

A newsletter by **Taheri & Todoro, P.C.**, devoted to *Driving While Intoxicated* law in New York State
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DWI Statistics

The tables below set forth the most recent information located by the authors of this newsletter regarding the number of DWI arrests and DWI-related fatalities in the United States, New York State, and Erie County. As can be seen from reviewing this information, DWI remains a serious problem. While New York State ranks significantly better than the nation with regards to the percentage of fatal accidents involving alcohol, more than one out of four fatalities in New York State automobile accidents involved alcohol.

DWI Arrests in 2001

	<u>Number of Arrests for Driving Under the Influence</u>	<u>Percentage of All Arrests</u>
United States ¹	967,299	9%
New York State ¹	24,889	2.2%
Erie County ²	2,630-3,217 ³	approx. 11% ⁴

¹ Source: *Sourcebook of criminal justice statistics Online*.

² Source: The *Office of National Drug Policy, Drug Police Information Clearinghouse, Buffalo, New York Profile of Drug Indicators* (February 2004) reports 2,670 adults arrested for DWI in Erie County in 2001, the *Sourcebook of criminal justice statistics Online* reports 3,017 adults arrested, and the Erie County Stop DWI Program reports 3,217 arrests.

³ Approximately 350 to 400 of these arrests are for felony DWI.

⁴ This value is derived from information contained in the *Sourcebook of criminal justice statistics Online*, which indicates there were 25,784 adults arrested for felony and misdemeanors in Erie County in 2001, with 3,017 of those arrests being for DWI.

Persons Killed in Alcohol-Related Automobile Accidents in 2002, by Highest BAC Concentration

	BAC of 0.08 or Higher	Percentage of all Persons Killed in Accidents	Any Alcohol (0.01+ BAC)	Percentage of all Persons Killed in Accidents
United States ⁵	15,019	35%	17,419	41%
New York State ⁵	400	26%	478	31%

⁵ Source: *2002 Motor Vehicle Crash Data from FARS and GES*.

In the previous year (2001), the Erie County Stop DWI Program reported nineteen DWI-related fatalities occurred in Erie County. While a specific number for 2002 was not available, the New York State accident information found at www.nhtsa.dot.gov indicates that between fifteen and

This newsletter does not offer specific legal advice. If legal advice or other expert assistance is required, the services of a competent professional person should be sought. If you have any questions or would like a specific topic covered in the newsletter, please contact Michael S. Taheri, Esq., or Peter J. Todoro, Esq., at Taheri & Todoro, PC, 388 Evans Street, Williamsville, NY 14221, telephone no. (716) 633-0374, e-mail: taheri@localnet.com.

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twenty-five alcohol-related fatalities occurred in Erie County in 2002.