

EVERY
CHILD
DESERVES
A DESIGNATED
DRIVER



Child
Endangerment
Report



**Mothers
Against
Drunk
Driving**

EVERY CHILD DESERVES A DESIGNATED DRIVER

ON THE COVER

There are very real cases in which a child's life is placed in danger by a parent or other caregiver's choice to drink and drive. Yet, as dangerous as it is, driving impaired with children in the vehicle is not a commonly acknowledged form of child endangerment or child abuse.

Carlie McDonald, 5 years old, was killed on January 1, 1998 by her intoxicated mother who was driving with a blood alcohol content (BAC) of .22 percent, over twice the BAC illegal per se level. Carlie had been placed in the front seat of the car; her unused booster seat was found in the back. Carlie's mother had been specifically court-ordered not to consume alcohol in Carlie's presence. This was not enough to save Carlie's life.

Carlie's father, Lieutenant Carl McDonald of the Wyoming Highway Patrol, had primary custody of his daughter. He was helpless to protect and ensure that Carlie would be safe when visiting her mother. His life has been forever changed.

Carlie loved playing with her dog, Sadie, and reading bedtime stories. Her favorite movie was *The Lion King*. Because her mother made the choice to drive while impaired with Carlie in the car, Carlie will never be able to live her life and attain her dreams. Her father must learn to live without her and continue his journey of grief.

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2005

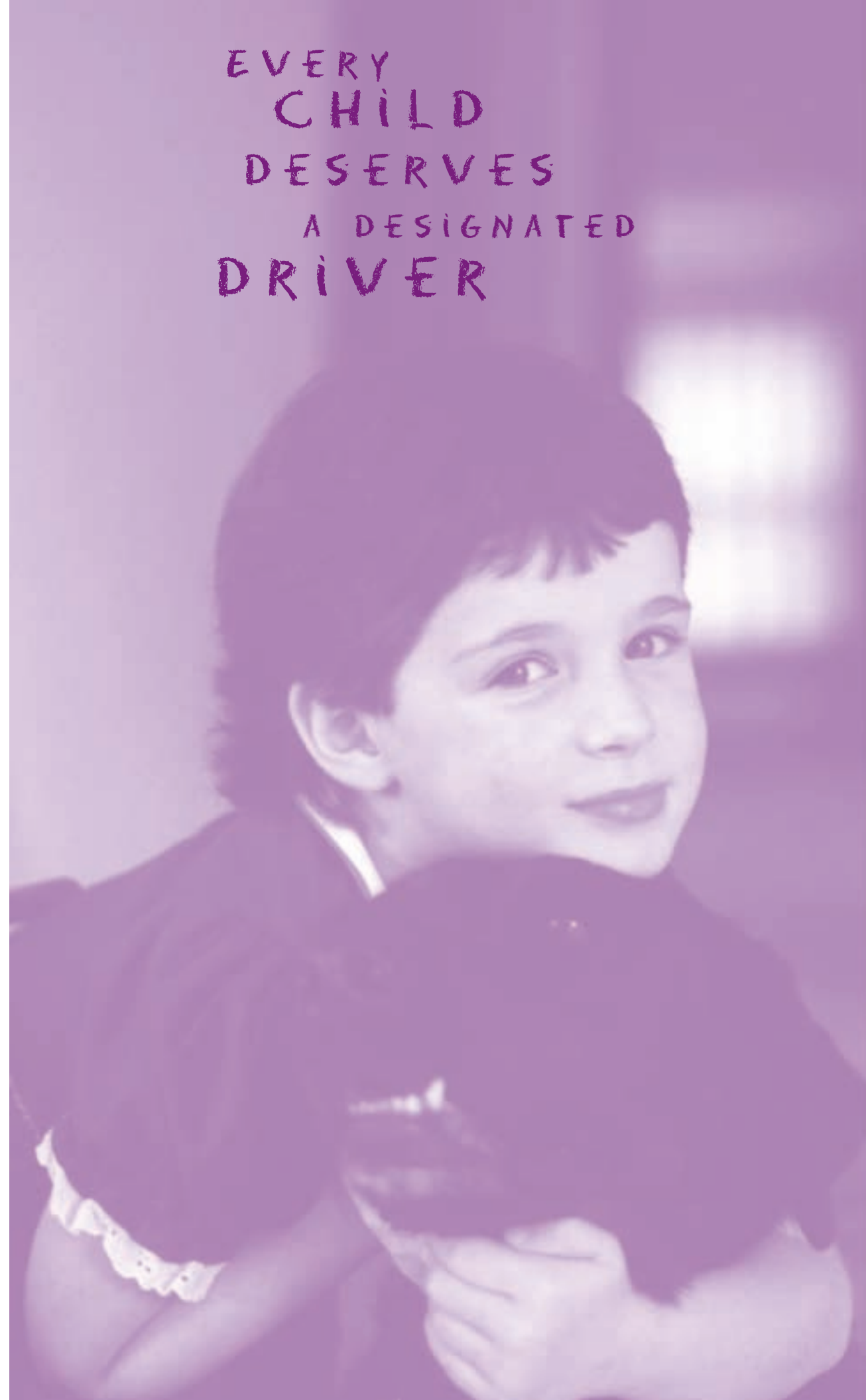


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Thanks is also extended to Toni Miller, grant manager, victim services, MADD National.

Mothers Against Drunk Driving

EVERY CHILD DESERVES A DESIGNATED DRIVER

Protecting children is a value Americans cherish. Yet, despite the fact drunk driving is a violent crime, driving while impaired with children riding in a vehicle is not a commonly acknowledged form of child endangerment or child abuse. No one should have to choose to ride with an impaired driver. However, minor children have little choice when the driver is a parent or other adult who is their caregiver.

Child endangerment laws protect innocent children from child abusers, not only those who are physically or emotionally abusive, but those who victimize a child by driving impaired. An impaired driver makes the choice to drink and drive. Minor children often have no choice as to whether or not they ride with an impaired driver. Caregivers that drink and drive with children in the vehicle are child abusers in their own right and account for the majority of drunk driving fatalities among children.

Mothers Against Drunk Driving (MADD) twice convened a panel of experts in the nation's capital to develop practical policy solutions to one of the nation's most pressing child endangerment problems: children riding in vehicles with impaired drivers. The Child Endangerment Expert Panel, supported by a grant awarded by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice, consisted of child and victim advocates, attorneys, judges, law enforcement officials, policy specialists and a bereaved parent victim of child endangerment.

The panel of experts offered specific knowledge and expertise and helped to identify possible solutions. Examination of the issues surrounding child endangerment was conducted by eliciting input from each panel member on their area of expertise. Issues were examined from research, advocacy, law enforcement, judicial, prosecutorial and civil family law and victim perspectives.

MADD's Child Endangerment Report is based on recommendations of this expert panel. The report will be distributed to MADD state offices and chapters, state law enforcement agencies, Governor's Highway Safety Offices, court personnel and key child protective agencies. It contains helpful guidelines and measures that will inform parents, child advocates, medical personnel, law enforcement officials, victim advocates, policymakers and the general public on how to provide greater protection of children from impaired drivers.

This report illustrates the heartache that public awareness, training, education and effective child endangerment laws can prevent. A video documentary of a child endangerment case produced by the Wyoming Department of Public Safety is included with the report. The video tells the true story of the death of a State Highway Patrol Officer's five-year-old daughter whom his intoxicated ex-wife killed while driving with a BAC of .22 percent.

CHILD ENDANGERMENT AND CHILD ABUSE

Child abuse or neglect is defined in Black's Law Dictionary as:

"When a child's parent or custodian, by reason of cruelty, mental capacity, immorality or depravity, is unfit to properly care for him or her, neglects or refuses to provide necessary physical, affectional, medical, surgical or institutional care for him or her or is under such improper care or control as to endanger his or her morals or health."

Child endangerment as it pertains to impaired driving falls into the above legal definition of child abuse when a parent or caregiver knowingly puts a child in the car after drinking alcohol with the intention to drive. This choice falls under the "improper care...so as to endanger his or her morals or health." However, driving while impaired with a child in the vehicle is rarely, if ever, charged as child abuse.

CHILD ENDANGERMENT LAWS

Child endangerment is a term used to collectively identify laws that create a separate offense or enhance an existing penalty for an offender who endangers a minor. Endangerment is any action that might place a minor in jeopardy of physical, moral or mental well being.

While most states now have some kind of endangerment statute, 35 states currently have statutes that create special sanctions for cases of driving under the influence / driving while intoxicated (DUI/DWI) while the offender is transporting a child at the time of the offense. For information about state laws and child endangerment, please refer to our website at: <http://www3.madd.org/laws/law.cfm?LawID=YDAN>

Child endangerment statutes fall into the following categories:

- **Enhanced penalties:** Penalties that are added to the penalties for a DUI/DWI law violation.
- **Separate offenses:** An offense for DUI/DWI with a minor in the vehicle that is separate from the DUI/DWI laws.
- **Aggravating circumstances:** Laws that allow the fact that a child was in the vehicle to be used by the judge/jury in sentencing as an aggravating factor, but not necessarily mandating a specific enhanced penalty.

Driving impaired is not an "accident" or a mistake. It is a choice, just as blatant physical child abuse is a choice. Rather than a fist, the weapon is a motor vehicle.

MADD is concerned about the increasing number of calls MADD victim advocates receive from distraught parents and other loved ones regarding allegations of an adult driving impaired with a child in the vehicle. In polling MADD chapters during the last year, MADD victim advocates across the nation received approximately 17,000 child endangerment calls. Many of these calls indicate that reports filed as child endangerment to state agencies are slipping through the cracks of the system, putting children at a greater risk of victimization.

These calls are not from victims of drunk driving crashes, but from potential victims of drunk driving. Often victim advocates feel helpless and frustrated with these calls for help. There seems to be no relief for the problem due in part to the lack of public awareness of the extent of the DUI/DWI child endangerment problem and the reluctance to accept that to drive impaired with a child in the vehicle is a form of child abuse.

Victim advocates on the panel identified common problems that victims report in calls of frustration and desperation. The following issues and concerns were raised:

- Cases are not being properly charged, resulting in lack of prosecution.
- Cases that are charged are often plea bargained down or dismissed.
- Reports made to child protective agencies are not being documented or investigated.
- A general lack of awareness of the seriousness of the problem.
- Divorced parents who are confronted with the problem of an ex-spouse who drives while impaired face legal challenges and the financial risk of subjecting themselves to civil contempt actions if they refuse visitation privileges to protect their children.
- Many victims do not have the financial resources to seek relief in the civil court system.

WHY IS THERE A NEED FOR A CHILD ENDANGERMENT STATUTE?

Within each state, it is the legislature that determines the structure of child endangerment laws. Statutes of this nature are important because motor vehicle crashes outrank all other injuries and diseases as the major cause of death for children ages 1 and above. In 2002, alcohol-related vehicle crashes accounted for 22 percent of motor vehicle crash deaths of children.

States with child endangerment laws widely vary in provisions and enforcement. Additionally, public awareness is often so low many people do not know such statutes exist. Individually, the situation is even more complicated because families with child endangerment issues are often already coping with the legal ramifications of separation, divorce, and visitation/custody issues. After a court has accepted custody arrangements, concerned parents and adults have very few options for protecting a child from a parent who drives impaired. Even worse, if a parent attempts to prevent the child from riding with their impaired parent, breach of the custody agreement could be enforced leading to further victimization.

The law enforcement officers, judge, civil attorney and prosecutor on the panel identified difficulties in enforcing the child endangerment statutes. The following issues were identified:

- There is difficulty in interpreting the existing DUI/DWI child endangerment laws; many of the laws are too complex.
- There is a lack of education on all aspects of the laws and the problem of child endangerment in general.
- There is difficulty in not being able to enforce civil remedies absent a restraining order or request of participation from child protective services.
- Laws are not being uniformly enforced.
- Violation of terms of the divorce decree as it relates to impaired driving with minor children in the car should be clearly tied to change in custody or visitation.
- There is a critical need for judicial education programs addressing all the issues surrounding child endangerment.
- DUI/DWI offenders' parental status should be a consideration at sentencing in terms of probation restrictions against driving after drinking with children in the vehicle.

RESEARCH AND STATISTICS

A 1999 national telephone survey, sponsored by the National Highway Traffic Safety Administration (NHTSA), estimates that between 46 and 102 million drinking-driving trips are made each year with children under the age of 15 in the vehicle.

In May 2000, the Journal of the American Medical Association (JAMA) published "Characteristics of Child Passenger Deaths and Injuries Involving Drinking Drivers." The study found that from 1985 to 1996, there were 5,555 child passenger deaths involving a drinking driver. Of these deaths, 3,556 (64 percent) occurred while the child was riding with a drinking driver; 67 percent of these drinking drivers were old enough to be the parent or caregiver of the child. *1 footnote

Of all drivers transporting a child who died, drinking drivers were more than twice as likely as non-drinking drivers to have had a previous license suspension (17.1 percent vs. 7.1 percent) and more than six times as likely to have a conviction for driving while intoxicated (7.9 percent vs. 1.2 percent). These findings underscore the serious risk that persons arrested for alcohol-impaired driving pose to others and to themselves.

Drivers who have been arrested for driving while impaired are known to be at substantially increased risk of future death in alcohol-related motor vehicle crashes compared with drivers who have not been arrested for this offense. *2 footnote

In addition, studies have shown that 70 percent of the drivers arrested for driving while impaired have alcohol abuse problems and between 10 and 50 percent are alcohol dependent. *3 footnote

Taken together, these findings emphasize the importance of aggressive intervention with persons convicted of DUI/DWI, including evaluation and treatment for alcohol problems, to prevent future deaths in alcohol-related crashes.

From 1988 through 1996, an estimated 149,000 child passengers were non fatally injured in crashes involving a drinking driver. Of these, 58,000 (38.9 percent) were riding with a drinking driver when injured in the crash. *4 footnote

During the five-year period of 1997-2001, 1,985 child passengers died and an estimated 87,226 were injured in alcohol-related crashes. Sixty-eight (68) percent of the deaths and 38 percent of the injuries occurred among children who were riding in the same vehicle with the drinking driver.

Of the children who died while riding in the same vehicle with the drinking driver, only 29 percent were known to have been restrained (restraint use was unknown for another 9 percent of child passenger deaths). As the BAC of the child's driver increased, child restraint use decreased.

Although restraint use in this group of children remains unacceptably low, restraint use has increased in recent years. The May 2000 JAMA study found that only 18 percent of children who were riding with the drinking driver at the time of the crash were known to have been restrained. The increase in restraint use seen among child passenger deaths is consistent with the increase in child restraint use over time in the general population. Strong enforcement of child safety seat laws and passage of primary enforcement seat belt laws in all states could further reduce child passenger deaths. The safety benefits of stricter enforcement of restraint laws may be even greater for children who are transported by drinking drivers because these drivers are known to have higher rates of serious crashes.

During the five-year period of 1997-2001, 58 percent of the alcohol-related crashes in which a child passenger died while riding with the drinking driver occurred during daytime or evening hours (6AM to 9PM). This finding adds further support for the need to increase high visibility enforcement of child safety seat, primary seat belt, and DUI/DWI laws, especially during daytime hours.

The MADD child endangerment panel of experts agreed that there is not any empirical research that has been done to determine scientifically if child endangerment laws that have been enacted have reduced alcohol-related deaths and injuries among child passengers. Funding for research needs to be acquired to evaluate the effectiveness of current child endangerment laws.

*1 footnote Royal, D. National Survey of Drinking and Driving Attitudes and Behavior: 1999, Volume 1: Findings. Washington, DC: US Dept of Transportation, National Highway Traffic Safety Administration; 2000. DOT Report HS 809 190

*2 footnote Brewer RD, Morris PD, Cole TB, Watkins S, Patetta MJ, Popkin C. The risk of dying in alcohol-related automobile crashes among habitual drunk drivers. The New England Journal of Medicine. 1994; 331:513-517.

*3 footnote Wiczorek W, Miller B., Nochajski T. Multiple and Single Location Drinking Among DWI Offenders Referred for Alcoholism Evaluation. American Journal of Drug and Alcohol Abuse 1992; 18, no. 1: 103-116.

*4 footnote Quinlan KP, Brewer RD, Sleet DA, Dellinger AM. Characteristics of Child Passenger Deaths and Injuries Involving Drinking Drivers. Journal of the American Medical Association 2000; 283: 2249-2252.

WHAT CAN BE DONE TO HELP PROTECT CHILDREN?

As these startling statistics sadly point out, much more aggressive tactics need to be taken with impaired drivers when children are riding in the vehicle. Possible solutions may be found in public education, research, legislation, enforcement, prosecution and judicial arenas. Specific solutions to address appropriate measures to reduce incidences of child endangerment need to be developed on local and state levels.

In developing specific solutions, MADD reviewed existing state laws that relate to DUI/DWI child endangerment. Analysis of this data revealed the following:

- Current state laws are complex and vary greatly from state to state.
- A variance in the age of children when these laws apply and therefore there is a need for a uniform age.
- The need for a simplification in the DUI/DWI child endangerment laws to make enforcement and prosecution easier.
- There is no clear consensus on whether separate child endangerment statutes or enhanced penalties under existing DUI/DWI law is better.
- A need for minimum mandatory penalties for violations of child endangerment laws.

The panel discussed in great detail the need for the criminal, civil, and family courts to gain an understanding of the severity of this crime and the need to impose significant sanctions on the offender who drives impaired with children in the vehicle, thus reducing the number of children who are injured and killed as passengers.

MADD RECOMMENDATIONS

The input and suggestions of the child endangerment panel were crucial in bringing possible solutions into focus. After extensive examination and consideration of all the complex issues regarding child endangerment, MADD makes the following recommendations in Criminal Cases for Statutes, Criminal Penalties, Civil Cases, and Administrative Sanctions in DUI/DWI Child Endangerment Cases.

Uniform Age Requirement

A “child” for purposes of applying a child endangerment DUI/DWI statute should be minimally defined as a child under the age of 16 years. States that currently have a definition of over 16 years of age are encouraged to keep their existing definition.

Child Restraint Laws

State child passenger safety laws should be thorough in their coverage and must provide for primary enforcement. Law enforcement agencies are encouraged to give high priority to enforcement of these laws. Consideration should be given to adding driver license points for violations of child passenger restraint laws. Further consideration should be given to administrative revocation/suspension for drivers who commit a second or subsequent offense of any child passenger safety occupant protection laws.

Child Endangerment DUI/DWI Statutes

The penalties for violation of child endangerment provisions should be substantially higher than the penalties imposed in DUI/DWI cases where children are not involved and should include the following:

- In addition to criminal penalties imposed upon conviction, state law should provide for the administrative license revocation/suspension of licenses for alcohol-related child endangerment offenses and for those who refuse to take the state administered test of their breath, blood, urine or other bodily substance with children in the vehicle.
- Mandatory alcohol/drug assessment and treatment as indicated by the assessment.
- A required installation of an alcohol ignition interlock device on any vehicle that may be used by the defendant to transport children under the age of 16 years.
- License reinstatement or issuance of a limited driving permit following license suspension/revocation should be contingent upon installation of an alcohol ignition interlock device and, if treatment is required as a result of the court ordered alcohol/drug assessment, completion of the treatment program should be required for full license reinstatement.
- A second offense for violation of the child endangerment DUI/DWI statute should be a felony.
- An offender charged with violation of the child endangerment statute should not be eligible for pre-trial diversion, deferred adjudication, probation before judgment (PBJ) or similar programs and a conviction should remain on the offenders driving record permanently and would not “age off” or be expunged.

Repeat Child Endangerment DUI/DWI Statutes

In 1999, MADD released its Higher Risk Driver Program to the nation. This program provided a science-based approach to dealing with higher risk drivers which include those drivers who have been previously convicted of DUI/DWI, high-BAC drivers and drivers who drive on a suspended license where the license suspension was the result of a DUI/DWI offense. These higher risk drivers have an increased risk of being involved in an alcohol-related crash or being rearrested for DUI/DWI. In an effort to address this problem and as part of MADD's Higher Risk Driver Program, MADD advocated that states adopt legislation setting the illegal BAC for adult drivers who have previously been convicted of DUI/DWI at .05 percent per se. This lower limit shall apply to these offenders for a period of five years from the date of conviction and should require them to provide a breath test if requested by an officer following any legal traffic stop.

Adult drivers who repeatedly drink and drive with children in their vehicle present a clear and present danger to the health and welfare of these children and place these children at a higher risk of being involved in an alcohol-related crash.

In line with its current Higher Risk Driver Program, MADD advocates that states consider establishing a .05 percent illegal per se BAC for drivers over the age of 21 who are transporting children under the age of 16 and who have been previously convicted of DUI/DWI or an alcohol-related child endangerment offense. Suggested wording for such a statute is as follows:

"It shall be unlawful for any person over the age of 21 who has previously been convicted of DUI/DWI or any child endangerment statute related to operating a motor vehicle under the influence of alcohol or other drugs to drive or operate a motor vehicle while transporting a child under the age of 16 years while said person has a blood alcohol content (BAC) of .05 percent or higher."

Conditions of Bail/Bond

Judges setting bail conditions for defendants charged with DUI/DWI offenses where children were passengers in the defendant's vehicle at the time of the offense should consider a condition that no children under the age of 16 will be transported by the defendant in a vehicle unless an alcohol ignition interlock device is installed on the vehicle by the defendant.

Recommendations in Civil Cases Related to Child Custody and Visitation

- There should be a mandatory provision in every separation agreement and divorce decree involving minor children that prohibits drunk driving, or driving under the influence of other drugs, by either parent when they are transporting their minor children.
- Violation of the referenced provision in the separation agreement or divorce decree can be the subject of a contempt or modification action against the offending parent, and the sanctions the court may consider upon a finding of contempt may include, but are not limited to the following:
 - Ordering an alcohol/drug assessment and treatment as indicated by the assessment. If so ordered, a copy of the certificate of attendance and completion of the assessment and treatment program should be provided to the other parent,
 - Incarceration for violation of the terms of the divorce decree,
 - Suspension of driver's license,
 - Requiring the offending parent to have an alcohol ignition interlock device installed on their vehicle and requiring that they may transport the children only in such vehicle,
 - Change of primary custody of the children,
 - Limitations on visitations including requiring supervised visitation or requiring a third party to transport the children for the purposes of visitation if the offending parent is the non-custodial parent,
 - Termination of parental rights,
 - Award of attorney fees to the parent bringing the contempt action, and
 - If the offending parent is required to have an alcohol ignition interlock device installed on their vehicle, copies of the monthly monitoring reports of the alcohol ignition interlock device provider should be provided to the other parent.
- It should be an affirmative defense to a child custody/contempt action based on one parent refusing to allow the other parent to exercise their visitation privileges that the parent attempting to exercise their visitation privileges appeared to be under the influence of alcohol or other drugs at the time they attempted to exercise their visitation privileges. Obtaining a neutral or unbiased third party witness to corroborate the testimony of the parent withholding visitation privileges from the other parent should be strongly encouraged.

Miscellaneous Criminal/Civil Provisions

- A conviction for DUI/DWI Child Endangerment should be defined specifically as child endangerment and/or child abuse under state criminal statutes. In addition, it should be defined as child endangerment, child abuse and/or child neglect under any civil statutes as they relate to child custody issues.
- State law should require that a conviction for violation of DUI/DWI Child Endangerment or similar state law must be reported to Child Protective Services, the Department of Family and Children Services or equivalent state agencies. Attorneys, medical providers, law enforcement officers, courts, school officials and day care providers should be included in the definition of those required to report.
- Upon receipt of a notice of conviction of the DUI/DWI Child Endangerment Statute or similar law, child protective services or the equivalent state agency should be required to investigate in the same manner as any other child abuse or child neglect case.

PUBLIC AWARENESS AND CROSS TRAINING

Legislative measures alone are not the answer. A priority needs to be placed on educating the general public regarding the life-altering dilemmas that children face who have no choice in riding with an impaired driver. Additionally there needs to be an emphasis on reporting incidences to law enforcement and appropriate child protective agencies.

There is a critical need to provide training and cross training to educate law enforcement officers, prosecutors, judges, attorneys and those involved in child protective services on the problems and serious consequences resulting from adults drinking alcohol and driving impaired with minor children in the vehicle. They all play a crucial role in addressing these problems and must work together to understand the needs of the other to protect these children from death and injury. Increased awareness of the problem can lead to greater emphasis on enforcement, prosecution and meaningful judicial disposition of these cases. In addition, this will help lead to an acknowledgment throughout the entire system that this is a form of child abuse.

FORMAL TRAINING SESSIONS

For the law enforcement community, the following tools should be used to increase officer awareness of the problems surrounding DUI/DWI child endangerment and related child abuse issues.

- **New Police Officer Academy Training Sessions:** Police academy training sessions often contain a block of instruction on DUI/DWI case enforcement, Standardized Field Sobriety Tests (SFST) and preparation and prosecution of DUI/DWI cases. These training sessions should include a segment on the problem and consequences of DUI/DWI child endangerment and effective enforcement and prosecution of these cases.
- **In-Service Law Enforcement Training:** This training takes place every one or two years for all incumbent officers and is generally mandated by state peace officer authority oversight commissions. A component of this training should include updates on DUI/DWI child endangerment issues and any changes in the laws.

INFORMAL TRAININGS AND BRIEFINGS

- **Prosecutor Updates:** Prosecutors' offices periodically offer briefings to law enforcement agencies within their jurisdiction to update officers on changes in the laws and to improve case preparation and prosecution. Prosecutors should take advantage of these briefings to re-emphasize the need to properly charge these cases when the facts of the case support the charge of DUI/DWI child endangerment.
- **Roll Call Briefings:** These briefings provide a periodic method of distributing information among officers within a department or agency. Special emphasis on enforcement of child endangerment laws should be an on-going component in these briefings.
- **Special Enforcement Periods:** Throughout the year, federal, state and local law enforcement agencies conduct coordinated joint high visibility enforcement programs focusing on DUI/DWI, seatbelt use and other traffic enforcement issues. These enforcement efforts generally include a public awareness and media campaign. Programs that focus on DUI/DWI and occupant protection should include special emphasis on DUI/DWI child endangerment and enforcement of child restraint laws.
- **Governor's Highway Safety Programs:** The Governor's Highway Safety Offices and Offices of Traffic Safety should fund training programs to address the problem of child endangerment.
- **Briefings from Family Services or Child Protective Services Agencies:** While infrequent, these briefings may be periodically required as changes in the laws that focus on family law issues come to the attention of the law enforcement community. These briefings should be used to provide cross training between law enforcement and child protective services agencies.
- **Bulletins and Training Materials:** These materials, which are often distributed to law enforcement officers by federal, state or local agencies that are responsible for or involved in peace officer training, should include materials related to child endangerment issues.

- **Changes to Arrest/Citation/Reporting Forms:** Arrest or citation forms should provide a place for the arresting officer to insert the appropriate information concerning ages of children in the vehicle following a DUI/DWI arrest or an offense concerning violation of child restraint laws. This would serve to emphasize and remind the arresting officer that this may be an issue in the prosecution of the case. The form should contain sufficient information that will be provided to child protective services agencies to enable them to conduct an investigation of possible child abuse.
- **Enhanced Enforcement Efforts:** Law enforcement should conduct regular enhanced enforcement efforts for impaired driving and passenger restraint laws. As part of these enhanced enforcement efforts, law enforcement should be trained on the importance of and method for detecting and charging drivers who drink and drive with minor children in their vehicle and/or who violate child restraint laws.

TRAINING FOR PROSECUTORS, JUDGES, AND ATTORNEYS

Child endangerment issues should be an ongoing component of all training programs for prosecutors, judges and attorneys. This could be accomplished in the following manner:

- Presentations at judicial conferences and state judicial meetings,
- Development of a child endangerment tool kit including video presentation,
- Development of Continuing Legal Education (CLE) materials including videos,
- Make materials and brochures available through state legal training organizations, National Traffic Law Center (NTLC) and judicial colleges, and
- Prosecutor training programs.

Consideration should be given to developing a workshop training program on a state or local level that would bring together law enforcement, judges, attorneys, prosecutors and child protective service representatives focusing on the problems of DUI/DWI child endangerment.

MADD RESOURCES

To help protect children, MADD has developed and launched an educational program, *Protecting You/Protecting Me*. This program utilizes science-based research to teach young people the effects of alcohol on the brain and the lessons encourage children to make smart choices for themselves. Children are instructed on how to avoid riding with an impaired driver and safety measures they can take when forced to ride with an impaired driver.

MADD developed this program because, unfortunately, children must often take it upon themselves to protect themselves in a dangerous situation. Current child endangerment laws are not always effectively written or aggressively enforced to adequately safeguard our children from impaired driving crashes.

CHILDREN - OUR MOST PRECIOUS CARGO

Children are our greatest resource and our future. MADD is taking action to help protect the children who are needlessly put in danger every day in this country for they deserve to be protected as much as possible. A child transported by an impaired driver is unfathomable. It is irresponsible to endanger an innocent child and should not be tolerated by a society that puts children first. Drunk driving is a violent crime. Driving impaired with a child in the vehicle is a form of child abuse and should be severely punished by law.

Victims and potential victims speak to us through tragedy and pain. In the process we learn about life and the hardships that children must face each and every day. We must listen and take action. These lessons can teach us compassion and perspective.

It is clear that innocent children who count on parents and caregivers to protect them from danger are being placed at risk when an impaired driver who is often a loved one has made the decision to drink and drive with a child passenger.

MADD's leadership can make a difference in the lives of children, our most precious cargo, who are endangered by impaired drivers. The end result will be lives saved and fewer injuries incurred. MADD implores everyone to make a difference in the lives of children who cannot protect themselves.

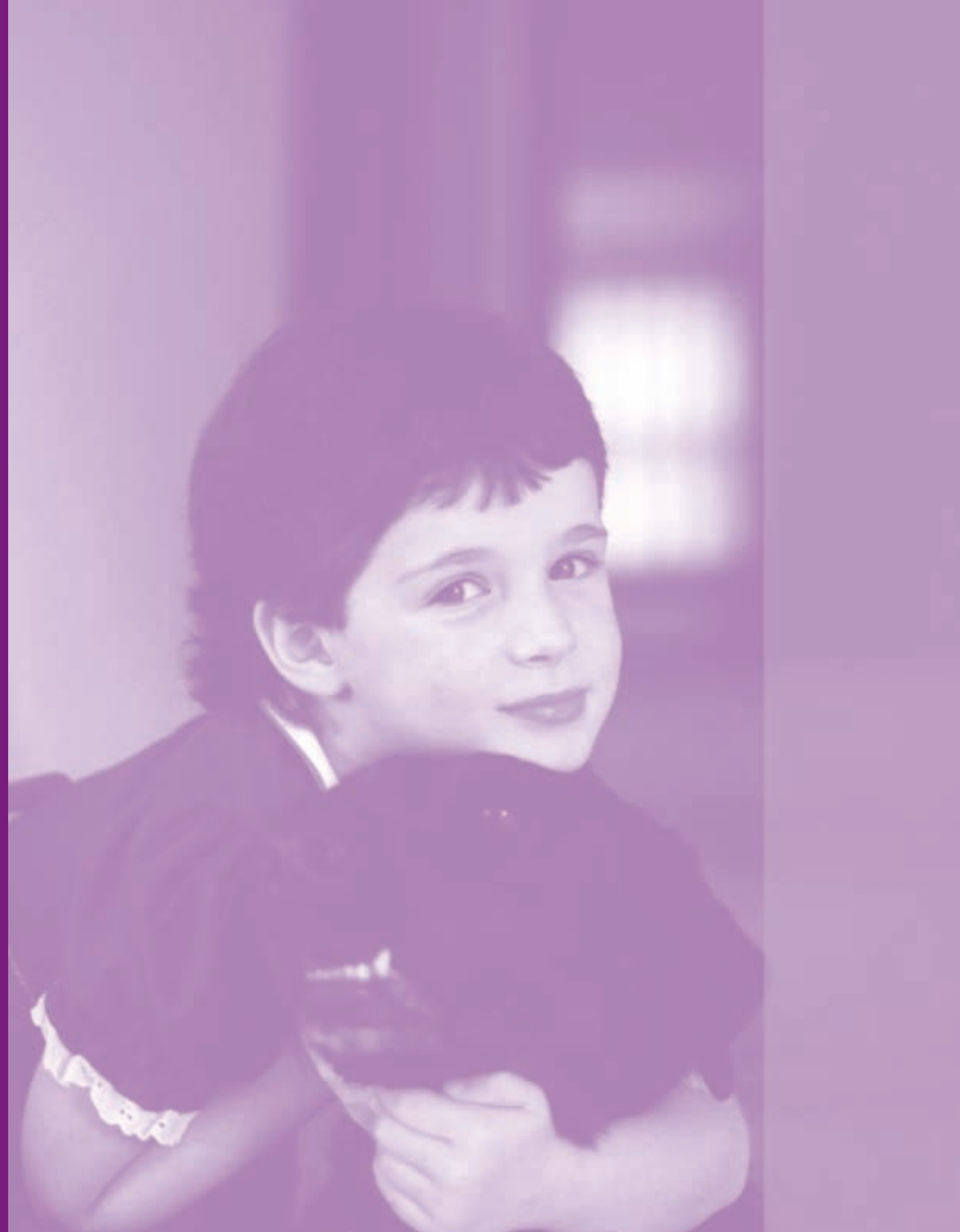
MADD'S POSITION STATEMENT

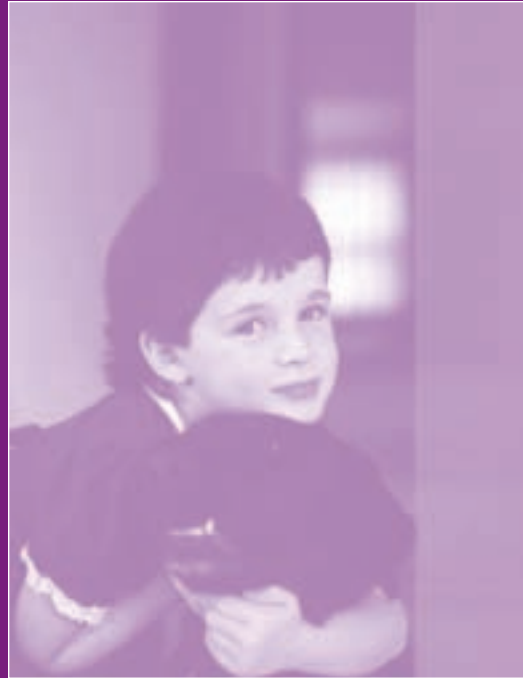
MADD's Position Statement On Child Endangerment

Mothers Against Drunk Driving supports the enhancement of sanctions against convicted drunk drivers when the offender was driving with a minor child in the vehicle. MADD also supports amendments to State Family Codes indicating that evidence of driving while intoxicated with children in the vehicle is considered against the "best interest of the child" in suits affecting the parent-child relationship.

EVERY
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