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# DUI 1986 FACT BOOK

## State puts brakes on drunks

Continued from Page 1  
dunk with a blood alcohol level of .10.

"It's not just some puny, hand-dunk-and-it's-fine-out-there-who-wouldn't-let-you-as-easily-as-if-he-had-a-gun," Strickland said. "The law showed the time it takes to make an arrest and that wouldn't have been kind of

here in Illinois that prompt suspension was the biggest deterrent to drunk driving," he said. "The longer you're going to be slapped on the wrist, the more worried you'll be and the people won't work on, obviously you wouldn't have these kinds of

40 days after the arrest. In that 40-day interim period, the driver can't get a job, the driver can't get a license, the driver can't get a passport before a point in which he's back on the street. On the first day of the suspension, first-time offenders are not required to have a license to drive a private vehicle, or to have a passport before a point in which he's back on the street."

## Drunken driving license suspensions increase 260%

Under new drunken driving laws, driving privileges were suspended or revoked for 260 percent more Illinois motorists in 1986 than in 1985, the state said Friday.

Secretary of State Jim Edgar said 46,978 suspensions and revocations were issued statewide last year, 13,047 more than in 1985.

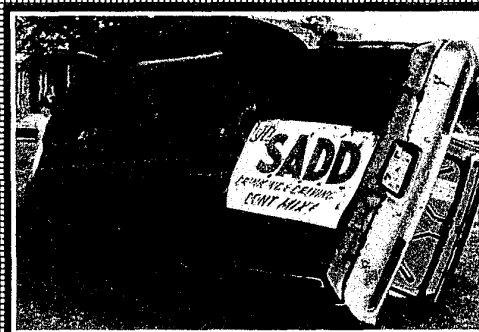
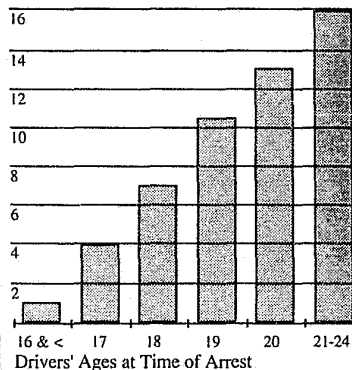
blood alcohol level was at least 0.2, twice the legal limit, Edgar said.

The statistics also show the average offender is male, nearly 32 years old — although the group with the highest incidence of drunken driving is between 21-24 — and has a below



## 1986 Illinois DUI Arrest Rate

Number of Arrests per 1,000 Licensed Drivers



Jim Edgar - Illinois Secretary of State

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OFFICE OF THE SECRETARY OF STATE  
SPRINGFIELD, ILLINOIS 62756

The steady evolution of Illinois' laws governing driving under the influence of alcohol and other drugs (DUI) has placed our state in the forefront of the national effort to curb this serious traffic offense. The most recent legislative change was the enactment of the statutory summary suspension law Jan. 1, 1986. This statute provides that an offender automatically loses driving privileges following a DUI arrest when the results of a chemical test indicate a blood alcohol concentration (BAC) of .10 or greater or for refusing to complete a chemical test. During 1986, 47,000 offenders lost driving privileges under this provision. This is almost four times the number who lost driving privileges during 1985. ✓

Several other important laws became effective in 1986. Illinois drivers under age 21 were issued color-coded drivers licenses which clearly identify them as being under the minimum legal drinking age. Victims of DUI personal injury or fatal crashes and their families were granted certain rights providing information on the progress and disposition of cases. In addition, penalties were increased for reckless homicide, a DUI crash resulting in great bodily harm, providing alcohol to someone under age 21 and a DUI conviction for a driver under age 21.

The new deterrent-based laws are changing the public's attitude and driving behavior. More people think before they drink and drive because they realize the serious consequences of a DUI arrest.

Victims' groups as well as concerned citizens are continuing to devote their efforts to educate the public about the DUI problems and solutions. I hope you will join these citizens by becoming part of the solution. Education is the key to preventing needless DUI tragedies. We must all work together to educate our family, friends and neighbors of the seriousness of DUI.

*Jim Edgar*

Jim Edgar  
Secretary of State  
Chairman, Illinois DUI Task Force

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# Traffic Safety Facts and the Effects of Alcohol

## Nationally

- In 1986, it is estimated that more than 23,000 people were killed in vehicle crashes involving drinking drivers.
- Someone is killed in an alcohol-related crash every 23 minutes.
- Alcohol is a factor in at least 320,000 injury accidents and 1.5 million property damage crashes.
- Between 10 p.m. and 3 a.m. on Friday or Saturday night, one of every 10 drivers is legally drunk. In fatal accidents involving a single vehicle, almost two-thirds (64 percent) of the drivers are legally drunk.
- For every drunk driver arrested, an estimated 500 to 2,000 go undetected.
- Almost 60 percent of fatally injured teenage drivers (age 15-19) were found to have been drinking prior to their crash.
- Forty-three states and the District of Columbia enforce a minimum drinking age of 21.

- Currently, 22 states impose some form of summary suspension or similar drivers license sanction in addition to the penalty for a DUI conviction.

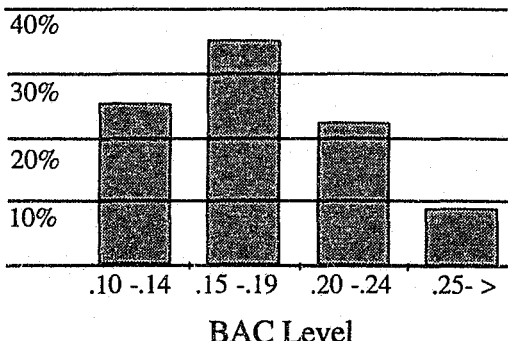
## In Illinois

- During 1986, approximately 800 persons were killed in vehicle accidents involving drinking drivers.
- During 1986, the number of DUI drivers license suspensions and revocations in effect was almost four times the number of those in effect in 1985.
- Drivers under age 21 represent 10 percent of all licensed drivers but are involved in 19 percent of all alcohol-related fatal crashes.
- During 1986, 92 percent of persons arrested for DUI in Illinois lost their driving privileges.
- In 1986, the Secretary of State's office recorded 55,104 DUI arrests.

## DUI - The Facts

The effects of alcohol consumption on the body depend on a variety of factors. The amount of alcohol consumed and the rate at which it is consumed are prime determinants of alcohol's effects on an individual. Additionally, such elements as body weight, amount of food consumed, mood, environment and alcohol tolerance are also contributing factors.

**1986 BAC Levels  
of Drivers Who  
Failed a Chemical Test**  
Percent of Arrested Drivers



From the first drink, alcohol affects coordination and judgment. Vision and depth perception can become distorted; emotions and moods can become unpredictable. Even with a blood alcohol concentration (BAC) below the legal limit of .10 (1/10th of one percent), reaction time slows. Medical reports and driving demonstrations have shown that most individuals are functioning at an impaired level when their BAC reaches .05. The chances of a driver with a BAC of .05 being involved in a crash more than doubles. A driver with a BAC of .10 is six times more likely to have a crash than a sober driver. Further, a driver with a BAC of .15 is 25 times more likely to have a crash, while a driver with a BAC of .20 is 100 times more likely to have a crash.

Only time will remove the effects of alcohol. It takes about one hour per drink to metabolize the alcohol. Neither coffee, showers, nor food will speed the process.

## Effects of Alcohol

# A Profile of Drinking Drivers and DUI Penalties

## The Drinking Driver

In Illinois, a person is legally considered to be under the influence with a BAC .10 percent or greater. The concentration of alcohol in a person's system is based on the ratio of alcohol to blood or breath.

The following are facts about drinking drivers in Illinois:

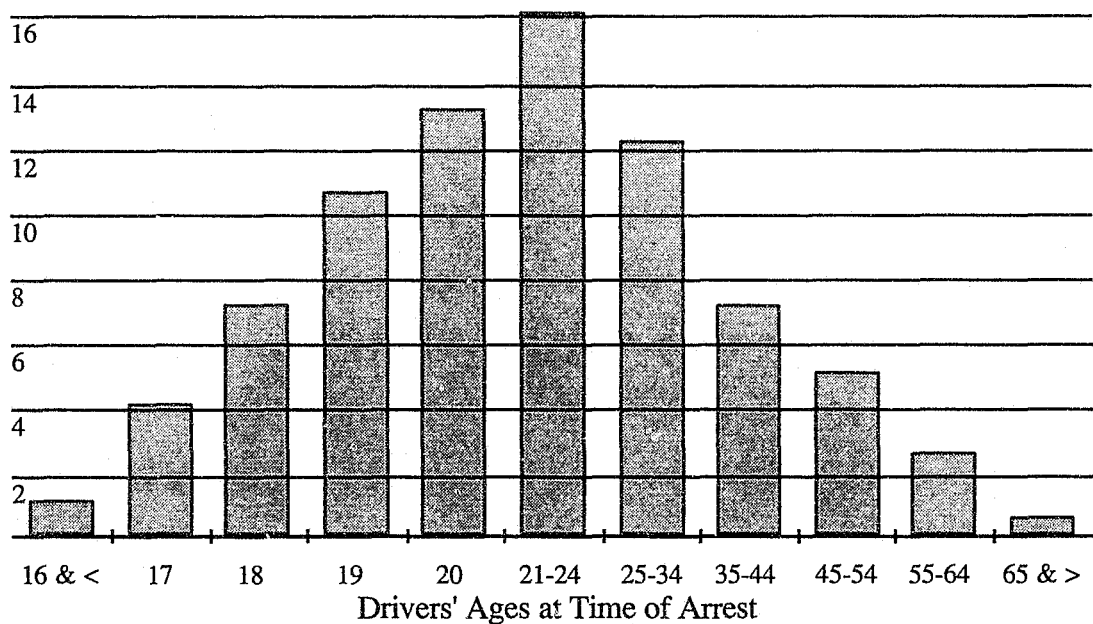
- 88 percent of arrested drinking drivers are male. 12 percent are female.
- 68 percent of arrested drinking drivers are under age 35.
- During 1986, males age 21 to 24 had

the highest DUI rate (28.1 per 1,000 licensed drivers). This rate was more than four times higher than the rate of other drivers arrested for DUI (6.8 per 1,000).

- Alcohol-related accidents occur mostly on weekends. Drivers involved in these accidents usually have a BAC of nearly .20. This figure is twice the legal level of intoxication stated in Illinois law.
- 78 percent of drivers arrested for DUI are first offenders and 22 percent have been previously arrested for DUI within the last five years.

## 1986 Illinois DUI Arrest Rate

Number of Arrests per 1,000 Licensed Drivers per Age Group



## Penalties

### DUI Conviction Age 21 & Over

#### First Conviction

- Loss of full driving privileges for a minimum of one year. (Offender may apply for a restricted driving permit.)
- Possible imprisonment for up to one year.
- Maximum fine of \$1,000.

#### Subsequent Convictions

- Loss of full driving privileges for a minimum of one year. (Offender may apply for a restricted driving permit.)
- Mandatory 48 hours in jail or 10 days community service for a second conviction in a five-year period.
- Possible imprisonment for up to one year.
- Maximum fine of \$1,000.

# Penalties for Alcohol-Related Offenses

## First Conviction

- Loss of full driving privileges for a minimum of two years. (Offender may not seek a restricted driving permit until the second year of revocation.)

## Subsequent Convictions

- Loss of full driving privileges for a minimum of one year or until reaching age 21, whichever is longer. (Offender may not obtain a restricted driving permit under any circumstance until reaching age 21 or until a minimum of one year after the last conviction, whichever is longer.)

## Under Age 21 DUI Conviction

## First Offense

- A chemical test indicating a BAC of .10 or greater results in a mandatory three-month drivers license suspension.
- Refusal to submit to a chemical test(s) results in a six-month drivers license suspension.

## Subsequent Offenses

- Refusal to submit to a chemical test(s), or test results indicating a BAC of .10 or greater, results in a mandatory 12-month drivers license suspension.

## Summary Suspension

**First Conviction** (If revocation was for DUI, leaving the scene of a personal injury or fatal accident, or reckless homicide.)

- Extension of drivers license suspension or revocation.
- Mandatory seven days imprisonment or 30 days community service. (If revocation was for DUI, leaving the scene of a personal injury or fatal accident, or reckless homicide.)

- Maximum fine of \$1,000.
- Possible imprisonment for up to one year.

## Driving on a Suspended or Revoked License

## Subsequent Conviction

- Loss of full driving privileges.
- Classified as a Class 4 felony.
- Possible imprisonment for one to three years.
- Maximum fine of \$10,000.

**Felony DUI** (Following a crash resulting in great bodily harm or permanent disfigurement)

- Loss of full driving privileges for a minimum of one year. (Offender may apply for a restricted driving permit.)
- Classified as a Class 4 felony.
- Possible imprisonment for one to three years.
- Maximum fine of \$10,000.

## Illegal Transportation Of An Alcoholic Beverage

- Maximum fine of \$500.
- A point assigned violation will be entered on the driver's record.
- Drivers license suspension for a second conviction in a 12-month period.

## Other Alcohol Offenses

**Providing Alcohol To A Person  
Under Age 21**

- Possible imprisonment for up to one year.
- Maximum fine of \$1,000.

## Knowingly Permitting A Driver Under The Influence To Operate A Vehicle

- Possible imprisonment for up to one year.
- Maximum fine of \$1,000.

# The DUI Arrest and Illinois' DUI Legislative History

## Arrest and Conviction

### Following The Arrest:

- You will be read your rights. You may be handcuffed and will be transported to the police station or county jail. You will remain there until posting bond.
- Your car may be towed at your expense.
- Attorney fees could cost you thousands of dollars.

### If Convicted:

- You may lose work time.

- You will be required to complete an alcohol and drug evaluation and remedial program before your driving privileges are reinstated.
- You must meet the requirements of the Department of Administrative Hearings prior to obtaining a restricted driving permit through the office of the Secretary of State.
- You will be subject to high risk automobile insurance rates, which total as much as \$1,300 or more per year.

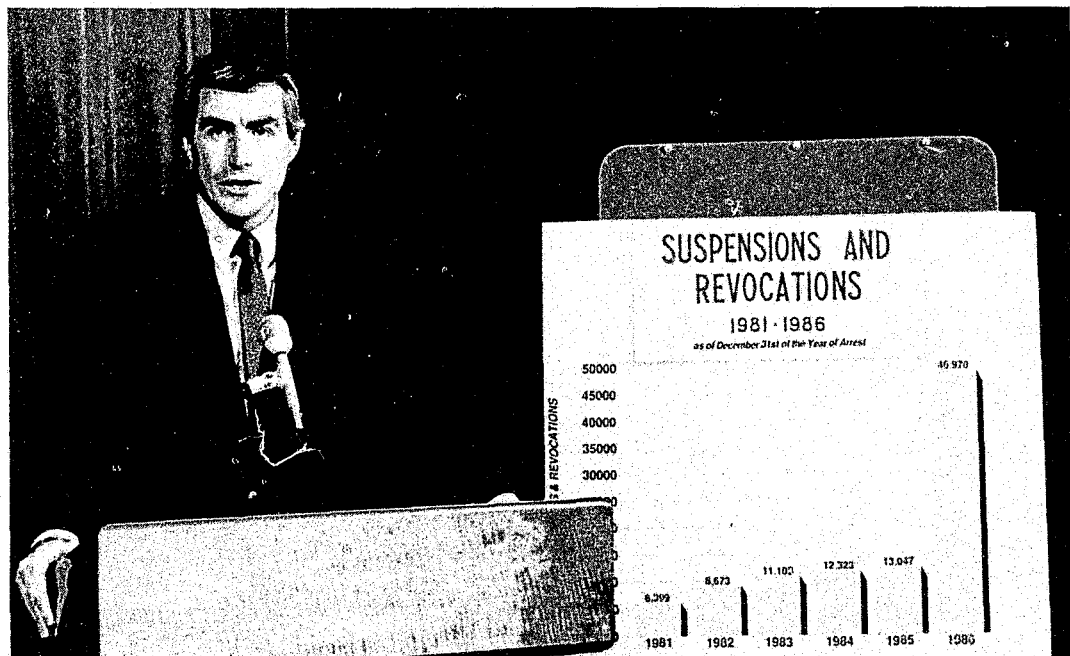
## History of DUI Laws

Almost four times as many DUI offenders lost their driving privileges in 1986 as in 1985. This dramatic increase in DUI revocations and suspensions is one example of swift and certain punishment for drivers arrested for DUI under the new statutory summary suspension law. Since this law went into effect on Jan. 1, 1986, there have been 46,978 individuals arrested for driving under the influence of alcohol and other drugs who lost their driving privileges.

Prior to 1982, Illinois had one of the most complicated and least effective DUI laws in the nation. As the result of legislation enacted during the last five years, Illinois has the second most effective DUI law in the nation.

In 1982, a major revision of the Illinois DUI law was enacted. This revision streamlined DUI arrest procedures and doubled the penalty for a violation of the implied consent law. Legislation enacted in 1984 to supplement the new law provided additional tools for identifying and penalizing repeat DUI offenders.

During 1985, the Illinois DUI Task Force held a series of public hearings across the state on the DUI problem. As a result of their research, Task Force members proposed 59 recommendations addressing all aspects of the DUI issue. By January 1986, 52 of the 59 recommendations had been acted upon either administratively or through legislation.



Secretary of State Jim Edgar announces a fourfold increase in the number of DUI offenders who lost their driving privileges in 1986 as compared to 1985.



# Statutory Summary Suspension

In response to the persistent nature of the DUI problem, Illinois' effort is constantly being improved. Effective January 1986, a number of changes have been instituted. These changes include:

- All drivers who fail or refuse chemical testing following a DUI arrest shall be subject to a statutory summary suspension independent of the criminal charges. This suspension will begin 45 days after the date of failure or refusal of the chemical test. First offenders are not eligible for limited driving privileges until at least 30 days of "hard" suspension have been completed. A driver subsequently convicted of DUI also faces mandatory drivers license revocation for a minimum of one year.
- All Illinois drivers are issued color-coded drivers licenses which clearly identify drivers under age 21 with a red photo background and the words "Under 21" plainly printed on both sides of the license.
- The victims of DUI personal injury and reckless homicide crashes and

their families are provided certain rights concerning the progress and disposition of the DUI case.

- Any person who, while driving under the influence of alcohol and/or other drugs, is involved in a crash which results in great bodily harm or permanent disability or disfigurement to another individual shall be guilty of a Class 4 felony.
- The penalty for reckless homicide was increased from a Class 4 to a Class 3 felony, punishable by two to five years in prison.
- The penalty for giving alcohol to someone under age 21 has been increased from a Class B to a Class A misdemeanor, punishable by up to one year in prison.
- It is a Class A misdemeanor for a vehicle owner to knowingly allow a driver under the influence to operate the vehicle on the highway.
- Dram shop liability limits have been increased to \$30,000 for personal injury and \$40,000 for loss of support.

## History of DUI Laws (Continued)

During 1986, 92 percent of drivers arrested for DUI who either failed or refused the chemical test lost their driving privileges. This high percentage reflects the degree of certainty of the statutory summary suspension. Since this law went into effect Jan. 1, 1986, there have been 46,254 drivers who either failed or refused the chemical test and lost their driving privileges.

A statutory summary suspension of driving privileges is imposed when a driver refuses to submit to a chemical test following an arrest for DUI or fails that test. A first offender who voluntarily submits to a chemical test resulting in a BAC of .10 or greater will have his or her driving privileges suspended for three months. Refusal to submit to a chemical analysis by the first offender will result in an automatic six-month suspension of driving privileges. Repeat offenders will face 12-month suspensions in either case.

The offender's drivers license is confiscated by the law enforcement

officer at the time of arrest and a temporary receipt to drive is issued. This receipt is valid for 45 days. The arrest is then reported to the circuit court and the Secretary of State's office.

On the 46th day following the arrest and notice by the police officer, driving privileges are automatically suspended unless a court hearing, requested by the driver, determines that the arrest procedure was conducted improperly. The first offender is not eligible for a judicial driving permit for the first 30 days of the suspension. The second or subsequent offender is not eligible for a restricted driving permit the first 90 days of the year-long suspension.

During 1986, 55,104 summary suspensions were received and recorded by this office. Of those, 78 percent (42,789) were first offenders and 22 percent (12,315) were repeat offenders. Seventy-three percent (40,269) had failed the chemical test and 27 percent (14,835) refused to submit to the test.

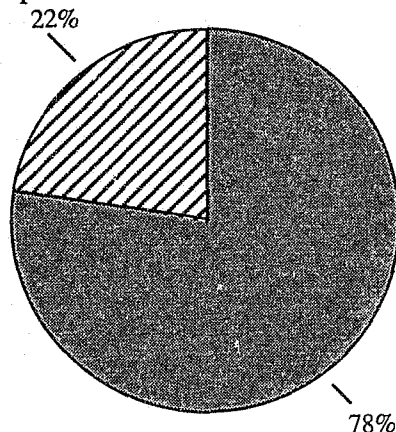
## Summary Suspension

# Statutory Summary Suspension

## Summary Suspension

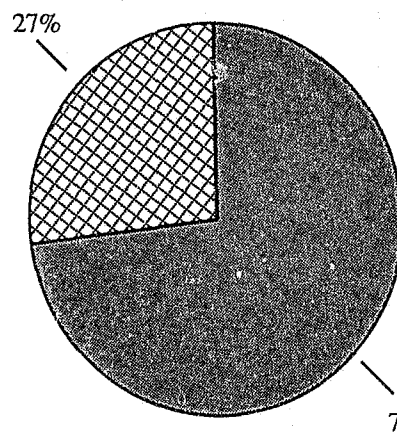
### Drivers with a Summary Suspension

Multiple Offenders



First Offenders

Refused the Chemical Test



Failed the Chemical Test

## Judicial Hearings

A driver may request a judicial hearing to challenge the imposition of a summary suspension. According to state law, the judicial hearing must be conducted within 30 days of the request or on the first court date scheduled for consideration of the criminal charge. Only four particular issues may be considered at the judicial hearing. These issues include:

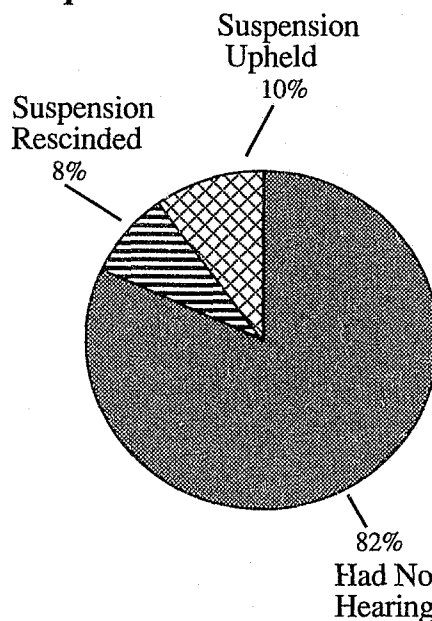
- Whether, in fact, the person was placed under arrest;
- Whether there were reasonable grounds to believe the person was driving or in physical control of the vehicle while under the influence of alcohol or other drugs at the time of arrest.
- Whether the driver, after being informed of the impending summary suspension, refused to submit to chemical testing, or;
- Whether, after being advised of the statutory summary suspension, the driver submitted to chemical testing which showed a blood alcohol concentration (BAC) .10 percent or greater.

If it is found that the driver's BAC is below .10 percent, the court will order the Secretary of State to rescind the suspension. The Office of the Secretary of State is notified of the disposition of the case

in order that this information can be entered on the driver's record.

There were 55,104 statutory summary suspensions issued to drivers in 1986. However, only 18 percent (9,562) of those individuals requested a judicial hearing. Of those, 56 percent (5,313) of the hearings resulted in continuing the suspension and 44 percent (4,249) resulted in a rescission of the suspension.

### Drivers with a Summary Suspension



# Limited Driving Privileges, Reinstatement and License Revocations

## Judicial Driving Permit

Following a summary suspension, a judicial driving permit (JDP) may be requested from the court by a *first time* offender. The offender must prove that a hardship exists and provide a current professional alcohol and drug evaluation before consideration can be given to the issuance of the permit. The JDP will not become effective for the first offender until at least the *31st day* of the suspension.

In 1986, there were 39,333 first offenders whose summary suspensions were not rescinded. Of those, 28 percent or 10,979 drivers were issued a JDP. A study of those first offenders who were issued JDP's indicated that 70 percent were rated as Level I (non-problematic users), 25 percent were Level II (problematic users), and 5 percent were Level III (alcohol/chemical dependent).

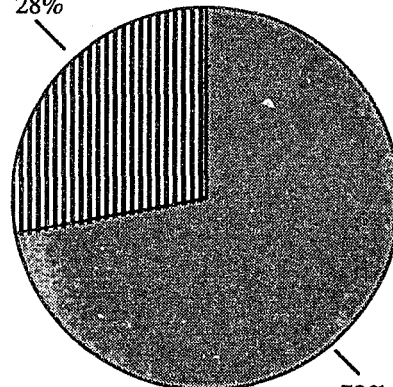
A driver with a second or subsequent

summary suspension is not eligible for a JDP, but may apply to the Secretary of State's office for a restricted driving permit. *(The process for obtaining an RDP may be found at the bottom of page 11.)*

## First Offenders with a Summary Suspension

Issued a JDP

28%



Not Issued a JDP  
72%

At the end of the statutory summary suspension period, the driver may request reinstatement from the courts. The requirements for having driving privileges reinstated include:

- The driver must satisfy any other suspension or revocation on his driving record prior to reinstatement.
- There is a \$30 reinstatement fee which must be paid to the court.

- The reinstatement becomes valid only when it is entered on the driver's record.

The driver must receive a letter from the Secretary of State's office acknowledging the reinstatement of his license before he can drive. During 1986, 10,988 drivers were reinstated following their summary suspension.

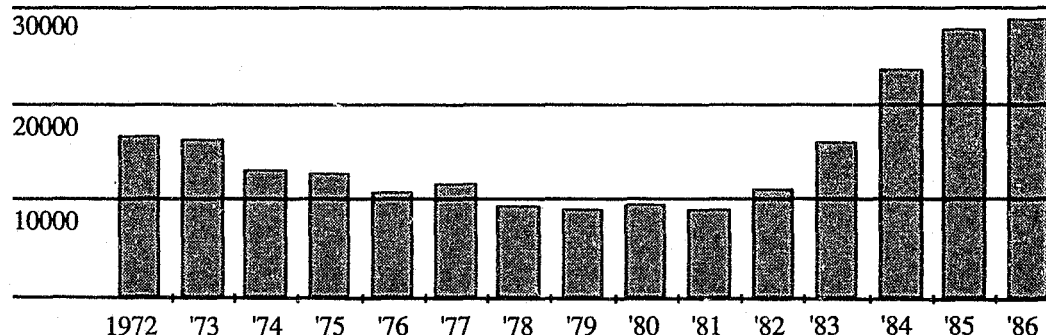
## Summary Suspension Reinstatement

In addition to the summary suspension being processed, the DUI criminal charge will be prosecuted and adjudicated in the courts. If a person is convicted of DUI, any time served on the

summary suspension will be credited to the one year minimum revocation period. During 1986, 26,776 drivers licenses were revoked, an increase of four percent over 1985.

## Revocations

## Drivers License Revocations\*



\* Graph represents the total number of DUI revocations per year regardless of the date or year of arrest.

# Summary Suspension Results and Case Dispositions

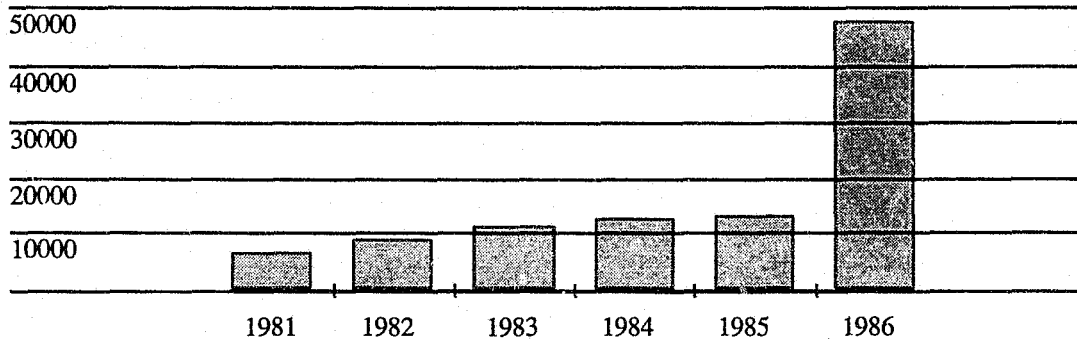
## Results

During 1986, 46,798 summary suspensions and DUI revocations went into effect. This is almost four times the number of DUI revocations and implied consent suspensions in effect for 1985 (13,047) and more than seven times those imposed in 1981 (6,399).

While the number of drivers losing their driving privileges has increased

dramatically, the summary suspension law has not reduced the number of persons convicted of DUI. DUI convictions increased eight percent in 1986 (8,759) as compared to 1985 (8,079). Similarly, the percentage of DUI case dispositions (supervisions and convictions) that resulted in convictions was 34 percent in 1986 compared to 32 percent in 1985.

## Number of Drivers Losing Driving Privileges\*\*



\*\*Graph represents the total number of suspensions and revocations as of December 31st of the year of arrest.

## Case Dispositions

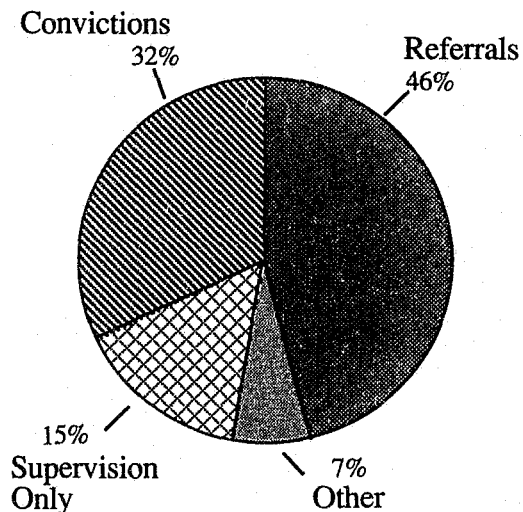
With the implementation of the statutory summary suspension in 1986, DUI cases can now be tracked from the time of arrest to the disposition of the case. The Secretary of State's office is now capable of recording a greater amount of information on DUI cases than ever before. Prior to Jan. 1, 1984, the Secretary of State's office received only reports of DUI convictions and cases in which the driver received court supervision and was referred to an alcohol remedial education or rehabilitation program. The 1984 law requires Illinois courts to inform the Secretary of State's office of all DUI cases in which drivers are granted court supervision.

Judges are prohibited from granting court supervision more than once within a five-year period. By allowing the Secretary of State's office to record all dispositions of court supervision, prosecutors and courts can identify repeat offenders from information on their driving records and progressive penalties can be applied.

During 1986, this office recorded 55,104 DUI arrests where the driver either failed or refused the chemical test. Of those, 46 percent (25,255) have re-

ceived a disposition related to the arrest. Of those 25,255 dispositions, 32 percent (8,049) resulted in convictions. In 46 percent (11,587) of the cases, drivers received court supervision and were referred to remedial education programs. Drivers were granted court supervision without being referred to a remedial education program in 15 percent (3,772) of the cases. In seven percent (1,847) of the cases, other dispositions, such as reckless driving, were received.

## DUI Case Dispositions



# Administrative License Revocation and Restricted Driving Permits

The Secretary of State's office has the authority to administratively revoke the license of a driver who is involved in a crash resulting in a fatality or serious bodily injury and is charged with DUI or another serious offense. Through this policy, dangerous drivers are removed from the highways during the many months it often takes the courts to dispose of DUI and reckless homicide cases. Driving privileges are revoked only after receiving substantial evidence from a state's attorney.

From November 1983 through December 1986, the Secretary of State's office administratively revoked the licenses of 251 drivers. Of these 251 cases, 210 involved one or more traffic fatalities for a total of 236 deaths. The average blood

alcohol content for drivers tested after a crash was .17 -- nearly double the legal level of intoxication.

In April of 1986, the Illinois Supreme Court upheld the administrative revocation program. It was held that the procedure did not violate a person's due process rights. While the court recognized that a driver's license is a privilege which is deserving of protection, this privilege is outweighed by the public interest in controlling the impaired driver.

Driving privileges remain revoked until the case is adjudicated. However, the driver who receives an administrative revocation may appeal the revocation through the administrative hearing process.

## Administrative License Revocation

Drivers whose licenses are revoked for a DUI criminal conviction may apply to the Secretary of State's office for a restricted driving permit (RDP) enabling them to drive to and from their place of work, in conjunction with their job and for medical purposes when no other form of transportation is available. Drivers who are multiple offenders and have received a summary suspension can also apply for an RDP after 90 days of their suspension.

To obtain an RDP, a motorist must meet certain administrative requirements

and appear before a hearing officer in the Secretary of State's Department of Administrative Hearings. The driver must show that the loss of driving privileges would cause undue hardship and that the problem which caused the suspension or revocation has been resolved. The applicant must undergo an alcohol evaluation and remedial education or rehabilitation when appropriate. The applicant's driving record is carefully reviewed and must indicate the driver would not pose a threat to public safety.

## Restricted Driving Permit

### Restricted Driving Permits Issued for Alcohol-Related Offenses

	1978	1979	1980	1981	1982	1983	1984	1985	1986
DUI Revocations	1,898	1,483	620	900	218	682	1,201	2,099	3,112
Out-of-State DUI*	758	674	441	242	113	200	200	422	645
Implied Consent	1,253	1,126	402	160	55	106	325	376	264
<b>TOTAL</b>	<b>3,909</b>	<b>3,283</b>	<b>1,463</b>	<b>1,302</b>	<b>386</b>	<b>988</b>	<b>1,726</b>	<b>2,897</b>	<b>4,021</b>

\*Illinois drivers convicted of DUI in another state.

# Reinstatement and Alcohol & Drug Evaluations

## Reinstatement

In order to have a revoked drivers license reinstated, a driver convicted of an alcohol or drug-related traffic offense must meet certain requirements including:

- Undergoing an alcohol and drug evaluation. If the evaluation indicates there is an alcohol or drug problem, the driver will be required to submit proof of treatment.
- Successfully completing an alcohol and drug remedial education program. If the evaluation does not recommend treatment, the driver will still be required to complete a remedial education program.
- Appearing before a Secretary of State hearing officer. If this is a driver's first offense, an informal hearing may be scheduled with a hearing officer at one of the regional driver services facilities across the state. If this is a subsequent offense, a formal hearing must be scheduled with a hearing officer in Springfield, Chicago or Mt. Vernon.

During the informal hearing or formal hearing:

- The driver must demonstrate that if his driving privileges are restored, he will not endanger public safety.
- The hearing officer will consider the person's overall driving record, the seriousness of the offense for which the driving privileges were removed, and the driver's remedial efforts.

Prior to obtaining a reinstatement, a revoked driver is also required by law to:

- File proof of financial responsibility.
- Pay a \$60 reinstatement fee.
- Pass the full drivers license examination and pay the appropriate license fee.

## Evaluations

A first-time DUI offender who refuses to submit to or fails to pass chemical testing must undergo an alcohol and drug evaluation prior to the issuance of a judicial driving permit (JDP). Evaluations also are required prior to sentencing. The Secretary of State's office requires an evaluation from a multiple offender prior to issuing a restricted driving permit (RDP) for the statutory summary suspension or from any convicted DUI offender prior to issuing an RDP or license reinstatement.

The results of the alcohol and/or drug evaluation are classified into three distinct categories: Level I – Non-Problematic Use; Level II – Problematic Use; and, Level III – Problematic Use, Dependent.

### Level I – Non-Problematic Use

General indicators of this classification include:

- No prior alcohol or drug-related disposition.
- No impairment in significant life areas, such as marital, legal, social,

emotional, vocational, physical and financial, as a result of alcohol or drug use for a period of at least 12 months.

- Blood alcohol concentration (BAC) at the time of arrest of less than .15.

### Level II – Problematic Use

General indicators of this classification include:

- Any prior alcohol or drug-related driving disposition.
- Impairment in at least one significant life area as a result of alcohol or drug use within the past 12 months.
- BAC at the time of arrest of .15 or greater.

### Level III – Problematic Use, Dependent

General indicators of this classification include:

- More than one prior alcohol or drug-related driving disposition within the last five years.

# Evaluations and Underage Drinking & Driving

- Impairment in more than one significant life area.
- BAC at the time of arrest of .20 or greater.
- Symptoms of alcohol or drug dependence.
- Any offender having three or more alcohol or drug-related driving dispositions in the last five years.

## Evaluations (Continued)



## Underage Drinking & Driving

*Secretary Edgar describes the benefits of Illinois' new "Under 21" drivers licenses.*

Traffic accidents are a major cause of death for persons between the ages of 15 and 24. Studies nationwide show that 60 percent of fatally injured teenagers had alcohol in their blood.

An estimated 1,000 lives a year could be saved by raising the minimum legal drinking age to 21 in all states. Under current federal legislation, states which did not establish a 21-year-old drinking age by Oct. 1, 1986 lost a portion of their highway funds. Seven states still do not have a minimum drinking age of 21.

Since the Illinois drinking age has been raised to 21, Illinois counties which border states with a 21-year-old drinking age have recorded a 35 percent decline in the number of young drivers killed on highways. Traffic fatalities for this age group have declined only 11 percent in counties which border the states of Iowa and Wisconsin where, until recently, the drinking age was 19.

Illinois drivers under age 21 are currently issued a special drivers license which has a red background and the words "Under 21" plainly printed on both sides. This license was designed to enable persons who sell alcohol to more readily identify underage patrons.

Severe penalties have been imposed upon the minor who drives under the influence. The intent of these penalties is to act as a deterrent to potential and subsequent offenders.

The first offender faces a two-year drivers license revocation. The driver is not eligible to apply for a restricted driving permit (RDP) until the beginning of the second year of the revocation.

The RDP issued to a minor is valid for one year. The permit allows the offender to drive only between the hours of 5 a.m. and 9 p.m. or hours otherwise provided by code. After the second year, the driver may reapply for a drivers license



# Underage Drinking & Driving and Prevention Education

## Underage Drinking & Driving (Continued)

and must pay a \$60 reinstatement fee. Reinstatement is granted at the discretion of the Secretary of State. If reinstatement is not granted, the Secretary of State may decide to extend the RDP by additional periods of a year until the applicant reaches 21 years of age. In making this decision, the Secretary of State's office will consider the violator's driving record subsequent to the issuance of the RDP.

The penalties for a person under age 21 arrested for DUI are far more severe for the subsequent offender. The offender's drivers license is revoked and the

driver is prohibited from applying for reinstatement or an RDP until reaching age 21 or for one year from the date of the latest conviction, whichever is longer.

Many youth groups have been established in Illinois in response to the problem of teen drinking and driving. The purpose of these groups is to promote responsible driving habits among persons under age 21. One of the major organizations heading this effort is Students Against Driving Drunk. In 1986, there were 203 SADD chapters being sponsored by Illinois schools.

## Prevention Education



*The Taylorville Chapter of Students Against Driving Drunk (SADD) used an overturned car to discourage teen peers from drinking and driving.*

To solve the DUI problem, individual behavior and attitudes about the dangers of driving under the influence will have to change. The Secretary of State's office and the Illinois Department of Transportation are key sources of DUI information, including educational materials, statistics and other information. All Illinois driver services facilities provide drivers license manuals which contain DUI facts and related laws. Several DUI informational brochures are also available at these facilities. Another source of DUI information is the Illinois Traffic Safety Leaders, a volunteer organization which encourages state and local involve-

ment in traffic safety issues. Pamphlets and programs about DUI laws and the cost of drunk driving are also available from this organization.

Evidence indicates that the earlier education about alcohol, other drugs and highway safety begins, the more effective it is likely to be. The Secretary of State's office has worked with the Illinois State Board of Education to develop and promote highway safety-related drug and alcohol education programs in kindergarten through 12th grade. At least 400 school districts throughout the state have implemented DUI education programs.



# Prevention Education, Liability and Victims' Rights

There are 222 high schools which sponsor a youth group focused on drinking and driving or substance abuse and 203 high schools have started Students Against Driving Drunk (SADD) chapters. Another youth program sponsored by Illinois high schools is Responsible

Safety Voice to Peers (RSVP). This program concentrates on safety during prom and graduation time. In addition, driver education teachers include current information and material on the effects of alcohol and other drugs on highway safety in their curricula.

## Prevention Education (Continued)

### Dram Shop Responsibility

It is unlawful to sell, give or deliver alcohol to any minor, intoxicated person, or any person known to be under legal disability or in need of mental treatment. If a crash occurs as a result of alcohol being supplied to a person in one of the above mentioned categories, the person or owner of the establishment which supplied the alcohol may be held liable. The liability will be limited to \$30,000 for crashes involving property damage or personal injury. If a loss of a means of support due to death or injury occurs, liability extends up to \$40,000.

### Parental Responsibility

It is a Class C misdemeanor to knowingly allow gatherings of two or more persons at a residence where persons under age 18 are drinking alcohol and where the minors leave in an intoxicated condition.

### Hotel/Motel Responsibility

It is a Class C misdemeanor for anyone to knowingly rent a hotel or motel room for use by persons under age 21 to consume alcohol.

### Liability

As a result of the efforts of the 1985 Illinois DUI Task Force and the Illinois General Assembly, the rights of victims of alcohol-related offenses have been recognized. Primarily, these victims' rights involve information concerning the progress and disposition of a DUI case. These rights include:

1. Notification of all court dates.
2. Victims are permitted to present written statements to the court concerning the case.
3. Victims have the right to make an oral statement at the DUI offenders' sentencing hearing.
4. The victim has the right to request information about the case being investigated by law enforcement authorities.
5. Victims may retain an attorney at their own expense if they desire.

However, as DUI is a crime against the public, the bulk of the cases are brought by the State of Illinois on the behalf of the plaintiff.

6. The defendant and the plaintiff may request *one* substitution of a judge in a DUI case if the judge is deemed prejudiced by either party.
7. The presentence report should be prepared and considered by the court at all sentencing hearings. The report should include, in addition to other pertinent information, a victim impact statement.
8. Judges are required to state, for the record, their reasons for sentencing an offender in any case involving personal injury or death.
9. The victim is enabled to obtain information which could lead to restitution.

## Victims' Rights

## Suspensions and Revocations in Effect as of

COUNTY	1981	1982	1983	1984	1985	1986	% Change 1981-1986	% Change 1985-1986
Adams	92	110	85	76	96	273	197%	184%
Alexander	27	39	24	27	14	55	104%	293%
Bond	15	25	11	13	14	24	60%	71%
Boone	45	56	42	46	61	201	347%	230%
Brown	2	8	1	2	10	11	450%	10%
Bureau	12	24	44	23	54	130	983%	141%
Calhoun	3	2	6	9	2	29	867%	1350%
Carroll	30	48	54	41	33	47	57%	42%
Cass	9	9	11	18	15	81	800%	440%
Champaign	74	139	208	215	257	371	401%	44%
Christian	47	93	101	48	54	138	194%	156%
Clark	40	15	26	36	31	79	98%	155%
Clay	8	4	8	6	21	30	275%	43%
Clinton	28	55	73	67	52	182	550%	250%
Coles	28	47	54	88	52	195	596%	275%
Cook								
— Dist 1	1,402	1,569	2,062	2,281	2,561	4,755	239%	86%
— Dist 2	205	281	448	544	561	2,377	1060%	324%
— Dist 3	317	401	512	681	721	3,193	907%	343%
— Dist 4	105	146	96	169	264	727	592%	175%
— Dist 5	272	341	348	456	614	2,141	687%	249%
— Dist 6	293	359	429	679	759	2,325	694%	206%
Crawford	5	15	17	20	43	95	1800%	121%
Cumberland	2	9	9	6	7	23	1050%	229%
DeKalb	60	62	74	101	87	503	738%	478%
DeWitt	30	56	62	47	51	70	133%	37%
Douglas	19	23	27	28	23	84	342%	265%
DuPage	296	326	285	571	672	4,052	1269%	503%
Edgar	31	40	31	38	39	139	348%	256%
Edwards	7	3	9	10	1	19	171%	1800%
Effingham	34	47	42	35	55	138	306%	151%
Fayette	21	38	32	41	47	92	338%	96%
Ford	10	8	10	15	18	80	700%	344%
Franklin	4	22	56	68	66	183	4475%	177%
Fulton	59	47	43	37	13	111	88%	754%
Gallatin	7	16	35	33	27	80	1043%	196%
Greene	3	6	10	3	12	56	1767%	367%
Grundy	5	15	20	33	26	156	3020%	500%
Hamilton	6	15	15	10	17	9	50%	-47%
Hancock	15	22	18	26	26	68	353%	162%
Hardin	1	6	3	3	9	17	1600%	89%
Henderson	29	25	60	46	8	48	66%	500%
Henry	38	40	52	99	85	230	505%	171%
Iroquois	39	34	25	47	41	116	197%	183%
Jackson	32	65	67	101	139	686	2044%	394%
Jasper	5	2	9	9	20	63	1160%	215%
Jefferson	11	26	24	40	37	104	845%	181%
Jersey	10	8	19	14	30	171	1610%	470%
Jo Daviess	5	5	11	15	43	57	1040%	33%
Johnson	4	12	29	11	10	44	1000%	340%
Kane	134	161	257	308	326	1,686	1158%	417%
Kankakee	35	55	80	107	70	296	746%	323%
Kendall	7	23	14	40	36	160	2186%	344%
Knox	94	76	39	89	52	152	62%	192%
Lake	103	410	736	857	764	3,197	3004%	318%
LaSalle	53	59	106	116	138	414	681%	200%
Lawrence	18	34	27	29	21	97	439%	362%

\* Only one license action per arrest

# December 31st of the Year of Arrest

COUNTY	1981	1982	1983	1984	1985	1986	% Change 1981-1986	% Change 1985-1986
Lee	69	51	59	55	81	322	367%	298%
Livingston	12	28	38	32	32	89	642%	178%
Logan	44	62	66	71	60	155	252%	158%
McDonough	16	34	33	23	33	208	1200%	530%
McHenry	53	151	243	198	210	980	1749%	367%
McLean	37	77	107	97	151	566	1430%	275%
Macon	95	70	118	132	146	415	337%	184%
Macoupin	27	36	51	33	46	198	633%	330%
Madison	82	183	245	229	141	1,388	1593%	884%
Marion	71	105	114	150	149	287	304%	93%
Marshall	2	2	3	4	15	65	3150%	333%
Mason	10	9	14	14	12	47	370%	292%
Massac	28	28	21	31	16	98	250%	513%
Menard	11	12	11	8	26	22	100%	-15%
Mercer	5	10	10	9	13	47	840%	262%
Monroe	12	16	25	21	18	79	558%	339%
Montgomery	73	87	83	37	38	127	74%	234%
Morgan	20	19	26	37	54	187	835%	246%
Moultrie	30	37	26	34	27	31	3%	15%
Ogle	54	54	70	72	81	205	280%	153%
Peoria	45	107	315	212	167	621	1280%	272%
Perry	40	35	49	68	83	208	420%	151%
Piatt	14	27	20	23	12	49	250%	308%
Pike	7	10	19	19	7	44	529%	529%
Pope	6	7	2	3	0	16	167%	--
Pulaski	6	7	9	2	15	26	333%	73%
Putnam	7	0	3	3	4	5	-29%	25%
Randolph	22	62	85	86	52	166	655%	219%
Richland	15	14	26	39	36	64	327%	78%
Rock Island	115	150	143	226	281	1,191	936%	324%
St. Clair	90	154	239	195	62	1,447	1508%	2234%
Saline	12	42	50	72	55	238	1883%	333%
Sangamon	139	141	160	172	227	1,220	778%	437%
Schuyler	3	3	3	6	4	16	433%	300%
Scott	2	1	4	4	4	11	450%	175%
Shelby	21	14	27	13	22	35	67%	59%
Stark	2	4	1	1	4	18	800%	350%
Stephenson	81	105	113	101	78	198	144%	154%
Tazewell	106	182	175	176	203	670	532%	230%
Union	24	20	21	13	28	73	204%	161%
Vermilion	66	34	62	74	126	419	535%	233%
Wabash	44	45	37	30	33	95	116%	188%
Warren	46	37	32	20	21	62	35%	195%
Washington	8	14	20	18	17	71	788%	318%
Wayne	4	8	6	21	24	66	1550%	175%
White	45	52	60	35	30	106	136%	253%
Whiteside	79	105	115	120	132	329	316%	149%
Will	80	208	302	267	321	1,436	1695%	347%
Williamson	34	48	34	27	86	215	532%	150%
Winnebago	182	358	591	393	244	1,404	671%	475%
Woodford	17	26	21	19	15	83	388%	453%
<b>TOTALS</b>								
Cook	2,594	3,097	3,895	4,810	5,480	15,518	498%	183%
Downstate	3,805	5,576	7,208	7,513	7,567	31,460	727%	316%
Statewide	6,399	8,673	11,103	12,323	13,047	46,978	634%	260%

## Statutory Summary Suspensions in

COUNTY	Total Sum. Susp. Processed	Susp. Not In Effect As Of 12/31/86	# Of Drivers Eligible For Suspension	# Of Drivers Who Have Lost Driving Privileges	# Of Drivers Who Have Not Lost Driving Privileges	Percent Of Drivers Who Lost Driving Privileges
Adams	300	24	276	268	8	97%
Alexander	68	10	58	55	3	95%
Bond	26	1	25	24	1	96%
Boone	228	15	213	200	13	94%
Brown	15	2	13	11	2	85%
Bureau	143	11	132	127	5	96%
Calhoun	30	0	30	29	1	97%
Carroll	51	4	47	47	0	100%
Cass	92	7	85	81	4	95%
Champaign	497	39	458	360	98	79%
Christian	159	20	139	136	3	98%
Clark	83	7	76	75	1	99%
Clay	31	1	30	30	0	100%
Clinton	200	11	189	181	8	96%
Coles	237	37	200	195	5	98%
Cook						
— Dist 1	5,465	497	4,968	4,579	389	92%
— Dist 2	2,811	210	2,601	2,339	262	90%
— Dist 3	3,834	354	3,480	3,139	341	90%
— Dist 4	844	60	784	720	64	92%
— Dist 5	2,475	224	2,251	2,094	157	93%
— Dist 6	2,684	246	2,438	2,289	149	94%
Crawford	105	11	94	93	1	99%
Cumberland	25	1	24	23	1	96%
DeKalb	586	32	554	499	55	90%
DeWitt	93	19	74	68	6	92%
Douglas	97	4	93	84	9	90%
DuPage	4,832	449	4,383	4,004	379	91%
Edgar	146	11	135	135	0	100%
Edwards	24	4	20	18	2	90%
Effingham	175	26	149	138	11	93%
Fayette	105	12	93	90	3	97%
Ford	91	6	85	77	8	91%
Franklin	207	15	192	179	13	93%
Fulton	125	12	113	109	4	96%
Gallatin	88	10	78	77	1	99%
Greene	73	13	60	56	4	93%
Grundy	178	12	166	154	12	93%
Hamilton	12	1	11	9	2	82%
Hancock	77	6	71	68	3	96%
Hardin	19	1	18	17	1	94%
Henderson	69	11	58	48	10	83%
Henry	255	25	230	225	5	98%
Iroquois	139	13	126	115	11	91%
Jackson	784	95	689	683	6	99%
Jasper	69	5	64	63	1	98%
Jefferson	122	17	105	104	1	99%
Jersey	208	23	185	171	14	92%
Jo Daviess	62	3	59	56	3	95%
Johnson	47	3	44	42	2	95%
Kane	2,151	156	1,995	1,672	323	84%
Kankakee	459	41	418	293	125	70%
Kendall	177	11	166	157	9	95%
Knox	166	9	157	152	5	97%
Lake	3,770	274	3,496	3,140	356	90%
LaSalle	467	39	428	400	28	93%
Lawrence	107	9	98	97	1	99%

# Effect as of December 31, 1986

COUNTY	Total Sum. Susp. Processed	Susp. Not In Effect As Of 12/31/86	# Of Drivers Eligible For Suspension	# Of Drivers Who Have Lost Driving Privileges	# Of Drivers Who Have Not Lost Driving Privileges	Percent Of Drivers Who Lost Driving Privileges
Lee	370	40	330	321	9	97%
Livingston	103	12	91	89	2	98%
Logan	183	17	166	155	11	93%
McDonough	231	18	213	208	5	98%
McHenry	1,261	86	1,175	970	205	83%
McLean	646	69	577	564	13	98%
Macon	455	34	421	409	12	97%
Macoupin	233	22	211	194	17	92%
Madison	1,626	146	1,480	1,395	95	94%
Marion	326	18	308	286	22	93%
Marshall	70	7	63	63	0	100%
Mason	66	5	61	46	15	75%
Massac	118	18	100	97	3	97%
Menard	24	3	21	20	1	95%
Mercer	52	2	50	47	3	94%
Monroe	86	4	82	78	4	95%
Montgomery	169	31	138	126	12	91%
Morgan	215	26	189	185	4	98%
Moultrie	32	2	30	30	0	100%
Ogle	228	15	213	204	9	96%
Peoria	704	69	635	614	21	97%
Perry	217	7	210	205	5	98%
Piatt	53	3	50	49	1	98%
Pike	51	4	47	43	4	91%
Pope	17	1	16	16	0	100%
Pulaski	27	2	25	23	2	92%
Putnam	5	0	5	5	0	100%
Randolph	176	8	168	165	3	98%
Richland	75	8	67	62	5	93%
Rock Island	1,343	130	1,213	1,178	35	97%
St. Clair	1,682	168	1,514	1,442	72	95%
Saline	255	15	240	236	4	98%
Sangamon	1,383	123	1,260	1,214	46	96%
Schuyler	19	3	16	16	0	100%
Scott	13	1	12	9	3	75%
Shelby	40	5	35	34	1	97%
Stark	20	1	19	18	1	95%
Stephenson	218	17	201	196	5	98%
Tazewell	800	93	707	669	38	95%
Union	85	7	78	72	6	92%
Vermilion	488	47	441	410	31	93%
Wabash	107	11	96	95	1	99%
Warren	68	8	60	60	0	100%
Washington	83	6	77	71	6	92%
Wayne	74	8	66	66	0	100%
White	111	7	104	104	0	100%
Whiteside	374	38	336	326	10	97%
Will	1,723	153	1,570	1,401	169	89%
Williamson	349	29	320	211	109	66%
Winnebago	1,572	124	1,448	1,390	58	96%
Woodford	95	9	86	82	4	95%
<b>TOTALS</b>						
Cook	18,113	1,591	16,522	15,160	1,362	92%
Downstate	36,991	3,248	33,743	31,094	2,649	92%
Statewide	55,104	4,839	50,265	46,254	4,011	92%