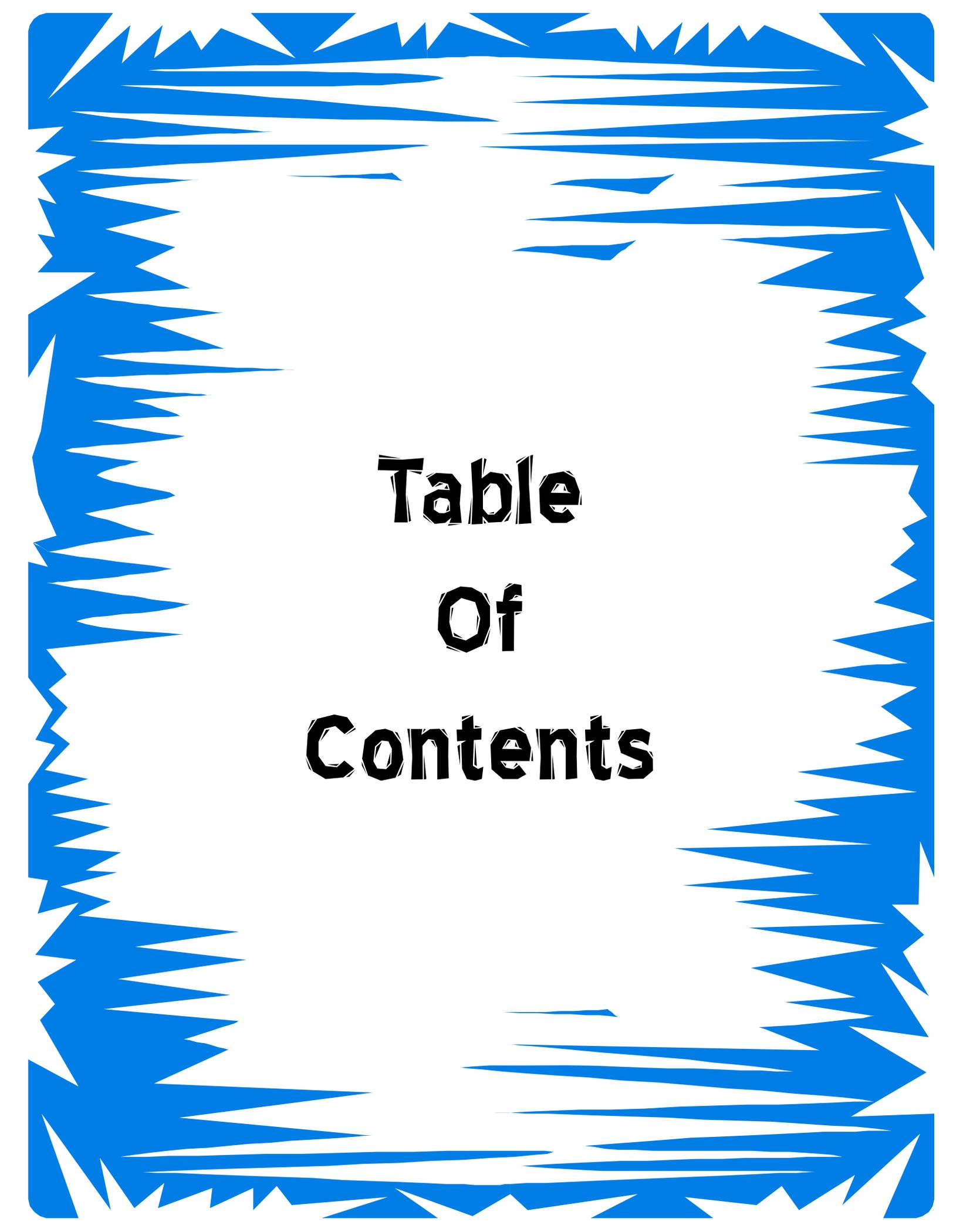
A decorative border with a jagged, starburst-like pattern in a vibrant blue color surrounds the central text.

**Annual Report
On
Drunk Driving
In
Springdale, Arkansas
For the year
2012**

Prepared by:

Springdale City Attorney's Office

January 28, 2014



**Table
Of
Contents**

TABLE OF CONTENTS

I. General Summary of Arrests

A. Law Enforcement Agency Making Arrests	1
B. Driving the Vehicle Compared to Actual Control (ACV)	1
C. County of Arrest	2
D. DWI Alcohol Compared to DWI Drugs	2
E. Comparison of Totals For the Past Five Years	3
F. Average Age of Persons Arrested for DWI	3
G. Average BAC of Persons Arrested for DWI	3
H. Month of Arrest	4
I. Location of Arrests	5
J. Reason for Stop	7
K. Special Recognition	8

II. Information on Offenders

A. Gender	9
B. Race and Gender	9
C. Arrest by Race (DWI versus All Arrests)	11
D. Age, Race and Gender	12
E. How Much They Drank	12
F. Implied Consent	13
G. Repeat Offenders	13
1. Comparison of BAC Levels of First Time Offenders With Repeat Offenders	13
2. Race/Gender of Repeat Offenders	15

III. DWI Crashes

A. By Day of Week	16
B. By Month	17
C. DWI Collisions by Time/Day	18
1. Time	18
2. Day/Time	18
D. By Type of Motor Vehicle Collision	18
E. Fatality Crashes	19
F. Personal Injury Crashes	19
G. Property Damage Crashes	20
H. Comparison of DWI Crashes in the Last Five Years	20
I. Leaving the Scene of an Accident	21
J. Race/Gender of DWI Offenders in Crashes	21

K.	DWI Crashes by Offense Number	22
L.	Underage Drivers in DWI Crashes.....	23
M.	Location of DWI Crashes	23
N.	Estimate of Property Damage of DWI Crashes in 2011	24
O.	Other Offenses Committed by Persons Arrested in DWI Crashes	25
1.	Driver’s License Violations	25
2.	No Insurance	25
IV.	Prosecution of DWI Offenders (Disposition)	
A.	Handling of DWI Cases by Prosecution Agency	26
B.	Conviction Rate in Cases Adjudicated	26
V.	Underage Drinking and Driving	
A.	DUI	30
1.	Total DUI Arrests	30
2.	DUI Accidents	31
B.	Underage DWI	31
C.	Underage DWI Repeat Offenders	32
VI.	Arkansas DWI/DUI Law	33

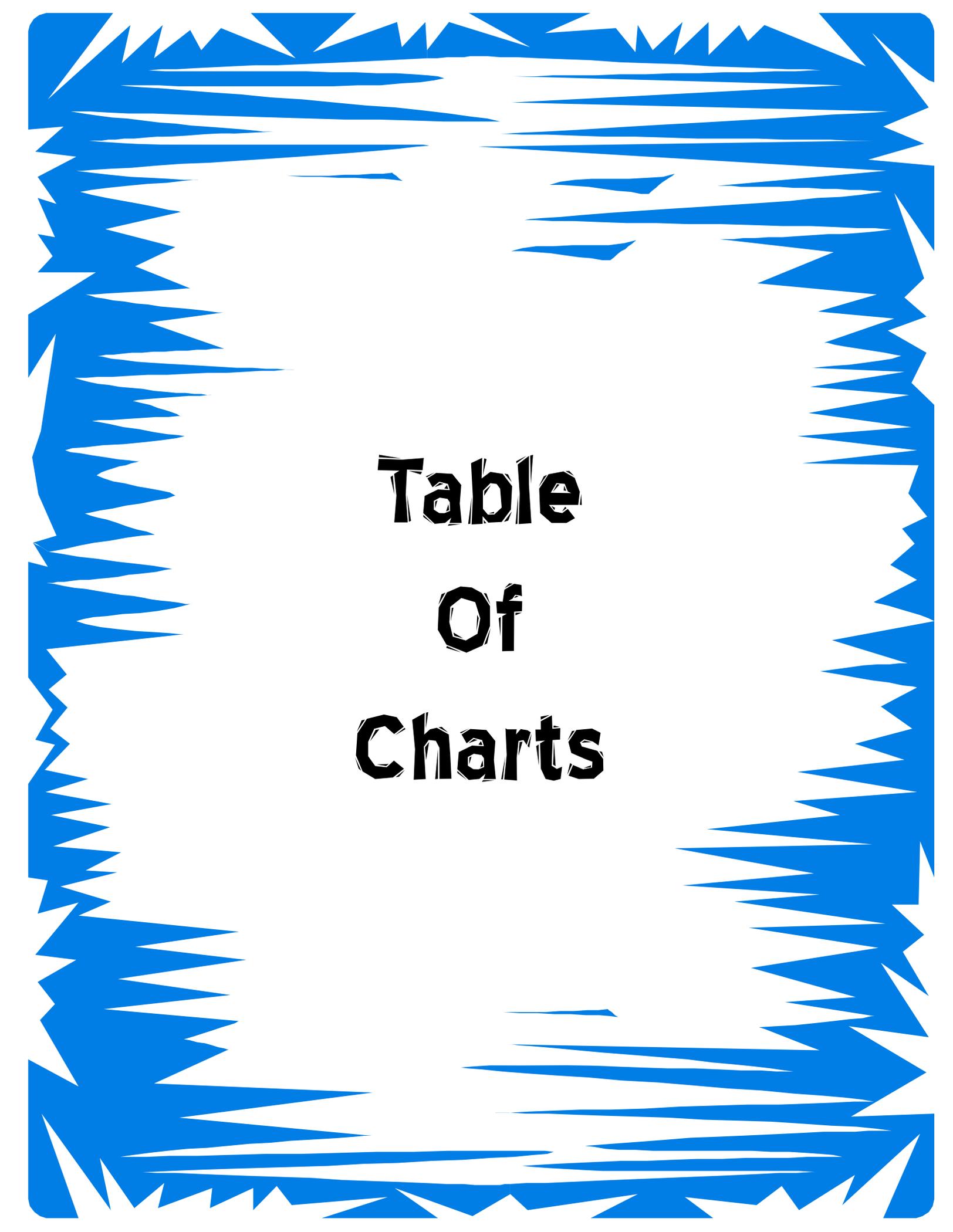
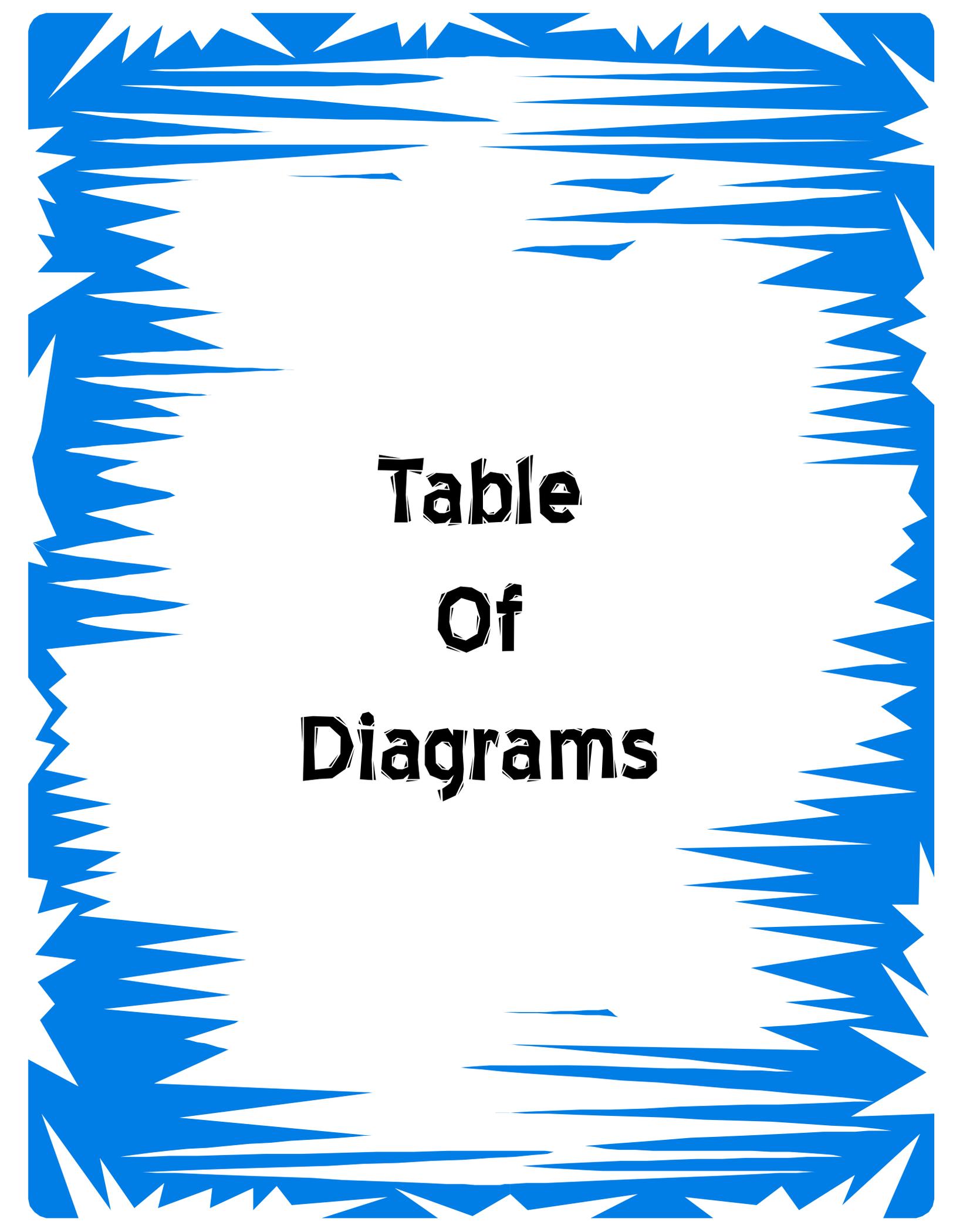


Table Of Charts

Table of Charts

Chart No. 1	Location of DWI Arrests (Non-Accidents) Which Occurred on Highways in the City of Springdale, Arkansas in the Year 2012	5
Chart No. 2	Location of DWI Arrests (Non-Accidents) Which Occurred on City Streets in the City of Springdale, Arkansas in the Year 2012	6
Chart No. 3	Reasons Police Stopped DWI Offender in the Year 2012	7
Chart No. 4	Breakdown of DWI Arrests by Race/Gender for Year 2012	10
Chart No. 5	Comparison of Percentages by Race/Gender of Persons Arrested for DWI in 2008 through 2012	11
Chart No. 6	Comparison of Average Age of Persons Arrested for DWI in the Four Largest Race/Gender Groups for 2008 Through 2012	12
Chart No. 7	Comparison of Average BAC Levels in the Four Largest Race/Gender Groups in 2008 Through 2012	13
Chart No. 8	Day/Time in Which Most DWI Crashes Occurred	18
Chart No. 9	Total DWI Crashes by Type of Crash for the Last Five Years	20
Chart No. 10	Comparison of DWI Crashes in Past Five Years	21
Chart No. 11	Total Number and Percentage by Race/Gender of Persons Who Were DWI and Involved in Crashes in 2012	22
Chart No. 12	2012 DWI Crashes by Offense	23
Chart No. 13	State or U.S. Highway Where DWI Crashes Occurred in 2012	24
Chart No. 14	2012 Dispositions on DWI Cases Handled by City of Springdale	27

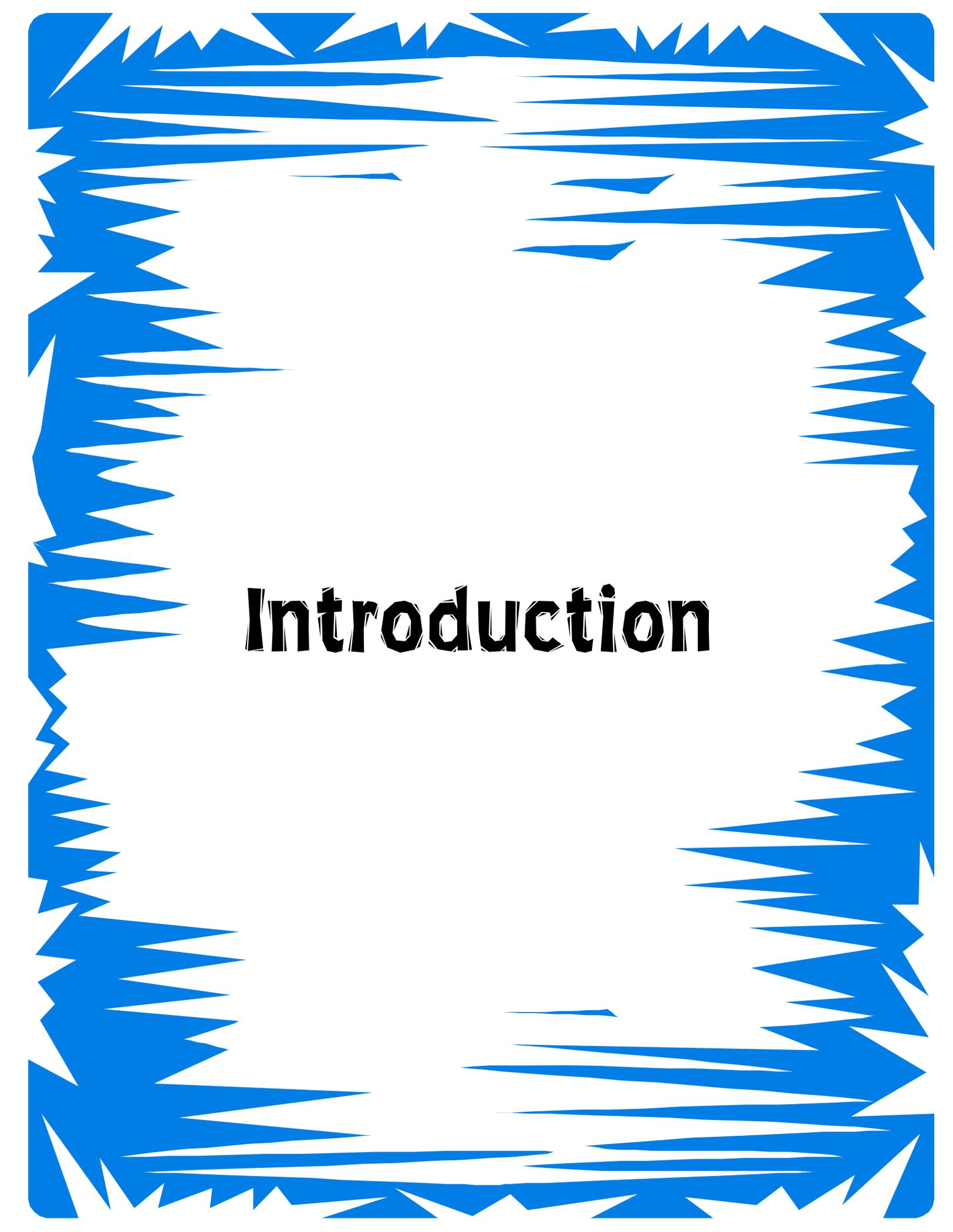
Chart No. 15	2012 Dispositions of DWI Cases Handled by City of Springdale and Washington County Prosecutor	28
Chart No. 16	Dispositions on Cases Handled by City of Springdale (All Misdemeanor Cases) Years 2008 through 2012	29
Chart No. 17	Total DUI Arrests Made in Springdale	30
Chart No. 18	Race/Gender Comparison of Underage DWI Arrests in 2012	32



**Table
Of
Diagrams**

Table of Diagrams

Diagram 1	DWI Arrests by Agency	1
Diagram 2	DWI (Driving) v. ACV (Actual Physical Control)	2
Diagram 3	DWI Arrests	3
Diagram 4	DWI Monthly Arrests for 2012	4
Diagram 5	SPD Officers Who Made Over 18 or More DWI Arrests in 2012	8
Diagram 6	Total DWI Arrests in 2012 by Gender.....	9
Diagram 7	Race/Gender Percentages of Persons Arrested for DWI in 2012	10
Diagram 8	Comparison of Arrests by Race/Gender (DWI versus All Arrests) Made in 2012	11
Diagram 9	DWI #1, #2, #3, #4 and #5 Offenders BAC Percentage	14
Diagram 10	2012 DWI Repeat Offenders by Race/Gender	15
Diagram 11	Day of the Week DWI Crashes Occurred in 2012	16
Diagram 12	Breakdown of DWI Related Crashes by the Month They Occurred – Total 109	17
Diagram 13	Percentage of Total Accidents in Springdale That Were DWI Related	19



Introduction

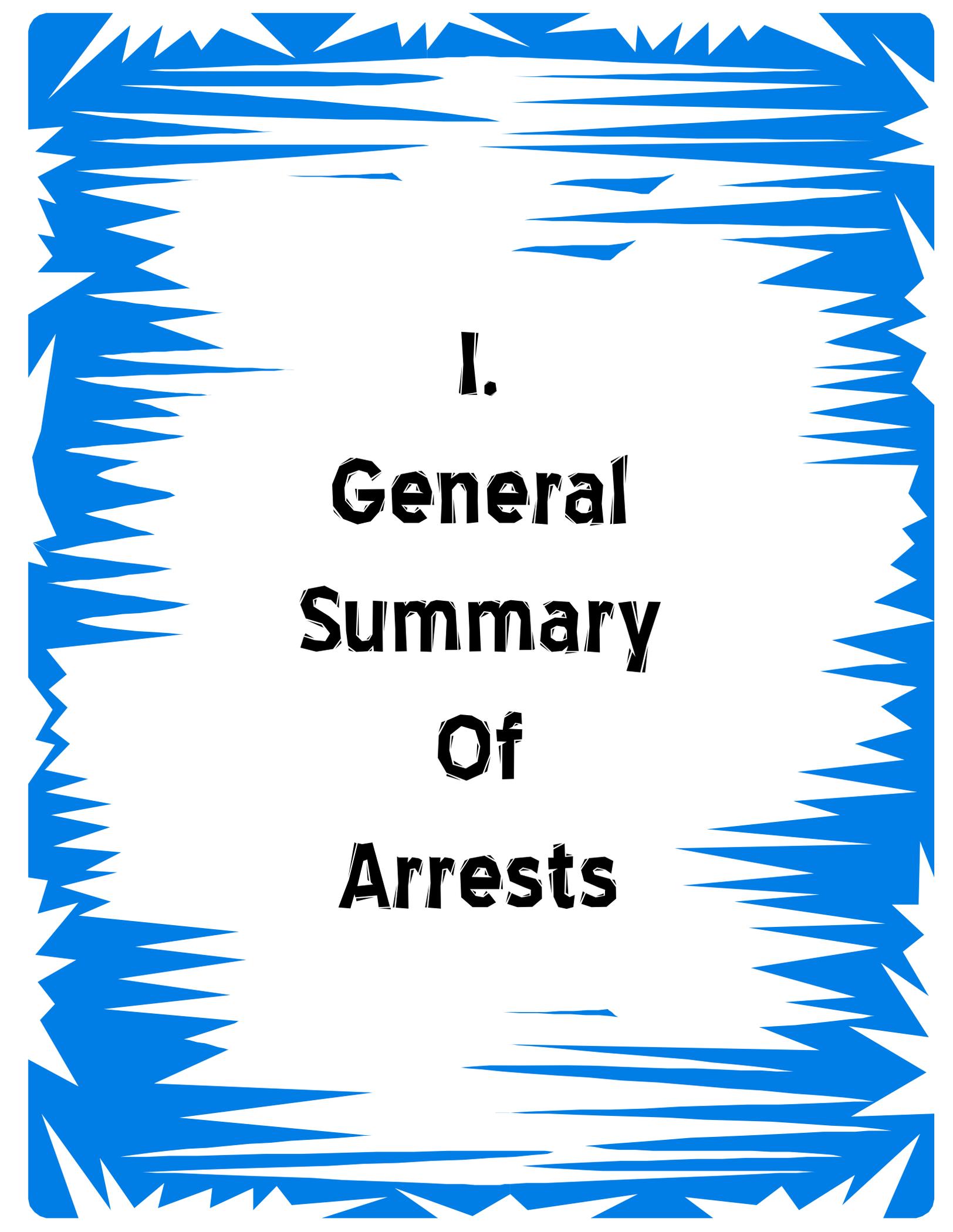
INTRODUCTION

This is the 14th Annual Report on Drunk Driving which has been published by the City Attorney's Office. Drunk driving continues to be a problem in Springdale, as it does throughout the United States. Every year in the United States, people die in drunk driving crashes and many people are injured.

In 2012, there were 528 DWI arrests. The Springdale City Attorney's Office prosecuted 501 of the 528 DWI arrests. 470 of the 501 DWI arrests have been adjudicated as of the date of this report, with 459 persons convicted of DWI, showing a conviction rate 97.7% for the Springdale City Attorney's Office.

109 of these DWI arrests involved accidents, 7 of which resulted in personal injuries, and 2 of which resulted in fatalities. In 2011, there were 53 personal injuries, which is substantially higher than in 2012. In 2011, there were 3 fatalities in DWI related accidents, which is higher than 2012.

Ernest B. Cate
City Attorney

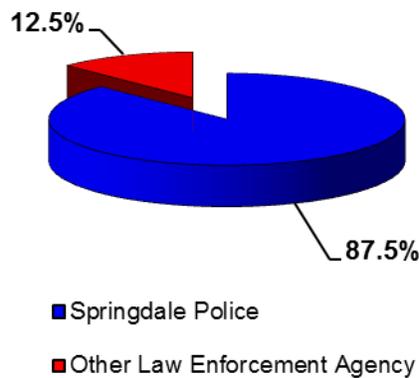
A decorative border with a jagged, starburst-like pattern in a vibrant blue color, framing the central text.

I.
General
Summary
Of
Arrests

A. Law Enforcement Agency Making Arrest.

In the year 2012, there were 528 total arrests for violation of the Arkansas Omnibus DWI Act in Springdale, Arkansas. Of this total, 462 arrests were made by the Springdale Police Department, 57 arrests were made by the Arkansas State Police, and 9 arrests were made by the Washington County Sheriff's Office.

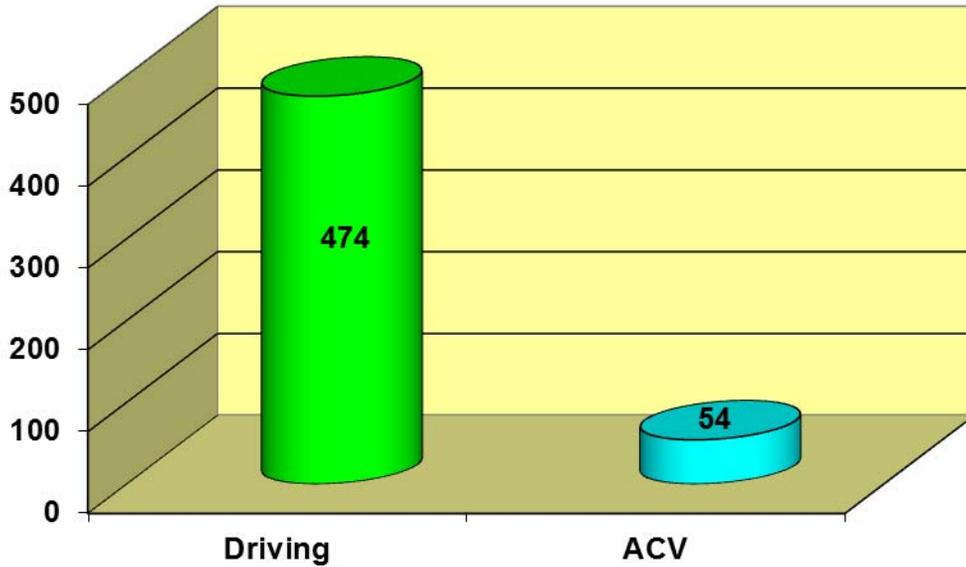
**Diagram 1
DWI Arrests by Agency**



B. Driving the Vehicle Compared to Actual Control (ACV)

Of the 528 total arrests for violating the Arkansas Omnibus DWI Act, 474 persons were charged with actually driving the vehicle, while the remaining 54 arrests involved persons who were not driving, but were in actual physical control of the motor vehicle while intoxicated (ACV). The percentage of people charged with ACV represents approximately 10% of the total arrests for violating the Omnibus DWI Act.

**Diagram 2
DWI (Driving) v. ACV (Actual Physical Control)**



C. County of Arrest

Springdale is located in two counties, with approximately 91.3% of the population living in Washington County and 8.7% living in Benton County. Of the 528 DWI arrests made in Springdale, 513 (approximately 97.2%) occurred in Washington County, while 15 arrests (approximately 2.8%) occurred in Benton County.

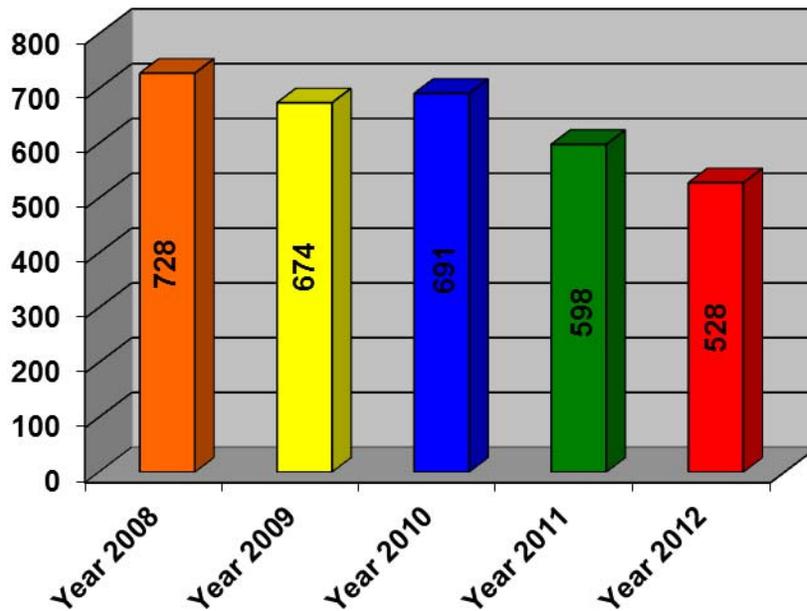
D. DWI Alcohol Compared to DWI Drugs.

Of the 528 total arrests, 33 persons were charged with DWI/ACV (drugs) rather than DWI/ACV (alcohol). Those persons charged with DWI/ACV (drugs) made up approximately 6.25% of the total DWI arrests in 2012.

E. Comparison of Totals For the Past Five Years.

The diagram below is a breakdown of the total number of DWI arrests made within the City of Springdale from year 2008 through the year 2012.

**Diagram 3
DWI Arrests**



F. Average Age of Persons Arrested for DWI

The average age of persons arrested for DWI in Springdale in 2012 was 33.92 (last year's average age was 34.37).

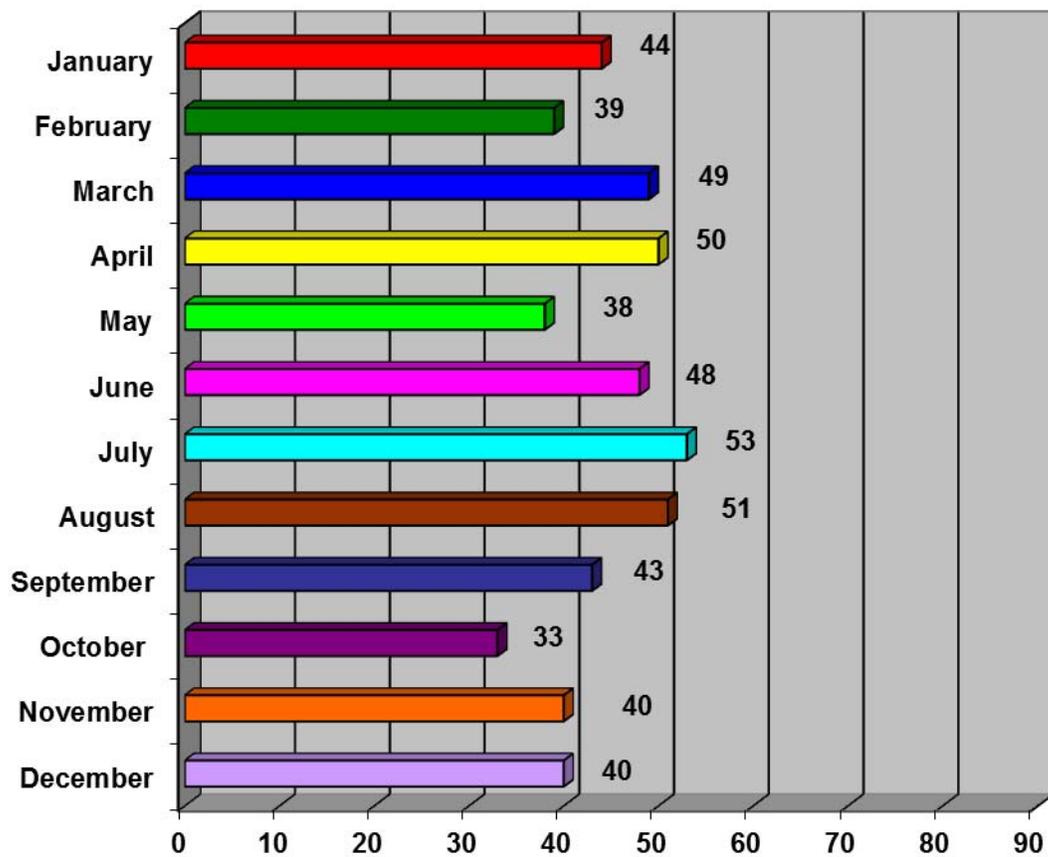
G. Average BAC of Persons Arrested for DWI

An analysis of 272 tests on record for blood alcohol concentration (BAC) given to persons arrested for violating the Omnibus DWI Act in the year 2012, showed an average BAC of .1669%. This is up from the average of .1544% in 2011.

H. Month of Arrest

The following chart sets out the 2012 DWI arrests in Springdale by the month of the arrest.

**Diagram 4
DWI Monthly Arrests for 2012**



I. Location of Arrests

The Chart below sets out the number of DWI arrests which do not involve accidents that occurred on the highways within the City of Springdale, Arkansas in 2012.

Chart No. 1 Location of DWI Arrests (Non-Accidents) Which Occurred on Highways in the City of Springdale, Arkansas In the Year 2012	
<u>Highway</u>	<u>No. of Arrests</u>
South Thompson (Hwy. 71 S)	63
West Sunset (Hwy. 412 W)	53
East Robinson (Hwy. 412 E)	53
N. Thompson (Hwy. 71 N)	42
Hwy. 265	33
I-540	29
Hwy. 264	4
Hwy. 112	2

The next chart sets out the locations in which a DWI (non-accident) arrest was made for all other locations with at least 7 DWI arrests within the City of Springdale, Arkansas in 2012.

Chart No. 2
Location of DWI Arrests (Non-Accidents) Which Occurred
on City Streets in the City of Springdale, Arkansas
In the Year 2012

City Street	No. of Arrests
Huntsville Road	27
Elm Springs Road	16
Powell Street	16
Emma Avenue	15
Pleasant Street	14
Butterfield Coach Road	12
Backus Avenue	10
Randall-Wobbe Road	9
West End Street	9
Turner Street	8
48 th Street	7
Gutensohn	7
Wagon Wheel Road	7

J. Reason for Stop

An analysis of over 64% of the DWI arrests that did not involve accidents was made to determine the reason the person was stopped. The chart on the following page sets out in percentages the initial reason why the violator was stopped by the police.

Reason	Percentage
Offender committed a moving traffic violation	47.94%
Police officer dispatched	30.88%
Officer stopped vehicle for suspicion of criminal activity or to make lawful contact with the driver (non-traffic offense)	17.65%
Officer stopped vehicle for vehicle defect or license violation (such as a tag violation or no lighting)	3.53%

Since cell phone usage has become common, the number of citizen reports to the police concerning persons believed to be driving while intoxicated have increased. As the chart above shows, 30.88% of the DWI violators that were stopped by the police (not including accidents) were stopped when police answered a call from a citizen concerning the person in

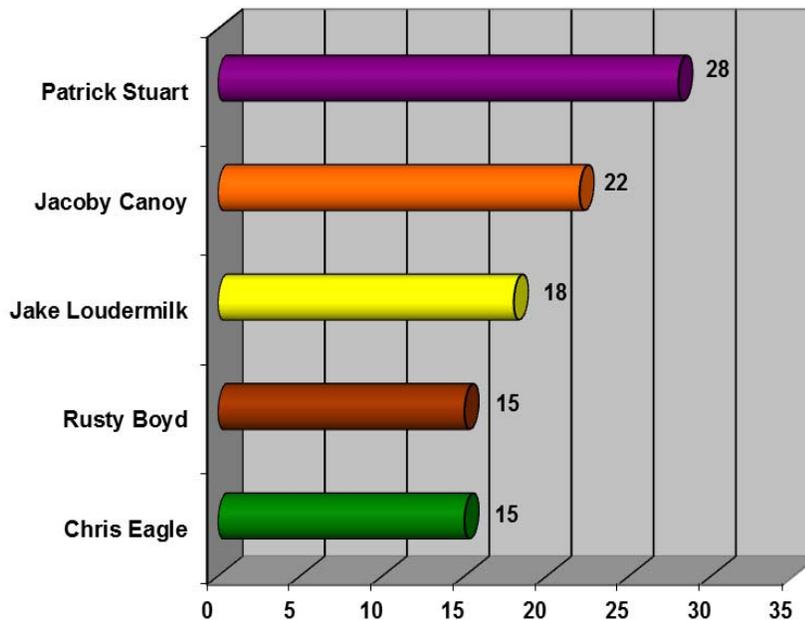
the vehicle that was stopped. Most of these cases involved a person calling the Police Department on their cell phone to report the bad driving.

Of the cases involving an officer observing the driver commit a moving traffic violation, the number one violation that was committed which led to the stop was driving the vehicle left of center.

K. Special Recognition

In 2012, five Springdale Police Officers made 15 DWI arrests or more. Officer Patrick Stuart made the most with 28 DWI arrests. The five officers who made at least 15 DWI arrests in 2012 are listed below.

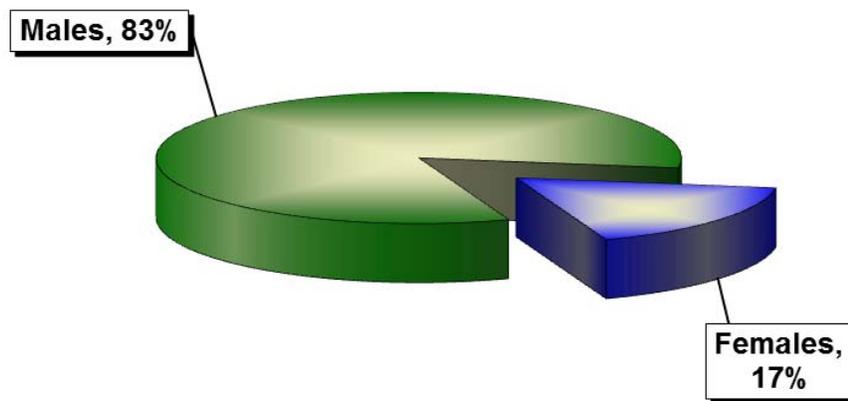
**Diagram 5
SPD Officers Who Made 15 or More
DWI Arrests in 2012**



A. Gender

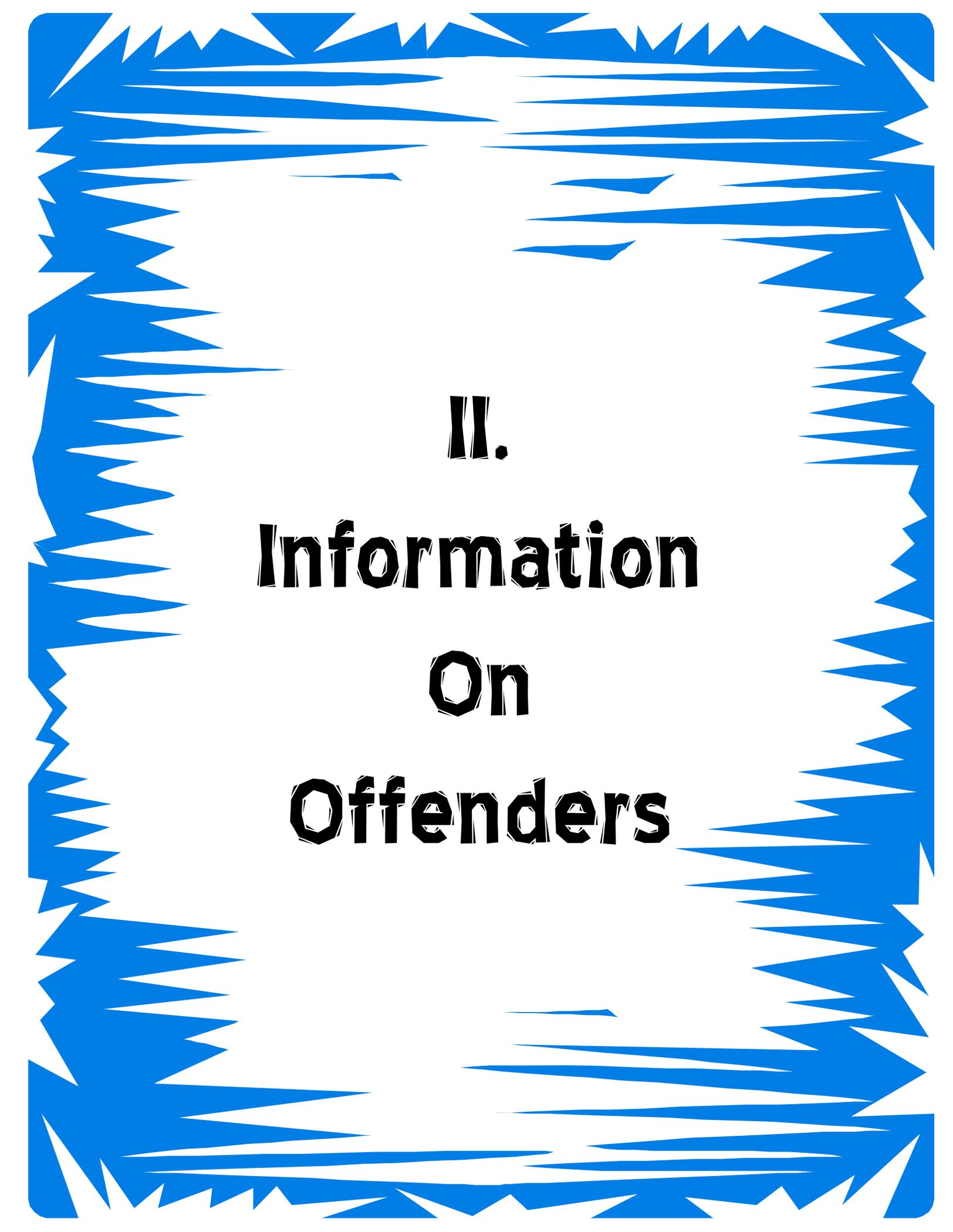
Of the 528 DWI arrests made in 2012, 439 (approximately 83%) were males and 89 (approximately 17%) were females.

**Diagram 6
Total DWI Arrests in 2012 by Gender**



B. Race and Gender

The breakdown by race/gender of the 528 DWI arrests made in Springdale in 2012 is set out in Chart 4 on the following page. Following Chart 4 is Diagram 7, which sets out the race/gender percentage of persons arrested for DWI in 2012, and Chart 5, which shows the race/gender breakdown based on the percentage of overall DWI arrests and compares the 2012 percentages with years 2008, 2009, 2010 and 2011. Hispanic males arrested for DWI in 2012 went up slightly from 2011; however, 2012 remains lower than 2008 through 2010.

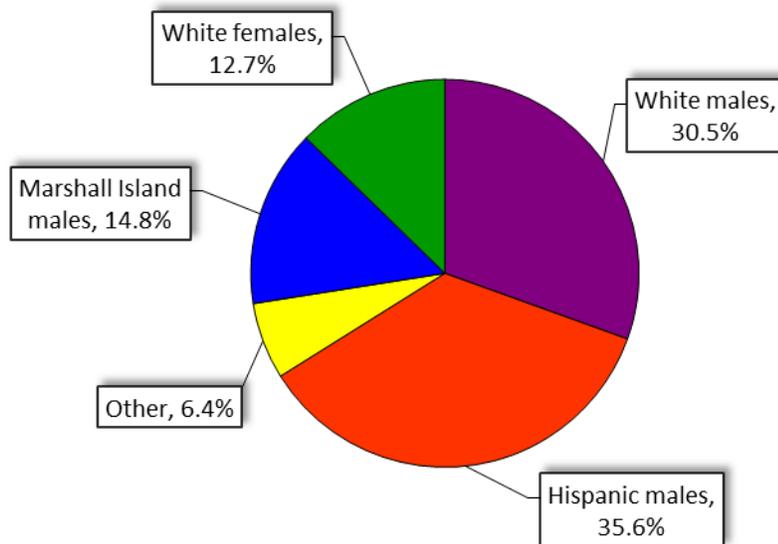
A thick, blue, jagged border surrounds the central text, resembling a torn paper or a stylized frame.

II.
Information
On
Offenders

**Chart No. 4
Breakdown of DWI Arrests by Race/Gender
For Year 2012**

Race/Gender	Total No. of Arrests
Hispanic males	188
White males	161
Asian/Pacific Island males	78
White females	67
Hispanic females	15
Black males	11
Asian/Pacific Island females	6
American Indian male	1
Black female	1
	<hr/> 528

**Diagram 7
Race/Gender Percentages of Persons
Arrested for DWI in 2012**



**Chart No. 5
Comparison of Percentages by Race/Gender of Persons
Arrested for DWI in 2008 through 2012**

	2008	2009	2010	2011	2012
Hispanic males	44%	42.5%	37%	32.5%	35.6%
White males	29.5%	30%	31%	34%	30.5%
White females	11%	11%	12%	12%	12.7%
Asian/Pacific Island males	10.5%	12%	14%	16.5%	14.8%
Other	<u>5%</u>	<u>4.5%</u>	<u>6%</u>	<u>5%</u>	<u>6.4%</u>
Total	100%	100%	100%	100%	100%

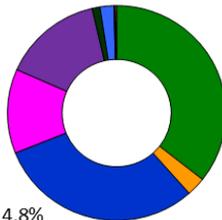
C. Arrest by Race/Gender (DWI Versus All Arrests)

The diagram below sets out by race and gender the percentages of persons arrested for DWI compared to all arrests in Springdale in 2012.

**Diagram 8
Comparison of Arrests by Race/Gender
Made in 2012**

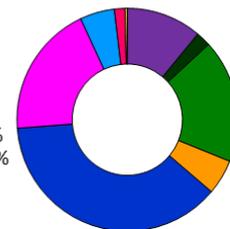
DWI Arrests

- Hispanic male, 35.6%
- Hispanic female, 2.8%
- White male, 30.5%
- White female, 12.7%
- Asian/Pacific Island male, 14.8%
- Asian/Pacific Island female, 1.14%
- Black male, 2.08%
- Black female, .19%
- American Indian male, .19%



All Arrests

- Asian/Pacific Island male, 11.05%
- Asian/Pacific Island female, 2.15%
- Hispanic male, 17.90%
- Hispanic female, 5.11%
- White male, 37.56%
- White female, 19.28%
- Black male, 5.07%
- Black female, 1.55%
- American Indian/Male, .30%
- American Indian/Female, .03%



D. Age, Race and Gender

Chart 6 sets out the average age of the four highest race/gender groups represented in DWI arrests for years 2008 through 2012.

	<u>Average Age</u>				
	2008	2009	2010	2011	2012
White males	36.51	35.36	36.34	38.07	37.04
Hispanic males	30.88	29.70	30.86	29.82	31.14
White females	34.2	35.53	36.2	34.23	36.93
Marshall Island Males	29.53	30.30	29.48	30.08	30.45

E. How Much They Drank

The next chart compares the average BAC levels of the four top race/gender groups from 2008 through 2012.

**Chart No. 7
Comparison of Average BAC Levels
in the Four Largest Race/Gender Groups
in 2008 Through 2012**

	2008	2009	2010	2011	2012
White males	.1598%	.1580%	.1533%	.1525%	.1525%
Hispanic males	.1648%	.1567%	.1539%	.1590%	.1718%
White females	.1595%	.1471%	.1519%	.1495%	.2016%
Marshall Island Males	.1625%	.1621%	.1555%	.1612%	.1614%

F. Implied Consent

A total of 151 persons out of 528 refused to take a test to measure their blood alcohol content when they were requested to do so by law enforcement officers. This represents approximately 28.6% of the total persons arrested.

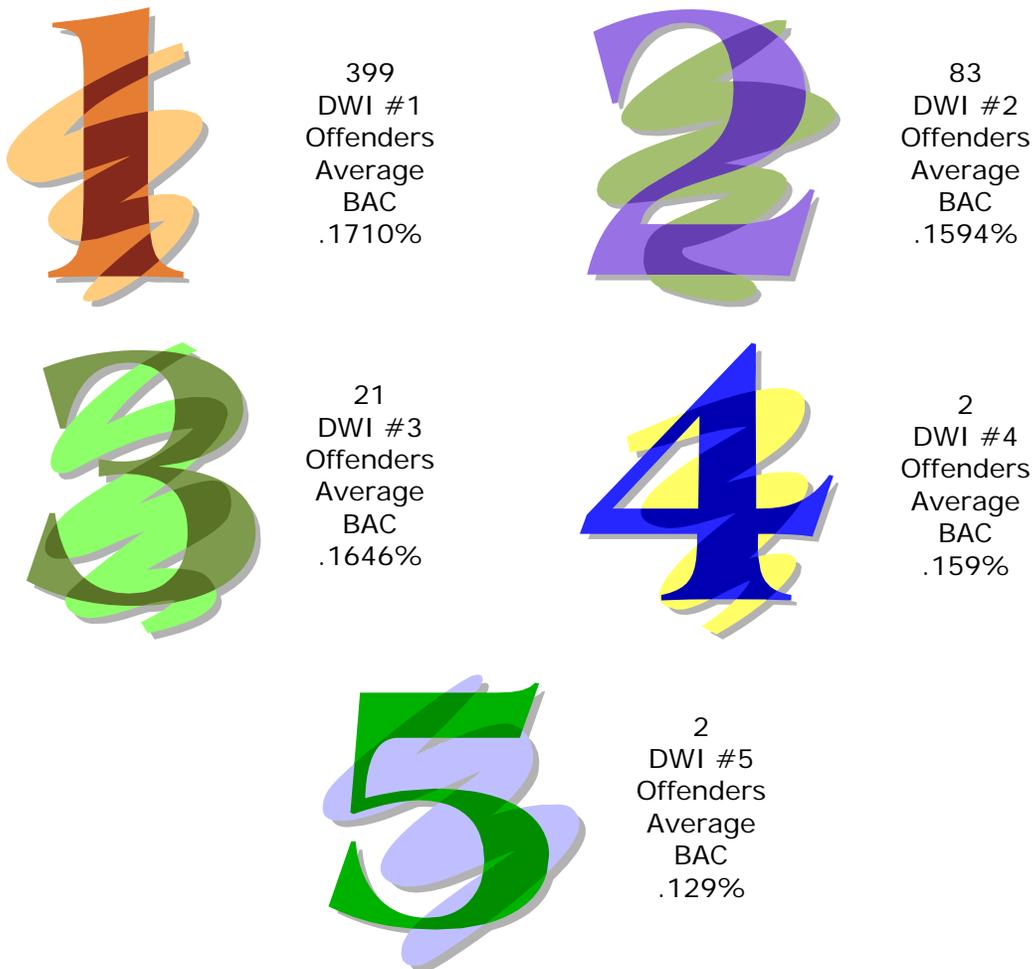
G. Repeat Offenders

1. Comparison of BAC Levels of First Time Offenders With Repeat Offenders

The average BAC for first time offenders in 2012 was .1710%, while the average BAC for repeat offenders was .1596%. For the first time in over 10 years, first offenders had a higher blood alcohol concentration (BAC) than repeat offenders.

The following diagram shows the total number of offenders in 2012 for each offense category, as well as the average BAC levels by each offense category (DWI #1, DWI #2, DWI #3, DWI #4 and DWI #5). Repeat offenders made up approximately 23% of the total, while first time offenders made up approximately 77% of the total DWI arrests.

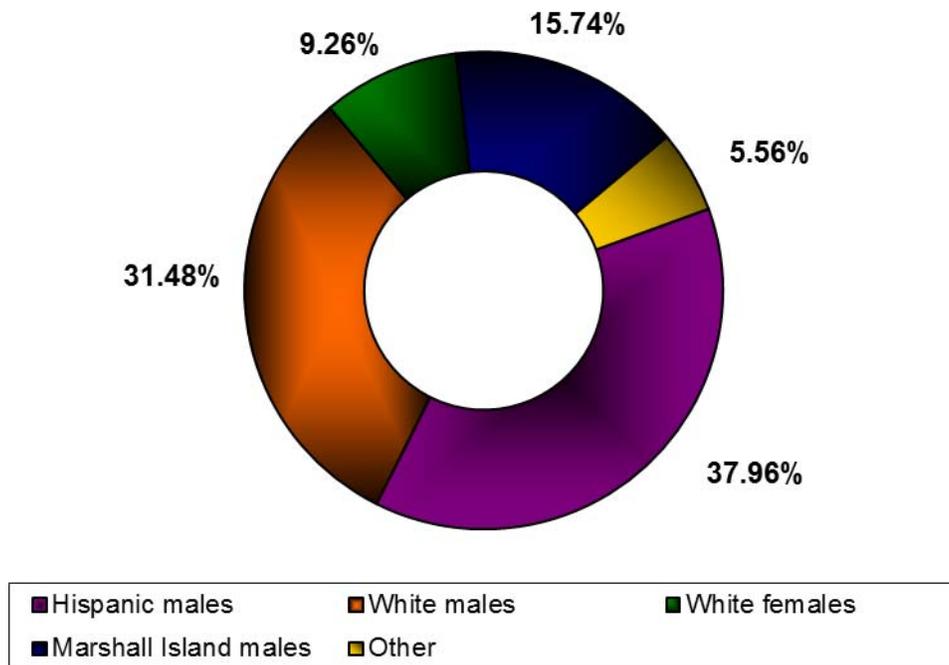
Diagram 9



2. Race/Gender of Repeat Offenders

The next diagram sets out the race/gender of those offenders who were repeat offenders (DWI #2, DWI #3, DWI #4 and DWI #5).

Diagram 10
2012 DWI Repeat Offenders by Race/Gender

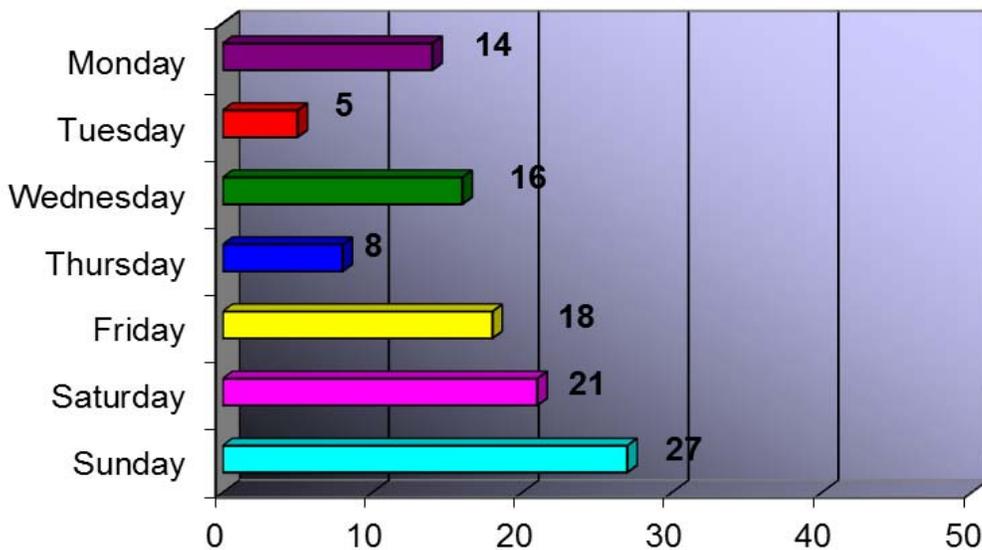


There were a total of 109 DWI related traffic crashes that occurred in Springdale during 2012. This is up almost 14.74% from the 95 DWI related traffic crashes that occurred in 2011.

A. By Day of Week

The diagram below sets out the day of week in which DWI crashes occurred.

**Diagram 11
Day of the Week DWI Crashes
Occurred in 2012**



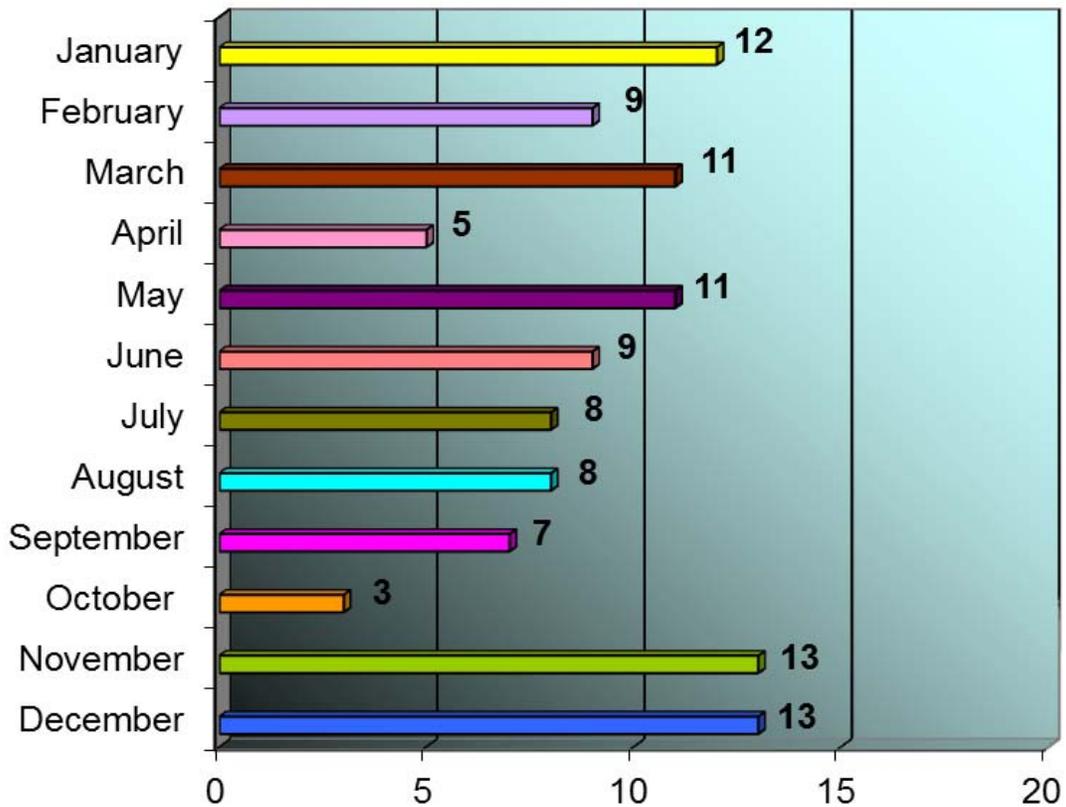
A decorative border with a jagged, torn-paper-like appearance in a vibrant blue color, framing the central text.

III.
DWI
Crashes

B. By Month

The following diagram is a breakdown of DWI related crashes which occurred in Springdale during 2012, by the month in which the collision occurred.

Diagram 12
Breakdown of DWI Related Crashes by the
Month They Occurred
Total 109



C. DWI Collisions By Time/Day

1. Time

The time of day in which most DWI crashes occurred was between 2:00 a.m. – 2:59 a.m., which accounted for 14 total DWI crashes. The following two times tied for second with nine DWI crashes: 8:00 p.m. – 8:59 p.m. and 10:00 p.m. – 10:59 p.m.

2. Day/Time

The chart below reflects the three highest days and times for DWI crashes in the year 2012.

<u>Day</u>	<u>Time</u>	<u>No. of Crashes</u>
Sunday	2:00 a.m. – 2:59 a.m.	7
Sunday	Midnight – 12:59 a.m.	5
Friday	10:00 p.m. – 10:59 p.m.	5

D. By Type of Motor Vehicle Collision

Springdale had a total of 2,631 traffic accidents in 2012, which was up from the 2,365 traffic accidents in 2011. The total of 2,631 includes all traffic accidents, even those that occurred on private property (2,008 occurred on public roadways and 623 occurred on private property). Of these 2,631 accidents, 109 (103 on public roadways and 6 on private property) involved

DWI related crashes, which is approximately 4.14% of the total amount of accidents.

Diagram 13



4.14% of the total accidents, which occurred in the City of Springdale, were DWI related.

E. Fatality Crashes

Springdale had five fatality crashes in 2012, with five people killed in the fatality crashes (one person was killed in each fatality crash). Two of Springdale's 2012 fatality crashes involved a drunk driver, which means 40% of the total amount of fatality crashes that occurred in Springdale during 2012 involved a DWI driver.

F. Personal Injury Crashes

Springdale had a total of 7 personal injury crashes involving DWI drivers in 2012. A total of 7 people were injured in DWI crashes that occurred in Springdale in 2012.

G. Property Damage Crashes

There were a total of 100 property damage crashes in Springdale in 2012, which involved a DWI driver. In 2011, there were 57 property damage crashes involving DWI drivers.

H. Comparison of DWI Crashes in the Last Five Years

The chart below sets out the number of DWI crashes by type of crash for the past five years.

<u>Type of Crash</u>	<u>No. of Crashes</u>				
	2008	2009	2010	2011	2012
Fatality	3	0	1	3	2
Personal Injury	37	35	30	35	7
Property Damage	<u>88</u>	<u>92</u>	<u>71</u>	<u>57</u>	<u>100</u>
Totals	128	127	102	95	109

The chart that follows sets out the total of DWI crashes and their increase or decrease for the past five years.

Chart No. 10
Comparison of DWI Crashes in Past Five Years

<u>Year</u>	<u>No. of Crashes</u>	<u>Percentage Increase (+) or Decrease (-) From Previous Year</u>
2008	128	-6.57%
2009	127	-.75%
2010	102	-19.68%
2011	95	-6.86%
2012	109	+14.74%

I. Leaving the Scene of an Accident

Twenty-seven drunk drivers, which represent approximately 24% of the total amount of drunk drivers involved in DWI crashes in 2012, left the scene of the crash in violation of Arkansas law. In 2011, 23% of the total drunk drivers involved in DWI crashes left the scene.

J. Race/Gender of DWI Offenders in Crashes

The chart on the next page sets out the total number of persons arrested for DWI who were involved in DWI crashes in 2012 by race/gender, with the percentage this race/gender group makes up of the total.

Chart No. 11
Total Number and Percentage by Race/Gender of Persons Who
Were DWI and Involved in Crashes in 2012

Race/Gender	Total No. Involved in DWI Crashes	Percentage of Total Arrested
White males	37	33.94%
Hispanic males	33	30.28%
White females	17	15.60%
Marshall Island males	11	10.09%
Other	<u>11</u>	<u>10.09%</u>
Total	109	100%

K. DWI Crashes by Offense Number

The chart on the next page sets out the number of DWI drivers involved in crashes by the DWI offense number, as well as the percentage that each offense number represents of the total.

Chart No. 12
2012 DWI Crashes by Offense

<u>Offense No.</u>	<u>Total</u>	<u>Percentage</u>
#1	83	76.15%
#2	20	18.35%
#3	5	4.59%
ACV #1	<u>1</u>	<u>.91%</u>
Total	109	100%

L. Underage Drivers in DWI Crashes

There were a total of 8 underage DWI drivers in DWI crashes in Springdale, Arkansas in 2012. This means that in approximately 7% of the DWI crashes in Springdale in 2012, an underage DWI driver was involved. This is up from 2011, when approximately 3% of the DWI crashes involved an underage DWI driver.

M. Location of DWI crashes

A total of 43 out of the 109 DWI crashes occurred on a State or U.S. Highway. This represents approximately 39% of the total DWI crashes. The chart on the following page sets out the 43 DWI highway crashes by where they occurred.

**Chart No. 13
State or U.S. Highway Where DWI Crashes
Occurred in 2012**

<u>Location of Crash</u>	<u>No. of Crashes</u>
South Thompson (South of Emma Avenue)	14
Hwy. 265 (Old Missouri Road)	11
North Thompson (North of Emma Avenue)	6
East Robinson (Hwy. 412 East)	5
West Sunset (West of S. Thompson)	4
I-540	<u>3</u>
Total	43

The DWI crashes that occurred on city streets occurred throughout the City of Springdale. The highest locations were Don Tyson Boulevard with seven, and three crashes each, on West Huntsville Avenue and Butterfield Coach Road.

N. Estimate of Property Damage of DWI Crashes in 2011

Based on an analysis of 108 DWI crashes in which property damage was estimated on the report, each DWI crash costs approximately \$5,918.52 in property damage. With this average per accident (\$5,918.52), it is estimated that DWI crashes cost \$639,200.16 in property damages in Springdale, Arkansas in 2012.

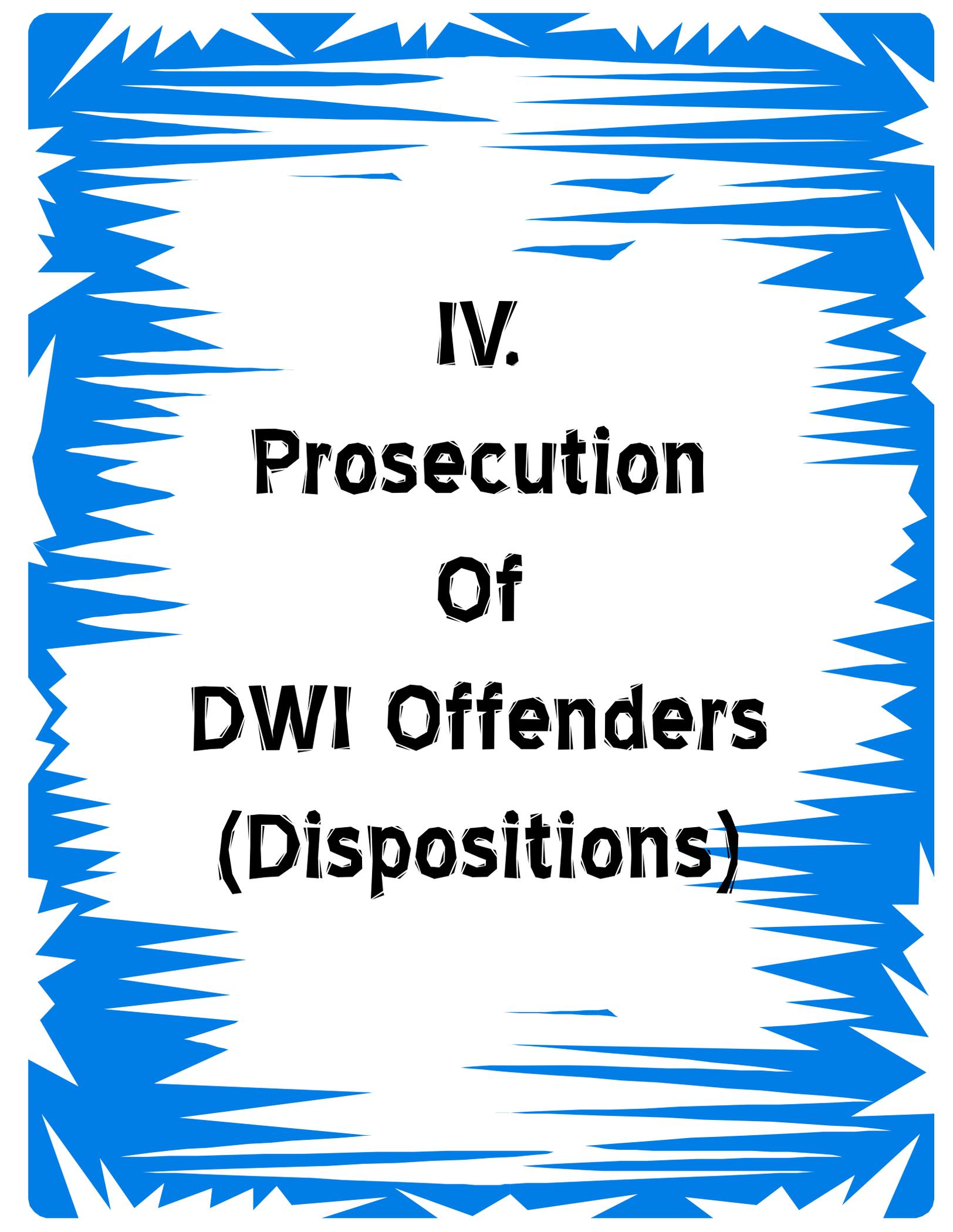
O. Other Offenses Committed by Persons Arrested in DWI Crashes

1. Driver's License Violations

Seventeen persons arrested for DWI who were involved in motor vehicle crashes had a suspended or revoked driver's license at the time of the crash. Twenty-five persons arrested for DWI who were involved in crashes did not have a driver's license at all. Taken together, there is approximately a 30% chance that a DWI driver involved in a crash in Springdale, Arkansas either had a suspended driver's license or no driver's license.

2. No Insurance

Eighteen persons arrested for DWI who had crashes either did not have motor vehicle insurance or provided no proof of insurance. This is approximately 17% of the drunk drivers involved in crashes in Springdale in 2012.

The page is framed by a thick, blue, jagged border that resembles a torn or distressed edge. The text is centered within this border.

IV.
Prosecution
Of
DWI Offenders
(Dispositions)

A. Handling of DWI Cases by Prosecution Agency

The Springdale City Attorney's Office prosecutes all DWI cases that occur in Springdale, unless they are sent to the County Prosecutor's Office as a felony or with a related felony. In 2012, 27 cases were handled by the Washington County Prosecutor's Office. The remaining 501 cases were handled by the City of Springdale.

B. Conviction Rate on Cases Adjudicated

Of the 501 DWI arrests made in 2012 that were handled as misdemeanors by the City of Springdale, 470 have been adjudicated as of the date of this publication. Of the 470 adjudicated cases, 459 persons have been convicted of DWI, for a conviction rate on the cases adjudicated of 97.7%. Chart No. 14 sets out the dispositions of the cases handled by the City of Springdale, and Chart No. 15 sets out the dispositions on all cases, including felonies and those DWI cases that were sent to the Washington County Prosecutor's Office with related felonies.

Chart No. 14
2012 Dispositions on DWI Cases Handled by City of Springdale
(as of 1/29/14)

Total Arrested	528
Total Handled by City of Springdale	501
Total Failure to Appear on Springdale Cases	22
Total No. Cases Ending in Finding of Guilty	459
Total No. Cases Ending in Finding of Not Guilty	11
Person Who Died Before Case Adjudicated	3
Cases Still Pending (awaiting trial date)	6
Total Convicted by Total No. Arrested (459/501)	91.6%
Conviction Rate on Cases Adjudicated (459/470)	97.7%

The next chart shows dispositions on all cases of DWI related arrests made in the City of Springdale (including felonies and those misdemeanors that were sent with a related felony to the County Prosecutor's Office).

Chart No. 15
2012 Dispositions on DWI Cases Handled by
City of Springdale and County Prosecutor's Office

Total Arrested	528
Total Handled by City of Springdale	501
Total Handled by County Prosecutor's Office	27
Total No. of cases ending in a finding of Guilty	481
Total No. of cases ending in a finding of Not Guilty	11
Total No. Defendants Failed to Appear (warrants issued)	22
Defendants Died Before Case Adjudicated	3
Cases Still Pending	11
Total Convicted/Total No. Arrested (481/528)	91.1%
Conviction Rate on Cases Adjudicated (481/492)	97.8%

The next chart shows dispositions on misdemeanor cases handled by the City of Springdale from years 2008 through 2012.

Chart No. 16
Dispositions on Cases Handled
by City of Springdale (All Misdemeanor Cases)
Years 2008 through 2012

	2008	2009	2010	2011	2012
Total Arrested	728	674	691	598	528
Total Handled by City	695	643	663	574	501
No. Failed to Appear	61	41	53	25	22
Other	1*	2*	1*	2*	3*
Pending	1	1**	4	4	6
Disposed of	625	599	605	543	470
No. Convicted	632	591	591	534	459
Percentage Convicted Of Cases Adjudicated	98.89%	98.66%	97.68%	98.34%	97.70%

*Died before case adjudicated

** Warrant issued for DWI



v.

Underage

Drinking

and

Driving

A. DUI

Arkansas has attempted to curtail underage drinking/driving by passing what is sometimes called a “zero tolerance” law, which means if you are under 21 years of age, it is unlawful under the Arkansas DUI law to drive with a BAC level of .02% to .07%.

If convicted of DUI #1, the defendant will receive a minimum \$100 fine, be required to perform public service, and be required to have an alcohol assessment, and their driver’s license will also be suspended by the State.

1. Total DUI Arrests

In the year 2012, there were 17 total arrests for DUI in Springdale, Arkansas. The next chart sets out the number of DUI arrests made in Springdale from years 2008 through 2012.

Year	No. of DUI's
2008	20
2009	18
2010	12
2011	18
2012	17

2. DUI Accidents

There were three crashes involving a DUI driver in 2012.

B. Underage DWI

Underage DWI means although the person was under 21 years of age, their BAC level was .08% or greater, the police officer who arrested them believed their BAC level was .08% or greater and they did not take a test to measure their BAC, or they were arrested for DWI/Drugs. Springdale had 30 underage DWI arrests in 2012, which is down from 38 in 2011, 39 in 2010, 55 in 2009, and 58 in 2008.

The 30 underage DWI arrests equate to approximately 2.75% of the total DWI arrests made in Springdale in 2012.

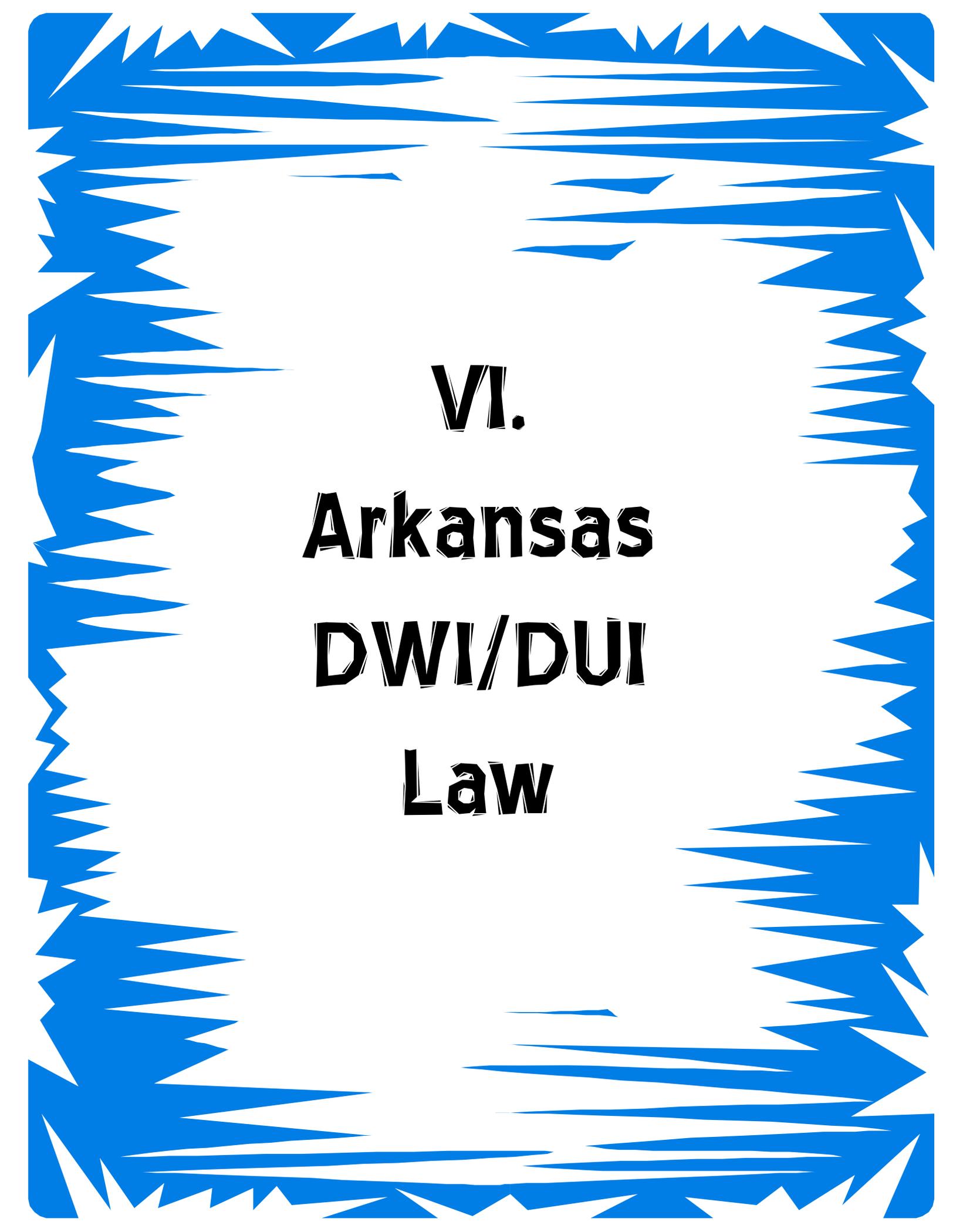
The following chart shows the breakdown by race/gender of those persons under 30 arrested for DWI in Springdale in 2012, both by the number arrested and the total percentage each race/gender group makes up of the total.

**Chart No. 18
Race/Gender Comparison of
Underage DWI Arrests in 2012**

<u>Race/Gender</u>	<u>Number</u>	<u>Percentage</u>
Hispanic/Male	20	66.6%
White/Male	3	10%
White/Female	2	6.7%
Hispanic Female	2	6.7%
Marshall Island Male	2	6.7%
Black Male	<u>1</u>	<u>3.3%</u>
Total	30	100%

C. Underage DWI Repeat Offenders

There were 2 repeat offenders in the underage DWI category in 2012, which is down from 5 repeat offenders in 2011. One of the underage repeat offenders were charged with DWI #3 and one repeat offender was charged with ACV #3.

A thick, blue, jagged border surrounds the central text, resembling a torn paper or a stylized frame.

VI.
Arkansas
DWI/DUI
Law

ARKANSAS DWI LAW

Ark. Code Ann. §5-65-103. Unlawful acts.

(a) It is unlawful and punishable as provided in this act for any person who is intoxicated to operate or be in actual physical control of a motor vehicle.

(b) It is unlawful and punishable as provided in this act for any person to operate or be in actual physical control of a motor vehicle if at that time the alcohol concentration in the person's breath or blood was eight-hundredths (0.08) or more based upon the definition of breath, blood, and urine concentration in §5-65-204.

Ark. Code Ann. §5-65-102. Definitions.

(2) "Intoxicated" means influenced or affected by the ingestion of alcohol, a controlled substance, any intoxicant, or any combination of alcohol, a controlled substance, or an intoxicant, to such a degree that the driver's reactions, motor skills, and judgment are substantially altered and the driver, therefore, constitutes a clear and substantial danger of physical injury or death to himself and other motorists or pedestrians;

ARKANSAS DUI LAW

Ark. Code Ann. §5-65-303. Conduct proscribed.

(a) It is unlawful and punishable as provided in this subchapter for any underage person to operate or be in actual physical control of a motor vehicle while under the influence of an alcoholic beverage or similar intoxicant.

(b) It is unlawful and punishable as provided in this subchapter for any underage person to operate or be in actual physical control of a motor vehicle if at that time there was an alcohol concentration of two-hundredths (0.02) but less than eight-hundredths (0.08) in the underage person's breath or blood as determined by a chemical test of the underage person's blood or breath or other bodily substance.

STAFF OF CITY ATTORNEY'S OFFICE

Ernest B. Cate ~ ~ ~ ~ ~ City Attorney

Taylor Samples ~ ~ ~ ~ ~ Deputy City Attorney

Sarah Sparkman ~ ~ ~ ~ ~ Deputy City Attorney

David Phillips ~ ~ ~ ~ ~ Deputy City Attorney

Steve Helms ~ ~ ~ ~ ~ Investigator

Cindy Horlick ~ ~ ~ ~ ~ Administrative Legal Assistant/Paralegal

Lynda England ~ ~ ~ ~ ~ Case Coordinator/Victim Advocate

Linda Brown ~ ~ ~ ~ ~ Hot Check Administrator

Dixie Putt ~ ~ ~ ~ ~ Receptionist

Jacque Roth ~ ~ ~ ~ ~ Discovery/File Clerk