



The Extra Mile

Advocating for evidence-based policies and practices to prevent and reduce alcohol-related harms

Miles to Go: DUI Plea Deals in the Headlines

Why these deals fall short

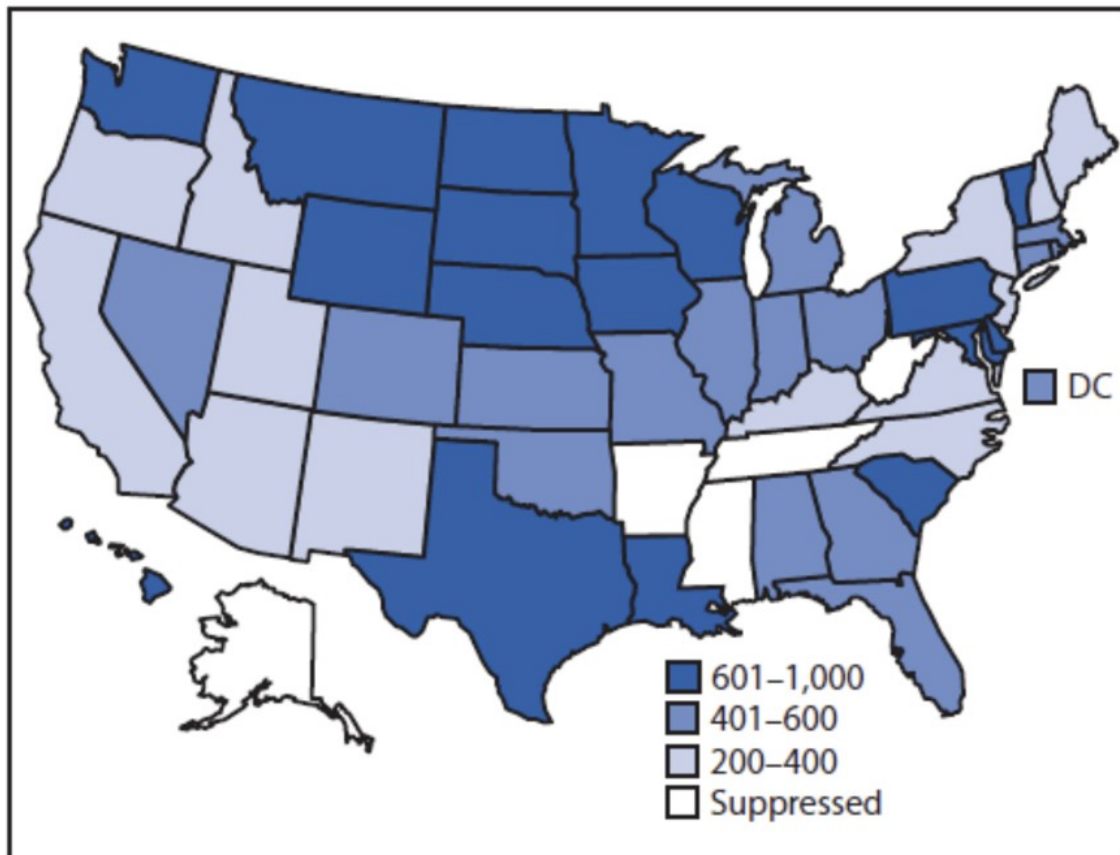
When one sees all the harms associated with excessive alcohol consumption in our communities, it can be frustrating to see DUI offenders plea to lesser crimes and keep a DUI off of their records. After all, how can [one of the strongest set of DUI laws in the country](#) work effectively if people that drive impaired and put innocent lives at risk aren't actually convicted of a DUI, which would then make their next DUI more consequential?

We've seen multiple high-profile headlines across our state in recent months that shine a light on this problem. Most recently, [Douglas County District Court Judge Tressa Alioth](#) pleaded guilty to reckless driving instead of a first-offense DUI along with other DUI-related charges such as transporting a minor while intoxicated, refusing to submit to a pretest, and driving left of center.

[Tammy Melling](#) (link includes security footage of the crash) of Burwell recently pleaded guilty to misdemeanor charges of leaving the scene of a property damage crash and no proof of insurance in exchange for prosecutors dropping DUI, willful reckless driving, speeding more than 36 MPH, and failure to use a seatbelt charges. She was lucky to have survived. The criminal complaint against her indicated that Melling was intoxicated at the time of the crash, which is thought to have caused an estimated \$5,000 in damages.

Earlier this year, [former Fillmore County Sheriff Steve Julich](#) pleaded guilty to reckless driving. According to court records, deputies responded to a single vehicle crash in Seward County last year and Julich was the only person in the vehicle. The deputies documented the smell of alcohol and Julich claimed he had been drinking that night but that he was not the one driving. As a result of their investigation, Seward County Deputies believed he was the driver.

We spoke with multiple prosecutors and highway safety advocates about why DUI and related charges are sometimes plead down. They informed us that oftentimes those will be cases when the blood alcohol content level will be within 0.01 of the 0.08 legal limit. However, the criminal history of the offender, existing case law, and other factors are also considered, including whether or not prosecutors are confident they will be able to prove intoxication at the time of the incident. Was the test taken long after the incident? Was the offender's BAC rising or falling at the time of the test? What type of equipment was used to administer the test?



Annual rate of self-reported alcohol-impaired driving episodes per 1,000 population Behavioral Risk Factor Surveillance System, 2012

Nevertheless, we know from the research that [offenders can drive up to 2,000 times impaired prior to being arrested for a DUI](#) and Nebraska is the second-worst, self-reported DUI state in the country at [955 episodes per 1,000 population](#), which is nearly double the national average. That means we have almost as many DUIs from Point A to Point B as we do citizens in our state! We appreciate the work of city and county prosecutors statewide. We all have the same goal of reducing impaired driving and saving lives, but we disagree sometimes on the best method for achieving that. The coalition will continue to stress the need to convict impaired drivers for DUIs.

Health Guideline Changes in Canada Cause Testosterone Spikes South of the Border

Guidelines ≠ Mandates

The [Canadian Centre on Substance Use and Addiction \(CCSA\)](#), funded by Health Canada, released alcohol consumption guidelines earlier this year recommending that Canadians limit themselves to two alcoholic drinks per week. This was a significant departure from the previous guidelines that were similar to current U.S. dietary guidelines (7 or less drinks per week for women and 14 or less drinks for men). The CCSA highlighted that even moderate consumption of alcohol poses serious health risks such as cancer, heart disease, and stroke.



A completely non-inflammatory image by Fox News

The goal was really to help people understand the risks and make recommendations that would hopefully result in people consuming less alcohol for their own health and the larger community's safety. The guidelines are just that – guidelines, not a mandate or prohibition – but the alcohol industry and those that feel like the government is intruding on people's freedoms (again, these are health-oriented guidelines not enforceable mandates) had a heyday with adolescent exchanges on TV news programs. Sen. Ted Cruz had the following to say on Newsmax: "What is it with liberals that want to control every damn aspect of your life? Now these idiots have come out and said, 'Drink two beers a week.' That's their guideline. [Well, I've got to tell you, if they want us to drink two beers a week, frankly they can kiss my ass.](#)" He then proceeded to drink a beer in front of the cameras.

Why is this change making news now, you might ask? For whatever reason, the British news outlet [the Daily Mail decided to interview](#) the U.S. National Institute on Alcohol Abuse and Alcoholism (NIAAA) Director George Koob about Canada's change, and it got picked up by conservative media outlets in the United States as an attempt by the Biden Administration to take away our freedoms – just like during COVID-19 apparently – even though the current guidelines run through 2025 and [there is no known plan to make a similar change.](#)

When changes were being considered for the current 2020-25 Dietary Guidelines back in 2020, a scientific advisory committee recommended reducing the guidelines for alcohol consumption for men to equal that of women – up to seven drinks per week, but [the U.S. Department of Agriculture and the Department of Health and Human Services rejected that recommendation](#) along with another related to added sugars.

It's strange to see this particular issue become a part of election cycle politics, but it does seem par for the course after COVID.

Research Brief: Women See a Higher Rate of Increase in Alcohol-Related Deaths

[A new study reveals that women have a higher rate of increase in alcohol-related deaths \(14.7%\) than men \(12.5%\) between 2018 and 2020.](#) Although the total number of alcohol-related deaths of men is still greater than those in women over the course of the study (1999 to 2020) with men being nearly three times more likely to die compared to women, the gap is narrowing due to a number of factors, including increased alcohol use, high-risk drinking, and alcohol use disorder among women. The authors also noted that women tend to have a higher percentage of body fat and a lower percentage of body water than men, resulting in higher blood alcohol concentrations. Menstrual cycles can also influence how alcohol is processed, in addition to women generally having lower levels of alcohol-metabolizing enzymes.

Katherine Keyes, a professor of epidemiology at Columbia University's Mailman School of Public Health, said that [alcohol has been sold to women as a part of a luxury lifestyle, having a good time and a way to reduce stress](#). "If you look at who is binge drinking the most, it's women at midlife," she said. "We see the greatest escalations in women with the highest socioeconomic status — those with the highest incomes, the most education and the highest-status occupations."

Coalition Member Spotlight - Carey Pomykata

This month, we'd like to spotlight Carey Pomykata with Coalition Rx. Carey is the Executive Director of the non-profit that is working to reduce the misuse of all substances in the Omaha area. "One of the ways we do this is by partnering with community organizations to provide public and professional education, prevention and treatment resources, and policy advocacy," explained Carey.



"We appreciate being a part of the Project Extra Mile coalition as it works to change the landscape of our communities when it comes to excessive alcohol consumption through policies that reduce the accessibility and affordability of alcohol. Being a part of the coalition gives us valuable insights into the legislative process and how to be effective advocates."

CELEBRATING
25 YEARS
1995-2020

projectextramile
PREVENTING ALCOHOL-RELATED HARM

Omaha Metro Coalition Meeting

Wednesday, September 13th
9:00 a.m.

Please join us in person as we welcome

Diane Riibe,
founder of Project Extra Mile, to discuss
the importance of community involvement
in the regulatory and legislative processes.

Thank you for your involvement!

Meeting Location:

**UNO's Community
Engagement Center**

6400 University Drive South

Room 209, Omaha, NE

Parking Lot E

For more information:

(402) 963-9047



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**PROJECT EXTRA MILE
2023 COALITION
MEETINGS**

LOOKING FORWARD TO CONNECTING WITH YOU IN 2023

**JANUARY 18TH
FEBRUARY 8TH
MARCH 8TH
APRIL 12TH
MAY 10TH
JUNE 14TH
NO MEETING IN JULY
AUGUST 9TH
SEPTEMBER 13TH
OCTOBER 11TH
NOVEMBER 8TH
DECEMBER 13TH**



**MEETINGS HELD AT
UNO'S COMMUNITY ENGAGEMENT CENTER
6400 UNIVERSITY DRIVE SOUTH, ROOM 230**



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