



CHRISTIAN COUNTY PROSECUTING ATTORNEY'S OFFICE

AMY J. FITE, PROSECUTING ATTORNEY
Phone: (417) 581-7915 | Fax: (417) 581-7918
www.christiancountyprosecutor.net

FOR IMMEDIATE RELEASE

CONTACT: BEN MILLER
ASSISTANT PROSECUTING ATTORNEY
(417) 581-7915

DATE: MARCH 14, 2011

RE: COUNTYWIDE "NO REFUSAL" POLICY

OZARK, MO – Christian County Prosecuting Attorney, Amy J. Fite is pleased to announce in connection with area law enforcement that Christian County Missouri will adopt a “No Refusal” policy as to impaired driving starting Monday March 14, 2011. This law enforcement and prosecutorial strategy is another tool that police and prosecutors can use to enforce driving while intoxicated laws and keep the public safe by requesting a search warrant for blood on suspects who refuse to give a breath or blood sample.

“Impaired driving remains a major public safety threat that still claims thousands of innocent lives on our roadways every year. As a county we need to make sure we are using all the tools available to effectively and efficiently prosecute impaired driving” said Christian County Prosecuting Attorney, Amy J. Fite.

In Missouri anyone driving with a blood alcohol concentration (BAC) of .08 grams per deciliter or higher is considered legally impaired. However, many impaired drivers refuse to submit to BAC testing in an attempt to avoid the criminal sanctions they could face upon conviction.

BAC test refusals are increasing around the Nation. In a 2008 NHTSA report to Congress, *Refusal of Intoxication Testing: A Report to Congress*, refusal rates ranged from 2.4 percent to 81 percent, with an average refusal rate of 22.4 percent.

This “No Refusal” policy is designed to address this issue for the citizens of Christian County. Police and other law enforcement officials will work in coordination with prosecutors to quickly request search warrants through the criminal court system for blood for drivers who refuse BAC testing. With the approval of a judge, anyone suspected of impaired driving who refuses to provide a breath sample is subject to blood testing at the scene, a medical facility, or nearest jail facility. The program helps ensure that prosecutors obtain the scientific evidence needed to effectively and efficiently pursue cases involving impaired driving.

“Today, the Christian County Sheriff’s Department, Missouri State Highway Patrol, Ozark Police Department, Nixa Police Department, Clever Police Department, Billings Police Department, Sparta Police Department, and the Highlandville Police Department and our office stand shoulder to shoulder to make sure that impaired drivers will be held accountable for their dangerous actions that jeopardize the safety of citizens of Christian County”, said Christian County Assistant Prosecuting Attorney Ben Miller.