

LASD Drunk Driving – What’s the Big Deal?

Rob Miller, October 2008

You have probably heard a great deal of talk lately about alcohol and off duty conduct. Some of it has come from the Sheriff and the Undersheriff, some of it from your unit commander, who may seem to be on the warpath about this lately.

From a different corner, you may have heard a sharply different message. In the April 2008 “Star & Shield,” the monthly magazine published by the LA County Professional Peace Officers Association (“PPOA”), union president John Stites said in an article entitled Booze, Once Again, “Why the sudden interest in increasing the penalties? There has not been a significant increase in DUI offenders within the department...these incidents have remained stable in number over the past decade.” In the October 2008 issue of the same publication, PPOA Board Member Brian Moriguchi takes up the same theme, asserting that, “[p]ercentage-wise, there has not been an increase in alcohol related incidents and, in some of the recent years it has actually decreased.” Lt. Moriguchi goes on to attribute any recent spike to the recent hiring of 1,000 new deputies and their attendant “youthfulness.”

These statements are inaccurate. The actual numbers tell a very different story.

I am not going to tell you how to feel about this phenomenon or what to do in your own life to avoid the consequences of drinking and driving, but you deserve accurate data before you decide. Here it is:

32 LASD employees have been arrested for DUI so far this year. The year is barely more than three quarters over. This is the highest number of DUI arrests of Department personnel ever, by a substantial margin. Last year, at this time, the number of DUI arrests for the year so far was 21. The year before at this time, there were 17. Six years ago, in 2003, the number of DUI arrests for the entire calendar year was 15. It had been at almost exactly that level for a few years. Since then, however, the trend has been sharply up and obvious.

Mr. Stites speculates that this so called trend is an illusion; there are just more people in the Department so naturally there are more drinking-related arrests. This unfortunately is an easily tested surmise and it falls flat as an explanation.

From 2003 through the end of 2007, the total number of actual (not “budgeted”) Sheriff’s Department employees grew from 14368 to 16379. That is a 14% increase. During the same period, DUI arrests for the whole Department went up 73%.

Well, that was in the old days, you might say, before the Department started cracking down and making discipline more rigid and severe. So let’s stick to the present. Unfortunately, the up-to-the-minute trend is even more alarming.

If this year's trend continues – and it has kept up a steady pace all year – then we will have 39 DUI arrests by New Year's Eve. That will be a 62% increase in yearly DUI arrests since 2006. It will be 2 ½ times the number of DUI arrests that there were 6 years ago.

The human consequences of this are huge, of course. It means more than three dozen Department members who have also run smack into a wall of trouble and financial hardship. The average deuce gets you probation, a temporarily suspended license, \$2,850 in DMV and court fines and fees and programs and your lawyer could run you anywhere from \$3,000 to \$15,000. You're not going to get a free union lawyer for this. The total out the courthouse door will therefore cost you from \$5,850 to \$17,850. Your car insurance carrier will also surely take this opportunity to add \$5,000 or \$6,000 to your yearly premium. When that is over, the Department will have a run at you. You will likely get 15 days off, with very little wiggle room. That means at least \$4,069 in loss of pay, or a lot more if you earn more than a step three deputy. Be aware, the Courts are not giving discounts for nice guys or public servants. They are doing a bulk business. And now, unfortunately, so is the Department.

Until recently, LASD managers often expressed shock and dismay at these figures, when they learned them. That may be due to the fact that this material was tracked, but not widely discussed. But, in the last couple of years, the Department has made a good effort to collate and analyze the data as well as to provide it to LASD personnel at all levels. Recently, the Undersheriff's bulletins have gone into sometimes painful detail in order to bring the significance of these incidents to life for Department members.

The natural reaction to something unfortunate that befalls another is to ask questions -- Was he a heavy smoker? Was she walking alone at night? -- to get some detail to reassure yourself that it can't happen to you. No need to do that here; it won't happen to you unless you actively seek it. But, by the same token, you cannot rely on a category, gender, rank or age cohort to keep you out of trouble. Some of the more standard wisdom crumbles easily in the face of the facts from the last five years:

“It's just the young and foolish who get into trouble with alcohol.”

No, 39% of alcohol related arrests of LASD employees are in their first four years of employment, but that leaves the other 61%. If you go by age rather than length of employment, the problem is even more spread out among all groups. Only 31% of arrestees are under 30 years old. Heck, 28% are between forty and fifty!

“I'm a supervisor; that doesn't happen to us.”

Wrong. With uncanny regularity, two sergeants have been arrested for DUI each year for the last four years in a row.

“It just happens to the sworn personnel; professional staff aren't that way.”

Sorry, every year, non-sworn personnel account for about 23% to 33% of the DUI arrests.

“It’s just people with an alcohol problem.”

Probably not. Two facts strongly suggest that the DUI tent is much larger than the alcoholism tent. First, there are very few recidivist drunk drivers in the Department, only a tiny handful of two time DUI arrestees within the last several years. Second, ESS, which screens most employees after their DUI arrest, deems only a small fraction of them as requiring intensive treatment for alcoholism. ESS is of course available to assist the rest with short-term counseling, referrals and education.

And as for gender?

Well, that might actually qualify as slightly better news...for women. DUI arrestees for recent years tend to run about 8 to 15% female. That runs somewhat behind the 36% of departmental employees (including professional staff) who are female.

Those are the numbers.

You’re not responsible for them or for the whole Department, but you are responsible for you, and you can make sure this never happens to you.

I hesitate to criticize Lt. Moriguchi’s theories because I do not want to undermine his ultimate message. He calls upon all members of every rank to “...watch out for each other by preventing our peers from driving drunk. Take their keys. Drive them home. Call them a cab...Be a true friend; speak up. Let them hate you for the moment, but hopefully thank you tomorrow.” That is as forceful, eloquent and compassionate a way to put it as I have seen. This is surely part of the right prescription, but a clear-eyed, dispassionate look at the numbers is an essential part of the right diagnosis.

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