Driving Under the Influence of Drugs – Another Form of DUI

Chuck Hayes
International Association Chiefs of Police
DUI – Drugs Nationally

1. Cannabis (Marijuana)

2. Depressants (Xanax, Valium, Benzos)

3. Narcotics (Oxycodone, Hydrocodone)

4. Stimulants (Methamphetamine)
Drugged Driving – News Makers

Nick Nolte Arrested on Suspicion of Drugged Driving in L.A.

Mike Tyson Arrested on Suspicion of Drugged Driving in Phoenix
Drugged Driving Involving Legal Drugs is on the Rise
Wisconsin Driver Kills Three After 3rd DUI Court Sentencing

Three days after being sentenced for his 3rd DUI, Benson consumed Rx pills and then crashed into a vehicle killing a 39 year-old mother, who was 6 months pregnant and her 10 year old daughter. Benson admitted taking four Xanax and four Ambien prior to the crash. Was en route to the pharmacy for more prescription meds when the crash occurred.
The Drugged Driving Problem

Traffic Safety Facts
Research Note

July 2009

Results of the 2007 National Roadside Survey of Alcohol and Drug Use by Drivers

Richard Compton and Amy Bening

Over the last four decades, the National Highway Traffic Safety Administration (NHTSA) and/or the Insurance Institute for Highway Safety have conducted four national surveys to estimate the prevalence of drinking and driving in the U.S. (Wolfe, 1994; Lund and Wolfe, 1995; Voas, et al, 1998). These surveys utilized a stratified random sample of weekend nighttime drivers in the contiguous 48 States. The first National Roadside Survey (NRS) was conducted in 1973, followed by national surveys of alcohol use by drivers in 1986, 1996, and 2007.

The 2007 NRS included, for the first time, measures to estimate the use of other potentially impairing drugs by drivers. Prior roadside surveys had collected breath samples to determine blood alcohol concentration (BAC). Due to developments in analytic toxicology, NHTSA determined it would be feasible in the 2007 survey to collect oral fluid and/or blood samples to determine driver use of a wide variety of other potentially impairing drugs. A pilot test conducted in 2005 demonstrated the feasibility of conducting this more complex survey procedure and confirmed that motorists would voluntarily participate in the study (Lacey, et al, 2007).

The 2007 NRS was designed to produce national estimates of alcohol and drug use by drivers. Thus, the use rates shown below are national prevalence rates calculated from the percentage of subjects using alcohol or drugs and adjusted with an appropriate weighting scheme.

Results of the 2007 Survey: Alcohol

The 2007 NRS found a dramatic decline in the number of drinking drivers with BACs at or above the current legal limit of 0.08 g/dL on weekend nights compared to previous surveys (Figure 1). In 1973, 7.5% of drivers had BACs at or above 0.08 g/dL. In 2007, there were only 2.2% of drivers with a BAC at or above the current legal limit. This represents a decline of 71% in the percentage of alcohol-impaired drivers on the road on weekend nights. Similar declines were found at other BAC levels. For example, the percentage of drinking drivers (any positive BAC) declined almost as much over this time period, but one cannot infer impairment at very low BACs.

The percentage of male drivers with a BAC over the current legal limit of 0.08 g/dL was 42% higher than the percentage of female drivers with illegal BACs (Figure 2). A regression analysis showed that males were significantly more likely to have illegal BACs ($p < .01$). Over 2% of the weekend nighttime drivers had illegal BACs ($\geq 0.08$ g/dL) while only 0.1% of daytime drivers had illegal BACs.

Figure 1
Percentage of Weekend Nighttime Drivers with BACs $\geq$ 0.08g/dL* in the Four National Roadside Surveys

![Percentage of Weekend Nighttime Drivers with BACs ≥ 0.08g/dL*](chart)

*During the period from 1973 through 1986 the States had BAC limits that ranged from 0.10 to 0.15 g/dL.
More nighttime drivers (14.4%) were drug-positive than daytime drivers (11.0%)

Nighttime blood tests indicated 13.8% of the drivers were drug-positive

Using combined results of oral fluid and blood tests, 16.3% of the nighttime drivers were drug-positive
One in Three Deceased Drivers With Known Drug-Test Results Tested Positive for Drugs in 2009

Traffic Safety Facts

Crash Stats

DOT HS 811 415

A Brief Statistical Summary

November 2010

Drug Involvement of Fatally Injured Drivers

Table 2: Drug Test Results for Fatally Injured Drivers With Known Results, 2005 – 2009

<table>
<thead>
<tr>
<th>Year</th>
<th>Drivers Tested/Known Results</th>
<th>Drugs Reported</th>
<th>Drugs Not Reported</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005</td>
<td>13,324</td>
<td>3,710</td>
<td>9,614</td>
</tr>
<tr>
<td>2006</td>
<td>14,325</td>
<td>4,018</td>
<td>10,307</td>
</tr>
<tr>
<td>2007</td>
<td>14,893</td>
<td>4,214</td>
<td>10,679</td>
</tr>
<tr>
<td>2008</td>
<td>14,381</td>
<td>4,267</td>
<td>10,114</td>
</tr>
<tr>
<td>2009</td>
<td>12,055</td>
<td>3,952</td>
<td>8,103</td>
</tr>
</tbody>
</table>
Prescription Drug Abuse

- Rx drug abuse accounts for almost 30% of the overall drug problem in the U.S.
- Between 2001 – 2005 accidental deaths involving drug abuse increased 114%
- Costs public and private medical insures over $72 billion a year

Source: ONDCP 2009 National Prescription Drug Threat Assessment
"Generation Rx"

- Today's teenagers are more likely to have abused medications than a variety of illegal drugs

- Nearly one in five teens (19 percent or 4.5 million) report abusing prescription medications to get high

Source: Partnership for a Drug-Free America, 2005 Partnership Attitude Tracking Study
Abuse: Not Just Young People

Elderly abuse Rx drugs three times as frequently as the general population

Elderly consume 25% of all Rx medications taken in U.S.

Source: Ondus, et al., 1999
“Baby Boomer” Generation

Number of Persons 65+, 1900-2030

Source: A Profile of Older Americans: 2003, Administration on Aging, HHS
2009 AAA Study revealed that 78% of 55 and older drivers surveyed are taking more than one Rx medication and only 28% knew the impact the drugs could have on their ability to drive.
Most Frequently Detected Rx Drugs By Laboratory Analysis (Wisconsin 2009)

- Alprazalam (Xanax)
- Diazepam (Valium)
- Oxycodone (OxyContin, Percodan)
- Clonazepam (Klonapin)
- Methadone (Dolophine, Methadose)
- Hydrocodone (Lorcet, Lortab, Vicodin)
- Zolpidem (Ambien)
- Citalopram (Celexa)

Source: Amy Miles-Cochems, WI Lab March 2011
Most Frequently Detected Rx Drugs By Laboratory Analysis (Washington 2009)

- Alprazalam (Xanax)
- Methadone (Dolophine, Methadose)
- Oxycodone (Percocet, OxyContin)
- Clonazepam (Klonapin)
- Diazepam (Valium)
- Citalopram (Celexa)
- Zolpidem (Ambien)
- Lorazepam (Ativan)

Source: Washington State Laboratory March 2011
Most Frequently Detected Rx Drugs By Laboratory Analysis (Arizona 2009-2010)

- Alprazalam (Xanax) +48%
- Diazepam (Valium) +5%
- Carisoprodol (Soma) +156%
- Oxycodone (Percocet, Oxycontin) +72%
- Hydrocodone (Vicodin) +58%
- Zolpidem (Ambien) +75%
- Lorazepam (Ativan) +22%
- Clonazepam (Klonopin) +41%

Source: Michelle Spirk, AZ DPS Lab March 2011
“Pain Killers” in the U.S.

- More than 200,000 pounds of Codeine, Morphine, Oxycodone, Hydrocodone and Meperidine were purchased in 2005

- Enough to give more than 300 milligrams of pain killers to every person in the U.S.

- U.S. is responsible for approximately 95% of all the Oxycodon used in the world today!!

Source: MSNBC, September 2007
Anti-Depressants – The New Challenges
### Oregon Crime Lab Top-10 Anti-Depressant DUI Cases

<table>
<thead>
<tr>
<th>Drug Name</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Citalopram (Celexa)</td>
<td>41</td>
<td>35</td>
<td>41</td>
<td>108</td>
<td>225</td>
</tr>
<tr>
<td>Venlafaxine (Effexor)</td>
<td>35</td>
<td>38</td>
<td>57</td>
<td>61</td>
<td>191</td>
</tr>
<tr>
<td>Fluoxetine (Prozac)</td>
<td>45</td>
<td>44</td>
<td>45</td>
<td>45</td>
<td>179</td>
</tr>
<tr>
<td>Cyclobenzaprine (Flexeril)</td>
<td>34</td>
<td>25</td>
<td>35</td>
<td>57</td>
<td>151</td>
</tr>
<tr>
<td>Amitriptyline (Elavil)</td>
<td>32</td>
<td>27</td>
<td>40</td>
<td>45</td>
<td>144</td>
</tr>
<tr>
<td>Trazadone (Desyrel)</td>
<td>29</td>
<td>43</td>
<td>33</td>
<td>43</td>
<td>148</td>
</tr>
<tr>
<td>Promethazine (Pherergan)</td>
<td>26</td>
<td>17</td>
<td>42</td>
<td>51</td>
<td>136</td>
</tr>
<tr>
<td>Nortriptyline (Pamelor)</td>
<td>16</td>
<td>26</td>
<td>47</td>
<td>38</td>
<td>127</td>
</tr>
<tr>
<td>Sertraline (Zoloft)</td>
<td>20</td>
<td>17</td>
<td>24</td>
<td>24</td>
<td>85</td>
</tr>
<tr>
<td>Bupropion (Wellbutrin)</td>
<td>16</td>
<td>12</td>
<td>30</td>
<td>14</td>
<td>72</td>
</tr>
</tbody>
</table>
Anti-Depressants

- CNS Stimulant-like effects may be observed

- Affects vary from individual to individual, from drug to drug and, vary when mixed with other drugs, over-the-counter substances or with alcohol
Selective Serotonin Reuptake Inhibitors (SSRI’s)

Anti-depressant drugs designed to elevate a person’s mood. Effects the Serotonin.
Most commonly prescribed:

Celexa (Citalopram)
Lexapro (Escitalopram)
Luvox (Fluvoxamine)
Prozac (Fluoxetine)
Zoloft (Sertraline)
New Problem Rx Drugs

Quetiapine (Seroquel)

- Approved for treatment of schizophrenia and other acute episodes of bipolar disorder
- Not controlled Substance
- Abused by crushing and snorting
- “Quell”, “Snoozeberries” and “Susie-Q”
New Problem Rx Drugs

Buprenorphine (Suboxene)

- Opiate approved for treatment of opiate abuse
- Has a “potential for abuse”
- Schedule III drug
- Synthetic Opiate
- Street names: “Bupe” and “Subs”
“SPICE” - “K2”

Synthetic Cannabinoids

Recently placed on the Controlled Substance list
"Bath Salts"

"Ivory Wave" and "Bolivian Bath"

Designer drug similar to methamphetamine and various hallucinogens

Methylenedioxypyrovalerone (MDPV)

Not your common bath salt!
Three Levels of Impaired Driving Enforcement Training

• Standardized Field Sobriety Testing (SFST) – "The Foundation"

• Advanced Roadside Impaired Driving Enforcement (ARIDE) – "Intermediate Level"

• Drug Recognition Expert (DRE) – "Advanced Level"
ARIDE Training Program

✓ Intended to “bridge the gap” between Standardized Field Sobriety Testing (SFST) and Drug Recognition Expert (DRE)

✓ Provides awareness to law enforcement personnel and other criminal justice professionals in the area of drug impairment in the context of traffic safety (16 hours of training)
ARIDE Training

Advanced Roadside Impaired Driving Enforcement (ARIDE) –

- 37 states involved in the training in 2010
- 459 classes conducted in 2010
- Approximately 11,400 officers trained
DRE Training

Drug Recognition Expert (DRE) Training

72 hours of classroom training
24-40 hours of hands-on training

- 63 schools conducted in 2010
- 1,344 officers trained
DRE Evaluations

- 39,975 enforcement evals (2009-2010)
- 20,512 enforcement evals (2010)
- 89% confirmed by toxicology (2010)
- 36% poly-drug cases
Rx Drugged Driving Summary

✓ Rx drug abuse is a worldwide problem
✓ Rx drugs are being prescribed and abused at an all time rate – highest in history!
✓ Many people who use and abuse them drive
✓ Rx drugs creating an increasing danger on roads
✓ Rx drugs create challenging DUI investigations
✓ Rx drugged driving cases are difficult to prosecute
✓ Rx drug problem will probably get worse
Challenges – Drugged Driving Statutes

“Under the influence of alcohol, any drug or any substance”

28 “any drug” states*

*A State-by-State Analysis of Laws Dealing with Driving Under the Influence of Drugs, NHTSA 12/09
What’s the Answer?

✓ Health professionals, law enforcement, prosecutors, toxicologists and highway safety professionals working together.

✓ More public education, increased treatment, tougher sanctions

✓ More educated and aggressive enforcement (ARIDE and DRE)
Thank You! – Questions?

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