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Law enforcement, local officials question feasibility of Inslee's DUI proposal

Posted by [Brian M. Rosenthal](#)

OLYMPIA — Lobbyists for police, prosecutors, defense attorneys and local governments used four hours of back-to-back hearings Thursday to question the feasibility of a bipartisan proposal to overhaul Washington state's drunken driving laws.

Lawmakers signaled toward the end of the state House Public Safety and Senate Law & Justice committee hearings they are likely to scale back or otherwise change [House Bill 2030](#) and [Senate Bill 5902](#).

The [fast-tracked proposal](#), unveiled Tuesday at a news conference with Gov. Jay Inslee, would require charges be filed faster, lengthen jail sentences, prohibit third-time DUI offenders from buying alcohol for 10 years and create a new state program in which some DUI offenders could avoid jail by proving their sobriety at all times.

But the provision they targeted most Thursday would require that all cars impounded during DUI arrests be automatically outfitted with ignition interlock devices, which prevent the car from starting if the driver is drunk.

Currently, drivers are required to install interlock devices if they're convicted, but there's little judicial oversight.

Civil libertarians called the impound installation unconstitutional because the driver hasn't yet been convicted. Don Pierce of the Washington Association of Sheriffs and Police Chiefs questioned its effectiveness.

And Tom McBride of the Washington Association of Prosecuting Attorneys called it "unworkable," citing a lack of resources.

"I'm so worried that what you're going to do is pass some changes in the law, declare victory, and I'm going to be stuck still not able to move some cases through the system," he said.

James McMahan, representing local county officials, said preliminary estimates indicate the bill could cost up to \$45 million for counties, and more for cities. If there's no state funding, that'll come out of enforcement of other crimes, said Candice Bock, who represents local city officials.

An official fiscal analysis of the bill has not yet been finished.

Bock, McMahan, McBride and Pierce urged lawmakers to provide local jurisdictions with more resources and to focus on repeat offenders, not first-time drunken drivers.

Also at the hearing, a lobbyist for defense attorneys said the 10-year ban on alcohol purchasing would be difficult to enforce and the new sobriety program would not be accessible to poor defendants.

The lobbyist, Patricia Fulton, called the proposal “hastily drafted.”

State Rep. Roger Goodman, D-Kirkland, one of the proposal’s architects, signaled at the end of the hearings that lawmakers may revise the requirements about interlock installation to cover arrested drivers who already have a DUI conviction, not first-time offenders.

“We don’t want to be over broad and impractical in requiring the ignition interlock in every single arrest, so we want to focus on repeat offenders,” he said.

That would mean automatic interlock installation for about 4,500 state drivers every year, not 38,000, officials said.

“We’re not going to jam this bill through,” Goodman added. “We’re going to have a lot more discussion.”

The bill did get some support at the hearings, including from Shelly Baldwin of the Washington State Traffic Commission, who said that if everybody in the state who is supposed to have an interlock device on their car actually did, DUI recidivism would decline 43 percent.

Goodman said he is scheduling a meeting of his Impaired Driving Working Group for next Tuesday to discuss the proposals.

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