

Mayor Richard J. Berry
Testimony to Senate Committee on Commerce, Science and Transportation
August 10, 2011

Chairman Rockefeller, Senator Udall, and distinguished committee members, thank you for inviting me to present testimony and allowing me to address the important topic of driving under the influence in New Mexico.

First, as the mayor of Albuquerque, please allow me to welcome you to our wonderful city. We hope you have an opportunity to experience our unique and culturally rich community and all that it has to offer.

The city of Albuquerque encompasses 181 square miles and includes both rural and metropolitan areas.

With over 545,000 residents in the city and over 900,000 people in the overall metropolitan area, we are the largest city in the state of New Mexico.

As Senator Udall can attest, New Mexicans are incredibly and justifiably proud of our heritage, history and unique culture. Like any other large and geographically diverse state, we have our share of challenges, including DUI.

DUI is a complicated problem with no single solution. I believe strongly that a multi-pronged approach encompassing education, enforcement, adjudication, treatment and rehabilitation is the key to positively impacting DUI in any community, including Albuquerque.

Preventing and combating DUI in Albuquerque is a top priority for our city, this administration, advocacy groups such as MADD and others and the Albuquerque Police Department.

We are pleased to report fatal crashes in general have dropped from 38 in 2008 to 32 in 2010 in Albuquerque and alcohol related fatalities are on the decline recently. In 2008 there were 11 alcohol related fatalities, and the number dropped slightly to 9 fatalities in 2009, then back up to 11 in 2010 and for the current year to date, we have had 3 alcohol related fatalities. This is an encouraging recent drop but we must remain committed to the cause so that the trend continues. I have every reason to believe that officers are working hard to fight drunk driving in our city as DUI arrests are up by 7% over this time last year.

I'd like to take a few minutes to share with you this Administration's current strategies for addressing DUI in Albuquerque.

Within the area of enforcement, we believe checkpoints are an effective tool in apprehending offenders and getting them off the road. For 2011, arrests at sobriety checkpoints have increased by 23% as compared to this time last year.

We maintain good working relationships with our partners in other local law enforcement agencies which allows for a coordinated approach to DUI. APD frequently conducts multi-agency sobriety checkpoints with the Bernalillo County Sheriff's Department and the New Mexico State Police.

The Albuquerque Police Department has increased the number of DUI saturation patrols, and generally conducts at least one saturation patrol a day. Saturation patrols have proven to be a very good tool for combating DUI, and are often more effective than checkpoints.

APD has increased the number of Drug Recognition Expert certified officers by over 20% so that when individuals exhibit signs of impairment for which alcohol has been ruled out, they can identify other potential legal and illicit drugs which may be the source of impairment.

Our new DUI seizure sergeant has implemented a system in collaboration with the City Attorney's Office to hold DUI offenders more accountable in seizure hearings.

We have conducted bi-annual DUI Warrant Round Ups for offenders who fail to appear in court or fail to comply with conditions set by the court.

As it relates to the use of emerging technologies to fight DUI, the Albuquerque Police Department is working with the state's Scientific Laboratory Division which sets regulations for the use of intoxilyzer machines in order to seek the capability to improve our systems. For example, once approved by the state lab, the department plans to upgrade intoxilyzer software so that breath card information is automatically uploaded to the District Attorney's Office by email in preparation for prosecution. This provides greater protections for the chain of custody of evidence and relevant data.

Also within the area of advancing technology, we have acquired new equipment to assist with DUI enforcement, such as: a new BATmobile, laser speed measurement devices for each DUI officer, dash and/or lapel cameras, portable breath testers and tint meters.

Under the umbrella of awareness, the department has taken steps to highlight the problem of DUI in our community with the intent to encourage people to make better choices.

APD has utilized electronic billboards to advertise DUI seizure auctions and advise the public on the consequences of DUI. They submit DUI arrest information to the local newspaper which regularly features the mug shots of individuals who have been recently arrested for DUI.

APD has expanded efforts to include a public awareness and education campaign. The traffic division has increased the number of community functions their officers attend to include presentations at schools and businesses to educate about the dangers of drinking and driving.

The department works in close collaboration with the local Mothers Against Drunk Drivers' organization. Representatives of MADD attend checkpoints, assist in group presentations, and coordinate the Victim Impact Panel, a very powerful tool to show offenders the very real and negative consequences of drinking and driving.

Our traffic division lieutenant has instituted a program with an emphasis on accountability for officers and supervisors working DUI grant overtime. This has resulted in an increase in the number of DUI arrests per officer hour worked.

We plan to continue to improve our public education and awareness campaign and re-educate patrol officers on DUI seizures procedures.

In general terms, I believe we are on the right track in combating DUI in Albuquerque and throughout New Mexico but we must remain vigilant.

For the last several years, the state has had an aggressive marketing campaign including compelling television ads geared at various demographics which have been significantly impacted by DUI.

The marketing campaign is funded by the National Highway Traffic Safety Administration. The ads, combined with additional funding targeted for high incident counties such as Bernalillo County, have likely contributed to the decline in DUI fatalities in the region.

I am encouraged by programs such as Power Talk 21, spearheaded by Mothers Against Drunk Drivers. This initiative attempts to reach young people by asking parents to talk to their kids about drinking and emphasizing the importance of waiting to drink until the age of 21. We cannot take for granted the impact that drinking at a young age has in terms of negative implications for potential addiction. According to MADD's research, individuals who start drinking early in their teens have a greater chance for becoming alcoholics later in life.

We also must continue to treat the problems that are leading to DUI in our cities. For example, DUI and Drug Court programs appear to have a positive impact on recidivism. The rigorous requirements with a focus on accountability and rehabilitation have resulted in a high success rates among Drug and DUI court graduates.

In closing, thank you for allowing me the opportunity to talk to you about our local approach to DUI and share my perspective on this matter of great public interest. Public safety is of the highest priority to me as a mayor, and I am grateful to you for recognizing the importance of this issue and seeking to understand how it impacts our communities.