



COUNTY OF SAN DIEGO

BOARD OF SUPERVISORS

1600 PACIFIC HIGHWAY, ROOM 335, SAN DIEGO, CALIFORNIA 92101-2470

AGENDA ITEM

DATE: September 25, 2001

TO: Board of Supervisors

SUBJECT: STOPPING SUSPECTED DRUNK DRIVERS AT THE BORDER
(District: All)

SUMMARY:

Overview

Since 1995, the County of San Diego has taken numerous steps to protect the lives of the residents throughout the region. Such efforts include working with the Policy Panel on Youth Access to Alcohol and the Border Project to Reduce U.S. Teen and Binge Drinking in Mexico. Measures include approving a series of actions to address public health and safety problems related to San Diego youth drinking alcohol in Mexico as well as adopting strategies to assist in the reduction and prevention of public health and public safety problems along the border.

In the past year, two California Highway Patrolmen have been struck and killed by alleged drunk drivers returning from an evening of drinking in Mexico. In response, CHP Commissioner D.O. Helmick has allocated \$50,000 to cover overtime for increased law enforcement along the Interstate 5 corridor since this most recent accident. While we applaud this proactive approach by CHP, other agencies need to step in and address this problem at the border as well.

Approval of today's recommendations will strengthen the existing efforts that address public health and safety issues related to underage drinking in Mexico by seeking federal legislation that would allow Immigration and Naturalization Services (INS), U.S. Customs officers and the Border Patrol to detain suspected drivers under the influence of drugs or alcohol.

Recommendation(s)

SUPERVISOR COX AND SUPERVISOR JACOB:

1. Direct the Chief Administrative Officer to seek federal legislation to allow Immigration and Naturalization Services, U.S. Customs and the Border Patrol to detain drivers suspected of being under the influence of drugs and/or alcohol and direct them to awaiting local law enforcement for sobriety checks.

SUBJECT: STOPPING SUSPECTED DRUNK DRIVERS AT THE BORDER
(District: All)

2. Direct the CAO to work with appropriate federal officials to amend the Immigration and Nationality Act (INA) to require the Attorney General, at each point where motor vehicles regularly enter a land border point of entry, to post a notice that operation of a motor vehicle with a drug or alcohol in the driver's body at a land border port of entry is an offense under Federal law.
3. Direct the Chief Administrative Officer to continue to work with the INS, U.S. Customs, the Border Patrol, California Highway Patrol, the Sheriff, local police departments and other organizations to pursue additional remedies to address the issue of underage drinking in Mexico and subsequent vehicle related accidents in the United States and return to the Board in 90 days with a status report.

Fiscal Impact

There are no fiscal impacts associated with these recommendations.

Business Impact Statement

[Click [here](#) and type statement, or type N/A if not applicable]

Advisory Board Statement

[Click [here](#) and type statement, or type N/A if not applicable]

BACKGROUND:

On any given weekend night in San Diego, 10,000 young Americans cross the border to drink in Mexico where the drinking age is only 18. Statistics show that 40 percent of border crossers returning from Tijuana are under 21 years of age and are legally drunk. Each weekend night, 300 drivers crossing the border are over the legal blood alcohol level and another 100 underage drinkers return to the U.S. with alcohol in their systems.

Faced with these frightening statistics, the County of San Diego has been active in joining law enforcement, public health experts and community groups on both sides of the border in an attempt to address many of these problems. Continuing efforts to educate youth entering Mexico about the risks associated with underage drinking by law enforcement and community partners have been successful in slowing underage youth from entering Mexico.

Despite these efforts, the recurring dangers created by drunk drivers returning to the United States remain. Current efforts have gone a long way to curb "would be" drivers, but the enforcement does not extend to the automobile crossing lanes at the border.

In the past year, two California Highway Patrolmen have been struck and killed by alleged drunk drivers returning from an evening of drinking in Mexico. On October 28, 2000, 20-year old Christopher Merrick struck and killed CHP Officer Sean Nava on Interstate 5 in Carlsbad. Officer Nava was an 11-year CHP veteran and the father of two children.

Just this past month, CHP officer Stephen Linen Jr. was struck and killed by 20-year old Lance Corporal Jerome Bates Jr. who was also returning from an evening of drinking in Mexico.

SUBJECT: STOPPING SUSPECTED DRUNK DRIVERS AT THE BORDER
(District: All)

As a result of these two tragedies, CHP Commissioner D.O. Helmick has allocated \$50,000 to cover overtime costs associated with increased law enforcement along the Interstate 5 corridor. While we applaud this proactive approach by the CHP, more needs to be done.

For several years, advisory boards, community groups and individuals have proposed that the INS, U.S. Customs officers and the Border Patrol can and should be the first point of intervention for suspected drunk drivers as cars come across at the border checkpoints. Several different ideas have been proposed but have yet to be implemented. At one time, it was recommended that officers direct suspected drunk drivers into secondary lanes so that local law enforcement officials can conduct appropriate sobriety checks. This idea deserves consideration. The federal, state and local agencies need to reach consensus and implement new protocols to avoid these senseless accidents.

Local law enforcement agencies such as the San Diego Police Department, National City and Chula Vista Police Departments, CHP and the Sheriff's Department have been instrumental in addressing concerns at the border related to underage youth. However, efforts must be expanded to address the issues of drunk drivers crossing the border in their cars as well as on foot.

It is time to strengthen the existing efforts and protect the lives of those who are trying to protect us. We urge your support.

Sincerely,

GREG COX
Supervisor, District One

DIANNE JACOB
Supervisor, District Two

SUBJECT: STOPPING SUSPECTED DRUNK DRIVERS AT THE BORDER
(District: All)

AGENDA ITEM INFORMATION SHEET

CONCURRENCE(S)

COUNTY COUNSEL REVIEW	<input checked="" type="checkbox"/> Yes	
Written Disclosure per County Charter Section 1000.1 Required	<input type="checkbox"/> Yes	<input type="checkbox"/> No
GROUP/AGENCY FINANCE DIRECTOR	<input type="checkbox"/> Yes	<input type="checkbox"/> N/A
CHIEF FINANCIAL OFFICER	<input type="checkbox"/> Yes	<input type="checkbox"/> N/A
Requires Four Votes	<input type="checkbox"/> Yes	<input type="checkbox"/> No
GROUP/AGENCY INFORMATION TECHNOLOGY DIRECTOR	<input type="checkbox"/> Yes	<input type="checkbox"/> N/A
COUNTY TECHNOLOGY OFFICE	<input type="checkbox"/> Yes	<input type="checkbox"/> N/A
DEPARTMENT OF HUMAN RESOURCES	<input type="checkbox"/> Yes	<input type="checkbox"/> N/A

Other Concurrence(s):

ORIGINATING DEPARTMENT: District 1, 2

CONTACT PERSON(S):

_____	_____
Name	Name
_____	_____
Phone	Phone
_____	_____
Fax	Fax
_____	_____
Mail Station	Mail Station
_____	_____
E-mail	E-mail

AUTHORIZED REPRESENTATIVE: _____

SUBJECT: STOPPING SUSPECTED DRUNK DRIVERS AT THE BORDER
(District: All)

AGENDA ITEM INFORMATION SHEET
(continued)

PREVIOUS RELEVANT BOARD ACTIONS:

BOARD POLICIES APPLICABLE:

BOARD POLICY STATEMENTS:

CONTRACT NUMBER(S):

SUBJECT: STOPPING SUSPECTED DRUNK DRIVERS AT THE BORDER
(District: All)

FISCAL IMPACT STATEMENT

DEPARTMENT:
PROGRAM:
PROPOSAL:

	(a)	(b)	(c)	FUTURE YEARS ESTIMATED BUDGET OF PROPOSAL IF ADOPTED	
	Budgeted Amount For Proposal	Proposed Change in Budgeted Amount	Proposed Revised Current Year Budget (a+b)	(d) 1st Subsequent Year	(e) 2nd Subsequent Year
Direct Cost					
Revenue/Other Offset					
NET GENERAL FUND COST					
Staff Years					

Sources of Revenue/Other Offset for Proposed Change and Subsequent Years:

Space-Related Impacts: Will this proposal result in any additional space requirements? Yes N/A

Support/Other Departmental Impacts: Yes N/A

Remarks: Yes N/A