



NEWS RELEASE
GREENE COUNTY PROSECUTING ATTORNEY
DAN PATTERSON

Contact: Rhonda Ogden, Office Manager – (417) 868-4061
1010 Boonville
Springfield, MO 65802

November 5, 2014

FOR IMMEDIATE RELEASE

“NO REFUSAL” PROGRAM TO COMBAT DRUNK DRIVING

SPRINGFIELD, Mo. – Greene County Prosecuting Attorney Dan Patterson announces that his office will assist local law enforcement agencies by seeking search warrants to obtain blood samples from drunk drivers that refuse to consent to a breath test after their arrest. This pilot project resulted from a collaboration of the Greene County Sheriff’s Office, the Missouri State Highway Patrol, the Springfield Police Department and the Greene County Prosecuting Attorney’s Office.

To combat the often deadly problem of impaired driving, the Greene County Sheriff’s Office, Missouri State Highway Patrol and Springfield Police Department will kick off the “no refusal” policy with a joint DWI check point in November and will be out in force cracking down on impaired drivers. Following the kick-off event, the “no refusal” strategy will be applied to all DWI arrests by those agencies when a driver refuses consent.

It is called a “no refusal” policy because all impaired drivers arrested who refuse breath testing will be subject to blood testing for alcohol if a judge approves a warrant. The ability of law enforcement officers to submit their search warrant applications to judges electronically make this process both easy and relatively quick.

“Impaired driving remains a major public safety threat that still claims thousands of innocent lives on our roadways every year. A ‘no refusal’ policy represents one more tool in our battle against this public safety threat,” said Greene County Prosecuting Attorney Dan Patterson.

In Greene County, as well as the rest of America, anyone driving with a blood alcohol concentration (BAC) of .08 grams per deciliter or higher is considered legally impaired. Missouri’s “implied consent” law provides that if a driver is lawfully arrested by an officer

Subject: Greene County Prosecuting Attorney Press Release
"NO REFUSAL" PROGRAM TO COMBAT DRUNK DRIVING

who has probable cause to believe that the driver has been driving while intoxicated, then, by law, the driver consents to taking a chemical test of his or her blood, breath, or urine for the purpose of determining the driver's BAC. In spite of the implied consent law, however, some impaired drivers refuse to submit to BAC testing to conceal evidence of intoxication in an attempt to avoid the criminal sanctions they could face upon conviction.

The "no refusal" policy is designed to address this issue. Police and other law enforcement officials work in coordination with prosecutors and judges to quickly apply for and obtain "blood draw warrants" for arrested drivers who refuse BAC testing. With the approval of a judge, anyone suspected of impaired driving who unlawfully refuses to provide a breath sample is subject to blood testing at the jail or a hospital. The program helps ensure that prosecutors obtain the scientific evidence needed to effectively pursue cases involving impaired driving.

According to the National Highway Transportation Safety Administration more than 10,000 people died in alcohol-impaired driving crashes in 2012 – one every 51 minutes.

###