



Stay Safe on the Road this Holiday Season

By City Attorney Mara W. Elliott

In protecting ourselves and our loved ones from the coronavirus, we've learned to work from home, attend classes on line, and forgo non-essential trips. Yet driving fewer miles is not keeping us safer on the road. In fact, 2020 is predicted to be San Diego's deadliest year for DUI fatalities.

My office prosecutes thousands of San Diegans every year for driving while impaired. Holding these drivers accountable is not nearly as satisfying as providing them with the information they need to avoid bad decisions that put lives at risk.

DUI doesn't only apply to alcohol

When people think of "DUI" they usually associate it with alcohol. But the City Attorney's Office is seeing an increasing number of drugged drivers -- people who were caught driving under the influence of drugs, often in combination with alcohol. Often these are people who've used medications for years and have increased their dosages as they've aged.

What these San Diegans need to know is that many prescription drugs can have a huge impact on your ability to operate a vehicle. And the influence of prescription drugs can grow exponentially when combined with even a small amount of alcohol.

We've also seen a significant increase in drugged driving cases involving the use of marijuana -- which people have begun using more frequently, and less cautiously, since it became legal -- and the anti-anxiety drug Xanax. This prescription drug can be used to treat depression and panic disorder, but it can also cause dizziness or drowsiness -- effects which can be exacerbated by alcohol.

Science is on our side

It can no longer be argued that the impacts of certain drugs are difficult to measure. Our office has created a special team of prosecutors and support staff dedicated to handling drugged driving cases, and each prosecutor has developed expertise on the effects of various drugs, including marijuana. Their command of the science is impressive and made possible, in part, by a generous grant from the California Office of Transportation Safety.

In 2019, our specialized team handled more than 178 drugged driving cases with a 99% conviction rate. Nearly all of the defendants pleaded guilty and only four cases went to trial. We're proud of this track record, in part because taxpayers are protected when we build strong cases that avoid costly court proceedings.

Despite the reduction in traffic during the pandemic, drugged driving cases have remained consistent in 2020. Through November, we've issued 201 cases. Of these, we've obtained one conviction and 20 guilty pleas. The rest of the cases are still pending due to court closures, but

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we are confident that we will maintain our strong conviction rate as courts begin to process these cases.

As of November 20, there were 24 DUI-related deaths in San Diego County, despite the presence of less-crowded streets and highways. If this trend continues, 2020 is on track to surpass the county's deadliest year, 2017, during which 25 people were killed in DUI crashes.

Dire DUI consequences

Not every DUI case results in death or serious injury, but even a misdemeanor arrest can be disruptive, expensive, and could lead to job loss and damaged relationships. No one wants to end up like the driver we prosecuted who, under the influence of drugs and alcohol, veered into a police officer who was assisting someone on the side of the road.

While we continue to hold drugged drivers accountable, our goal is to eliminate the need for these prosecutions in the first place. So, whether you are taking prescription medications or celebrating with family, please observe the holidays responsibly this year by staying home and staying safe. The best gift we can give is to keep ourselves, our families, and our neighbors safe and healthy for the holidays.

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City Attorney Mara W. Elliott
1200 Third Ave., Suite 1620
San Diego, CA 92101
Phone: 619-236-6220
Email: cityattorney@sandiego.gov
www.Sandiego.gov/cityattorney