

Office of the Kane County State's Attorney



JOSEPH H. McMAHON

State's Attorney

Kane County Judicial Center
37W777 Route 38 Suite 300
St. Charles, Illinois 60175

General Offices: (630) 232-3500
Contact:
Christopher Nelson (630) 232-3500

KANE SAO, POLICE PLAN SUPER BOWL SUNDAY NO-REFUSAL DATA SHOWS SPIKE IN DRUNKEN DRIVING DEATHS ON NFL's BIGGEST DAY

January 23, 2012

Super Bowl Sunday is a celebration of football, a popular day to gather and party with family and friends.

It also is a day that involves an increase in alcohol-related driving fatalities, according to the National Highway Traffic Safety Administration.

This Super Bowl Sunday, the Kane County State's Attorney's Office will collaborate with Kane County police departments as part of an ongoing effort to make the county's roads the safest in Illinois. The eighth 'No Refusal' operation conducted in Kane County will be the first on Super Bowl Sunday.

The 'No Refusal' operation, which will involve enhanced DUI patrols, will begin the evening of Feb. 5, 2012. The operation will be conducted in multiple Kane County jurisdictions.

"People should be able to have fun with friends and family without having to worry about being harmed by a drunken driver on the way home," Kane County State's Attorney Joe McMahon said. "Historically, people tend to ramp up the partying on Super Bowl Sunday, often with deadly consequences. If people plan ahead and make responsible decisions, we can avoid unnecessary tragedies."

According to 2008 data from NHTSA, the more than 11,000 alcohol-impaired traffic fatalities accounted for 32 percent of that year's total motor vehicle fatalities nationally. But on Super Bowl Sunday, 49 percent of all traffic fatalities national involved a driver with a blood-alcohol concentration of .08 or higher.

Further, according to the consumer research group The Nielsen Company, Super Bowl Sunday ranks eighth among the highest beer-selling occasions annually. Nielsen data shows that nearly 52 million cases of beer are sold the week prior to the big game and on Super Bowl Sunday.

"We want people to have fun, to watch the Super Bowl, to rate the commercials, and to enjoy the camaraderie of family and friends," McMahon said. "But when the game is over, safety and responsibility are in order. Impaired driving is not an option. It is

our belief that this enhanced enforcement will prompt parties to plan for a safe ride home, and will continue to keep Kane County's roads safe."

"This office has a responsibility to prosecute DUI offenders, and to educate the public not to drive when they drink. With that in mind, I am only announcing when we will have the No-Refusal operation. I will not say which municipalities will participate."

The initiative is designed to thwart suspected drunken drivers who refuse to submit to a breath test after a DUI arrest. Through the "No Refusal" strategy, police officers are able to expedite the DUI booking process. With guidance from an assistant state's attorney, police officers can quickly obtain a search warrant to compel a DUI suspect to submit to a lawfully requested blood or breath test as required by Illinois' Implied Consent statute.

Illinois courts have consistently held that there is no right to refuse chemical testing when probable cause exists. Anyone who fails to submit to chemical testing after a search warrant has been obtained could face additional sanctions.

"Our goal is to make Kane County's roads safer. We believe in past No-Refusal operations, publicity prior to the event has helped to reduce the number of drunken drivers on the road, and we expect that trend to continue," McMahon said.