EUGENE POLICE NEWS RELEASE

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“No Refusal”
July 4, DUII Enforcement

To combat the deadly problem of impaired driving, the Eugene Police Department, along with Oregon State Police and Springfield Police Department will be out in force on July 4, cracking down on impaired drivers.

This latest enforcement strategy is one of a series of “No Refusal Weekends.” They are called that because all suspected impaired drivers caught during the enforcement who refuse breath testing will be subject to blood testing for alcohol. “Impaired driving remains a major public safety threat that still claims thousands of innocent lives on our roadways every year. No Refusal is another tool that law enforcement can use to confront this problem,” said EPD Officer, Ryan Stone.

In Eugene, as well as the rest of America, anyone driving with a blood alcohol concentration (BAC) of .08 grams per deciliter or higher is considered legally impaired (.04 for commercial drivers). However, many impaired drivers refuse to submit to BAC testing in an attempt to avoid—or have reduced—the criminal sanctions they could face upon conviction. It is important to note that a person is arrested based upon impairment, so even if someone is below the legal limit, if they are impaired they can be arrested. For example, some prescription medicines, illegal drugs, and or combinations of alcohol and drugs can impair a person’s driving abilities.

BAC test refusals are increasing around the nation. In a 2008 NHTSA report to Congress, Refusal of Intoxication Testing: A Report to Congress, refusal rates ranged from 2.4 percent to 81 percent, with an average refusal rate of 22.4 percent. According to data from NHTSA, during that period from 2007 to 2011, 780 people lost their lives in crashes involving drivers with a BAC of .08 or more, which accounted for 40 percent of all motor vehicle fatalities during that span.

The “No Refusal Weekend” is designed to address this issue. Police and other law enforcement officials work in coordination with prosecutors and judges to quickly obtain “blood draw warrants” for drivers who refuse BAC testing. With the approval of a judge, anyone suspected of impaired driving who unlawfully refuses to provide a breath sample is subject to blood testing at the scene, a medical facility, or nearest jail facility. The program helps ensure that prosecutors obtain the scientific evidence needed to effectively pursue cases involving impaired driving.
According to the NHTSA, there were 10,839 alcohol-impaired-driving fatalities in the United States in 2009.

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