

DUI Arrests Report

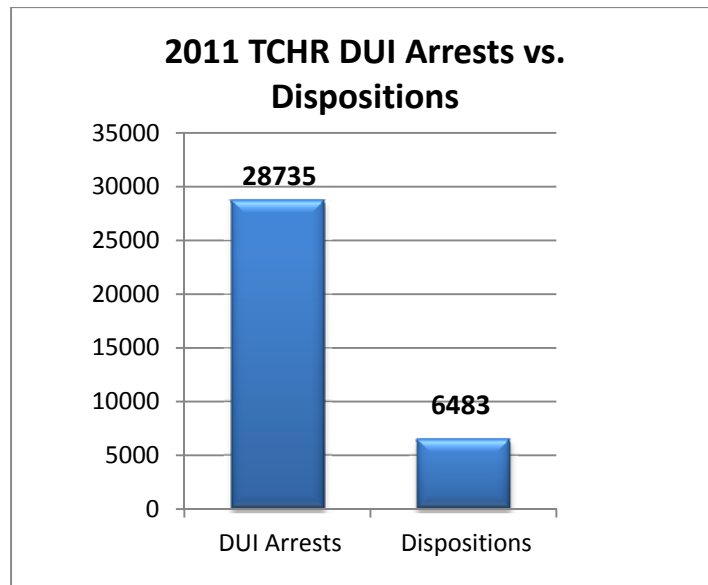


2011

2011 DUI Arrests Report

January 6, 2012

The current report utilizes 2011 data from the Tennessee Criminal History Repository (TCHR). As of January 4, 2012, a total of 28,735 DUI arrests were reported to TCHR in 2011. Of those arrests, 22.5% (6,483) had supporting dispositions.



These dispositions originated from numerous jurisdictions across the state of Tennessee, and differences in the disposition terminology and detail reported to TCHR occurred. Two terms, “convicted” and “guilty”, were repeatedly found in the data. No designation will be made between these two terms in the current report.

Analysis of the data revealed that 637 cases were “dismissed” with 25 of them reported as Trial by Court dismissals while another 51 were dismissed at the request of the State. Additionally, 395 cases were reported as Nolle Prosequi with four specified as Hold/Extradition. Forty-nine cases were reported as having an unknown or unclear disposition. A continuance was granted in 144 cases.

A total of 4,103 “Guilty” dispositions were reported. Variations in the detail of the “Guilty” outcomes exist in the data. Five different “Guilty” disposition types were identified. The first and most frequent is the generic “Guilty” disposition occurring 2055 times in the data set. Given the lack of detail, it is difficult to determine if the offender was found guilty of the original DUI offense or another lesser offense. The same is true for two other disposition outcomes: “Trial by Court – Plead Guilty” and “Found Guilty, Guilty Plea” having 390 and 395 convictions respectively. “Guilty Plea as Charged,” in contrast to the previous dispositions, is very clear concerning the conviction offense. We can confidently say that these 420 cases were cleared with a DUI conviction. The “Guilty Plea – Lesser Charge” disposition outcome occurs 843 times in the 2011 data set. Though unsure of the specific conviction offense, we know that the original DUI charge was reduced to some lesser offense.

The data revealed 1,117 “Convicted” dispositions. Of these, 155 detail convictions that have been amended, reduced, or changed to lesser offenses. A total of 962 disposition outcomes were labeled “Convicted.” No other specifics were included, so there is uncertainty whether these are convictions of the original DUI charge(s) or lesser charges.

For our purposes, the two disposition categories of “Guilty” and “Convicted” (detailed above) were combined for a total of 5,220 convictions, which is 77.46% of the total DUI depositions submitted for 2011. Though found guilty, not all offenders were convicted of the original arresting offense of Driving Under the Influence. According to the 2011 submissions, a total of 998 original DUI charges were amended, reduced, or changed to a lesser offense to which the offender either plead guilty or was found guilty.

Other disposition outcomes in the TCHR include “Probation” which occurred 19 times, while both “Pre-conviction Probation” and “Returned to Supervision” occur only once in the 2011 data. Assuming these 21 cases resulted in conviction of the original DUI charge or some lesser offense, the total number of convictions would increase from 5,220 to 5,241. Fifteen cases occurring in the 2011 TCHR data have “Diversion” as the disposition outcome. These cases will not be included in the conviction total due to unknown information.

CONVICTIONS REDUCED TO LESSER CHARGE	
TCHR Reported Disposition	Number
Guilty Plea – Lesser Charge	843
Reduced to Reckless Driving	72
Reduced to Reckless Endangerment	23
Amended to Underage DUI	7
Reduced to DUI – 1 st Offense	19
Reduced to DUI – 2 nd Offense	13
Reduced to DUI – 3 rd Offense	9
Reduced to DUI – 4 th Offense	3
Reduced to DUI – 5 th Offense	1
Amended to Schedule III	1
Amended to no Driver’s License	1
Amended to Failure to Monitor Lane	1
Amended to Criminal Littering	1
Amended to Simple Assault	1
Lesser Offense – Public Intoxication	1
Changed to Offensive Touch	1
Changed to Sale of Controlled Subst.	1
TOTAL	998

DISPOSITION TYPES OCCURRING IN 2011 TCHR DUI ARREST CASES		
DISPOSITION TYPES	No. of Occurrences	TOTALS
GUILTY	2,055	
Guilty Plea as Charged	420	
Guilty Plea – Lesser Offense	843	
Trial by Court, Plead Guilty	390	
Found Guilty, Guilty Plea	395	
		4,103
CONVICTED	962	
Convicted (Amend to Lesser Charge)	82	
Convicted (Reduced to Lesser Charge)	35	
Convicted (Changed to Lesser Charge)	18	
Convicted of Lesser Offense	20	
		1,117
PROBATION	19	
Pre-conviction Probation	1	
Return to Supervision	1	
		21
DIVERSION		
Trial By Court – Diversion	7	
Pre-trial Diversion	8	
		15
CHARGE DISMISSED	387	
Dismissed	138	
Dismissed – Request of State	51	
Dismissed – Costs to Prosecutor	29	
Dismissed – Costs to Defendant	3	
Dismissed – No Probable Cause	4	
Trial by Court – Dismissed by State	10	
Trial by Court – Dismissed	15	
Nolle Prosequi	395	
		1,032
OTHER		
No True Bill	2	
Continued	144	
Court Disposition Unknown/Unclear	49	
		195
GRAND TOTAL		6,483