



# THE PLAIN DEALER

## Ohio lagging on federal standards to deal with repeat drunken drivers

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Associated Press

Ohio has made several changes to its drunken driving laws in recent years but still isn't up to speed with federal standards for reducing repeat offenses.

It's one of 11 states lagging guidelines that call for mandatory license suspensions, jail time, treatment programs and ignition interlock devices or vehicle immobilization, according to the National Highway Traffic Safety Administration.

"There needs to be stiffer penalties for repeat drunk driving," said Evan DaSilva, a Hiram College student who survived a fatal crash in March caused by a man with 11 drunken driving convictions.

The crash created outrage in Northeast Ohio, where a number of repeat offenders have made headlines this year.

Ohio has passed laws increasing jail time, making a fourth drunken driving offense within six years or a sixth within 20 years a felony.

"We have revised the state drunk driving laws extensively. They now occupy pages and pages of the revised code," said State Rep. Bill Seitz, a Cincinnati Republican. "Let's let the judges understand the current law before we rewrite it again."

Like most of the 11 states that fail to meet federal standards, Ohio lacks a vehicle control requirement that all motor vehicles owned by a repeat offender be immobilized, impounded or equipped with an ignition interlock system.

In New Mexico, interlock devices are required for even first-time offenders.

The state has more interlocks installed per conviction and per capita than any other state.

Chuck Hurley, chief executive of Mothers Against Drunk Driving, called New Mexico's law a breakthrough.

He said the organization will be lobbying for interlocks in the next legislative session with a focus on strengthening laws in several states, including Ohio.

"What we're pushing for is that on first offenses after a brief hard suspension, the offender would get his work permit sooner if he has interlock," Hurley said.

The interlock device requires a driver to blow into it before starting the car. If alcohol is detected, the car won't start.

"It is a 24-hour-a-day probation officer that sits in the front of your car," said Richard Roth, a research consultant for Pacific Institute of Research and Evaluation, who has studied the effects of interlocks in New

Mexico.

Offenders who have installed interlocks in New Mexico have a 60 percent lower repeat rate than those who do not install them, said Roth, a Santa Fe resident who lobbied for the state to use the devices.

Seitz favors the idea of interlocks, which are an option for judges in Ohio but are seldom used. Cost, however, is a factor.

In New Mexico, they cost \$70 to install and about \$70 a month for service. The offender pays for the interlock and indigent drivers can receive help from a state fund.

Parma Heights Capt. Garry Lauter, whose department recently arrested a woman with six drunken driving convictions, said the interlocks need to be used more and that judges need to be more consistent in sentencing.

"It's frustrating to some extent," Lauter said. "In a perfect world, we'd have enough jail space to put people there so they can't get back out there."

Jail sentences last only so long, though.

Last month, James D. Cline got 38 years in prison for a crash in March that killed two Hiram College students and severely injured a third. It was his 12th drunken driving conviction.

Cline had lost his driver's license years ago and had 34 license suspensions. The night of the fatal crash, he borrowed a truck from his girlfriend.

Geauga County Prosecutor David Joyce said that in addition to interlocks, Ohio needs to make it easier to punish those who enable repeat offenders to drive drunk.

"They've changed it and created a system where it sounds good, but guys like Cline are going to continue to go about their ways," Joyce said.

DaSilva, 20, of North Kingstown, R.I., the Hiram student who suffered broken bones in his face, leg, hip, arm and wrist in the March accident, is back at college after a summer of dealing with painful rehabilitation and the emotional trauma of losing friends Grace Chamberlain, 18, of Kirtland, and Andrew Hopkins, 18, of Warren.

DaSilva has started a group at Hiram called ID3, which stands for "I Don't Drink and Drive," with the goal of changing some laws and raising awareness. He thinks the state needs stiffer jail sentences and mandatory interlocks.

"I grew up believing if you got caught drunk driving, you go to prison for a really long time," DaSilva said.

While alcohol-related traffic fatalities in the United States steadily declined nationwide from 26,173 in 1982 to 16,572 in 1999, the number has remained flat since then, with 16,885 killed last year, according to the National Highway Traffic Safety Administration.

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