

LB 831
Judiciary Committee
Testimony of Chris Wagner
Project Extra Mile
January 27, 2022

Good afternoon, Chairman Lathrop and members of the committee. My name is Chris Wagner, and I am here representing Project Extra Mile, a network of community partnerships working in Nebraska to prevent and reduce alcohol-related harms.

We are here to ask you to indefinitely postpone LB 831 as long as DUIs are included as an eligible offense for pretrial diversion. Our state already has an effective alternative with the 24/7 sobriety program, which keeps offenders out of jail, clean, and accountable.

This program is characterized by its cost effectiveness for both the participant and the county, its immediate relief of jail overcrowding, and its ability to reduce arrests for alcohol and drug violations while ensuring accountability on the part of the participant. According to the Douglas County Department of Corrections which has operated its 24/7 program since 2014, "Participants will be able to continue working or school to assist with providing for their families." And as many of you may also recall, the Legislature just passed LB 271 and the Governor signed the bill into law in May 2021 to encourage the use of this program and establish a framework for the growth of 24/7 sobriety programs statewide.

Driving under the influence of alcohol and other drugs is a serious problem across our country, but particularly in our state. Nebraska is the second-worst state in the country (and nearly double the national average) with 955 episodes of self-reported alcohol-impaired driving per 1,000 population (Jewett et al., 2015). Extrapolating that data to Nebraska's current population indicates that there are approximately 1,875,000 episodes of drunk driving each year. Over the past 5 years, the state has averaged 65 alcohol-related traffic fatalities and over 700 alcohol-related injury crashes each year (NDOT-HSO, 2021; 2020).

It is clear that our state has a problem with impaired driving, and we ought to be strengthening our DUI laws and enacting other evidence-based policies to prevent the loss of innocent lives on our roads given that almost 40 percent of alcohol-impaired driving fatalities are victims other than the drinking driver (NASEM, 2018). We should not be sending the message that DUIs are not serious offenses unless you injure, maim, or kill someone.

We urge the committee to indefinitely postpone LB 831 in its current form, or to amend this bill to exclude DUIs as eligible offenses for pretrial diversion.

Thank you for your time and consideration.