RESPONSIBILITY.ORG | POLICY POSITION

High Visibility Enforcement Programs

Responsibility.org Position:

Responsibility.org is dedicated to eliminating all forms of impaired driving. To help achieve this, we support high visibility enforcement (HVE) efforts. HVE is a law enforcement strategy that uses visible, coordinated enforcement to deter dangerous behaviors such as alcohol-and drug-impaired driving by challenging impaired drivers' beliefs that they can avoid detection. HVE integrates enforcement, community partnerships, public visibility, and media campaigns to educate the public to encourage compliance with road safety laws. These efforts should prioritize areas with a high occurrence of impaired driving crashes or fatalities to maximize their impact.

This paper includes the most current and relevant data for this position as of May 27, 2025.

Overview:

Law enforcement agencies use general deterrence strategies to reduce criminal behavior by increasing the perceived risk of detection and consequences. In the case of drunk and impaired driving, visible enforcement presence, particularly at high-risk times like nights, weekends, and holidays, can be a powerful deterrent because people are more likely to believe they will be stopped and arrested.

To be effective, enforcement efforts must be:

- Data driven and strategically planned;
- Highly visible to the public;
- Sustained over time;
- Coordinated with community partners; and
- Supported by timely, compelling public information campaigns (National Highway Traffic Safety Administration [NHTSA], n.d.).

NHTSA's latest Countermeasures that Work reference guide notes that HVE campaigns are a proven strategy for increasing deterrence by using increased enforcement efforts that may include saturation patrols, No Refusal programs, and/or sobriety checkpoints, combined with accompanying public information campaigns (NHTSA, 2023). During and leading up to these efforts, methods like electronic message boards, social media posts, road signs, command posts, scene lighting, and Breath Alcohol Testing vehicles can enhance the highly visible law enforcement presence.

To further reinforce deterrence, law enforcement may partner with traffic safety organizations during mobilization events to display photos of individuals who lost their lives in drunk or impaired driving crashes or involve their loved ones to honor the victims and raise public awareness of the severe consequences of impaired driving.

During activities like sobriety checkpoints, Advanced Roadside Impaired Driving Enforcement (ARIDE) and drug recognition experts (DRE) may be on-site to assess drug impairment, and phlebotomists may be present to perform blood draws to improve the efficiency and accessibility of testing. In some cases, judges may also be on-call during mobilization to facilitate obtaining electronic warrants for blood draws or if a suspected impaired driver refuses to submit to a chemical test.

Law enforcement agencies and other stakeholders should consider focusing on both alcohol- and drug-impaired driving during impaired driving HVE campaigns. While the public is generally aware that law enforcement officers can identify and arrest drunk drivers, misconceptions remain about law enforcement's ability to identify drivers who may be under the influence of drugs. Multiple-substance impaired driving is often underreported due to factors like the premature end of investigations once minimal evidence is obtained. However, recent advancements such as roadside oral fluid screening used in certain states and jurisdictions is becoming a reliable and accurate option to test for the presence of the most common drugs found in crashes at the roadside. These developments create opportunities to educate the public and strengthen deterrence for all forms of impaired driving.

While HVE efforts should occur year-round, many large-scale efforts are scheduled for strategic times of year when rates of drunk and impaired driving increase, such as holidays and summer vacation. National mobilizations targeting issues like distracted driving, speeding, and seat belt use also follow the HVE model.

Additionally, many State Highway Safety Offices coordinate their HVE campaigns with federal requirements (National Academies of Sciences, Engineering, and Medicine [NASEM], 2024). The Fixing America's Surface Transportation (FAST) Act, which has since expired, mandated that states conduct at least three HVE campaigns to support national priorities, including reducing alcohol-or drug-impaired driving, each year. This requirement was continued under the Infrastructure Investment and Jobs Act (IIJA), which took effect in 2021 and remains in place through 2026.

See Responsibility.org's position papers on interventions to eliminate multiple-substance impaired driving and oral fluid screening for impaired drivers, available here, for more details.

Prevalence:

Every state conducts some form of HVE. Currently, 38 states and Washington, D.C. permit the use of sobriety checkpoints, although the frequency of their use varies. A survey of 48 state

patrol agencies and over a thousand local law enforcement agencies asked about their enforcement activities between 2010 and 2011 and revealed that 97% of state patrol agencies and 55% of local law enforcement agencies, where checkpoints were permitted by state law, conducted sobriety checkpoints (Erickson et al., 2015).

There are several reasons why the remaining states do not conduct checkpoints—for instance, there may be no statutory authority, or the checkpoints violate a state's constitution.

In states where checkpoints are not authorized, law enforcement may use other strategies like saturation patrols. Saturation patrols are legal in all jurisdictions (NHTSA, 2023).

See Responsibility.org's map on state sobriety checkpoint laws for more details.

Research Highlights:

- According to NHTSA's meta-analysis of existing research, 52 out of 90 study sites that implemented HVE targeting alcohol-impaired driving experienced reductions in crashes and prohibited behavior, while 36 showed increases, and two showed mixed results (NHTSA, 5/2022).
- A literature review on HVE effectiveness showed that drunk and impaired driving-focused campaigns led to reductions in impaired driving incidents, in the percentage of stopped drivers who had a BAC at or above the legal limit of .08, and in alcohol-related injuries and fatalities (NASEM, 2024).
- States with highly visible, highly publicized impaired driving enforcement programs tend to have lower impaired driving rates in fatal crashes (Fell et al., 2013).
- Researchers found that states that implement a combination of sobriety checkpoints, saturation patrols, types of HVE, and enforcement of open container laws had lower rates of self-reported alcohol-impaired driving compared to those that only used one of these strategies (Sanem et al., 2015).
- A survey of 2,000 drivers in the U.S. revealed that 64.7% were in favor of conducting sobriety checkpoints at least monthly (Fell, 2019).
- A systematic review found that the median decrease in the number of alcohol-related fatalities in jurisdictions that utilized publicized sobriety checkpoints was 8.9% (Bergen et al., 2014). The review also emphasized the importance of including media campaigns and conducting multiple checkpoints over a lengthy time period (i.e., 1-3 years).
- In states where conducting checkpoints is legal, 58-72% of law enforcement agencies conduct sobriety checkpoints (Eichelberger and McCartt, 2016).
- A study on sobriety checkpoints in Los Angeles, California from 2013-2017 found a reduction in alcohol-related crashes in the week following driving under the influence (DUI) enforcement, though the effect did not extend beyond that period (Morrison et al., 2019).
- In a study by Lenk et al. (2016), states that permitted checkpoints had an 18.2% lower rate of alcohol-impaired driving; states that conducted checkpoints every month had a 40.6% lower rate.

- Saturation patrols are more commonly utilized than checkpoints. A study by Erickson et al. (2015) found that 95.8% of state patrol agencies and 62.7% of local law enforcement agencies used saturation patrols as a means to identify impaired drivers.
- A statewide campaign in Michigan was implemented from 2002 to 2004 that featured weekly saturation patrols, a comprehensive public information campaign with paid media, and community partnerships. As a result, alcohol-related fatalities per 100 million vehicle miles traveled dropped by 18% and the proportion of fatal crashes involving alcohol-impaired drivers decreased compared to neighboring states (Fell et al., 2008).

Established in 1991 as a national not-for-profit organization, Responsibility.org leads the fight to eliminate impaired driving and underage drinking.

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