  
City/Township of Residence: Elkton, MI  
Vehicle Type: Pickup truck  
Age on Arrest Date: 20 years  
Date of Arrest: 11/20/1999  
Day of Arrest: Saturday  
Time of Arrest: 10:25 p.m.  
Date of Conviction: 12/09/1999  
Sentencing Date: Unknown  
County of Arrest: Huron  
Arresting Agency: Huron County Sheriff Department

Blood Alcohol Level: .09/.09 (Breath)  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: Yes

Past Traffic Crashes: None  
Past Traffic Convictions: 6  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OWI 1<sup>st</sup> Offense; Child Endangerment;  
Reckless Driving

Plea Agreement: Yes

Convictions: Child Endangerment

Children: Female (13 years), Female (13 years)

Financial Sanctions: \$930.00

Probation: 6 months

Vehicle Immobilization: Unknown

Incarceration: 10 days; work release 10 hours/day, 6 days/week

Community Service: Unknown

License Sanctions: Unknown

Sanctions/Conditions: Outpatient counseling immediately at "List Services,"  
(Advanced, 1-8 individual).

Other Information: One vehicle crash resulting in 2 serious injuries.

## CHILD ENDANGERMENT

ID: 018  
Gender: Male  
City/Township of Residence: Newaygo, MI  
Vehicle Type: Unknown  
Age on Arrest Date: 32 years  
Date of Arrest: 11/26/1999  
Day of Arrest: Friday  
Time of Arrest: Unknown  
Date of Conviction: 12/20/1999  
Sentencing Date: 02/14/2000  
County of Arrest: Newaygo  
Arresting Agency: Newaygo County Sheriff Department

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: No

Past Traffic Crashes: None  
Past Traffic Convictions: 3  
Past Criminal Convictions: Unknown

Original Charges at Arrest: Resisting and Obstructing an Officer; Child Endangerment; Malicious Destruction of Fire/Police Property

Plea Agreement: Yes  
Convictions: Resisting and Obstructing an Officer; Child Endangerment; Malicious Destruction of Fire/Police Property

Children: Female (8 years)  
Financial Sanctions: \$132.00  
Probation: 18 months  
Vehicle Immobilization: Unknown  
Incarceration: 1 year - weekends only allowable, minimum 30 days  
Community Service: Unknown  
License Sanctions: Suspended 180 days  
Sanctions/Conditions: Unknown

Other Information: Failed to report to probation officer on 07/20/2000, 07/26/2000, and 08/17/2000 - bench warrant issued. Discharged from probation 08/07/2001.

## CHILD ENDANGERMENT

ID: 019  
Gender: Male  
City/Township of Residence: Ann Arbor, MI  
Vehicle Type: Unknown  
Age on Arrest Date: 45 years  
Date of Arrest: 10/07/1999  
Day of Arrest: Thursday  
Time of Arrest: Unknown  
Date of Conviction: 01/11/2000  
Sentencing Date: 02/29/2000  
County of Arrest: Washtenaw  
Arresting Agency: Ann Arbor Police Department

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Suspended  
This Offense Crash Involvement: No

Past Traffic Crashes: None  
Past Traffic Convictions: 3  
Past Criminal Convictions: Yes

Original Charges at Arrest: Child Endangerment 2<sup>nd</sup> Offense; DWLS/R; Habitual Offender 4<sup>th</sup> Felony  
Plea Agreement: Yes  
Convictions: Child Endangerment 2<sup>nd</sup> Offense  
Children: Daughter (9 years)  
Financial Sanctions: \$60.00  
Probation: Unknown  
Vehicle Immobilization: Unknown  
Incarceration: 5 years  
Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: Unknown

Other Information: Second alcohol driving offense this year, on probation for OWI, pled down from an OUIL at date of arrest. Labeled as a danger to society. Has a twin whose name he has used in the past.

## CHILD ENDANGERMENT

ID: 020  
Gender: Female  
City/Township of Residence: Grand Rapids, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 20 years  
Date of Arrest: 11/08/1999  
Day of Arrest: Monday  
Time of Arrest: 1:40 a.m.  
Date of Conviction: 11/24/1999  
Sentencing Date: Unknown  
County of Arrest: Kent  
Arresting Agency: Wyoming Police Department

Blood Alcohol Level: .12/.13 (Breath); .14 (PBT)  
License Status on Arrest Date: Suspended (twice)  
This Offense Crash Involvement: No

Past Traffic Crashes: 1 (12/05/1998, Two Vehicles, One Serious Injury)  
Past Traffic Convictions: 7  
Past Criminal Convictions: Unknown

Original Charges at Arrest: Child Endangerment; OUIL/UBAC; DWLS/R Second Offense; Obstructing Police/Making False Police Report  
Plea Agreement: Unknown  
Convictions: Child Endangerment  
Children: Daughter (5 years)  
Financial Sanctions: Unknown  
Probation: Unknown  
Vehicle Immobilization: Unknown  
Incarceration: Unknown  
Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: "Prospectives" for alcohol screening and assessment.

Other Information: 11/24/1999 Court adjourned for sentencing, released on personal \$500.00 bond. Failed to appear for scheduled alcohol screening and assessment 12/08/1999. Address unknown when 14 day notice to appear in person was delivered. Sentencing incomplete, bench warrant out for arrest. Arrested in a borrowed vehicle.

## CHILD ENDANGERMENT

ID: 021  
Gender: Female  
City/Township of Residence: Spring Lake, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 47 years  
Date of Arrest: 12/06/1999  
Day of Arrest: Monday  
Time of Arrest: 2:50 p.m.  
Date of Conviction: 01/11/2000  
Sentencing Date: 01/31/2000  
County of Arrest: Ottawa  
Arresting Agency: Michigan State Police/Grand Haven

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Revoked  
This Offense Crash Involvement: Yes

Past Traffic Crashes: 1 (07/21/1995, Two Vehicles)  
Past Traffic Convictions: 9  
Past Criminal Convictions: On probation when arrested for Domestic Violence, 03/1999; OUIL/UBAC 08/30/1995; UBAC 01/13/1995; OUIL 2<sup>nd</sup> Offense, 11/1994.

Original Charges at Arrest: OUIL 3<sup>rd</sup> Offense; Resisting/Obstructing a Police Officer (2 separate counts); Child Endangerment  
Plea Agreement: Yes  
Convictions: Resisting/Obstructing a Police Officer (1 count); Child Endangerment reduced to DWLS/R in return for adding charge of Leaving Scene of a Personal Injury Accident  
Children: Daughter (age unknown)  
Financial Sanctions: \$475.00  
Probation: 24 months  
Vehicle Immobilization: Unknown  
Incarceration: 130 days  
Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: "Turning Point"; Counseling, 3 Alcoholics Anonymous meeting/week; Electronic Monitoring System for 90 days

Other Information: Hit and run situation



## CHILD ENDANGERMENT

ID:	022
Gender:	Female
City/Township of Residence:	St. Helen, MI
Vehicle Type:	Unknown
Age on Arrest Date:	36 years
Date of Arrest:	10/14/1999
Day of Arrest:	Thursday
Time of Arrest:	Unknown
Date of Conviction:	11/09/1999
Sentencing Date:	Unknown
County of Arrest:	Roscommon
Arresting Agency:	Unknown
Blood Alcohol Level:	Unknown
License Status on Arrest Date:	Suspended
This Offense Crash Involvement:	No
Past Traffic Crashes:	None
Past Traffic Convictions:	12
Past Criminal Convictions:	Unknown
Original Charges at Arrest:	Refusal to Submit to Chemical Test 3 <sup>rd</sup> Offense; DWLS/R
Plea Agreement:	Unknown
Convictions:	Refusal to Submit to Chemical Test 3 <sup>rd</sup> Offense
Children:	No
Financial Sanctions:	\$1,060.00
Probation:	18 months (extended by one year)
Vehicle Immobilization:	Unknown
Incarceration:	Unknown
Community Service:	Unknown
License Sanctions:	Unknown
Sanctions/Conditions:	Unknown
Other Information:	None

## CHILD ENDANGERMENT

ID: 023  
Gender: Female  
City/Township of Residence: Davison, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 23 years  
Date of Arrest: 11/11/1999  
Day of Arrest: Thursday  
Time of Arrest: 2:02 a.m.  
Date of Conviction: 10/12/2000  
Sentencing Date: 11/08/2000  
County of Arrest: Genesee  
Arresting Agency: Burton Police Department

Blood Alcohol Level: .28 (PBT), .23/.23 (Breath)  
License Status on Arrest Date: Revoked (suspended prior)  
This Offense Crash Involvement: Yes

Past Traffic Crashes: None  
Past Traffic Convictions: 12  
Past Criminal Convictions: Non-Sufficient Funds

Original Charges at Arrest: OUIL 3<sup>rd</sup> Offense; Child Endangerment; DWLS/R 2<sup>nd</sup> Offense  
Plea Agreement: Yes  
Convictions: OUIL 3<sup>rd</sup> Offense; Child Endangerment  
Children: One (Sex/Age Unknown)  
Financial Sanctions: \$1,160.00  
Probation: 7 years  
Vehicle Immobilization: Unknown  
Incarceration: 180 days, release for education and work with voice track monitoring system  
Community Service: 100 hours  
License Sanctions: Yes  
Sanctions/Conditions: National Council on Alcoholism and Addiction intensive out-patient treatment program; Support groups (such as AA); Substance abuse counseling in jail; Continue college education.

Other Information: Failed previously in SAI Boot Camp and in Drug Court Program Supervision. Diagnosed with "Character Illogical Disorder" and mild depression per independent psychological examination, per court order at public expense.

## CHILD ENDANGERMENT

ID: 024  
Gender: Male  
City/Township of Residence: Grand Rapids, MI  
Vehicle Type: Unknown  
Age on Arrest Date: 39 years  
Date of Arrest: 12/11/1999  
Day of Arrest: Saturday  
Time of Arrest: Unknown  
Date of Conviction: 02/15/2000  
Sentencing Date: 04/06/2000  
County of Arrest: Kent  
Arresting Agency: Kent County Sheriff

Blood Alcohol Level: .16 (Breath)  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: No

Past Traffic Crashes: 1 (09/07/1999, Two Vehicles)  
Past Traffic Convictions: 14  
Past Criminal Convictions: Two Burglary; Breaking and Entering; Providing False Evidence; Domestic Violence; Parole violation.  
Original Charges at Arrest: OUIL/UBAC 2<sup>nd</sup> Offense/Child Endangerment  
Plea Agreement: Unknown  
Convictions: OUIL/UBAC 2<sup>nd</sup> Offense/Child Endangerment  
Children: One (Sex Unknown, 4 years)  
Financial Sanctions: \$2,060.00  
Probation: 30 months  
Vehicle Immobilization: Unknown  
Incarceration: 84 days  
Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: AA/NA/CA Meetings; Intensive outpatient substance abuse services at "Project Rehab"  
Other Information: Began drinking at age 8, drank 30 out of 30 days prior to arrest. Daily drinking after deaths of Mother and Sister-in-Law.

## CHILD ENDANGERMENT

ID: 025  
Gender: Male  
City/Township of Residence: Traverse City, MI  
Vehicle Type: Pickup truck  
Age on Arrest Date: 32 years  
Date of Arrest: 12/11/1999  
Day of Arrest: Saturday  
Time of Arrest: 6:30 p.m.  
Date of Conviction: 04/03/2000  
Sentencing Date: 04/03/2000  
County of Arrest: Antrim  
Arresting Agency: Elk Rapids Police Department

Blood Alcohol Level: .17 (PBT); .14/.15 (Breath)  
License Status on Arrest Date: Valid  
This Offense Crash Involvement: No

Past Traffic Crashes: None  
Past Traffic Convictions: 4  
Past Criminal Convictions: Unknown

Original Charges at Arrest: Possession of Marijuana; Child Endangerment (3 counts); OUIL; Driver with Open Intoxicants in Motor Vehicle; Impaired Driving

Plea Agreement: Yes  
Convictions: Child Endangerment (1 count); Impaired Driving  
Children: Son (2 years), sex unknown (5 years), sex unknown (7 years)

Financial Sanctions: \$1,149.00  
Probation: 12 months  
Vehicle Immobilization: Yes  
Incarceration: 30 days, held in abeyance  
Community Service: 24 hours to be performed in 60 days  
License Sanctions: Confiscated/destroyed at arrest  
Sanctions/Conditions: AA/NA attendance (verified); Complete substance abuse assessment; Enroll in intensive outpatient counseling within 30 days

Other Information: None

## CHILD ENDANGERMENT

ID: 030  
Gender: Male  
City/Township of Residence: Bay City, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 45 years  
Date of Arrest: 09/30/2000  
Day of Arrest: Saturday  
Time of Arrest: Unknown  
Date of Conviction: 12/13/2000  
Sentencing Date: 01/24/2001  
County of Arrest: Saginaw  
Arresting Agency: Richland Township Police Department

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: No

Past Traffic Crashes: None  
Past Traffic Convictions: 7  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL 2<sup>nd</sup> Offense; Expired Plates; Driving Failure to Maintain Security (no insurance); DWLS/R; Child Endangerment 2<sup>nd</sup> Offense

Plea Agreement: Yes  
Convictions: OUIL 2<sup>nd</sup> Offense; Expired Plates; Operating a Motor Vehicle without Security; DWLS/R; Child Endangerment added per plea

Children: One (Sex/Age Unknown)  
Financial Sanctions: \$1,075.00  
Probation: Unknown  
Vehicle Immobilization: 90 days, License plate confiscated  
Incarceration: 35 days or pay above financial sanctions  
Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: 120 days in the "PLUS" program at a rate of \$7/day

Other Information: None

## CHILD ENDANGERMENT

ID: 032  
Gender: Female  
City/Township of Residence: Clinton Township, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 33 years  
Date of Arrest: 10/25/2000  
Day of Arrest: Wednesday  
Time of Arrest: Unknown  
Date of Conviction: 12/07/2000  
Sentencing Date: 02/15/2001  
County of Arrest: Macomb  
Arresting Agency: Macomb County Sheriff

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: Unknown

Past Traffic Crashes: 1 (07/12/2001, One Vehicle)  
Past Traffic Convictions: 6  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL; Child Endangerment; Violation of Child Restraint Law

Plea Agreement: Yes  
Convictions: OUIL; Child Endangerment  
Children: One (Sex/Age Unknown)  
Financial Sanctions: \$1,440.00  
Probation: 12 months  
Vehicle Immobilization: 60 days by club  
Incarceration: 30 days (optional)  
Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: Outpatient treatment program at "Eastwood Clinic"; AA 3 times/week

Other Information: Violated probation, probation extended 1 year

## CHILD ENDANGERMENT

ID: 033  
Gender: Female  
City/Township of Residence: Allendale, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 34 years  
Date of Arrest: 06/10/2000  
Day of Arrest: Saturday  
Time of Arrest: 10:25 p.m.  
Date of Conviction: 09/27/2000  
Sentencing Date: 10/26/2000  
County of Arrest: Ottawa  
Arresting Agency: Ottawa County Sheriff Department

Blood Alcohol Level: .22 (PBT)  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: Yes

Past Traffic Crashes: 2 (01/07/1997 One Vehicle, One Serious Injury & 08/03/1998, Two Vehicles)  
Past Traffic Convictions: 3 Total; OUIL - 01/07/1997  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL/OWI 2<sup>nd</sup> Offense; Child Endangerment; Expired OPS  
Plea Agreement: Yes  
Convictions: Child Endangerment; Expired OPS  
Children: One (Sex/Age Unknown)  
Financial Sanctions: \$860.00  
Probation: 12 months  
Vehicle Immobilization: 90 days within 10 days of release from jail  
Incarceration: 93 days mandatory, no work release  
Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: AA 5 times/week; Counseling; Testing

Other Information: None

## CHILD ENDANGERMENT

ID: 034  
Gender: Male  
City/Township of Residence: Traverse City, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 31 years  
Date of Arrest: 08/04/2000  
Day of Arrest: Friday  
Time of Arrest: Unknown  
Date of Conviction: 10/27/2000  
Sentencing Date: 10/27/2000  
County of Arrest: Grand Traverse  
Arresting Agency: Unknown

Blood Alcohol Level: .14/.13 (Breath); .183 (PBT)  
License Status on Arrest Date: Revoked (three times)  
This Offense Crash Involvement: No

Past Traffic Crashes: 2 (12/25/1988, One Vehicle, 07/17/1989 Two Vehicle)  
Past Traffic Convictions: 9 Total. 1986 & 1987 Controlled Substance; 1989 OUIL; 1989 DWLS/R; 12/07/1992; OUIL; 02/01/1993 OUIL 3<sup>rd</sup> ; 1995 Loaded Weapon in Vehicle; 1997 OUIL; 01/02/1998 OUIL; 09/02/1998 OUIL 3<sup>rd</sup>

Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL 3<sup>rd</sup> Offense; Child Endangerment 2<sup>nd</sup> Offense; DWLR; Driver with Open Intoxicants in Motor Vehicle

Plea Agreement: Yes  
Convictions: OUIL 3<sup>rd</sup> Offense  
Children: Daughter (7 years)  
Financial Sanctions: Unknown  
Probation: Unknown  
Vehicle Immobilization: Unknown  
Incarceration: 23 months to 5 years, consecutive to parole violation  
Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: Substance abuse referral; Daily PBT starting 08/05/2000; Urine test once per week; Not to operate a vehicle

Other Information: None



## CHILD ENDANGERMENT

ID: 035  
Gender: Female  
City/Township of Residence: Potterville, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 29 years  
Date of Arrest: 04/22/2000  
Day of Arrest: Saturday  
Time of Arrest: Unknown  
Date of Conviction: 05/16/2000  
Sentencing Date: 07/20/2000  
County of Arrest: Eaton  
Arresting Agency: Charlotte Police Department

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: Yes

Past Traffic Crashes: None  
Past Traffic Convictions: 6  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OWI; Child Endangerment (2 counts)  
Plea Agreement: Yes  
Convictions: OWI  
Children: Male (age unknown); Female (age unknown)  
Financial Sanctions: \$579.00  
Probation: 8 months  
Vehicle Immobilization: Unknown  
Incarceration: 10 days suspended, if probation is completed  
Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: Victim Impact Program

Other Information: Two vehicles involved and one serious injury.

## CHILD ENDANGERMENT

ID: 036  
Gender:  
City/Township of Residence: Edwardsburg, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 20 years  
Date of Arrest: 01/07/2001  
Day of Arrest: Sunday  
Time of Arrest: Unknown  
Date of Conviction: 02/02/2001  
Sentencing Date: 03/05/2001  
County of Arrest: Cass  
Arresting Agency: Unknown

Blood Alcohol Level: .11 (Breath)  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: Unknown

Past Traffic Crashes: None  
Past Traffic Convictions: 8  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL/UBAC; Child Endangerment (2 counts)  
Plea Agreement: Unknown  
Convictions: OUIL/UBAC  
Children: Two daughters (ages unknown)  
Financial Sanctions: \$940.00  
Probation: Unknown  
Vehicle Immobilization: Unknown  
Incarceration: 15 days for failure to complete alcohol counseling  
Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: Outpatient treatment; Screening at "Woodlands"  
Addiction Center

Other Information: None

## CHILD ENDANGERMENT

ID:	037
Gender:	Male
City/Township of Residence:	Bangor, MI
Vehicle Type:	Passenger car
Age on Arrest Date:	38 years
Date of Arrest:	12/18/2001
Day of Arrest:	Sunday
Time of Arrest:	Unknown
Date of Conviction:	05/11/2001
Sentencing Date:	05/11/2001
County of Arrest:	Allegan
Arresting Agency:	Unknown
Blood Alcohol Level:	Unknown
License Status on Arrest Date:	Unknown
This Offense Crash Involvement:	Unknown
Past Traffic Crashes:	None
Past Traffic Convictions:	6
Past Criminal Convictions:	Unknown
Original Charges at Arrest:	Child Endangerment
Plea Agreement:	Yes
Convictions:	None
Children:	Daughter (13 years)
Financial Sanctions:	Unknown
Probation:	Unknown
Vehicle Immobilization:	Unknown
Incarceration:	Unknown
Community Service:	Unknown
License Sanctions:	Unknown
Sanctions/Conditions:	Unknown
Other Information:	None

## CHILD ENDANGERMENT

ID: 038  
Gender: Male  
City/Township of Residence: Benton Harbor, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 23 years  
Date of Arrest: 05/15/2001  
Day of Arrest: Tuesday  
Time of Arrest: 11:50 p.m.  
Date of Conviction: 07/23/2001  
Sentencing Date: 07/23/2001  
County of Arrest: Berrien  
Arresting Agency: Benton Township Police Department

Blood Alcohol Level: .11/.10 (Breath)  
License Status on Arrest Date: Suspended  
This Offense Crash Involvement: No

Past Traffic Crashes: None  
Past Traffic Convictions: 15  
Past Criminal Convictions: Disorderly Conduct - fighting; Disorderly Conduct - loud music; Urinating in Public

Original Charges at Arrest: Child Endangerment; OUIL/UBAC; Driver with Open Intoxicants in Motor Vehicle; No OPS on person; No Safety Belt; No Rear View Mirror (warning)

Plea Agreement: Unknown  
Convictions: Child Endangerment  
Children: Son (2 years)  
Financial Sanctions: \$685.00  
Probation: Unknown  
Vehicle Immobilization: Unknown  
Incarceration: 12 days  
Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: Unknown

Other Information: Marijuana in vehicle and positive field drug test

## CHILD ENDANGERMENT

ID: 039  
Gender: Female  
City/Township of Residence: Iron Mountain, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 40 years  
Date of Arrest: 08/24/2001  
Day of Arrest: Friday  
Time of Arrest: 11:09 a.m.  
Date of Conviction: 09/06/2001  
Sentencing Date: 09/26/2001  
County of Arrest: Dickinson  
Arresting Agency: Iron Mountain Police Department

Blood Alcohol Level: .275 (Blood); .294 (PBT)  
License Status on Arrest Date: Valid  
This Offense Crash Involvement: No

Past Traffic Crashes: None  
Past Traffic Convictions: 4  
Past Criminal Convictions: Unknown

Original Charges at Arrest: Child Endangerment 2<sup>nd</sup> Offense; Improper Right Turn (warning)  
Plea Agreement: Unknown  
Convictions: Unknown  
Children: Niece (2 years), Nephew (5 years)  
Financial Sanctions: \$1,180.00  
Probation: 18 months  
Vehicle Immobilization: Unknown  
Incarceration: 60 days - serve 15, 15 released to treatment, 30 days suspended if weekend at Fortune Lake Camp impact program is completed  
Community Service: 5 hours  
License Sanctions: License plate and license confiscated  
Sanctions/Conditions: New Day program for 28 days; AA 3 times/week; Enroll in SA program; Impact program at "Fortune Lake Camp"; PBT every other day for 30 days after release; Complete 3 job applications/week  
Other Information: Probation extended to 09/26/2003, 45 days jail, with work release if employment is found

## CHILD ENDANGERMENT

ID: 041  
Gender: Female  
City/Township of Residence: Comstock Park, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 33 years  
Date of Arrest: 10/01/2001  
Day of Arrest: Monday  
Time of Arrest: 8:13 p.m.  
Date of Conviction: 11/07/2001  
Sentencing Date: 12/10/2001  
County of Arrest: Ottawa  
Arresting Agency: Ottawa County Sheriff Department

Blood Alcohol Level: .14 (PBT)  
License Status on Arrest Date: Suspended  
This Offense Crash Involvement: Yes

Past Traffic Crashes: None  
Past Traffic Convictions: 4  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL/UBAC; Child Endangerment; Violation of Restricted OPS

Plea Agreement: Yes  
Convictions: Child Endangerment  
Children: Son (4 years), Daughter (2 years)  
Financial Sanctions: \$760.00  
Probation: 12 months  
Vehicle Immobilization: 180 days  
Incarceration: 90 days, 1 day credit, no work release, 10 days immediately, balance at court's discretion

Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: Unknown

Other Information: Failed to comply with immobilization, must appear in court or a bench warrant will be issued. One vehicle accident.

## CHILD ENDANGERMENT

ID: 042  
Gender: Female  
City/Township of Residence: Wayland, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 30 years  
Date of Arrest: 03/22/2001  
Day of Arrest: Thursday  
Time of Arrest: Unknown  
Date of Conviction: 05/10/2001  
Sentencing Date: Unknown  
County of Arrest: Allegan  
Arresting Agency: Allegan County Sheriff Department

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: Unknown

Past Traffic Crashes: None  
Past Traffic Convictions: 7  
Past Criminal Convictions: Unknown

Original Charges at Arrest: Child Endangerment  
Plea Agreement: Unknown  
Convictions: None  
Children: Two Sons (ages unknown)  
Financial Sanctions: Unknown  
Probation: Unknown  
Vehicle Immobilization: Unknown  
Incarceration: Unknown  
Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: Unknown

Other Information: \$500.00 cash bond refunded

## CHILD ENDANGERMENT

ID: 043  
Gender: Female  
City/Township of Residence: Birch Run, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 21 years  
Date of Arrest: 01/01/2001  
Day of Arrest: Monday  
Time of Arrest: Unknown  
Date of Conviction: 03/15/2001  
Sentencing Date: 05/08/2001  
County of Arrest: Saginaw  
Arresting Agency: Birch Run Village Police Department

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: Unknown

Past Traffic Crashes: 2 (12/16/1997, Two Vehicles, Two Serious Injuries, & 10/02/2000, One Vehicle, Two Serious Injuries)  
Past Traffic Convictions: 7 Total; OUIL; False Report; Failing to Stop at a Personal Injury Accident  
Past Criminal Convictions: Yes

Original Charges at Arrest: Child Endangerment (2 counts)  
Plea Agreement: Yes  
Convictions: Child Endangerment (2 counts)  
Children: Female (3 years), Child (Sex/Age Unknown)  
Financial Sanctions: \$944.00  
Probation: Yes  
Vehicle Immobilization: 365 days or sale of car  
Incarceration: Unknown  
Community Service: 164 hours  
License Sanctions: Unknown  
Sanctions/Conditions: Counseling; 90 days in "PLUS" program at \$3/day

Other Information: Sold car first day of immobilization, released on own recognizance, \$5,000.00 bond



## CHILD ENDANGERMENT

ID: 044  
Gender: Male  
City/Township of Residence: Grand Rapids, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 41 years  
Date of Arrest: 04/11/2001  
Day of Arrest: Wednesday  
Time of Arrest: Unknown  
Date of Conviction: 06/26/2001  
Sentencing Date: 12/20/2001  
County of Arrest: Kent  
Arresting Agency: Kent County Sheriff Department

Blood Alcohol Level: .24/.27 (Blood)  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: No

Past Traffic Crashes: 1 (11/01/1997, Two Vehicles)  
Past Traffic Convictions: 8 Total; one OUIL  
Past Criminal Convictions: Unknown

Original Charges at Arrest: Child Endangerment 2<sup>nd</sup> Offense (2 counts)  
Plea Agreement: Yes  
Convictions: Child Endangerment 2<sup>nd</sup> Offense  
Children: Daughter (8 years), Son (11 years)  
Financial Sanctions: \$7,460.00  
Probation: 60 months  
Vehicle Immobilization: 1 year  
Incarceration: 12 months with work release  
Community Service: Unknown  
License Sanctions: Yes  
Sanctions/Conditions: Victim Impact Panel, residential substance abuse treatment. Defendant chose and paid for "Narconon Southern CA, Inc." holistic program, then Betty Ford Center's Professional Recovery Evaluation Program.

Other Information: Asked judge 05/17/02 to change probation to electronic tether from work release, per defendant's employer request. Judge denied the change.

## CHILD ENDANGERMENT

ID: 045  
Gender: Male  
City/Township of Residence: Homer, MI  
Vehicle Type: Pickup truck  
Age on Arrest Date: 27 years  
Date of Arrest: 06/10/2001  
Day of Arrest: Sunday  
Time of Arrest: 1:42 a.m.  
Date of Conviction: 06/20/2001  
Sentencing Date: 06/27/2001  
County of Arrest: Berrien  
Arresting Agency: Berrien County Sheriff Department

Blood Alcohol Level: .13 (PBT); .15/.14 (Blood)  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: No

Past Traffic Crashes: None  
Past Traffic Convictions: 8 Total; one OUIL/UBAC  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL/UBAC 2<sup>nd</sup> Offense; Child Endangerment  
Plea Agreement: Unknown  
Convictions: OUIL/UBAC 2<sup>nd</sup> Offense; Child Endangerment  
Children: Girlfriend's Daughter (7 months)  
Financial Sanctions: \$885.00  
Probation: Unknown  
Vehicle Immobilization: 93 days by the club  
Incarceration: Fines paid, or 93 days total with credit for 6 days served

Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: 12 sessions of 1 on 1 counseling

Other Information: None

## CHILD ENDANGERMENT

ID: 046  
Gender: Male  
City/Township of Residence: Gladwin, MI  
Vehicle Type: Unknown  
Age on Arrest Date: 33 years  
Date of Arrest: 02/14/2002  
Day of Arrest: Thursday  
Time of Arrest: Unknown  
Date of Conviction: 04/11/2002  
Sentencing Date: 04/12/2002  
County of Arrest: Gladwin  
Arresting Agency: Michigan State Police

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Revoked  
This Offense Crash Involvement: Unknown

Past Traffic Crashes: 1 (06/10/1990, One Vehicle, Two Serious Injuries)  
Past Traffic Convictions: 12  
Past Criminal Convictions: Unknown

Original Charges at Arrest: Child Endangerment; OUIL; DWLS/R; Driver with Open Intoxicants in Motor Vehicle

Plea Agreement: Unknown  
Convictions: Unknown  
Children: One (Sex/Age Unknown)  
Financial Sanctions: Unknown  
Probation: Unknown  
Vehicle Immobilization: Unknown  
Incarceration: Unknown  
Community Service: Unknown  
License Sanctions: Restricted  
Sanctions/Conditions: Unknown

Other Information: \$500.00 bond, paid \$250.00 in court appointed attorney fees

## CHILD ENDANGERMENT

ID: 047  
Gender: Male  
City/Township of Residence: Saginaw, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 39 years  
Date of Arrest: 01/06/2002  
Day of Arrest: Sunday  
Time of Arrest: 12:34 p.m.  
Date of Conviction: 02/27/2002  
Sentencing Date: 04/08/2002  
County of Arrest: Bay  
Arresting Agency: Bay County Sheriff Department

Blood Alcohol Level: .23 (PBT); .24 (Breath)  
License Status on Arrest Date: Expired  
This Offense Crash Involvement: No

Past Traffic Crashes: None  
Past Traffic Convictions: 4 Total; one OUIL  
Past Criminal Convictions: 06/05/2000 Failure to appear for sentence; 11/01/2000 Probation violation

Original Charges at Arrest: Carrying a Concealed Weapon; Child Endangerment 2<sup>nd</sup> Offense; Driver with Open Intoxicants in Motor Vehicle; Expired OPS

Plea Agreement: Yes  
Convictions: Carrying a Concealed Weapon; Child Endangerment 2<sup>nd</sup> Offense

Children: Male (2 years)  
Financial Sanctions: \$1,020.00  
Probation: 4 years  
Vehicle Immobilization: 180 days  
Incarceration: 300 days with credit for 55 days served, plus 60 days deferred until further work

Community Service: 60 days  
License Sanctions: Unknown  
Sanctions/Conditions: "Trip-Cap" Intensive Program; Substance abuse counseling and mental health evaluation; License and plates confiscated and destroyed; Temporary OPS permit and reg. plate issued

Other Information: None

## CHILD ENDANGERMENT

ID: 048  
Gender: Male  
City/Township of Residence: Ishpeming, MI  
Vehicle Type: Unknown  
Age on Arrest Date: 35 years  
Date of Arrest: 02/15/2002  
Day of Arrest: Friday  
Time of Arrest: Unknown  
Date of Conviction: 04/09/2002  
Sentencing Date: 04/09/2002  
County of Arrest: Dickinson  
Arresting Agency: Michigan State Police

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: No

Past Traffic Crashes: None  
Past Traffic Convictions: 6 Total; one OUIL; one OWI  
Past Criminal Convictions: Unknown

Original Charges at Arrest: Child Endangerment 2<sup>nd</sup> Offense; New Registration Application by Holder of Assigned Plate; Operating with No License/Multiple Licenses; Driver with Open Intoxicants in Motor Vehicle

Plea Agreement: Yes  
Convictions: Child Endangerment 2<sup>nd</sup> Offense  
Children: Daughter (10 years)  
Financial Sanctions: \$1,280.00  
Probation: 24 months  
Vehicle Immobilization: None, since vehicle is registered in Wisconsin  
Incarceration: 7 months, credit for 53 days served  
Community Service: 60 days  
License Sanctions: Unknown  
Sanctions/Conditions: Unknown

Other Information: 07/12/2002 Released from probation to Wisconsin because of ill father

## CHILD ENDANGERMENT

ID: 049  
Gender: Female  
City/Township of Residence: Adrian, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 30 years  
Date of Arrest: 01/11/2002  
Day of Arrest: Friday  
Time of Arrest: 8:20 p.m.  
Date of Conviction: 03/11/2002  
Sentencing Date: 03/11/2002  
County of Arrest: Lenawee  
Arresting Agency: Lenawee County Sheriff Department

Blood Alcohol Level: .11 (Unknown)  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: No

Past Traffic Crashes: None  
Past Traffic Convictions: 3  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL/OWI 2<sup>nd</sup> Offense; Child Endangerment; Driving Failure to Maintain Security (no insurance)

Plea Agreement: Yes  
Convictions: OUIL/OWI 2<sup>nd</sup> Offense; Child Endangerment  
Children: One (Sex/Age Unknown)  
Financial Sanctions: \$2,226.00  
Probation: 18 months  
Vehicle Immobilization: Unknown  
Incarceration: 10 days  
Community Service: 320 hours/40 days  
License Sanctions: Unknown  
Sanctions/Conditions: AA/NA meetings as required by parole officer; Outpatient treatment

Other Information: Stopped for defective equipment

## CHILD ENDANGERMENT

ID: 050  
Gender: Male  
City/Township of Residence: Milford, MI  
Vehicle Type: Pickup truck  
Age on Arrest Date: 44 years  
Date of Arrest: 01/26/2002  
Day of Arrest: Saturday  
Time of Arrest: 11:25 p.m.  
Date of Conviction: 03/25/2002  
Sentencing Date: 06/10/2002  
County of Arrest: Roscommon  
Arresting Agency: Michigan State Police

Blood Alcohol Level: .19/.19 (both breath)  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: No

Past Traffic Crashes: None  
Past Traffic Convictions: 4 Total; 9/17/96 OWI  
Past Criminal Convictions:

Original Charges at Arrest: OUIL/UBAC 2<sup>nd</sup> Offense; Child Endangerment (2 counts)  
Plea Agreement: Yes  
Convictions: OWI 2<sup>nd</sup> Offense; Child Endangerment (1 count)  
Children: Son (under 6 years); Male (under 6 years)  
Financial Sanctions: \$1,120.00  
Probation: 6 months  
Vehicle Immobilization: 90 days  
Incarceration: 5 days  
Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: Complete outpatient counseling and Victim Impact Panel.

Other Information: None

## CHILD ENDANGERMENT

ID: 051  
Gender: Female  
City/Township of Residence: Hastings, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 21 years  
Date of Arrest: 03/02/2002  
Day of Arrest: Saturday  
Time of Arrest: 3:37 a.m.  
Date of Conviction: 04/11/2002  
Sentencing Date: 04/11/2002  
County of Arrest: Barry  
Arresting Agency: Barry County Sheriff Department

Blood Alcohol Level: .17 (PBT)  
License Status on Arrest Date: Valid  
This Offense Crash Involvement: Yes

Past Traffic Crashes: 1 (02/18/1999, One Vehicle, Two Serious Injuries)  
Past Traffic Convictions: 5  
Past Criminal Convictions: No

Original Charges at Arrest: OUIL/UBAC; Child Endangerment  
Plea Agreement: Yes  
Convictions: OWI  
Children: Male (age unknown)  
Financial Sanctions: \$800.00  
Probation: 9 months  
Vehicle Immobilization: Unknown  
Incarceration: 1 day  
Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: Obtain and pay for alcohol assessment and complete appropriate level of treatment/counseling as directed.

Other Information: None



## CHILD ENDANGERMENT

ID: 052  
Gender: Male  
City/Township of Residence: Midland, MI  
Vehicle Type: Unknown  
Age on Arrest Date: 42 years  
Date of Arrest: 02/22/2002  
Day of Arrest: Friday  
Time of Arrest: Unknown  
Date of Conviction: 04/03/2002  
Sentencing Date: 07/02/2002  
County of Arrest: Midland  
Arresting Agency: Midland Police Department

Blood Alcohol Level: .26/.26 (Breath)  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: Unknown

Past Traffic Crashes: None  
Past Traffic Convictions: 2 Total; 8/20/88, DWI  
Past Criminal Convictions: 3/13/93, 3/31/93, & 10/9/94 Assault and Battery;  
4/4/96 DNR Fire Law; 9/26/01 Registration, Plate;  
10/24/96 & 5/21/02 Domestic Violence; 5/10/93 &  
9/7/93 Bench Warrants

Original Charges at Arrest: OUIL; Child Endangerment  
Plea Agreement: Yes  
Convictions: Child Endangerment  
Children: Son (5 years)  
Financial Sanctions: \$200.00  
Probation: 24 months  
Vehicle Immobilization: Unknown  
Incarceration: 93 days  
Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: Counseling at "Focus"; AA 2-3 times/week

Other Information: None

## CHILD ENDANGERMENT

ID: 053  
Gender: Male  
City/Township of Residence: Beaverton, MI  
Vehicle Type: Unknown  
Age on Arrest Date: 31 years  
Date of Arrest: 02/16/2002  
Day of Arrest: Saturday  
Time of Arrest: Unknown  
Date of Conviction: 03/18/2002  
Sentencing Date: 03/18/2002  
County of Arrest: Midland  
Arresting Agency: Midland County Sheriff Department

Blood Alcohol Level: .10/.09 (Breath)  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: Unknown

Past Traffic Crashes: None  
Past Traffic Convictions: 5  
Past Criminal Convictions: Larceny; Retail Fraud

Original Charges at Arrest: OUIL; Child Endangerment  
Plea Agreement: Yes  
Convictions: OWI  
Children: Two Sons (ages unknown)  
Financial Sanctions: \$350.00  
Probation: 6 months  
Vehicle Immobilization: Unknown  
Incarceration: Unknown  
Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: Attend "Impact weekend"

Other Information: None

## CHILD ENDANGERMENT

ID: 054  
Gender: Male  
City/Township of Residence: Paw Paw, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 23 years  
Date of Arrest: 01/29/2002  
Day of Arrest: Tuesday  
Time of Arrest: Unknown  
Date of Conviction: 04/08/2002  
Sentencing Date: 04/10/2002  
County of Arrest: Cass  
Arresting Agency: Cass County Sheriff Department

Blood Alcohol Level: .15/.14 (Breath)  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: No

Past Traffic Crashes: None  
Past Traffic Convictions: 2  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL 2<sup>nd</sup> Offense; Child Endangerment; Driver with Open Intoxicants in Motor Vehicle

Plea Agreement: Yes  
Convictions: Child Endangerment  
Children: One (Sex/Age Unknown)  
Financial Sanctions: \$1,000.00  
Probation: 12 months  
Vehicle Immobilization: Unknown  
Incarceration: 45 days of probation in Cass County Jail, subject to review  
Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: Continue counseling; Complete Victim Impact Panel

Other Information: None

## CHILD ENDANGERMENT

ID:	055
Gender:	Female
City/Township of Residence:	Dowling, MI
Vehicle Type:	Passenger car
Age on Arrest Date:	35 years
Date of Arrest:	02/15/2002
Day of Arrest:	Friday
Time of Arrest:	8:55 p.m.
Date of Conviction:	02/12/2002
Sentencing Date:	03/18/2002
County of Arrest:	Barry
Arresting Agency:	Michigan State Police
Blood Alcohol Level:	.10 (Breath)
License Status on Arrest Date:	Unknown
This Offense Crash Involvement:	No
Past Traffic Crashes:	None
Past Traffic Convictions:	2
Past Criminal Convictions:	Unknown
Original Charges at Arrest:	OUIL/UBAC; Child Endangerment; No OPS
Plea Agreement:	Yes
Convictions:	OWI
Children:	Female (15 years)
Financial Sanctions:	\$725.00
Probation:	6 months
Vehicle Immobilization:	Unknown
Incarceration:	1 day
Community Service:	Unknown
License Sanctions:	Unknown
Sanctions/Conditions:	Obtain and pay for alcohol assessment; Complete appropriate level of education/counseling as directed
Other Information:	None

## ANY COMBINATION OF THREE ALCOHOL OFFENSES

ID: 074  
Gender: Female  
City/Township of Residence: Caseville, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 28 years  
Date of Arrest: 12/08/2000  
Day of Arrest: Friday  
Time of Arrest: 11:15 p.m.  
Date of Conviction: 04/23/2001  
Sentencing Date: 04/23/2001  
County of Arrest: Huron  
Arresting Agency: Michigan State Police

Blood Alcohol Level: .106 (PBT)  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: Unknown

Past Traffic Crashes: None  
Past Traffic Convictions: 4  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL/UBAC 2<sup>nd</sup> Offense Combined; Defective Equipment  
Plea Agreement: Yes  
Convictions: Careless Driving; Drunk and Disorderly in Public  
Children: No  
Financial Sanctions: \$2,229.00  
Probation: 1 year  
Vehicle Immobilization: No  
Incarceration: 20 days starting 04/27/2001, day reporting allowable  
Community Service: No  
License Sanctions: No  
Sanctions/Conditions: "HCSD" Day reporting program 19 days starting 04/27/2001; Outpatient counseling at "Huron Behavioral Health Services"; AA meetings once per week with monthly proof to probation officer

Other Information: 9/17/1998 OWI

## ANY COMBINATION OF THREE ALCOHOL OFFENSES

ID: 075  
Gender: Male  
City/Township of Residence: Lewiston, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 42 years  
Date of Arrest: 05/05/2000  
Day of Arrest: Friday  
Time of Arrest: Unknown  
Date of Conviction: 08/14/2000  
Sentencing Date: Unknown  
County of Arrest: Presque Isle  
Arresting Agency: Presque Isle Sheriff Department

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: Unknown

Past Traffic Crashes: 1 (03/30/1999, One Vehicle)  
Past Traffic Convictions: 6  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL per se 3<sup>rd</sup> Offense  
Plea Agreement: Yes  
Convictions: OUIL per se 3<sup>rd</sup> Offense  
Financial Sanctions: \$3,315.00  
Probation: 5 years  
Vehicle Immobilization: 1 year  
Incarceration: 6 months; Work release; Judge to review in 3 months  
Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: Maintain full-time employment, outpatient substance abuse treatment program

Other Information: 03/01/2001 Asked for shorter probation; Probation vacated on 03/12/2001; 03/21/2001 probation violation; Tested positive for marijuana resulting in return to jail.

## ANY COMBINATION OF THREE ALCOHOL OFFENSES

ID: 076  
Gender: Male  
City/Township of Residence: Flint, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 30 years  
Date of Arrest: 08/07/2000  
Day of Arrest: Monday  
Time of Arrest: 9:35 p.m.  
Date of Conviction: 07/23/2001  
Sentencing Date: 08/28/2001  
County of Arrest: Genesee  
Arresting Agency: Michigan State Police

Blood Alcohol Level: .14 (Breath)  
License Status on Arrest Date: Denied (Revoked twice)  
This Offense Crash Involvement: No

Past Traffic Crashes: 3 (01/23/1993 Two Vehicles, One Serious Injury, 01/28/1997 One Vehicle, 02/14/2000 Two Vehicles)  
Past Traffic Convictions: 11  
Past Criminal Convictions: Yes

Original Charges at Arrest: OUIL per se; OWI 3<sup>rd</sup> Offense; DWLS/R  
Plea Agreement: Yes  
Convictions: OUIL per se; OWI 3<sup>rd</sup> Offense  
Children: No  
Financial Sanctions: \$1,280.00  
Probation: 3 years  
Vehicle Immobilization: No  
Incarceration: 90 days  
Community Service: No  
License Sanctions: Suspended 1 year  
Sanctions/Conditions: Community Recovery Services (CRS)  
Attend AA meetings; Continue prescribed Antabuse if medically appropriate; Release for "CRS" meetings; Work release if called back to work

Other Information: Evaluation by "IARC" showed alcohol dependence; 02/03/1993 OWI; 08/17/1995 Driver with Open Intoxicants in Motor Vehicle; 02/04/1997 OUIL; 04/09/1997 DUIL; 05/03/1999 OUIL; 03/02/2000 Careless Driving; 07/031/2002 Felonious Assault. Previous Treatment in 1993 "NCAA", two times; 1998 "New Paths" 30 day program

## ANY COMBINATION OF THREE ALCOHOL OFFENSES

ID: 078  
Gender: Male  
City/Township of Residence: Cedar, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 34 years  
Date of Arrest: 03/10/2002  
Day of Arrest: Sunday  
Time of Arrest: 4:19 p.m.  
Date of Conviction: 04/05/2002  
Sentencing Date: 04/26/2002  
County of Arrest: Lelanau  
Arresting Agency: Lelanau County Sheriff Department

Blood Alcohol Level: .07/.07 (Breath)  
License Status on Arrest Date: Suspended  
This Offense Crash Involvement: Hit & Run

Past Traffic Crashes: 1 (09/25/2001 Three Vehicles, Six Seriously Injured)  
Past Traffic Convictions: 18 Total; 11/28/2001 Reckless Driving; 10/29/2001 OWI;  
10/05/2001 OUIL  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL 2<sup>nd</sup> Offense; Fail to Stop or Identify PDA; DWLS/R; Driver with Open Intoxicants in Motor Vehicle  
Plea Agreement: Yes  
Convictions: OUIL; Fail to Stop or Identify PDA; DWLS/R; Driver with Open Intoxicants in Motor Vehicle  
Children: Unknown  
Financial Sanctions: \$1,082.00  
Probation: 1 year  
Vehicle Immobilization: Yes  
Incarceration: 48 days  
Community Service: Unknown  
License Sanctions: Unknown  
Programs: Intensive outpatient program at "Munson"  
Sanctions/Conditions: Three AA meetings per week with verification of attendance; plates confiscated

Other Information: None



## ANY COMBINATION OF THREE ALCOHOL OFFENSES

ID: 080  
Gender: Male  
City/Township of Residence: Midland, MI  
Vehicle Type: Unknown  
Age on Arrest Date: 33 years  
Date of Arrest: 11/24/2001  
Day of Arrest: Saturday  
Time of Arrest: Unknown  
Date of Conviction: 02/04/2002  
Sentencing Date: Unknown  
County of Arrest: Midland  
Arresting Agency: Midland Sheriff Department

Blood Alcohol Level: .29 (Method Unknown)  
License Status on Arrest Date: Denied  
This Offense Crash Involvement: Unknown

Past Traffic Crashes: 1 (12/05/1997 One Vehicle, One Serious Injury, One Death)  
Past Traffic Convictions: 9  
Past Criminal Convictions: Yes

Original Charges at Arrest: OUIL Causing Serious Injury; OUIL per se 3<sup>rd</sup> Offense; DWLS/R; Habitual Offender 2<sup>nd</sup>

Plea Agreement: Yes  
Convictions: OUIL Causing Serious Injury  
Children: No  
Financial Sanctions: \$1,000.00 restitution (remains open)  
Probation: Unknown  
Vehicle Immobilization: Unknown  
Incarceration: 40 months, max 60 months  
Community Service: Unknown  
License Sanctions: Unknown  
Sanctions/Conditions: Substantial substance abuse counseling

Other Information: Imposed sentence outside recommended range.  
Discharged from probation on an OUIL 3<sup>rd</sup> three months prior to current offense; 04/09/1990 Negligent Homicide; 01/17/1995 OUIL; 08/12/1999 OUIL per se

## ANY COMBINATION OF THREE ALCOHOL OFFENSES

ID: 081  
Gender: Male  
City/Township of Residence: Washington Township, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 31 years  
Date of Arrest: 10/02/2001  
Day of Arrest: Tuesday  
Time of Arrest: 10:57 p.m.  
Date of Conviction: 11/06/2001  
Sentencing Date: 01/11/2002  
County of Arrest: Macomb  
Arresting Agency: Macomb County Sheriff

Blood Alcohol Level: .15 (PBT)  
License Status on Arrest Date: Confiscated/Destroyed, will be Denied  
This Offense Crash Involvement: No

Past Traffic Crashes: None  
Past Traffic Convictions: 7  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL per se 3<sup>rd</sup> Offense  
Plea Agreement: Yes  
Convictions: OUIL 2<sup>nd</sup> Offense  
Children: No  
Financial Sanctions: \$2,490.00  
Probation: 2 years  
Vehicle Immobilization: 6 months  
Incarceration: 15 - 30 years  
Community Service: Unknown  
License Sanctions: License destroyed  
Sanctions/Conditions: Outpatient counseling at "Macomb County Services"  
length of counseling at discretion of therapist;  
AA meetings 3 times a week with monthly verification to  
probation officer; Plates confiscated and vehicle towed

Other Information: Defendant was passed out in running vehicle at a gas station; 12/07/1993 OWI; 05/06/1999 OUIL

## ANY COMBINATION OF THREE ALCOHOL OFFENSES

ID: 082  
Gender: Male  
City/Township of Residence: Holland, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 37 years  
Date of Arrest: 02/28/2002  
Day of Arrest: Thursday  
Time of Arrest: Unknown  
Date of Conviction: 03/18/2002  
Sentencing Date: 04/15/2002  
County of Arrest: Ottawa  
Arresting Agency: Holland Police Department

Blood Alcohol Level: .15 (PBT)  
License Status on Arrest Date: Suspended  
This Offense Crash Involvement: Unknown

Past Traffic Crashes: None  
Past Traffic Convictions: 7  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL/UBAC/OWI per se 3<sup>rd</sup> Offense; Domestic Violence  
Plea Agreement: Yes  
Convictions: OUIL/UBAC/OWI per se 3<sup>rd</sup> Offense  
Children: No  
Financial Sanctions: \$1,817.00  
Probation: 4 months on electronic monitoring and sobriety in lieu of jail

Vehicle Immobilization: No  
Incarceration: 47 days (already served)  
Community Service: 60 days  
License Sanctions: Revoked  
Sanctions/Conditions: Substance abuse evaluation; Outpatient treatment; Marriage and anger management classes

Other Information: 02/24/1998 OUIL/UBAC; 05/16/2000 OUIL/UBAC

## ANY COMBINATION OF THREE ALCOHOL OFFENSES

ID:	083
Gender:	Male
City/Township of Residence:	Detroit, MI
Vehicle Type:	Unknown
Age on Arrest Date:	31 years
Date of Arrest:	8/25/2000
Day of Arrest:	Friday
Time of Arrest:	Unknown
Date of Conviction:	12/04/2000
Sentencing Date:	01/23/2001
County of Arrest:	Wayne
Arresting Agency:	Unknown
Blood Alcohol Level:	Unknown
License Status on Arrest Date:	Unknown
This Offense Crash Involvement:	Unknown
Past Traffic Crashes:	None
Past Traffic Convictions:	9
Past Criminal Convictions:	Unknown
Original Charges at Arrest:	OUIL per se 3 <sup>rd</sup> Offense
Plea Agreement:	No
Convictions:	OUIL per se 3 <sup>rd</sup> Offense
Children:	No
Financial Sanctions:	\$1,000.00
Probation:	3 years
Vehicle Immobilization:	Unknown
Incarceration:	7 months
Community Service:	Unknown
License Sanctions:	Unknown
Sanctions/Conditions:	Unknown
Other Information:	10/31/2000 Outstanding warrant for OUIL per se

## ANY COMBINATION OF THREE ALCOHOL OFFENSES

ID:	084
Gender:	Male
City/Township of Residence:	Detroit, MI
Vehicle Type:	Unknown
Age on Arrest Date:	40 years
Date of Arrest:	06/15/2001
Day of Arrest:	Friday
Time of Arrest:	Unknown
Date of Conviction:	09/17/2001
Sentencing Date:	11/09/2001
County of Arrest:	Wayne
Arresting Agency:	Unknown
Blood Alcohol Level:	Unknown
License Status on Arrest Date:	Unknown
This Offense Crash Involvement:	Unknown
Past Traffic Crashes:	None
Past Traffic Convictions:	5
Past Criminal Convictions:	Unknown
Original Charges at Arrest:	OUIL per se 3 <sup>rd</sup> Offense
Plea Agreement:	No
Convictions:	OUIL per se 3 <sup>rd</sup> Offense
Children:	No
Financial Sanctions:	\$930.00
Probation:	2 years
Vehicle Immobilization:	Unknown
Incarceration:	No
Community Service:	Yes
License Sanctions:	Unknown
Programs:	Unknown
Sanctions/Conditions:	Unknown
Other Information:	None

## ANY COMBINATION OF THREE ALCOHOL OFFENSES

ID: 085  
Gender: Male  
City/Township of Residence: Bannister, MI  
Vehicle Type: Pickup truck  
Age on Arrest Date: 23 years  
Date of Arrest: 8/10/2000  
Day of Arrest: Thursday  
Time of Arrest: 2:25 a.m.  
Date of Conviction: 10/09/2000  
Sentencing Date: 11/13/2000  
County of Arrest: Gratiot  
Arresting Agency: Gratiot County Sheriff

Blood Alcohol Level: .278 (PBT); .23/.23 (BAC)  
License Status on Arrest Date: Suspended  
This Offense Crash Involvement: Unknown

Past Traffic Crashes: 1 (04/29/1998 One Vehicle, One Serious Injury)  
Past Traffic Convictions: 7  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL/UBAC; DWLS/R  
Plea Agreement: Yes  
Convictions: OUIL per se 3<sup>rd</sup> Offense  
Children: No  
Financial Sanctions: \$3,980.00  
Probation: 3 years  
Vehicle Immobilization: Unknown  
Incarceration: 180 days with 37 days credit  
Community Service: No  
License Sanctions: Revoked  
Sanctions/Conditions: Outpatient substance abuse treatment program at discretion of field agent; AA meetings (with monthly documentation) within 30 days release from jail; Plates confiscated

Other Information: 03/22/1996 OWI; 08/20/1996 OUIL per se; 09/11/1996 DWLS/R; 06/09/1998 OUIL per se; 06/24/1998 DWLS/R

## ANY COMBINATION OF THREE ALCOHOL OFFENSES

ID: 086  
Gender: Male  
City/Township of Residence: New Baltimore, MI  
Vehicle Type: Pickup truck  
Age on Arrest Date: 27 years  
Date of Arrest: 03/19/2001  
Day of Arrest: Sunday  
Time of Arrest: 12:30 a.m.  
Date of Conviction: 02/07/2002  
Sentencing Date: 03/11/2002  
County of Arrest: Macomb  
Arresting Agency: Macomb County Sheriff

Blood Alcohol Level: .13 (PBT); .15/.15 (Breath)  
License Status on Arrest Date: Valid  
This Offense Crash Involvement: No

Past Traffic Crashes: None  
Past Traffic Convictions: 10  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL 2<sup>nd</sup> Offense  
Plea Agreement: Yes  
Convictions: OUIL  
Children: No  
Financial Sanctions: \$975.00  
Probation: Unknown  
Vehicle Immobilization: No  
Incarceration: Unknown  
Community Service: Unknown  
License Sanctions: Unknown  
Programs: Substance abuse report indicates treatment at "Alcohol Highway Safety Education" (AHSE) and attend weekend driver intervention program 02/08/2002. Attend AA meetings, plates confiscated and vehicle towed.

Other Information: Currently on 2<sup>nd</sup> year of probation from 2<sup>nd</sup> drinking and driving 2<sup>nd</sup> arrest; 3<sup>rd</sup> arrest for drinking and driving in a 6 year, 7 month time period; 09/28/1994 OWI; 02/28/1999 OWI; 05/29/2000 Breath Test Refused

## ANY COMBINATION OF THREE ALCOHOL OFFENSES

ID: 087  
Gender: Male  
City/Township of Residence: Battle Creek, MI  
Vehicle Type: Unknown  
Age on Arrest Date: 23 years  
Date of Arrest: 09/12/2001  
Day of Arrest: Wednesday  
Time of Arrest: Unknown  
Date of Conviction: 02/22/2002  
Sentencing Date: 04/09/2002  
County of Arrest: Calhoun  
Arresting Agency: Unknown

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Restricted  
This Offense Crash Involvement: Yes

Past Traffic Crashes: 3 (11/11/1995 One Vehicle, One Serious Injury, 08/22/1996 Two Vehicles, 06/21/1998 One Vehicle)  
Past Traffic Convictions: 22  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OWI; DWLS/R 2<sup>nd</sup> Offense  
Plea Agreement: Yes  
Convictions: OWI  
Children: No  
Financial Sanctions: \$939.00 or 45 days in jail  
Probation: No  
Vehicle Immobilization: Unknown  
Incarceration: No  
Community Service: 45 days  
License Sanctions: Unknown  
Sanctions/Conditions: Standard penalties

Other Information: 02/18/1999 DWLS/R; 09/25/2001 Posted bond for pretrial non-appearance



## ANY COMBINATION OF THREE ALCOHOL OFFENSES

ID: 088  
Gender: Female  
City/Township of Residence: Sterling Heights, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 30 years  
Date of Arrest: 10/12/2001  
Day of Arrest: Friday  
Time of Arrest: 2:10 a.m.  
Date of Conviction: 01/10/2002  
Sentencing Date: 01/10/2002  
County of Arrest: Macomb  
Arresting Agency: New Baltimore State Police

Blood Alcohol Level: .12 (PBT); .10/.10 (Breath)  
License Status on Arrest Date: Valid  
This Offense Crash Involvement: Unknown

Past Traffic Crashes: None  
Past Traffic Convictions: 3  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL per se; OWI 2<sup>nd</sup> Offense  
Plea Agreement: Yes  
Convictions: OUIL  
Children: No  
Financial Sanctions: \$1,570.00 or 90 days in jail, court to review 02/26/2003  
Probation: 1 year (reported only 90 days)  
Vehicle Immobilization: Waived  
Incarceration: No  
Community Service: No  
License Sanctions: Confiscated and destroyed  
Sanctions/Conditions: Outpatient treatment program (completed)

Other Information: 08/11/1994 OWI

## ANY COMBINATION OF THREE ALCOHOL OFFENSES

ID: 089  
Gender: Female  
City/Township of Residence: Benton Harbor, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 55 years  
Date of Arrest: 11/26/2001  
Day of Arrest: Monday  
Time of Arrest: 11:45 a.m.  
Date of Conviction: 12/07/2001  
Sentencing Date: 12/12/2001  
County of Arrest: Berrien  
Arresting Agency: Benton Township Police

Blood Alcohol Level: .286 (Blood)  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: Unknown

Past Traffic Crashes: None  
Past Traffic Convictions: 3  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL 3<sup>rd</sup> Offense  
Plea Agreement: Yes  
Convictions: OUIL/UBAC 2<sup>nd</sup> Offense  
Children: No  
Financial Sanctions: \$1,010.00 or 45 days in jail  
Probation: No  
Vehicle Immobilization: 1 year, vehicle sold -rescinded 12/12/2002  
Incarceration: Yes, unknown amount  
Community Service: 40 hours  
License Sanctions: Unknown

Sanctions/Conditions: Intensive Outpatient Program (IOP) 3-4 times per week;  
Aftercare at counseling center; Attend 2 AA meetings  
per week

Other Information: 11/18/1992 OWI; 12/04/1999 OUIL/UBAC; 11/29/2001  
Letter from defendant indicates 2<sup>nd</sup> offense in 7 years;  
03/05/2001 Letter from defendant in jail asking for  
community service or rehabilitation instead of tether,  
which she cannot afford; 12/12/2002 Vehicle not owned  
by individual; Vehicle Immobilization rescinded due to  
sale of vehicle.

## ANY COMBINATION OF THREE ALCOHOL OFFENSES

ID: 090  
Gender: Male  
City/Township of Residence: Centreville, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 53 years  
Date of Arrest: 05/07/2000  
Day of Arrest: Sunday  
Time of Arrest: Unknown  
Date of Conviction: 06/29/2000  
Sentencing Date: 08/30/2000  
County of Arrest: St. Joseph  
Arresting Agency: Unknown

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: Unknown

Past Traffic Crashes: None  
Past Traffic Convictions: 6  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL/UBAC 2<sup>nd</sup> Offense  
Plea Agreement: No  
Convictions: OUIL/UBAC 2<sup>nd</sup> Offense  
Children: No  
Financial Sanctions: \$1,960.00  
Probation: 24 months  
Vehicle Immobilization: No  
Incarceration: 30 days on weekends  
Community Service: No  
License Sanctions: No  
Sanctions/Conditions: Substance abuse counseling and treatment at own expense

Other Information: None

## ANY COMBINATION OF THREE ALCOHOL OFFENSES

ID: 091  
Gender: Female  
City/Township of Residence: Clarkston, MI  
Vehicle Type: Unknown  
Age on Arrest Date: 46 years  
Date of Arrest: 01/25/2001; 02/28/2001 (while on bond)  
Day of Arrest: Thursday, Wednesday  
Time of Arrest: Unknown  
Date of Conviction: 05/31/2001  
Sentencing Date: 06/28/2001  
County of Arrest: Oakland  
Arresting Agency: Michigan State Police/Groveland

Blood Alcohol Level: .22 (PBT); .22 (Blood) .34 (Blood)  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: Unknown

Past Traffic Crashes: 1 (04/30/1996, One Vehicle, One Serious Injury)  
Past Traffic Convictions: 7  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL per se 3<sup>rd</sup> Offense  
Plea Agreement: No  
Convictions: OUIL per se 3<sup>rd</sup> Offense  
Children: No  
Financial Sanctions: \$2,700.00 + undetermined attorney fees  
Probation: 18 months + consecutive 18 months  
Vehicle Immobilization: 1 year following release from jail  
Incarceration: 1 year  
Community Service: 120 days  
License Sanctions: Revoked  
Sanctions/Conditions: Alcohol abuse program

Other Information: 02/03/1994 OWI; 05/23/1996 UBAC

## ANY COMBINATION OF THREE ALCOHOL OFFENSES

ID: 092  
Gender: Male  
City/Township of Residence: Walker, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 39 years  
Date of Arrest: 03/01/2001  
Day of Arrest: Thursday  
Time of Arrest: 11:53 p.m.  
Date of Conviction: 03/27/2001  
Sentencing Date: 03/27/2001  
County of Arrest: Kent  
Arresting Agency: Walker Police Department

Blood Alcohol Level: .20 (Blood)  
License Status on Arrest Date: Denied  
This Offense Crash Involvement: No

Past Traffic Crashes: 1 (08/31/1995, Two Vehicles, One Serious Injury)  
Past Traffic Convictions: 11  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL/UBAC 2<sup>nd</sup> Offense; DWLS/R 2<sup>nd</sup> Offense;  
Improper Plates; No Proof of Insurance and  
Registration

Plea Agreement: Yes  
Convictions: OUIL/UBAC 2<sup>nd</sup> Offense; DWLS/R 2<sup>nd</sup> Offense  
Children: No  
Financial Sanctions: \$1,100.00  
Probation: Unknown  
Vehicle Immobilization: No  
Incarceration: 100 days  
Community Service: 20 days or 20 days in jail  
License Sanctions: Unknown  
Sanctions/Conditions: Intensive outpatient program; Aftercare; Victim Impact  
Panel; Daily AA meetings for 90 days; Individual  
counseling; Own no motor vehicle

Other Information: 11/16/1995 UBAC; 12/02/1998 DWLS/R; 3 current  
suspensions; 3 prior suspensions; Impounded vehicle,  
had to show proof of sale on sentencing date; Temp.  
plate issued for last arrest

## ANY COMBINATION OF THREE ALCOHOL OFFENSES

ID: 093  
Gender: Male  
City/Township of Residence: Muskegon, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 43 years  
Date of Arrest: 12/01/2001  
Day of Arrest: Saturday  
Time of Arrest: 1:55 a.m.  
Date of Conviction: 02/07/2002  
Sentencing Date: 03/04/2002  
County of Arrest: Muskegon  
Arresting Agency: Muskegon County Sheriff

Blood Alcohol Level: .20 (PBT); .19/.18 (Chemical)  
License Status on Arrest Date: Revoked twice  
This Offense Crash Involvement: No

Past Traffic Crashes: 1 (11/25/1988 Two Vehicles)  
Past Traffic Convictions: 24 Total; 11/13/1992 OUIL; 11/30/1992 OUIL;  
04/13/1998 OUIL 3<sup>rd</sup>, dismissed Habitual 4th;  
04/28/1998 OUIL/UBAC

Past Criminal Convictions: 08/21/1975 Assault and Battery; 05/11/1983 Larceny;  
12/11/1992 Concealed Weapon

Original Charges at Arrest: OUIL per se 3<sup>rd</sup> Offense; DWLS/R 2<sup>nd</sup> Offense; UBAC  
4<sup>th</sup> Offense

Plea Agreement: Yes  
Convictions: OUIL per se 3<sup>rd</sup> Offense; DWLS/R 2<sup>nd</sup> Offense; UBAC  
3<sup>rd</sup> Offense

Children: No  
Financial Sanctions: Unknown  
Probation: Yes  
Vehicle Immobilization: 2 years  
Incarceration: 22 months - 10 years  
Community Service: No  
License Sanctions: Revoked  
Sanctions/Conditions: Six months in intensive outpatient program, and six  
months at Macomb Correctional in level 2 substance  
abuse program.

Other Information: On parole for 3<sup>rd</sup> OUIL, in violation of parole at this  
arrest. Automobile was not owned by defendant.  
Previously treated by Harbor Lights program, West  
Michigan Therapy, and in AA classes.

## ANY COMBINATION OF THREE ALCOHOL OFFENSES

ID: 094  
Gender: Male  
City/Township of Residence: Kalamazoo, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 42 years  
Date of Arrest: 02/22/2001  
Day of Arrest: Thursday  
Time of Arrest: Unknown  
Date of Conviction: 05/18/2001  
Sentencing Date: 05/18/2001  
County of Arrest: Kalamazoo  
Arresting Agency: Kalamazoo Department of Public Safety

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Suspended once, revoked/denied three times  
This Offense Crash Involvement: Unknown

Past Traffic Crashes: 2 (03/13/1985 Two Vehicles, One Serious Injury, 11/11/2000 One Vehicle, One Serious Injury)  
Past Traffic Convictions: 23  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL 3<sup>rd</sup> Offense; DWLS/R 2<sup>nd</sup>; Driver with Open Intoxicants in Motor Vehicle  
Plea Agreement: Yes  
Convictions: OUIL 3<sup>rd</sup> Offense  
Children: No  
Financial Sanctions: Unknown  
Probation: Unknown  
Vehicle Immobilization: No  
Incarceration: 18 months - 10 years  
Community Service: No  
License Sanctions: No  
Sanctions/Conditions: No

Other Information: 12/23/1986 Larceny; 12/23/1986 Attempted Larceny; 09/06/1988 & 09/07/1988 Retail Fraud; 11/16/1988 Delivery/Manufacture of Controlled Substance; 09/16/1989 Retail Fraud; 10/19/1990 Retail Fraud; 11/17/1993 Retail Fraud; 04/29/1996 Retail Fraud; 09/13/2000 UBAC; 12/06/2000 UBAC

## ANY COMBINATION OF THREE ALCOHOL OFFENSES

ID: 095  
Gender: Male  
City/Township of Residence: Toronto, Ontario  
Vehicle Type: Passenger car  
Age on Arrest Date: 30 years  
Date of Arrest: 08/06/2000  
Day of Arrest: Sunday  
Time of Arrest: Unknown  
Date of Conviction: 10/27/2000  
Sentencing Date: 10/27/2000  
County of Arrest: Montcalm  
Arresting Agency: Edmore Police Department

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: Unknown

Past Traffic Crashes: None  
Past Traffic Convictions: 3  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL per se 3<sup>rd</sup>; Marijuana possession  
Plea Agreement: Yes  
Convictions: OUIL per se 3<sup>rd</sup>  
Children: No  
Financial Sanctions: \$1,360.00  
Probation: 2 years  
Vehicle Immobilization: 1 year starting 01/27/2001  
Incarceration: 90 days, work release recommended/30 days  
electronic monitoring in lieu of 30 days jail

Community Service: 150 hours  
License Sanctions: Revoked  
Sanctions/Conditions: No

Other Information: Early probation discharge with improvement  
01/28/2002.



## ANY COMBINATION OF THREE ALCOHOL OFFENSES

ID: 096  
Gender: Male  
City/Township of Residence: Clarkston, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 41 years  
Date of Arrest: 11/21/1999  
Day of Arrest: Sunday  
Time of Arrest: Unknown  
Date of Conviction: 05/12/2000  
Sentencing Date: 03/22/2001  
County of Arrest: Oakland  
Arresting Agency: Oakland County Sheriff

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: Unknown

Past Traffic Crashes: None  
Past Traffic Convictions: 4  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL/UBAC  
Plea Agreement: Yes  
Convictions: OWI  
Children: No  
Financial Sanctions: \$630.00  
Probation: No  
Vehicle Immobilization: No  
Incarceration: No  
Community Service: No  
License Sanctions: Yes  
Sanctions/Conditions: No

Other Information: None

## ANY COMBINATION OF THREE ALCOHOL OFFENSES

ID: 097  
Gender: Male  
City/Township of Residence: Garden City, MI  
Vehicle Type: Pickup truck  
Age on Arrest Date: 27 years  
Date of Arrest: 05/30/2000  
Day of Arrest: Tuesday  
Time of Arrest: 11:28 p.m.  
Date of Conviction: 06/20/2000  
Sentencing Date: 07/19/2000  
County of Arrest: Wayne  
Arresting Agency: Garden City Police Department

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Suspended  
This Offense Crash Involvement: No

Past Traffic Crashes: 1 (09/10/1998 One Vehicle, One Serious Injury)  
Past Traffic Convictions: 22  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL/UBAC; DWLS/R; Breath Test Refused  
Plea Agreement: Yes  
Convictions: UBAC 1<sup>st</sup> Offense  
Children: No  
Financial Sanctions: \$1,105.00  
Probation: 2 years  
Vehicle Immobilization: 1 year starting 09/19/2000  
Incarceration: 15 days  
Community Service: No  
License Sanctions: No  
Sanctions/Conditions: No

Other Information: Vehicle impounded; 10/24/2000 Disposed of vehicle

## ANY COMBINATION OF THREE ALCOHOL OFFENSES

ID: 098  
Gender: Male  
City/Township of Residence: Quinnesec, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 28 years  
Date of Arrest: 10/22/1999  
Day of Arrest: Friday  
Time of Arrest: Unknown  
Date of Conviction: 01/06/2000  
Sentencing Date: 01/05/2000  
County of Arrest: Dickinson  
Arresting Agency: Michigan State Police/Iron Mountain

Blood Alcohol Level: .23 (Breath); .22 (Breath)  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: Yes

Past Traffic Crashes: 1 (01/15/1998 One Vehicle)  
Past Traffic Convictions: 8  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL per se 3<sup>rd</sup>; DWLS/R 2<sup>nd</sup> Offense  
Plea Agreement: Yes  
Convictions: OUIL per se 3<sup>rd</sup>  
Children: No  
Financial Sanctions: \$1,600.00  
Probation: 2 years  
Vehicle Immobilization: No  
Incarceration: 10 months  
Community Service: 60 days  
License Sanctions: No  
Sanctions/Conditions: Work release; 1 AA meeting per week; Plates confiscated

Other Information: 01/30/1998 OUIL; 09/01/1998 OUIL; 12/08/1999 OUIL per se 2 years probation; 11/09/2001 Probation violation with .24 BAC resulting in 2 months in jail with work release

## ANY COMBINATION OF THREE ALCOHOL OFFENSES

ID: 099  
Gender: Male  
City/Township of Residence: Three Rivers, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 44 years  
Date of Arrest: 12/06/1999  
Day of Arrest: Monday  
Time of Arrest: Unknown  
Date of Conviction: 01/18/2000  
Sentencing Date: 02/17/2000  
County of Arrest: St. Joseph  
Arresting Agency: St. Joseph County Sheriff

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Denied twice, Revoked twice  
This Offense Crash Involvement: Unknown

Past Traffic Crashes: None  
Past Traffic Convictions: 13 Total; 12/04/1993, 2/21/1996 & 03/03/1996, DWLS/R; 12/12/1994 DWLR; 03/24/1996 & 07/22/1996 DWLS/R; 10/09/1996 OUIL per se; 07/15/1997 OUIL per se; 11/24/1998 OUIL per se  
Past Criminal Convictions: 09/07/1994 OUIL/UBAC causing death

Original Charges at Arrest: OUIL/UBAC 3<sup>rd</sup> Offense; DWLS/R 2<sup>nd</sup> Offense  
Plea Agreement: Yes  
Convictions: OUIL/UBAC 3<sup>rd</sup> Offense  
Children: No  
Financial Sanctions: \$1,005.00  
Probation: 1 year  
Vehicle Immobilization: No  
Incarceration: 1 year  
Community Service: No  
License Sanctions: Revoked until 05/12/2008  
Sanctions/Conditions: Substance abuse counseling

Other Information: Defendant has no idea how many OUIL convictions he has; 01/10/2001 Probation violation for OUIL with BAC of .112 (PBT)

**ANY COMBINATION OF THREE ALCOHOL OFFENSES**

ID: 100  
Gender: Male  
City/Township of Residence: Battle Creek, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 44 years  
Date of Arrest: 01/23/2000  
Day of Arrest: Sunday  
Time of Arrest: Unknown  
Date of Conviction: 05/03/2000  
Sentencing Date: Unknown  
County of Arrest: Calhoun  
Arresting Agency: Albion Department of Public Safety

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: Unknown

Past Traffic Crashes: None  
Past Traffic Convictions: 4  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL per se  
Plea Agreement: No  
Convictions: OUIL per se  
Children: No  
Financial Sanctions: \$964  
Probation: 9 months, revoked 11/01/2000  
Vehicle Immobilization: No  
Incarceration: No  
Community Service: No  
License Sanctions: No  
Sanctions/Conditions: Work release as of 11/01/2000; Counseling by direction of probation officer

Other Information: 06/05/2000 Non-appearance for sentencing;  
06/20/2000 Bench warrant issued for arrest;  
11/01/2000 Probation revoked, 30 days in jail or \$806

## ANY COMBINATION OF THREE ALCOHOL OFFENSES

ID: 101  
Gender: Female  
City/Township of Residence: Metamora, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 33 years  
Date of Arrest: 10/03/2000  
Day of Arrest: Tuesday  
Time of Arrest: Unknown  
Date of Conviction: 03/15/2001  
Sentencing Date: 05/21/2001  
County of Arrest: Oakland  
Arresting Agency: Oakland County Sheriff

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: No

Past Traffic Crashes: 1 (10/23/1997 Two Vehicles, One Serious Injury)  
Past Traffic Convictions: 4  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL per se 3<sup>rd</sup>  
Plea Agreement: No  
Convictions: OUIL per se 3<sup>rd</sup>  
Children: No  
Financial Sanctions: \$1,800.00  
Probation: 18 months  
Vehicle Immobilization: Yes, the club  
Incarceration: 30 days, work release  
Community Service: If unable to pay  
License Sanctions: Yes  
Sanctions/Conditions: Work release; AA meetings 2 times per week with written verification; Personal substance abuse counseling sessions; Plates confiscated

Other Information: Sold vehicle

## ANY COMBINATION OF THREE ALCOHOL OFFENSES

ID: 102  
Gender: Male  
City/Township of Residence: Woodland, MI  
Vehicle Type: Pickup truck  
Age on Arrest Date: 37  
Date of Arrest: 10/12/2000  
Day of Arrest: Thursday  
Time of Arrest: 11:42 p.m.  
Date of Conviction: 11/14/2000  
Sentencing Date: 11/14/2000  
County of Arrest: Barry  
Arresting Agency: Barry County Sheriff

Blood Alcohol Level: .20 (PBT)  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: Unknown

Past Traffic Crashes: 1 (09/09/1995 One Vehicle)  
Past Traffic Convictions: 9  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL per se/UBAC/OWI 2<sup>nd</sup> Offense; DWLS/R; Expired Plates

Plea Agreement: Yes  
Convictions: OWI 2<sup>nd</sup> Offense  
Children: No  
Financial Sanctions: \$725.00  
Probation: 1 year  
Vehicle Immobilization: 1 year effective 01/13/2001  
Incarceration: 30 days  
Community Service: No  
License Sanctions: No  
Sanctions/Conditions: Victim Impact Panel; Alcohol assessment at own cost with appropriate level of treatment/counseling recommended.

Other Information: 04/16/1996 OWI; 11/16/2001 Satisfactory probation discharge

## ANY COMBINATION OF THREE ALCOHOL OFFENSES

ID: 103  
Gender: Male  
City/Township of Residence: Goodrich, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 32  
Date of Arrest: 01/25/2001  
Day of Arrest: Thursday  
Time of Arrest: 2:15 a.m.  
Date of Conviction: 05/25/2001  
Sentencing Date: 06/25/2001  
County of Arrest: Genesee  
Arresting Agency: Genesee County Sheriff

Blood Alcohol Level: .21 /.19 (Breath)  
License Status on Arrest Date: Valid  
This Offense Crash Involvement: Unknown

Past Traffic Crashes: 1 (11/22/1996 Two Vehicles)  
Past Traffic Convictions: 8  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL per se 3<sup>rd</sup> Offense  
Plea Agreement: No  
Convictions: OUIL per se 3<sup>rd</sup> Offense  
Children: No  
Financial Sanctions: \$2,560.00  
Probation: 3 years  
Vehicle Immobilization: No  
Incarceration: 45 days, can be served in "New Path" long-term treatment program, work release allowed.

Community Service: No  
License Sanctions: No  
Sanctions/Conditions: Outpatient substance abuse treatment; One AA/NA/CA meeting per week with proof to probation officer; IARC Evaluation; Substance abuse counseling and follow recommendations; Plates confiscated

Other Information: 09/10/1995 OWI; 11/22/1996 OUIL  
In 1997 Alcohol abuse treatment at "MI Counseling Services"; 2001 Current outpatient treatment with "McLaren"



## ANY COMBINATION OF THREE ALCOHOL OFFENSES

ID: 104  
Gender: Male  
City/Township of Residence: Gladwin, MI  
Vehicle Type: Sport Utility Vehicle  
Age on Arrest Date: 30 years  
Date of Arrest: 12/28/2000  
Day of Arrest: Thursday  
Time of Arrest: 1:54 p.m.  
Date of Conviction: 02/06/2001  
Sentencing Date: 10/08/2001  
County of Arrest: Gladwin  
Arresting Agency: Gladwin County Sheriff

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: Unknown

Past Traffic Crashes: None  
Past Traffic Convictions: 5  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL per se 3<sup>rd</sup> Offense  
Plea Agreement: Yes  
Convictions: OUIL per se 2<sup>nd</sup> Offense  
Children: No  
Financial Sanctions: \$1,905.00  
Probation: 2 years, 03/05/2001 through 03/05/2003  
Vehicle Immobilization: No  
Incarceration: 90 days, held in abeyance, work release  
Community Service: No  
License Sanctions: Yes  
Sanctions/Conditions: Jail Alcohol program/alcohol assessment; PBT four times per week by 12:00 p.m.

Other Information: 08/27/2001 Failure to Appear in Court; 09/17/2001 Probation violation, term extended 6 months, fined \$350; 03/26/2002 Failure to pay costs

## ANY COMBINATION OF THREE ALCOHOL OFFENSES

ID: 106  
Gender: Male  
City/Township of Residence: Lapeer, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 38 years  
Date of Arrest: 12/31/1999  
Day of Arrest: Friday  
Time of Arrest: Unknown  
Date of Conviction: 10/30/2000  
Sentencing Date: 12/11/2000  
County of Arrest: Lapeer  
Arresting Agency: Lapeer County Sheriff

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: No

Past Traffic Crashes: 1 (01/17/1993 One Vehicle)  
Past Traffic Convictions: 8  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL per se 3<sup>rd</sup> Offense; Driving Without a License;  
Expired Plates

Plea Agreement: Yes  
Convictions: OUIL per se 3<sup>rd</sup> Offense  
Children: No  
Financial Sanctions: \$1,840.00  
Probation: 18 months  
Vehicle Immobilization: No  
Incarceration: 6 months served  
Community Service: 360 hours  
License Sanctions: Revoked  
Sanctions/Conditions: Substance abuse treatment; Jail substance abuse  
program; Three months in day reporting program

Other Information: 01/13/1994 OIUL; 08/01/1996 OUIL per se; 04/15/2002  
Probation revoked.

## ANY COMBINATION OF THREE ALCOHOL OFFENSES

ID: 107  
Gender: Male  
City/Township of Residence: Caseville, MI  
Vehicle Type: Unknown  
Age on Arrest Date: 27 years  
Date of Arrest: 10/16/1999  
Day of Arrest: Saturday  
Time of Arrest: Unknown  
Date of Conviction: 01/31/2000  
Sentencing Date: 03/24/2000  
County of Arrest: Tuscola  
Arresting Agency: Michigan State Police

Blood Alcohol Level: .20/.20 (Breath)  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: Unknown

Past Traffic Crashes: None  
Past Traffic Convictions: 5  
Past Criminal Convictions: Yes

Original Charges at Arrest: OUIL per se 3<sup>rd</sup> Offense; Driver with Open Intoxicants in Motor Vehicle; Habitual 2<sup>nd</sup> Offense; Supplemental Habitual 3<sup>rd</sup> Offense OUIL per se

Plea Agreement: Yes  
Convictions: OUIL per se 3<sup>rd</sup> Offense  
Children: No  
Financial Sanctions: \$1,560.00  
Probation: 5 years  
Vehicle Immobilization: No  
Incarceration: 180 days starting 03/24/2000  
Community Service: Unknown  
License Sanctions: Revoked

Sanctions/Conditions: Complete day reporting and work site portions of Community Corrections Program

Other Information: 06/17/1991 OWI; 09/30/1991 OUIL; 10/14/1992 Receive and Conceal Stolen Property in Excess of \$100.00 (felony)

## ANY COMBINATION OF THREE ALCOHOL OFFENSES

ID: 109  
Gender: Male  
City/Township of Residence: Hillsdale, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 35 years  
Date of Arrest: 09/29/2001  
Day of Arrest: Saturday  
Time of Arrest: 2:00 a.m.  
Date of Conviction: Unknown  
Sentencing Date: 01/30/2002  
County of Arrest: Hillsdale  
Arresting Agency: Jonesville Police Department

Blood Alcohol Level: .255 (Breath)  
License Status on Arrest Date: Unknown  
This Offense Crash Involvement: Unknown

Past Traffic Crashes: 1 (11/10/1997 Two Vehicles)  
Past Traffic Convictions: 10  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL 3<sup>rd</sup> Offense; DWLS/R; Expired Plates; Driver with Open Intoxicants in Motor Vehicle; No Proof of Insurance

Plea Agreement: Yes  
Convictions: OUIL 2<sup>nd</sup> Offense; DWLS/R; Expired Plates; Driver with Open Intoxicants in Motor Vehicle

Children: No  
Financial Sanctions: \$2,043.00  
Probation: 2 years  
Vehicle Immobilization: No  
Incarceration: 90 days  
Community Service: No  
License Sanctions: No  
Sanctions/Conditions: Intensive outpatient treatment; 30 days jail and \$500; If successful completion of probation and treatment, fines can be reduced/suspended.

Other Information: 09/04/2001 OWI; 11/05/2001 OUIL/UBAC

## ANY COMBINATION OF THREE ALCOHOL OFFENSES

ID:	111
Gender:	Male
City/Township of Residence:	Unknown
Vehicle Type:	Passenger car
Age on Arrest Date:	31 years
Date of Arrest:	10/07/2001
Day of Arrest:	Sunday
Time of Arrest:	Unknown
Date of Conviction:	11/30/2001
Sentencing Date:	Unknown
County of Arrest:	Wayne
Arresting Agency:	Unknown
Blood Alcohol Level:	Unknown
License Status on Arrest Date:	Denied (Revoked six times, suspended once)
This Offense Crash Involvement:	Unknown
Past Traffic Crashes:	4 (01/06/1988 Two Vehicles, One Serious Injury, 11/26/1988 Three Vehicles, Two Serious Injuries, 09/29/1992 Two Vehicles, One Serious Injury, 09/30/1995 One Vehicle, One Serious Injury
Past Traffic Convictions:	20
Past Criminal Convictions:	Unknown
Original Charges at Arrest:	Unknown
Plea Agreement:	Unknown
Convictions:	Unknown
Children:	Unknown
Financial Sanctions:	\$365.00
Probation:	Unknown
Vehicle Immobilization:	Unknown
Incarceration:	Unknown
Community Service:	Unknown
License Sanctions:	Unknown
Sanctions/Conditions:	Unknown
Other Information:	None

## ANY COMBINATION OF THREE ALCOHOL OFFENSES

ID: 112  
Gender: Male  
City/Township of Residence: Clawson, MI  
Vehicle Type: Pickup truck  
Age on Arrest Date: 38 years  
Date of Arrest: 03/24/2001  
Day of Arrest: Thursday  
Time of Arrest: Unknown  
Date of Conviction: 07/25/2001  
Sentencing Date: 08/08/2002  
County of Arrest: Oakland  
Arresting Agency: Troy Police Department

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Denied/Revoked  
This Offense Crash Involvement: Unknown

Past Traffic Crashes: 1 (12/29/1992 Two Vehicles, One Serious Injury)  
Past Traffic Convictions: 12  
Past Criminal Convictions: Yes

Original Charges at Arrest: OUIL per se 3<sup>rd</sup> Offense; DWLS/R 2<sup>nd</sup> Offense  
Plea Agreement: No  
Convictions: OUIL per se 3<sup>rd</sup> Offense; DWLS/R 2<sup>nd</sup> Offense  
Children: No  
Financial Sanctions: \$1,820.00  
Probation: 2 years  
Vehicle Immobilization: 1 year, club not a candidate, wife's vehicle  
Incarceration: 7 months with work release  
Community Service: 80 days  
License Sanctions: Revoked  
Sanctions/Conditions: Substance abuse program and tether for 5 months after jail; Plates confiscated

Other Information: 05/13/1985 OWI; 04/07/1992 UBAC; 01/12/1995 UBAC; 01/08/1996 DWLS/R; 02/13/2001 OUIL; 03/01/2001 Delivery/manufacture of marijuana; 7/26/2002 Probation violation

## ANY COMBINATION OF THREE ALCOHOL OFFENSES

ID: 113  
Gender: Female  
City/Township of Residence: Michigan Center, MI  
Vehicle Type: Passenger car  
Age on Arrest Date: 41 years  
Date of Arrest: 05/23/2001  
Day of Arrest: Wednesday  
Time of Arrest: 4:16 a.m.  
Date of Conviction: 10/18/2001  
Sentencing Date: 10/18/2001  
County of Arrest: Jackson  
Arresting Agency: Blackman Township Police

Blood Alcohol Level: Unknown  
License Status on Arrest Date: Denied/Revoked (Revoked three times)  
This Offense Crash Involvement: Unknown

Past Traffic Crashes: 2 (06/21/1999, 06/12/2001 Both Two Vehicles)  
Past Traffic Convictions: 16  
Past Criminal Convictions: Unknown

Original Charges at Arrest: OUIL 1<sup>st</sup> Offense; Expired License  
Plea Agreement: No  
Convictions: OUIL 1<sup>st</sup> Offense; Expired License  
Children: No  
Financial Sanctions: Credit for 90 days incarceration  
Probation: No  
Vehicle Immobilization: No  
Incarceration: 90 days credit, defendant is already in jail  
Community Service: No  
License Sanctions: No  
Sanctions/Conditions: No

Other Information: 90 days jail time concurrent with another sentence in Washtenaw County

**2.11. Determine the extent to which vehicle forfeiture is applied by the courts in sentencing.**

**Methods**

To determine the extent to which vehicle forfeiture was applied by the courts, the MDR Locator Dataset was analyzed, which has a field that indicates vehicle forfeiture. This field only indicates forfeiture for vehicles registered in Michigan and for non-commercial-driver licenses (non-CDLs). Vehicle forfeiture, therefore, was only analyzed for Michigan registered vehicles and non-CDLs between June 1, 1999 and January 31, 2002. This file was then merged with the MDR Client Dataset to obtain sex and age of the offender and the county where the incident occurred.

**Results**

There was a total of 215 cases in which vehicles were identified as being forfeited. Of these cases, 191 (88.8 percent) were for men. Table 14 shows the percent and frequency of vehicle forfeiture by age group. The majority of forfeitures were for offenders in the 21 to 40 year old age group.

<b>Table 14: Vehicle Forfeiture by Age Group</b>		
<b>Age Group, Years</b>	<b>Percent</b>	<b>Frequency</b>
<b>Under 21</b>	1.4	3
<b>21-40</b>	58.6	126
<b>41-64</b>	37.7	81
<b>65-up</b>	2.3	5

Table 15 shows the frequency of vehicle forfeiture by the 83 counties in Michigan. As expected, forfeitures were most common in counties in Southeastern Michigan where the majority of Michigan's population resides.



**Table 15: Vehicle Forfeitures by County**

Alcona	0	Gratiot	0	Missaukee	1
Alger	0	Hillsdale	0	Monroe	2
Allegan	0	Houghton	0	Montcalm	0
Alpena	2	Huron	0	Montmorency	0
Antrim	3	Ingham	12	Muskegon	3
Arenac	0	Ionia	1	Newaygo	0
Baraga	0	Iosco	0	Oakland	21
Barry	1	Iron	0	Oceana	1
Bay	0	Isabella	0	Ogemaw	0
Benzie	1	Jackson	20	Ontonagon	1
Berrien	0	Kalamazoo	12	Osceola	0
Branch	0	Kalkaska	1	Oscoda	0
Calhoun	3	Kent	10	Otsego	3
Cass	1	Keweenaw	0	Ottawa	0
Charlevoix	1	Lake	0	Presque Isle	2
Cheboygan	1	Lapeer	5	Roscommon	1
Chippewa	0	Leelanau	4	Saginaw	1
Clare	0	Lenawee	4	St. Clair	2
Clinton	1	Livingston	10	St. Joseph	0
Crawford	0	Luce	0	Sanilac	1
Delta	0	Mackinac	0	Schoolcraft	0
Dickinson	0	Macomb	25	Shiawasee	2
Eaton	3	Manistee	0	Tuscola	2
Emmett	0	Marquette	2	Van Buren	1
Genesee	1	Mason	0	Washtenaw	8
Gladwin	0	Mecosta	0	Wayne	34
Gogebic	0	Menominee	0	Wexford	0
Gr. Traverse	3	Midland	1	Unknown	1

## 2.12. Track the denial of vehicle registrations to the extent possible using data collected by the Department of State.

### Methods

To track the denial of vehicle registrations, the Repeat Offender Dataset, maintained by the DOS, was analyzed for registration-denial records up to January 31, 2002. This data set was merged with the MDR Client Dataset to determine the sex and age group of individuals with a registration-denial record. The Repeat Offender Dataset contained only personal identification (PID) numbers for 57,974 of the 133,591 registration-denial cases on record and no driver license number. The MDR data provided to UMTRI by the DOS did not contain PID record information that linked back to a driver license number. Therefore, we provide sex and age group information only for the 75,617 cases which could be linked back to the MDR.

### Results

As shown in Table 16, there were a total of 133,591 records for registration denial. Of these, about 92 percent were active records as of January 31, 2002 and the remaining 8 percent had been cleared. Eighty percent of registration denials arose from drunk driving recidivism (three alcohol convictions within the last 10 years) and 20 percent arose from DWLS/R recidivism (four DWLS/R convictions within the last 7 years).

<b>Reason</b>	<b>Active</b>	<b>Cleared/Closed</b>	<b>Total</b>
<b>Drunk Driving Recidivism</b>	74.9% (100,044)	5.3% (7,056)	80.2% (107,100)
<b>DWLS Recidivism</b>	17.0% (22,737)	2.8% (3,754)	19.8% (26,491)
<b>Total</b>	91.9% (122,781)	8.1% (10,810)	100.0% (13,3591)

Table 17 shows registration denial percent and frequencies by reason for the denial and sex. As can be seen, nearly 90 percent of denials were for males. Males and females did not differ in the reason for the denial, with slightly more than three-quarters of denials for each sex resulting from drunk driving recidivism.

<b>Table 17: Registration Denial by Reason and Sex</b>			
<b>Reason</b>	<b>Male</b>	<b>Female</b>	<b>Total</b>
<b>Drunk Driving Recidivism</b>	71.1% (55,183)	9.5% (7,362)	80.6% (62,545)
<b>DWLS Recidivism</b>	17.8% (13,744)	1.7% (1,328)	19.4% (15,072)
<b>Total</b>	88.8% (68,927)	11.2% (8,690)	100.0% (77,617)

Table 18 shows registration denial percent and frequencies by reason for the denial and age group. Nearly all denials on record were for people between the ages of 21 and 64, with about one-half of denials for those aged 21 to 40 and one-half for those aged 41 to 64. Registration denial for drunk driving recidivism was found in more than 85 percent of denials for those aged 41 to 64 years, while about two-thirds of denials in the 21 to 40 age group were for drunk driving recidivism.

<b>Table 18: Registration Denial by Reason and Age Group</b>					
<b>Reason</b>	<b>Under 21</b>	<b>21 to 40</b>	<b>41 to 64</b>	<b>65 and Over</b>	<b>Total</b>
<b>Drunk Driving Recidivism</b>	0.0% (18)	34.0% (25,707)	43.3% (32,709)	2.8% (2,112)	80.1% (60,545)
<b>DWLS Recidivism</b>	0.2% (166)	13.4% (10,161)	6.1% (4,610)	0.2% (134)	19.9% (15,072)
<b>Total</b>	0.2% (184)	47.4% (35,868)	49.4% (37,319)	3.0% (2,246)	100.0% (75,617)

Table 19 shows registration denial frequencies by reason and county. As expected, the highest frequencies were found for the counties with the highest populations.

<b>Table 19: Registration Denials by County and Reason</b>					
	<b>Alcona</b>	<b>Alger</b>	<b>Allegan</b>	<b>Alpena</b>	<b>Antrim</b>
<b>Drunk Driving Recidivism</b>	123	100	1342	404	292
<b>DWLS Recidivism</b>	4	1	196	24	10
	<b>Arenac</b>	<b>Baraga</b>	<b>Barry</b>	<b>Bay</b>	<b>Benzie</b>
<b>Drunk Driving Recidivism</b>	229	142	651	1498	203
<b>DWLS Recidivism</b>	17	2	96	120	6
	<b>Berrien</b>	<b>Branch</b>	<b>Calhoun</b>	<b>Cass</b>	<b>Charlevoix</b>
<b>Drunk Driving Recidivism</b>	2319	521	1942	693	254
<b>DWLS Recidivism</b>	264	27	492	31	22
	<b>Cheboygan</b>	<b>Chippewa</b>	<b>Clare</b>	<b>Clinton</b>	<b>Crawford</b>
<b>Drunk Driving Recidivism</b>	380	293	471	537	183
<b>DWLS Recidivism</b>	43	15	31	63	13
	<b>Delta</b>	<b>Dickinson</b>	<b>Eaton</b>	<b>Emmett</b>	<b>Genesee</b>
<b>Drunk Driving Recidivism</b>	340	221	991	472	5660
<b>DWLS Recidivism</b>	55	8	177	29	1377
	<b>Gladwin</b>	<b>Gogebic</b>	<b>Gr. Traverse</b>	<b>Gratiot</b>	<b>Hillsdale</b>
<b>Drunk Driving Recidivism</b>	443	173	816	365	580
<b>DWLS Recidivism</b>	32	4	69	23	41
	<b>Houghton</b>	<b>Huron</b>	<b>Ingham</b>	<b>Ionia</b>	<b>Iosco</b>
<b>Drunk Driving Recidivism</b>	339	456	3087	716	345
<b>DWLS Recidivism</b>	14	13	1008	64	12
	<b>Iron</b>	<b>Isabella</b>	<b>Jackson</b>	<b>Kalamazoo</b>	<b>Kalkaska</b>
<b>Drunk Driving Recidivism</b>	108	482	2072	2505	265
<b>DWLS Recidivism</b>	2	42	382	636	23
	<b>Kent</b>	<b>Keweenaw</b>	<b>Lake</b>	<b>Lapeer</b>	<b>Leelanau</b>
<b>Drunk Driving Recidivism</b>	4593	21	192	1259	158
<b>DWLS Recidivism</b>	1923	2	16	145	9
	<b>Lenawee</b>	<b>Livingston</b>	<b>Luce</b>	<b>Mackinac</b>	<b>Macomb</b>
<b>Drunk Driving Recidivism</b>	1204	1523	60	164	10138
<b>DWLS Recidivism</b>	79	189	3	4	1535
	<b>Manistee</b>	<b>Marquette</b>	<b>Mason</b>	<b>Mecosta</b>	<b>Menominee</b>
<b>Drunk Driving Recidivism</b>	285	707	288	418	291
<b>DWLS Recidivism</b>	17	38	28	37	15

<b>Table 19: Registration Denials by County and Reason, continued</b>					
	<b>Midland</b>	<b>Missaukee</b>	<b>Monroe</b>	<b>Montcalm</b>	<b>Montmorency</b>
<b>Drunk Driving Recidivism</b>	761	232	1324	757	150
<b>DWLS Recidivism</b>	66	18	208	116	5
	<b>Muskegon</b>	<b>Newaygo</b>	<b>Oakland</b>	<b>Oceana</b>	<b>Ogemaw</b>
<b>Drunk Driving Recidivism</b>	2027	668	11096	344	359
<b>DWLS Recidivism</b>	573	86	2405	27	20
	<b>Ontonagon</b>	<b>Osceola</b>	<b>Oscoda</b>	<b>Otsego</b>	<b>Ottawa</b>
<b>Drunk Driving Recidivism</b>	86	219	143	269	1785
<b>DWLS Recidivism</b>	3	26	9	19	336
	<b>Presque Isle</b>	<b>Roscommon</b>	<b>Saginaw</b>	<b>St. Clair</b>	<b>St. Joseph</b>
<b>Drunk Driving Recidivism</b>	142	472	2369	3008	1000
<b>DWLS Recidivism</b>	10	29	783	266	115
	<b>Sanilac</b>	<b>Schoolcraft</b>	<b>Shiawassee</b>	<b>Tuscola</b>	<b>Van Buren</b>
<b>Drunk Driving Recidivism</b>	709	107	871	807	1431
<b>DWLS Recidivism</b>	46	17	84	89	171
	<b>Washtenaw</b>	<b>Wayne</b>	<b>Wexford</b>	<b>Unknown</b>	
<b>Drunk Driving Recidivism</b>	2666	18285	539	160	
<b>DWLS Recidivism</b>	731	10632	57	16	

## **2.13. Compare and contrast recidivism rates for persons receiving the various sentencing options.**

### **Methods**

The Conviction Dataset and Action Dataset in the DOS MDR and the Plate Confiscation Entries in the Repeat Offender Database were used to complete this objective. Data on the following sentencing options were available in these files: vehicle immobilization, license plate confiscation, licensing action (suspension/revocation), and ignition interlock restrictions.

A working file was created using the Conviction Dataset. Records for all alcohol offenses (offense codes 1000, 1010, 1020, 1100, 1110, 1200, 1210, 1220, 1030, 1035, 1120, 1040, 1130, 1240, 1150, 1230) with an arrest date on or after October 1, 1999 and before January 1, 2002 were included in the working file. Only those cases resulting in a conviction were retained. The records were sorted by driver license number and arrest date. The earliest record for each driver was retained. At this point, the working file contained one record per driver with the first driving arrest (and conviction) following the date the Repeat Offender laws went into effect. The working file contained the driver license number, arrest date, and conviction date.

The working file was then merged with the Repeat Offender Database by driver license number and arrest date. The Repeat Offender Database contained information regarding license plate confiscation and vehicle immobilization. We then determined drivers with a record in the Repeat Offender Database that had a license plate confiscated on that arrest date and drivers in which vehicle immobilization was ordered.

The working file was then merged with the Action Dataset by driver license number. Drivers with a suspension or revocation (action code = 30, 31, 33, 35, 36, 37, 39, 40, 45, 49, or 60) that originated on the conviction date and drivers with an ignition interlock restriction (action reason = DL, DN, DO, or 46) that originated from a suspension or revocation which originated from the conviction date were determined.

In order to determine the combinations in which the four sentencing options were used, the variables for the sanctions in the working file were concatenated to create a combination variable. A frequency count was run on the combination variable to determine how many unique combinations of the sentencing options were in the working file.

Records for all alcohol offense convictions with a date later than the original conviction date in the working file were obtained from the Conviction Dataset. A frequency count of the number of drivers from each sanction combination with at least one additional conviction date later than the conviction in the working file was generated. The number of drivers in each sanction combination with additional convictions was divided by the total number of drivers in each sanction combination to determine recidivism rates for each sanction combination.

## **Results**

The number of eligible cases, number of recidivists, and the recidivism rates for the various sanctions and combination of sanctions are shown in Table 20. There were no cases in which an ignition interlock was ordered or a vehicle was immobilized without some other sanction also occurring. As can be seen, recidivism rates varied from zero to nearly 6 percent. The highest recidivism rates were found for people who did not receive any of the four sanctions or who received a license suspension/revocation only. The lowest recidivism rates were discovered for all sanction combinations that included an ignition interlock.

<b>Table 20: The Number of Eligible Cases, Number of Recidivists, and the Recidivism Rates for the Various Sanctions and Combination of Sanctions</b>			
<b>Sanction</b>	<b>Eligible Cases</b>	<b>Number of Recidivists</b>	<b>Recidivism Rate</b>
<b>License Plate Confiscation Only</b>	6	0	0.0
<b>License Suspension/Revocation Only</b>	106,188	6,104	5.7
<b>Confiscation, Suspension/Revocation</b>	6,688	290	4.3
<b>Susp/Rev, Ignition Interlock</b>	673	4	0.6
<b>Vehicle Immobilization, Confiscation</b>	2	0	0.0
<b>Immobilization, Confiscation, Susp/Rev</b>	6,037	240	4.0
<b>Confiscation, Susp/Rev, Ignition Interlock</b>	294	0	0.0
<b>Confiscation, Susp/Rev, Interlock, Immobil</b>	488	0	0.0
<b>None of the Four Sanctions</b>	450	23	5.1



**2.14. Determine the perceptions and knowledge of prosecuting attorneys charged with implementing changes with respect to the new laws, their implementation, and the extent to which the new laws serve their deterrent and rehabilitative functions.**

The effectiveness of a traffic safety law is partially dependent upon how easily the crime can be prosecuted. This evaluation, therefore, sought to determine the perceptions and knowledge of prosecuting attorneys and assistant prosecuting attorneys regarding Michigan's repeat alcohol offender laws. Specifically, we were interested in determining how and when prosecuting attorneys were trained regarding the new laws, how the laws affected their jobs and the courts, and their opinions on the sanctions.

**Methods and Analysis**

The survey was designed by UMTRI to better understand the impact of the new legislation on prosecuting attorneys from their point-of-view. The survey contained 38 questions and was intended to be completed in 15 minutes or less (see Appendix B). Questions were organized around five topics: Experience; Training; Implementation; Sanctioning; and Improvements to Michigan's drunk driving laws.

Survey design commenced with a planning meeting with representatives from the DOS. The purpose of this meeting was to derive a list of topics for the survey and to explore implementation methods. After this meeting, we contacted the Prosecuting Attorneys Coordinating Council/Prosecuting Attorneys Association of Michigan (PACC/PAAM) to ask for their help in survey design and implementation. Representatives from PACC/PAAM graciously agreed to assist us with survey implementation. Survey drafts were circulated to DOS and PACC/PAAM for their feedback. Once completed, the PACC/PAAM Board of Directors approved the survey instrument and provided us the names and addresses for each prosecuting attorney from Michigan's 83 counties. PACC/PAAM published support information about the survey in their monthly membership newsletter, along with articles regarding drinking and driving to encourage their members to complete the survey and return it to UMTRI.

Surveys addressed to the prosecuting attorney in each county were mailed on June

17, 2002. Each county's survey-package included a cover letter, a letter of support from PACC/PAAM, and four copies of the survey, each with self-addressed, stamped return-envelopes attached. The survey cover letter requested that the surveys be distributed appropriately based on the prosecuting attorney's discretion, for completion by those assistant prosecuting attorneys involved with drinking and driving cases in their county. The cover letter stated that it was appropriate to duplicate the survey if additional copies were necessary for the larger counties. Surveys were sent back to UMTRI anonymously. Some counties returned more than one survey. Surveys were accepted until August 9, 2002. No follow up was conducted.

Surveys were logged upon return, tracking counties numerically. Seventy-seven surveys from 40 different counties were returned and analyzed. The surveys were coded numerically to retain anonymity, and entered into an electronic format. Accuracy was verified by entering the data twice (two different people), then comparing for consistency. Discrepancies were corrected after consultation with the original survey data. Univariate analyses of the survey questions were performed. Due to the relatively small sample size bivariate analyses were not conducted.

## **Results**

### *Experience*

As described previously, the survey was administered to all prosecuting and assistant prosecuting attorneys in Michigan involved with drunk driving cases. As shown in Table 21 and 22, respondents varied widely on the number of years they were a member of the bar and on the number of years they were prosecuting attorneys.

<b>Table 21. For how many years have you been a member of the bar?</b>		
<b>Years</b>	<b>Frequency</b>	<b>Percent</b>
1 to 5	13	17.1
6 to 10	15	19.7
11 to 15	21	27.6
16 to 20	11	14.5
Over 20	16	21.1

<b>Table 22. For how many years have you been a prosecuting attorney?</b>		
<b>Years</b>	<b>Frequency</b>	<b>Percent</b>
1 to 5	23	30.3
6 to 10	22	28.9
11 to 15	14	18.4
16 to 20	8	10.5
Over 20	9	11.8

### *Training*

We asked respondents several questions regarding the training they, or those in their courts, received regarding the repeat alcohol offender laws. Note that the laws were implemented in October, 1999. As shown in Table 23, about three-fourths of those who gave an answer and who were prosecuting attorneys during the implementation of the law received training before or during implementation of the law. About one-quarter, however, reported receiving no training. Only one respondent indicated that the PACC/PAAM did not offer training to them regarding the repeat offender legislative changes (Table 24). All respondents who answered indicated that the training they received was useful or that they did not know about its usefulness (Table 25). Finally, when asked about continuing education regarding the laws, a large majority of respondents indicated that people in their office continue to receive training (Table 26).

<b>Table 23. If you were a prosecuting attorney in October 1999, when was training first provided to you regarding changes in Michigan's repeat alcohol driving offender legislation?</b>		
	<b>Frequency</b>	<b>Percent</b>
<b>Prior to October, 1999</b>	25	34.7
<b>In October, 1999</b>	19	26.4
<b>Between November, 1999 and March, 2000</b>	1	1.4
<b>After March, 2000</b>	0	0.0
<b>No training was provided</b>	15	20.8
<b>Not a prosecuting attorney at that time</b>	12	16.7

<b>Table 24. Did PACC/PAAM offer you training regarding changes in Michigan's repeat alcohol driving offender legislation?</b>		
	<b>Frequency</b>	<b>Percent</b>
<b>Yes</b>	53	68.8
<b>No</b>	1	1.3
<b>Do not know</b>	15	19.5
<b>Not a prosecuting attorney at that time</b>	8	10.4

<b>Table 25. If you were a prosecuting attorney in October 1999, was training regarding changes in Michigan's repeat alcohol driving offender legislation useful?</b>		
	<b>Frequency</b>	<b>Percent</b>
<b>Yes</b>	47	62.7
<b>No</b>	0	0.0
<b>Do not know</b>	16	21.3
<b>Not a prosecuting attorney at that time</b>	12	16.0

<b>Table 26. Have people in your office participated in continuing education training regarding Michigan's repeat alcohol driving offender legislation in the past year?</b>		
	<b>Frequency</b>	<b>Percent</b>
<b>Yes</b>	48	63.2
<b>No</b>	20	26.3
<b>Do not know</b>	8	10.5

## Implementation

We asked prosecuting attorneys in Michigan several questions about how the repeat alcohol offender laws were implemented in their courts, how workloads changed, and how the laws influenced their ability to prosecute drunk driving cases.

Prosecuting attorneys were asked how their workload was affected since the implementation of Michigan's repeat alcohol offender laws. As shown in Table 27, prosecuting attorneys were evenly split on their opinions indicating that their workload either increased or remained the same. Only one respondent reported a decrease in workload. The survey inquired about how prosecutions and convictions for several alcohol- and DWLS/R-related offenses changed after implementation of the repeat alcohol offender laws. As shown in Table 28 and 29, very few respondents experienced a decrease in either prosecutions or convictions for any offense. For the individual offenses, one-half to 90 percent of respondents indicated that prosecutions and convictions remained the same after implementation. Overall, 80 percent of respondents reported that the new laws were helpful in convicting repeat alcohol offenders (Table 30).

<b>Options</b>	<b>Frequency</b>	<b>Percent</b>
<b>Increased</b>	36	50.0
<b>Decreased</b>	1	1.4
<b>Remained the same</b>	35	48.6

<b>Table 28. How have drinking and driving prosecutions and convictions changed in your jurisdiction for the following offenses?</b>						
	<b>Prosecutions</b>			<b>Convictions</b>		
<b>Offense</b>	<b>Increased % (n)</b>	<b>Decreased % (n)</b>	<b>Same % (n)</b>	<b>Increased % (n)</b>	<b>Decreased % (n)</b>	<b>Same % (n)</b>
<b>UBAC</b>	29.6 (21)	4.2 (3)	66.2 (47)	40.6 (28)	4.3 (3)	55.1 (38)
<b>OUIL</b>	29.6 (21)	4.2 (3)	66.2 (47)	39.1 (27)	5.8 (4)	55.1 (38)
<b>OID</b>	19.4 (14)	1.4 (1)	79.2 (57)	22.9 (16)	1.4 (1)	75.7 (53)
<b>OWI</b>	38.0 (27)	0.0 (0)	62.0 (44)	47.1 (33)	1.4 (1)	51.4 (36)
<b>OUIL &amp; UBAC</b>	33.3 (24)	1.4 (1)	65.3 (47)	39.1 (27)	2.9 (2)	58.0 (40)
<b>DWLS</b>	47.2 (34)	0.0 (0)	52.8 (38)	46.4 (32)	2.9 (2)	50.7 (35)

<b>Table 29. How have drinking and driving prosecutions and convictions changed in your jurisdiction for the following offenses?</b>						
	<b>Prosecutions</b>			<b>Convictions</b>		
<b>Offense</b>	<b>Increased % (n)</b>	<b>Decreased % (n)</b>	<b>Same % (n)</b>	<b>Increased % (n)</b>	<b>Decreased % (n)</b>	<b>Same % (n)</b>
<b>DWLS-Injury</b>	22.1 (15)	2.9 (2)	75.0 (51)	20.0 (13)	4.6 (3)	75.4 (49)
<b>DWLS-Death</b>	14.9 (10)	1.5 (1)	83.6 (56)	15.6 (10)	1.6 (1)	82.8 (53)
<b>Knowingly DWLS-Injury</b>	9.0 (6)	4.5 (3)	86.6 (58)	7.9 (5)	4.8 (3)	87.3 (55)
<b>Knowingly DWLS-Death</b>	7.6 (5)	4.5 (3)	87.9 (58)	4.8 (3)	4.8 (3)	90.3 (56)
<b>Three-or-More</b>	63.6 (42)	1.5 (1)	34.8 (23)	62.5 (40)	1.6 (1)	35.9 (23)

<b>Table 30. In your experience, have the new felony crimes been helpful in convicting repeat alcohol driving offenders?</b>		
	<b>Frequency</b>	<b>Percent</b>
<b>Yes</b>	60	80.0
<b>No</b>	9	12.0
<b>Do not know</b>	6	8.0

Prosecutors reported very high conviction rates (Table 31), with nearly all respondents reporting that 75 percent or more of drinking and driving cases result in a

conviction. Many of these cases are plead to a lower charge (Table 32). Three-fourths of respondents indicated that the new drunk driving laws have not resulted in an increase in drunk driving trials (Table 33). Nearly 90 percent of respondents reported that they have been involved in less than 11 drinking and driving bench trials in the past six months (Table 34).

<b>Table 31. What percentage of your charged drinking and driving cases result in a conviction?</b>		
<b>Percent</b>	<b>Frequency</b>	<b>Percent</b>
0 to 24	0	0.0
25 to 49	0	0.0
50 to 74	1	1.4
75 to 100	72	97.3
Do not know	1	1.4

<b>Table 32. What percent of your drinking and driving cases are resolved to a lower charge?</b>		
<b>Percent</b>	<b>Frequency</b>	<b>Percent</b>
0 to 24	16	21.9
25 to 49	22	30.1
50 to 74	27	37.0
75 to 100	7	9.6
Do not know	1	1.4

<b>Table 33. Are you having more drinking and driving trials since implementation of Michigan's repeat alcohol driving offender legislation?</b>		
<b>Number of Trials</b>	<b>Frequency</b>	<b>Percent</b>
Yes	18	24.7
No	53	72.6
Do not know	2	2.7

<b>Table 34. How many drinking and driving bench trials have you been involved in during the last six months?</b>		
<b>Number of Trials</b>	<b>Frequency</b>	<b>Percent</b>
<b>Less than 10</b>	66	89.2
<b>Between 10 and 24</b>	6	8.1
<b>Between 25 and 54</b>	0	0.0
<b>Between 55 and 74</b>	2	2.7
<b>More than 75</b>	0	0.0

Respondents were asked several questions about the provision of the drunk driving laws that makes it illegal for an associate of a drunk person to knowingly allow the drunk person to drive a vehicle. As shown in Table 35, prosecutors in Michigan are charging very few people with this crime. More than 60 percent of respondents had not charged someone of this crime at all, and another nearly 40 percent had only charged this crime 1 to 5 times in the last 6 months. Ninety percent of prosecuting attorneys indicated that it was “very difficult” to provide evidence of this crime to the court (Table 36). We inquired about what prosecuting attorneys thought was sufficient evidence of this crime. Interestingly, about 40 percent indicated that they did not know (Table 37). About one-half of attorneys reported that testimony of the associate was sufficient and about 40 percent indicated that testimony by the alcohol offender was sufficient.

<b>Table 35. In the past six months, how many people have you charged for knowingly giving vehicle access to a drunk associate?</b>		
<b>Number of Cases</b>	<b>Frequency</b>	<b>Percent</b>
<b>None</b>	45	60.8
<b>1 to 5</b>	27	36.5
<b>6 to 10</b>	2	2.7
<b>11 to 20</b>	0	0.0
<b>21 or more</b>	0	0.0



<b>Table 36. How difficult is it to provide the court with evidence that an associate “knowingly allowed” a repeat alcohol offender to drive the associate’s vehicle while the offender was impaired?</b>		
<b>Difficulty</b>	<b>Frequency</b>	<b>Percent</b>
<b>Not Difficult</b>	3	4.4
<b>Difficult</b>	6	8.8
<b>Very Difficult</b>	59	86.8

<b>Table 37. When an associate “knowingly allowed” a repeat alcohol offender to drive the associate’s vehicle what do courts believe is sufficient evidence to prove the above?</b>		
	<b>Frequency (Yes)</b>	<b>Percent</b>
<b>Master Driving Record</b>	9	12.5
<b>Testimony by an associate</b>	37	51.4
<b>Testimony by an offender</b>	27	37.5
<b>Testimony by an officer</b>	7	9.7
<b>Testimony by an eyewitness</b>	5	6.9
<b>Vehicle documents</b>	11	15.3
<b>Don’t Know</b>	30	41.7
<b>Other</b>	5	6.9

The new repeat alcohol offender laws, when compared to the old laws, limit many conditions for driver license restoration appeals, thus establishing a uniform standard for all appeals. We were interested in measuring the effects of these laws from the perspective of the prosecuting attorneys. When asked about the change in frequency of requests for driver license restoration appeals in the last several years, more than one-half of respondents indicated that they thought the frequency had decreased (Table 38). About 10 percent thought it had increased and 23 percent did not know. We also asked about the change in frequency of courts granting these requests over the same time period and found that about 35 percent thought the frequency had decreased, about 32 percent did not know, and about 5 percent thought it had increased (Table 39). Thus, this portion of the legislation seems to have been effective.

<b>Table 38. In your opinion, how has the frequency of requests to circuit courts for driver license restoration appeals changed in the last three/four years?</b>		
	<b>Frequency</b>	<b>Percent</b>
<b>Increased</b>	7	9.5
<b>Decreased</b>	40	54.1
<b>Remained the same</b>	10	13.5
<b>Do not know</b>	17	23.0

<b>Table 39. In your opinion, how has the frequency of granting requests by circuit courts for driver license restoration appeals changed in the last three/four years?</b>		
	<b>Frequency</b>	<b>Percent</b>
<b>Increased</b>	4	5.4
<b>Decreased</b>	30	34.5
<b>Remained the same</b>	16	21.6
<b>Do not know</b>	24	32.4

The new repeat alcohol offender laws allow courts to request reimbursement for prosecution expenses from the convicted drunk driver. We asked prosecuting attorneys how often their jurisdiction requested reimbursement. As shown in Table 40, about one-half never made this request, about 30 percent always requested reimbursement, and about 20 percent requested reimbursement about one-half of the time. About one-third of respondents indicated that their court had been reimbursed for prosecution expenses under the new law (Table 41).

<b>Table 40. How often is your jurisdiction requesting reimbursement for prosecution expenses?</b>		
	<b>Frequency</b>	<b>Percent</b>
<b>Never</b>	36	49.3
<b>Half of the time</b>	14	19.2
<b>All of the time</b>	23	31.5

<b>Table 41. Has your jurisdiction been reimbursed for expenses of the prosecution under the new law?</b>		
	<b>Frequency</b>	<b>Percent</b>
<b>Yes</b>	27	36.5
<b>No</b>	29	39.2
<b>Do not know</b>	18	24.3

People arrested for a second or more drunk driving violation have the metal license plate of the car they are driving confiscated and are issued a paper license plate. We were interested in determining how often a copy of the paper plate was passed along to the various agencies. More than 70 percent of respondents reported that they when they get a case file from the police department, there is always a copy of the paper plate (Table 42). Less than four percent reported they never get a copy. Nearly 60 percent of respondents indicated that they, or someone else, passes along a copy of the paper plate to the court (Table 43), while nearly 30 percent did not know if this occurred.

<b>Table 42. How often do you find a copy of the paper license plate with the VIN number in the paperwork from the police department when license plates have been confiscated for alcohol offenses?</b>		
	<b>Frequency</b>	<b>Percent</b>
<b>Never</b>	3	3.9
<b>Half of the time</b>	18	23.7
<b>All the time</b>	55	72.4

<b>Table 43. Do you (or does someone in your office) pass that copy of the paper license plate (or VIN number and driving record) along to the court for their file?</b>		
	<b>Frequency</b>	<b>Percent</b>
<b>Yes</b>	44	57.1
<b>No</b>	12	15.6
<b>Do not know</b>	21	27.3

## Sanctions

We asked prosecutors a series of questions regarding new sanctions in the repeat drunk driving laws that were intended to separate the convicted drunk driver from his or her vehicle. Three-fourths of respondents reported their court uses vehicle impoundment or forfeiture as a sanction (Table 44). In addition, about one-half immobilize vehicles using either the boot or the club and nearly one-half utilize electronic tethers as a vehicle restriction sanction for convicted drunk drivers. Respondents were asked if courts monitor compliance with mandated vehicle restrictions. Nearly 30 percent of respondents did not know if courts monitored compliance with mandated vehicle restrictions (Table 45), while 40 percent indicated that the courts do.

<b>Table 44. Check any or all of the following vehicle restrictions that your courts are using as drinking and driving sanctions.</b>		
<b>Vehicle Restriction</b>	<b>Frequency</b>	<b>Percent</b>
<b>The boot/club</b>	34	47.2
<b>Electronic tether</b>	31	43.1
<b>Vehicle impoundment/forfeiture</b>	54	75.0
<b>Other</b>	8	11.1

<b>Table 45. In your experience, do courts monitor compliance with vehicle restrictions when they have mandated them?</b>		
	<b>Frequency</b>	<b>Percent</b>
<b>Yes</b>	31	40.3
<b>No</b>	24	31.2
<b>Do not know</b>	22	28.6

Prosecuting attorneys were asked several questions about the use of vehicle immobilization as a sanction for convicted repeat drunk drivers. When asked their opinion about the effectiveness of vehicle immobilization in preventing repeat drunk driving, more than one-half did not think it was effective while another 23 percent indicated that they had no opinion (Table 46). Respondents had similar opinions about the effectiveness of vehicle immobilization to prevent offenders from driving with a suspended license (Table

47). About three-fourths of respondents indicated that their courts order vehicle immobilization when it is required by law (Table 48).

<b>Table 46: In your opinion, is mandatory vehicle immobilization for second and third drinking and driving offenders generally effective in preventing alcohol impaired driving recidivism?</b>		
	<b>Frequency</b>	<b>Percent</b>
<b>Yes</b>	18	23.4
<b>No</b>	41	53.2
<b>No opinion</b>	18	23.4

<b>Table 47. In your opinion, is mandatory vehicle immobilization for drinking and driving offenders that operate a vehicle during a period of license suspension or revocation generally effective in preventing offenders from driving again while their licenses are suspended or revoked?</b>		
<b>Options</b>	<b>Frequency</b>	<b>Percent</b>
<b>Yes</b>	19	24.7
<b>No</b>	42	54.5
<b>No opinion</b>	16	20.8

<b>Table 48. In your experience, are the courts ordering vehicle immobilization sentences when it is required by law?</b>		
<b>Options</b>	<b>Frequency</b>	<b>Percent</b>
<b>Yes</b>	56	72.7
<b>No</b>	14	18.2
<b>Do not know</b>	7	9.1

We asked prosecuting attorneys a series of questions regarding vehicle forfeiture as a sanction for repeat drunk drivers. When asked their opinion about the effectiveness of vehicle forfeiture in preventing repeat drunk driving, more than one-half did not think it was effective while another 24 percent indicated that they had no opinion (Table 49). Respondents had similar opinions about the effectiveness of vehicle forfeiture to prevent offenders from driving with a suspended license (Table 50). As shown in Table 51, only

about one-third of respondents had personally petitioned the court for a vehicle-forfeiture sanction. When asked about the number of vehicles that were forfeited in their jurisdiction in the past six months, more than 80 percent indicated that no vehicle had been forfeited (Table 52). A large majority of prosecuting attorneys (more than 80 percent) did not believe that vehicle forfeiture was too harsh a penalty for convicted repeat drunk drivers (Table 53).

<b>Table 49. In your opinion, is vehicle forfeiture for second and third drinking and driving offenders effective in preventing alcohol impaired driving recidivism?</b>		
	<b>Frequency</b>	<b>Percent</b>
<b>Yes</b>	18	24.3
<b>No</b>	39	52.7
<b>No opinion</b>	17	23.0

<b>Table 50. In your opinion, is vehicle forfeiture for drinking and driving offenders that operate a vehicle during a period of license suspension or revocation generally effective in preventing offenders from driving again while their licenses are suspended or revoked?</b>		
	<b>Frequency</b>	<b>Percent</b>
<b>Yes</b>	18	24.3
<b>No</b>	37	50.0
<b>No opinion</b>	19	25.7

<b>Table 51. Have you petitioned the court to forfeit a vehicle?</b>		
	<b>Frequency</b>	<b>Percent</b>
<b>Yes</b>	26	34.2
<b>No</b>	50	65.8

<b>Table 52. In the last six months, how many vehicles were forfeited in your jurisdiction?</b>		
<b>Number of Vehicles</b>	<b>Frequency</b>	<b>Percent</b>
None	44	83.0
1 to 5 vehicles	6	11.3
Over 5 vehicles	3	5.7

<b>Table 53. Do you consider vehicle forfeiture a penalty that is too harsh?</b>		
<b>Options</b>	<b>Frequency</b>	<b>Percent</b>
Yes	8	10.4
No	64	83.1
Do not know	5	6.5

The new repeat alcohol offender laws mandate that substance abuse treatment is required for drivers convicted of a second or more drunk driving offense. Prosecuting attorneys were asked a series of questions about the mandatory substance abuse treatment. Slightly more than one-half of respondents indicated a belief that there were enough substance-abuse-treatment programs available, while nearly 40 percent said that there were not (Table 54). An even larger percentage believed that there were enough substance abuse treatment programs available for those with limited economic resources (Table 55). Three-quarters of respondents reported that their courts monitored compliance with these mandated treatment programs (Table 56).

<b>Table 54. In your opinion, are there enough substance abuse treatment programs available in your jurisdiction for persons convicted of drinking and driving offenses?</b>		
	<b>Frequency</b>	<b>Percent</b>
Yes	40	54.1
No	29	39.2
Do not know	5	6.8

<b>Table 55. Are there substance abuse treatment programs available to offenders with limited economic resources in your jurisdiction?</b>		
	<b>Frequency</b>	<b>Percent</b>
<b>Yes</b>	46	62.2
<b>No</b>	14	18.9
<b>Do not know</b>	14	18.9

<b>Table 56. In your experience, is the court monitoring compliance with or completion of court mandated substance abuse treatment?</b>		
	<b>Frequency</b>	<b>Percent</b>
<b>Yes</b>	55	74.3
<b>No</b>	5	6.8
<b>Do not know</b>	14	18.9

### *Improvements to Michigan's Drunk Driving Laws*

As a final question, we asked prosecuting attorneys the following question: In your opinion, how could we improve the drinking and driving laws in Michigan? Results are presented verbatim with each bullet point representing all comments made by a respondent. Brackets are used to indicate where we have added clarification or removed identifying information.

- Leave it alone. Recent changes provided the prosecution and courts with ample tools to address the problem. What is needed is funding for treatment.
- Make OUIL 2<sup>nd</sup> a felony; Raise mandatory minimum jail time to 90 days; Raise amount of fines; Exclusive statute for drunk drivers who are also DWLS/R.
- In the bulk of our drunk driving cases the defendant has used the car of his/her spouse, friend, neighbor, etc. It is very tough to prove that the spouse, friend, neighbor had knowledge of either defendant's suspension or intoxication (unless present). Put more responsibility on car owners to hold onto their car keys or be subject to prosecution. This would truly limit access. Strict liability with very few exceptions.
- Lower legal limit to .08 and allow admission of PBT [preliminary breath test].



- Cut all the forfeiture etc. and jail/prison paid for by state for all offenses OUS, OUIL, OUILII and OUILIII.
- Mandatory quality inpatient rehab and consistent quality aftercare.
- Abolish “1 within 7 or 2 within 10 years” language for repeat offenders. I prosecute numerous 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> offense drunk drivers who can only be charged as a 1<sup>st</sup> offender. Three drinking and driving offenses in a lifetime should be a felony.
- Do not reduce OUIL to  $\geq .08$  -- impaired driving carries many of the same sanctions and helps resolve many cases.
- Allow PBT scores in as evidence in the people’s case in chief, the current law is Bullshit & Stupid; Lower OUIL to .08 & up. OWI to .05 & up; Mandatory forfeiture of vehicle for 2<sup>nd</sup> or subsequent offenses; REPEAL Engler’s Tort Reforms. Potential civil liability often reduces D & D as the Bar Industry is then more stringent in cutting off drunks who drive & kill people.
- Allow the use of serum/plasma results without having to use a conversion formula. Amend the minor consuming alcohol statute to allow use of PBT to establish “consumption.”
- Standard .08 law – remove distinctions between OUIL & OWI; Institute standard field sobriety tests for police agencies and officers; Implement better systems for forfeiture – that don’t rely on individual counties to come up with a system.
- Delete suspensions, revocation & implement mandatory minimum equal to ½ of max for 2<sup>nd</sup> & 3<sup>rd</sup> offenders. Stop DOC 3 strike rule before probation is violated. No discretion with district & circuit court probation to issue violation or not. Stop judicial discretion in PV [probation violation] sentence. It should be a statutory 1<sup>st</sup> strike & your out PV with balance of statutory maximum (2<sup>nd</sup> ½) served. All probation terms (years) should [be] the max by law.
- Leave the laws in place. No major changes are needed.
- Lower the BAC to .08%!
- Forget forfeiture. Most repeat offenders are driving Junker (low value) cars; Jail time for OUIL 3<sup>rd</sup> has been substantially reduced – from one year to mandatory 30 days. OUIL 3<sup>rd</sup> offenders now do about 60 days; We win almost all of the cases that go to trial. We have good community support. Be careful what you ask for – more extreme penalties may cost us community support.
- Change Prosecution cost to be ordered as shall and not may. Especially for repeat offenders; Paper plates seem to be an administrative hassle and can be easily

done wrong. This issue should be revisited. I would think that Secretary Records (SOS) do not match the actual plates seized.

- Increase fines. Money toward mobile data masters, police continuing education and immobilization programs.
- Repeal mandatory minimum jail; Eliminate impaired driving; Adopt .08 limit; Repeal vehicle forfeiture as unworkable.
- Lower the Impaired Driving presumption threshold to .06 and create a UBAC equivalent for Impaired Driving, thereby eliminating the requirement of proving noticeable lessening of driving ability.
- A stiffer penalty for OUIL/UBAC than impaired. Right now the difference is so slight it is almost meaningless.
- Michigan should lower the statutory presumption for OUIL from .10 to .08 as many other states have done. I believe doing so would decrease the number of trials as defendants who have a .10 or above won't have the incentive to try the case, i.e. they hope the jury won't follow the law and convict on a lesser. Eliminating the OUIL/OWI distinction would also make the charge easier for juries to understand.
- The greatest deterrent is confinement/jail-- so if every conviction required a minimum jail sentence, public may think twice before getting behind wheel. Problem to mandatory minimum confinement is that would increase number of trials and challenges to evidence. Right now, if blood test is utilized-- must be done by MSP [Michigan State Police] Crime Lab-- and then getting those lab people to trial is extremely difficult, requiring adjournments. Defense knows this and courts [must] like to adjourn repeatedly-- so until more lab people, have difficulty getting some cases to trial--
- Make PBT results generally admissible.
- Add BAC based on serum blood alcohol levels to the list of variables. Too expensive to bring in an expert to do the conversion and most hospital phlebotomists and technicians are not qualified.
- Simplify them.
- Put teeth back into Felony prosecutions by mandating the one year minimum prison term. Presently, hardly any 3<sup>rd</sup> offenders go to prison. Indeed, most spend less than 6 months in jail. It is a toothless law.
- Make OUIL 3<sup>rd</sup> a 5 year Felony. Make the sentencing guidelines harsher.
- Make OUIL/per/se/OWI(1)a two-year offense.

- Mandate reimbursement of prosecutor!
- For any defendant with more than one alcohol related driving conviction, for a period of one year they can only operate a vehicle equipped with a functional ignition interlock device. Make penalties for violating that requirement very harsh and do away with drivers license restrictions altogether. DWLS arrests often made with defendant returning from grocery store, picking up kids from school, etc.; which, if no other violation, is Bullshit. Very small town. Officers know, on sight, whose suspended. Small town DWLS driver punished when bigger city DWLS driver probably not even stopped.
- More intensive treatment for offenders.
- In [name] County, it's not that we need to change the law, we need to change the sentencing attitudes of the [number] Circuit Bench. It's my experience that 90% of convictions for OUIL 3<sup>rd</sup> in [name] County, the sentence is probation and 30 days county jail and all too often work release. Unfortunately, because there is far too much rape, robbery, and murder in [name] County, OUIL 3<sup>rd</sup> is considered by the [number] Circuit Bench to be a minor offense.
- I do not deal with OUIL's and OUIL 2<sup>nd</sup> (misdemeanors) in District Court so I can't comment.
- For felonies maybe if the language of the statute were changed to "1-5 years MDOC, or upon the court finding substantial and compelling reasons, probation 30 day county jail 48 hour consecutive. . . .
- Much stiffer 2<sup>nd</sup> and 3<sup>rd</sup> offense penalties; Ignition cutout devices - mandatory use; Forfeiture - mandatory use for 2<sup>nd</sup> and subsequent offenses.
- Quit tinkering with them all the time; Give us a standard level of intoxication for OUID cases and laboratory technology that can prove such a threshold.
- Law is working well as is.
- Eliminate OUIL/OWI distinction; lower BAC to .08. Provide for good faith exception to blood draw search warrants (the use of a "form" SW affidavit by police leads to problems when NOT filled in accurately). Change CJI 2<sup>nd</sup> instructions by indicating: -poor/bad driving need not be shown or is not required. MCL 257.625a(6)(c) needs to be reworded with regard to the concept of "delegation." Currently different attorneys argue that an express delegation from a specific doctor is required— some judges buy the argument. Delegation should merely encompass that a blood draw can be conducted by any hospital employee qualified to draw blood— acting in medical environment.

- Provide for introduction of driving record at prelim on OUIL 3rds (probably not necessary elsewhere, but still required by our District Judge); Eliminate hardship review of license suspensions and revocations in circuit court– assign function to SOS and permit review of records only in circuit court; Allow “drunken operating” of any vehicle or conveyance to count as prior for habitual offender purpose– 1 OUIL, + 1 OUIL Boat, + 1 OUIL ORV, could then be a felony.
- Expand presumptions for .10 and .08 so that they are applicable to blood alcohol evidence derived from search warrants. Presently, these presumptions apply only to BAC results discovered via the implied consent statute; Eliminate loophole that allows the drunk driver to avoid mandatory revocation if he can have his case adjourned beyond 7 years of his prior conviction. As of now, the mandatory revocation applies only if the new conviction is within 7 years of the prior and not if the new OUIL offense occurred within 7 years of the prior conviction. Therefore, a defendant can avoid mandatory revocation if he can delay conviction until after the 7 year period has lapsed.
- Since driving is a privilege, not a right, the driving sanction for refusing a PBT or chemical test should be more severe. Conversely, the evidentiary burdens on prosecution should be lightened. The cases are not reasonable in construing defendant’s “reasonable” request for an independent test. See P. v. Prelesnik, 219 MA 176 (1996) where 3 hours 45 minute was not untimely and P. v. Castle, 108 MA 353 (1981). P. v. Skoan, 450 M 160 (1995) places too heavy a burden when the defendant refuses to be tested and police must get a search warrant. Defendants should not benefit from their refusals. Finally, the remedy of dismissal is too harsh for interference with independent tests. An adverse instruction would be more appropriate.
- Either make clear or eliminate the administrative rules for Datamaster and PBT testing, it leaves too many loop holes for Δ [defense] attorneys; Do not lower limit to .08-- this will only increase the confusion and eliminate the ability to resolve some cases with an impaired conviction; Uniform the sobriety tests used by police officers so that everyone does it the same way.



### **3. Discussion and Conclusions**

This report documents the methods, results, and conclusions of a three-year project designed to evaluate the effects of Michigan's repeat alcohol offender laws. Among the numerous effects that could have been evaluated, UMTRI, in collaboration with DOS and OHSP, selected 14 research objectives for this study. These objectives ranged from determining the effect of the laws on crashes, to examining the extent to which sanctions are issued, to evaluating how the laws affected drunk driving and DWLS recidivism.

One intent of Michigan's repeat alcohol offender laws was to increase the effectiveness of the DWLS sanction. If the sanctions were effective, we would expect there to be fewer crashes and injuries involving drivers currently under suspension/revocation. Therefore, one objective considered the effect of the laws on crashes and crash-related injuries and fatalities, involving drivers under license suspension/revocation. Through analysis of DOS MDR and Michigan Vehicle Crash datasets, we found about a 30 percent decrease in the rate of crashes involving drivers currently under suspension/revocation. This decrease in crashes resulted in about a 37 percent decrease in injury rates and a 13 percent decrease in fatality rates from crashes involving drivers currently under suspension/revocation. Thus, it appears that Michigan's repeat alcohol offender laws have been effective in reducing crashes caused by people driving on a suspended or revoked license.

Another intent of Michigan's repeat alcohol offender laws was to reduce the number of crashes involving drunk driving recidivists. One of the objectives was to determine the amount of change from prelaw levels in the rates of crashes, and crash-related injuries and fatalities, involving first-time alcohol offenders and repeat alcohol offenders. Because the laws specifically target repeat alcohol offenders, we would expect the laws to have a greater effect on repeat than on first-time offenders. Analysis of DOS MDR and Michigan Vehicle Crash data revealed several interesting findings. First, we found that there was about a 39 percent decrease in crashes involving people with two or more previous alcohol-related convictions while there was only a one percent decrease in crashes

involving people with one previous alcohol-related conviction. The analysis of injuries revealed more than a 40 percent postlaw decrease in injuries resulting from crashes involving drivers with two-or-more previous alcohol-related convictions, compared to a 15 percent decrease found for injuries resulting from crashes involving drivers with only one previous alcohol-related injury. Finally, the numbers of fatal injuries from crashes involving drivers in either group were too small for meaningful analysis. It appears that Michigan's repeat alcohol offender laws have been effective in reducing the number of crashes, and crash-related injuries, involving repeat drunk drivers.

The laws were also designed to reduce the incidence of drunk driving and DWLS/R recidivism. We examined this issue through analysis of DOS MDR data for drunk driving and DWLS separately. Note that under Michigan law, a repeat alcohol offender is defined as two or more alcohol convictions within 7 years (two-plus offenders) or three or more alcohol convictions within 10 years (three-plus offenders). We found that for the five year period we examined (1997-2001) the numbers of all alcohol, two-plus, and three-plus offenders generally decreased each year. Comparison between the prelaw and postlaw years showed that the number of two-plus offenders decreased by about 5 percent, and the number of three-plus offenders decreased by about 18 percent (a total decrease of about 10 percent for all repeat alcohol offenders), while there was only a 2.4 percent decrease in the total number of alcohol offenders. These results suggest that Michigan's repeat alcohol offender laws have been effective in reducing drunk driving recidivism. We also examined DWLS/R recidivism which is defined as three or more convictions for driving on a suspended or revoked license (DWLS/R) within seven years. Analyses showed large decreases in the total number of DWLS/R convictions for each year studied. The numbers of repeat DWLS/R offenders, however, increased up to 1999 and then decreased. Comparison between pre and postlaw years revealed about a 14 percent decrease in the number of DWLS/R offenders for the postlaw years while repeat DWLS/R offenders increased by 2 percent. Thus, the laws did not seem to have the intended effect of reducing DWLS/R recidivism.

The repeat-alcohol offender laws included provisions for four new sanctions: vehicle

immobilization, license plate confiscation, ignition interlock, and substance abuse treatment. We were interested in determining the extent to which these sanctions were being applied. Examination of the DOS MDR and the Repeat Offender data sets revealed that these sanctions were applied quite infrequently for both alcohol-related and DWLS/R-related convictions. The study showed that vehicle immobilization was utilized in only about 6 percent of eligible cases (6.7 percent for alcohol-related and 3.9 percent for DWLS/R-related cases). License plate confiscation, where the police officer physically removes the metal license plate and issues a temporary paper plate, occurred in slightly less than one-half of the cases for alcohol-related arrests and in only about 15 percent of DWLS/R eligible cases (a total of about 30 percent of eligible cases). Only data on actual ignition interlock installation, rather than data on the ordering of interlocks, was available. No records are kept for substance abuse treatment programs. Therefore, the ordering of these sanctions for eligible persons could not be investigated.

Several objectives were designed to determine the effects of these various sanctions on drunk driving recidivism. Overall, the study found that recidivism rates for people receiving the various sanctions (individually or in combination) were very small, ranging from zero to about 6 percent. All sanction combinations that included ignition interlocks had the lowest drunk driving recidivism rates, while people with sanctions involving only driver license suspension/revocation had the highest rates of recidivism. Based upon these results, Michigan should redouble its efforts to increase the frequency with which ignition interlocks are ordered for eligible convicted drunk drivers.

An important component of Michigan's repeat alcohol offender laws was to include all alcohol convictions, regardless of the severity, in determining who was a repeat alcohol offender. (Note that only one Zero Tol conviction counts toward repeat offender status.) Thus, the common approach of defense attorneys to plea serious drunk driving charges down to less serious charges in order to avoid more serious sanctioning, would not be effective in many cases in avoiding repeat alcohol offender status and the sentencing guidelines which accompany this status. The study investigated the frequency with which lesser charges were utilized for drunk driving arrests, by examining the DOS MDR data



sets to determine the differences between original charges and convicted charges. The study found that of the 122,699 cases with a drunk-driving-related original or convicted charge, about 41 percent were convicted on the same charge. Of those that were convicted on a different charge, nearly all were convicted of a different drunk-driving-related offense. In only 2.7 percent of cases, was the convicted offense a non-drunk driving offense when the original charge was drunk driving related. Thus, in nearly all cases, the plea arrangement did not alter the repeat offender status.

Michigan's new repeat offender laws also allowed for the forfeiture of vehicles in certain repeat drunk driving cases. Because of limitations in the data available, we could only analyze this sanction for vehicles registered in Michigan for non-commercial driver licenses between June 1, 1999 and January 31, 2002. During this time period, there were 215 vehicles forfeited. About 90 percent were for repeat drunk driving convictions for men and about 60 percent were for people between the ages of 21 and 40.

The new laws also allow the DOS to deny requests for vehicle registration made by people with three or more alcohol convictions or four or more DWLS/R convictions within the last ten years. Utilizing the Repeat Offender Dataset maintained by the DOS, the study found a total of 133,591 registration denials between October 1999 and January 2002. As of the end of January 2002, the study found: about 92 percent of denials were still active; about 80 percent were for drunk driving recidivism; about 90 percent were for males; and about one-half were for people between 21 and 40 years of age (the other half were for people 41 to 64 years of age). Thus, registration denial was a commonly applied sanction in Michigan and the frequencies match the demographics of drunk drivers in Michigan.

The Michigan repeat-alcohol offender laws included the creation of four new felony crimes: DWLS/R causing serious injury (DWLS/R-Injury); DWLS/R causing a death (DWLS/R-Death); OUIL/OWI child endangerment; and three-or-more alcohol-related convictions in the last 10 years. Our analysis found that between October 1, 1999 and December 31, 2001 there were a total of 11 DWLS/R-injury; 7 DWLS/R-death cases; 546

child endangerment cases; and 17,652 three-or-more-alcohol-conviction cases. In order to determine how courts were handling these cases, we conducted case studies of all DWLS cases and random samples of child endangerment and 3-or-more cases. These case studies revealed a wide range of demographics, circumstances, and sanctioning for felony drunk driving and DWLS/R cases in Michigan.

Prosecuting attorneys play an important role in combating drunk driving. The effectiveness of a traffic safety law is dependent, in part, on how easily people arrested for violating the law can be prosecuted. This study sought to determine the experiences and opinions of Michigan prosecuting and assistant prosecuting attorneys regarding Michigan's new repeat alcohol offender laws through a written survey. The study found that a vast majority of prosecuting attorneys received training on the new laws and most found the training to be useful. About one-half indicated that the new laws have increased their workload. Eighty percent of prosecuting attorneys indicated that the new felony crimes created by the laws have been helpful in convicting repeat drunk driving offenders. Prosecutors reported very high conviction rates, with nearly all reporting that 75 to 100 percent of their drunk driving cases result in a conviction.

A series of questions were asked of the prosecuting attorneys about the provision of the law that makes it illegal for an associate of a drunk person to knowingly allow the drunk person to drive the associate's vehicle. Very few attorneys had charged people with this crime—about 60 percent of attorneys reported that they had not charged a person with this crime in the past 6 months. The infrequency of this charge may be due to the fact that prosecuting attorneys find it difficult to prosecute these cases. About 90 percent indicated that it was “very difficult” to provide the court with evidence of this crime.

The new laws, when compared to the old laws, limit many conditions for driver license restoration appeals, making it more difficult for a successful appeal. About one-half of the responding attorneys indicated that the frequency of these requests had decreased since the new laws were implemented. About 30 percent indicated that the frequency with which courts grant these requests had also decreased. These decreases

indicate the effectiveness of this portion of the new legislation.

The new laws allow courts to request reimbursement for prosecuting expenses. We found that about two-thirds of the attorney respondents indicated that their courts request reimbursement at least some of the time. Only about 30 percent are actually reimbursed.

The survey of attorneys also included several questions about the new sanctions for repeat drunk drivers. The study found that courts are using a variety of methods for vehicle immobilization, including the boot, the club, and electronic tethers. About two-thirds of courts monitor compliance with vehicle immobilization orders. About one-half of prosecuting attorneys thought that vehicle immobilization was not an effective sanction for preventing alcohol impaired driving or DWLS/R recidivism. A vast majority of respondents indicated that their courts order vehicle immobilization when required. Similar results were found for vehicle forfeiture. In addition, only 10 percent of respondents felt that forfeiture was too harsh a penalty for repeat drunk driving. Slightly more than one-half of respondents felt that there were enough substance abuse treatment programs available, particularly for those with limited economic resources. About three-fourths of prosecuting attorneys felt that their courts monitored compliance with substance abuse treatment programs.

In summary, this evaluation has shown that Michigan's repeat alcohol offender laws are generally being implemented as intended, except that many of the new sanctions are not being utilized. The laws have been successful in reducing drunk driving recidivism but not DWLS/R recidivism. The laws have also been successful in reducing crashes caused by drunk driving and DWLS/R recidivists. Future programs and legislation should focus on ways to increase the use of vehicle immobilization, vehicle forfeiture, and ignition interlocks for drunk driving and DWLS/R recidivism.

#### 4. References

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## **5. Appendices**

### **Appendix A: Case Study Request Letter**



Transportation Research Institute

2901 Baxter Road • Ann Arbor, Michigan 48109-2150 • [www.umtri.umich.edu](http://www.umtri.umich.edu)

July 16, 2002

Subject: Participation in Michigan's Repeat Alcohol Offender Legislation Evaluation Study

Dear Judges, Court Administrators, and Staff:

In October 1998, the Michigan Legislature passed, and the Governor signed, several new laws with the purpose of reducing the number of tragedies caused by drunk drivers. The legislation was designed specifically to be tougher on repeat alcohol-convicted drivers, and drivers who are driving while their licenses are suspended, revoked, or denied. The majority of the legislation became effective October 1, 1999. Within the language of the new laws was included a mandate for an evaluation of the impact of these new laws, which The University of Michigan Transportation Research Institute (UMTRI) is presently conducting. A portion of our study includes detailed court case studies to better understand the impact of the laws (especially the new felonies created by these laws) and to determine how these special cases are handled and disposed by your court. In order to complete the case studies we will need detailed case information that only you can provide to us. We are writing to ask you for your help in conducting this important project.

Included below is a list of case(s) from your court that have been selected for case study. We are asking for you to provide us with the complete court records regarding this (or these) case(s), including court transcripts, police reports, crash reports (UD-10), copies of citations, case summary files, criminal history, toxicology reports, sentencing, preliminary examinations, motions, and/or any other information that would be useful for us to understand and classify how your court handled and disposed the case.

[names inserted here]

We understand the sensitivity of this information and the need for protecting its privacy. We are required by the University of Michigan Institutional Review Board (IRB) to implement strict measure to ensure the privacy of research data. The records you provide will be used only for research purposes, will be viewed only by my research staff, and no data will be reported or published with names or other identifying information attached. My entire research staff has been trained and certified for compliance with IRB policies and procedures.

We will contact you in the near future regarding providing us with information from these cases at your earliest convenience. Please send the information to:

Univ. of MI Transportation Research Institute (UMTRI)  
Social & Behavioral Analysis Division  
Helen Spradlin, Research Asst.  
2901 Baxter Road  
Ann Arbor, MI 48109-2150

Should you have any questions or concerns, or if there is some way in which we can assist you with compiling this specific case information, please call [names, phone numbers, and email addresses].

Sincerely,

David W. Eby, Ph.D.  
Project Director, Sr. Associate Research Scientist  
Social & Behavioral Analysis Division



**Appendix B:**  
**Prosecuting Attorney Survey**

**Prosecuting Attorney Survey  
Evaluation of Michigan's Repeat Alcohol Offender Legislation**

**June, 2002**

**Please return this survey by 7/5/02**

**Principal Investigator: David W. Eby  
Contact Telephone Number: 734/763-2466**

**Sponsors: Michigan Office of Highway Safety Planning  
Michigan Department of State**



**University of Michigan Transportation Research Institute**

## Evaluation of Michigan Repeat Alcohol Offender Legislation

In October 1998, the Michigan Legislature passed, and the Governor signed, several new laws with the purpose of reducing the number of tragedies caused by recidivist alcohol-convicted drivers. The legislation was designed to be tougher on repeat alcohol-convicted drivers, and drivers who are driving while their licenses are suspended, revoked, or denied. The majority of the legislation became effective October 1, 1999. Within the language of the new laws was included a mandate for an evaluation of the impact of these new laws, which The University of Michigan Transportation Research Institute (UMTRI) is presently conducting. This survey is part of the evaluation, and was designed to help determine the perceptions and knowledge of prosecuting attorneys charged with implementing changes with respect to the new laws, their implementation, and the extent to which the laws serve their deterrent and rehabilitative functions.

The role of the prosecuting attorney is an important link in making these new laws effective. This statewide survey is being conducted to better understand the impact of the new laws and to help understand how the laws are working from the prosecuting attorney's point of view. With this survey, we are attempting to gain insight into the prosecuting attorney's personal point of view. We are interested in assessing your perspective on these laws and how they are working. We encourage you to answer questions based on your own perception and opinions. We would appreciate your cooperation in completing and returning this survey.

Please mark your answers directly on this survey. When you have completed the survey, please fold it and mail it to: UMTRI-SBA, Dr. David W. Eby, 2901 Baxter Rd., Ann Arbor, MI 48109-2150.

In an effort to shorten and simplify this survey, the following abbreviations will be used:

Unlawful Bodily Alcohol Content	UBAC
Operated Under the Influence of Liquor	OUIL
Operated Under the Influence of a Controlled Substance	OUID
Operated While Impaired	OWI
Combined Operated Under the Influence of Liquor and Unlawful Bodily Alcohol Content	OUIL/UBAC
Driving While License Suspended, Revoked, or Denied	DWLS/R
Operating Under the Influence of Liquor and/or Operated While Impaired Causing Death	OUIL/OWI-Death
Operating Under the Influence of Liquor and/or Operated While Impaired Causing Serious Injury	OUIL/OWI-Injury
Knowingly Allowing Another to Operate While DWLS Causing Serious Injury	Allowing DWLS/Injury
Knowingly Allowing Another to Operate While DWLS Causing Death	Allowing DWLS/Death

This survey will be provided to each county in Michigan. The name of the individual(s) completing the survey are not requested, and no identifying information regarding the county which returns the survey will be released. All information collected will remain confidential except as required by federal, state, or local law. All participation is voluntary and you can refuse to answer any question by leaving it blank. Questions that make you feel uncomfortable may be skipped. Your decision to answer and return this survey by mail is an appropriate and sufficient expression of free consent. You may withdraw from participation at any time without affect to you. This survey should take approximately 15 minutes to complete.

For more information or specific questions about this study or survey, you may contact:

Dr. David Eby

University of Michigan Transportation Research Institute

2901 Baxter Road

Ann Arbor, MI 48109-2150

Phone: (734) 763-2466

FAX: (734) 936-1076

e-mail: eby@umich.edu

If there are concerns or questions pertinent to your rights as a participant in research, you may contact:

The University of Michigan Human Subjects Protection Office

1042 Fleming Building

503 Thompson Street

Ann Arbor, MI 48104-1342

Phone: (734) 936-0933

FAX : (734) 647-9084

e-mail: IRB-Behavsci-Health@umich.edu

Web Page: [http://www.IRB.research.umich.edu/IRB\\_Behavioral/IRB\\_Behavioral.html](http://www.IRB.research.umich.edu/IRB_Behavioral/IRB_Behavioral.html)

1. How has your workload been affected since the implementation of Michigan's repeat alcohol driving offender legislation?

- 1. Increased
- b. Decreased
- c. Remained the same

2. Please indicate how drinking and driving *prosecutions* and *convictions* have changed in your jurisdiction since implementation of Michigan's repeat alcohol driving offender legislation for the following (please circle the best answer):

	<b>Prosecutions</b>			<b>Convictions</b>		
UBAC	Increased	Decreased	Same	Increased	Decreased	Same
OUIL	Increased	Decreased	Same	Increased	Decreased	Same
OUID	Increased	Decreased	Same	Increased	Decreased	Same
OWI	Increased	Decreased	Same	Increased	Decreased	Same
OUIL & UBAC	Increased	Decreased	Same	Increased	Decreased	Same
DWLS	Increased	Decreased	Same	Increased	Decreased	Same

3. Please indicate how drinking and driving *prosecutions* and *convictions* have changed in your jurisdiction since implementation of Michigan's repeat alcohol driving offender legislation for the following (please circle the best answer):

	<b>Prosecutions</b>			<b>Convictions</b>		
DWLS/Injury	Increased	Decreased	Same	Increased	Decreased	Same
DWLS/Death	Increased	Decreased	Same	Increased	Decreased	Same
Allowing DWLS/Injury	Increased	Decreased	Same	Increased	Decreased	Same
Allowing DWLS/Death	Increased	Decreased	Same	Increased	Decreased	Same
Any Combination of Three Prior Alcohol or Drug Offenses	Increased	Decreased	Same	Increased	Decreased	Same

4. In your experience, have the new felony crimes been helpful in convicting repeat alcohol driving offenders?

- 1. Yes
- 2. No
- 3. Don't Know

5. About what percentage of your charged drinking and driving cases result in a conviction?
  1. 0 to 24 percent
  2. 25 to 49 percent
  3. 50 to 74 percent
  4. 75 to 100 percent
  5. Don't Know
  
6. About what percent of your drinking and driving cases are resolved to a lower charge?
  1. 0 to 24 percent
  2. 25 to 49 percent
  3. 50 to 74 percent
  4. 75 to 100 percent
  5. Don't Know
  
7. Are you having more drinking and driving trials since implementation of Michigan's repeat alcohol driving offender legislation?
  1. Yes
  2. No
  3. Don't Know
  
8. How many drinking and driving **Bench trials** have you been involved in during the last six months?
  1. Less than 10
  2. Between 10 and 24
  3. Between 25 and 54
  4. Between 55 and 74
  5. More than 75
  
9. If you were a prosecuting attorney in October, 1999, when was training regarding changes in Michigan's repeat alcohol driving offender provided to you (select all that apply)?
  1. Prior to implementation of the legislation (October, 1999)
  2. About the time of implementation (in October, 1999)
  3. Between October, 1999 and March, 2000
  4. Since March, 2000
  5. No training was provided
  6. I was not a prosecuting attorney during that time

10. Did PACC/PAAM (Prosecuting Attorneys Coordinating Council/Prosecuting Attorneys Association of Michigan) offer you training regarding changes in Michigan's repeat alcohol driving offender legislation?

- 1. Yes
- 2. No
- 3. Don't Know
- 4. I was not a prosecuting attorney during that time

11. If you were a prosecuting attorney in October, 1999, was training regarding changes in Michigan's repeat alcohol driving offender legislation useful?

- 1. Yes
- 2. No
- 3. Don't Know
- 4. I was not a prosecuting attorney during that time

12. Have people in your office participated in continuing education training regarding Michigan's repeat alcohol legislation in the past year?

- 1. Yes
- 2. No
- 3. Don't know

13. Please check any or all of the following vehicle restrictions that your courts are using as drinking and driving sanctions:

- 1. The boot \_\_\_\_\_
- 2. Electronic tether \_\_\_\_\_
- 3. Vehicle impoundment \_\_\_\_\_
- 4. Other (please list): \_\_\_\_\_

14. In your opinion, is mandatory vehicle immobilization for second and third drinking and driving offenders generally effective in preventing alcohol impaired driving recidivism?

- 1. Yes
- 2. No
- 3. No Opinion

15. In your opinion, is mandatory vehicle immobilization for drinking and driving offenders that operate a vehicle during a period of license suspension or revocation generally effective in preventing offenders from driving again while their licenses are suspended or revoked?

- 1. Yes
- 2. No



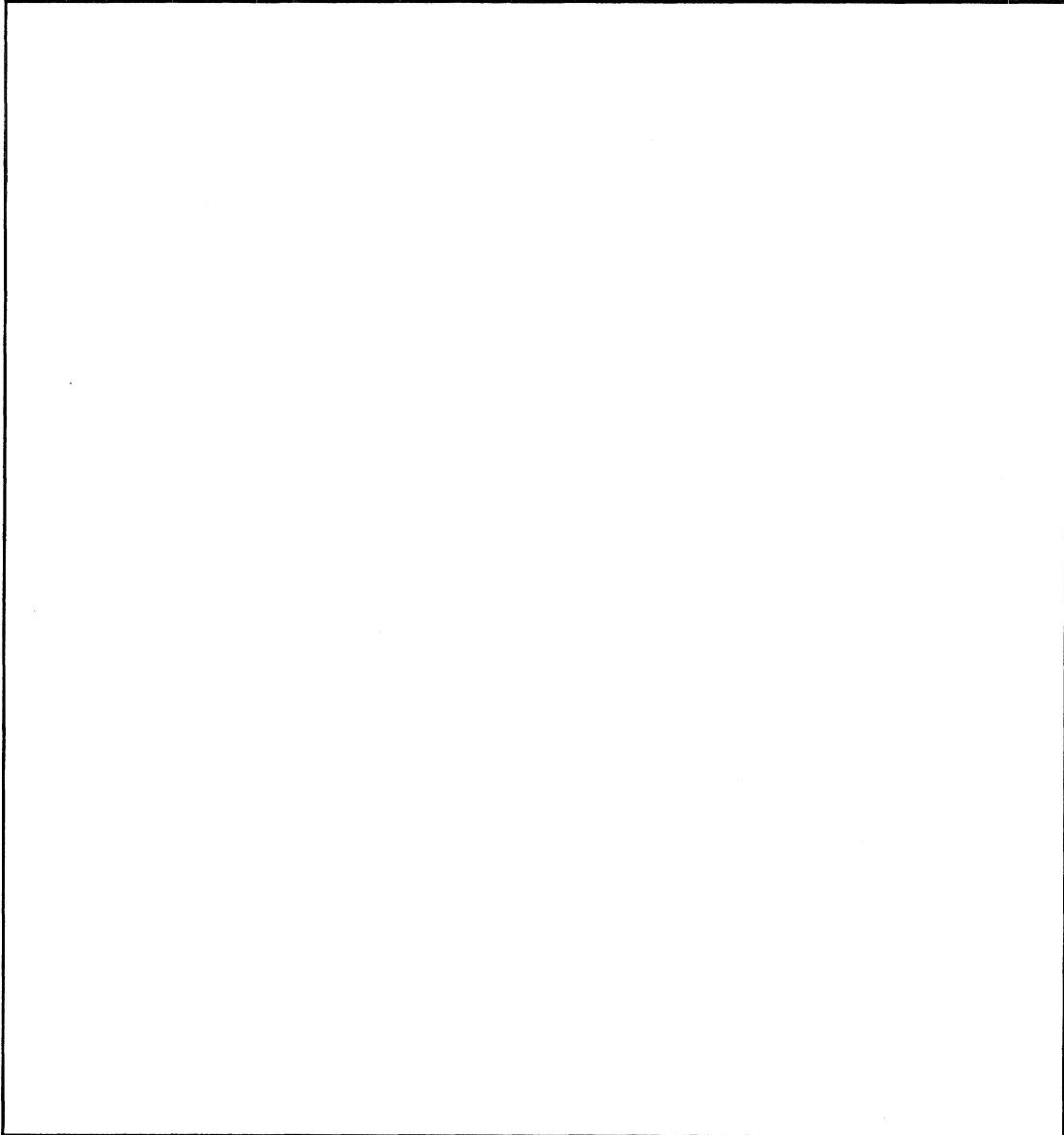






4. Don't Know

35. For how many years have you been a member of the bar? \_\_\_\_\_ years
36. For how many years have you been a prosecuting attorney (elected or assistant, or any combination thereof)? \_\_\_\_\_ years
37. What county is your jurisdiction? \_\_\_\_\_
38. In your opinion, how could we improve the drinking and driving laws in Michigan?



Thank you for completing the survey. Please fold the survey and return it in the self-addressed, stamped envelope provided. If the envelope is missing, please send the completed survey to: UMTRI-SBA, Dr. David W. Eby, 2901 Baxter Rd., Ann Arbor, MI 48109-2150.

