



EL PASO · DISTRICT 1

PLATFORM NO. 01 · AUGUST 2026

CITY OF ELPASO – PUBLIC SAFETY POLICY PLAN

Past Due

El Paso Set Its Own DWI Enforcement Deadlines. It Missed Them.

Leadership that is not afraid
to fight for its people.

PRINCIPLED. EXPERIENCED. PROVEN.

It's time to elect leadership that will make the city work for its people again.



MJK26

MATTHEW JAMES KOZIK · DISTRICT 1

1 EXECUTIVE SUMMARY

On May 12, 2026, El Paso City Council approved a coordinated anti-DWI initiative brought forward by District 5 Representative Ivan Niño. The measure directed the City Manager, working with the City Attorney, to deliver two things on a clock: a comprehensive DWI data report within 45 days, and a citywide anti-DWI strategy with specific recommendations within 90 days. Council also amended the City's state legislative agenda to include anti-DWI advocacy. However, again, City Council fails to take action until it's too late.

Both deadlines have now lapsed or slipped. The 45-day data report, due June 26, was presented to Council on July 7 — roughly eleven days late. The 90-day strategy, due August 10, has no public record of having been presented as of August 19, 2026.

This is the central accountability problem. El Paso's issue is not that Council refuses to acknowledge impaired driving; it acknowledged it unanimously, in public, alongside grieving families, MADD, and the Sober Streets Movement. The issue is that the acknowledgment produced a study directive rather than a funded enforcement program — and even the study directive is behind schedule. Meanwhile EPPD projects a 28% increase in DWI arrests for 2026, the District Attorney reports case filings well below pre-pandemic levels, and the Police Chief has said publicly that the department lacks the officers to enforce all traffic violations.

This plan proposes seven enforcement-side actions, all of them lawful under current Texas law, plus a mechanism to keep Council's own deadlines enforceable.

37%

of Jan–Apr 2026 traffic deaths were **alcohol-related**, vs. 35% over the prior 3.5 years

<1%

of all El Paso crashes are alcohol-related — the fatality share is **wildly disproportionate**

28%

projected increase in **DWI arrests**, 2026 (EPPD)

9 days

past the **90-day deadline** Council set itself, with no strategy presented

2 WHAT COUNCIL ACTULLY DID – AND DIDN'T

Accuracy matters here, because the strongest version of this critique is the true one. Council has not been silent on impaired driving. It has been slow, and it has substituted process for funding.

THE COUNCIL TIMELINE



May 12, 2026

ACTION TAKEN

Council approves Rep. Niño's anti-DWI initiative. Directs the City Manager and City Attorney to produce a DWI data overview within **45 days** and a citywide anti-DWI strategy with recommendations within **90 days**. Amends the 90th Session State Legislative Agenda to include anti-DWI advocacy. Mayor Renard Johnson: every life lost or changed by impaired driving is one too many.



June 26, 2026

DEADLINE MISSED

45-day deadline for the data report. **Not met.**



July 7, 2026

11 DAYS LATE

EPPD delivers the DWI data presentation to Council, approximately eleven days past deadline. It identifies crash hotspots, peak times, and offender demographics. **No action by City Council after this.**



August 10, 2026

DEADLINE MISSED

90-day deadline for the citywide anti-DWI strategy and recommendations. **No public record of presentation. No action by City Council.**



August 19, 2026

9 DAYS PAST DUE

Nine days **past due**. No strategy on any published Council agenda; no funded enforcement expansion adopted; no new DWI positions created in the budget. **No action by City Council.**

99 days after the vote — no strategy, no funding, no action.

THREE OBSERVATIONS FOLLOW FROM THAT RECORD.

- **The action taken was a study, not a program.** Council directed staff to analyze and recommend. It did not appropriate money, authorize positions, or set enforcement targets.
- **The deadlines had no enforcement mechanism.** Nothing in the May 12 action attached a consequence to missing 45 or 90 days — no automatic agenda item, no required written explanation, no standing report-back. Predictably, both dates slipped.
- **Families were told to expect follow-through.** At the May 12 vote, Ilene Diaz De Leon — whose 18-year-old sister Angelique was killed by a suspected drunk driver on January 1, 2026, the

city’s first traffic fatality of the year — called the vote a good step and said she hoped the city would follow through. Ninety-nine days later, the follow-through is outstanding.

3 THE PROBLEM, IN EL PASO’S OWN DATA

EPPD and City of El Paso figures, as presented to Council and reported locally through mid-2026:

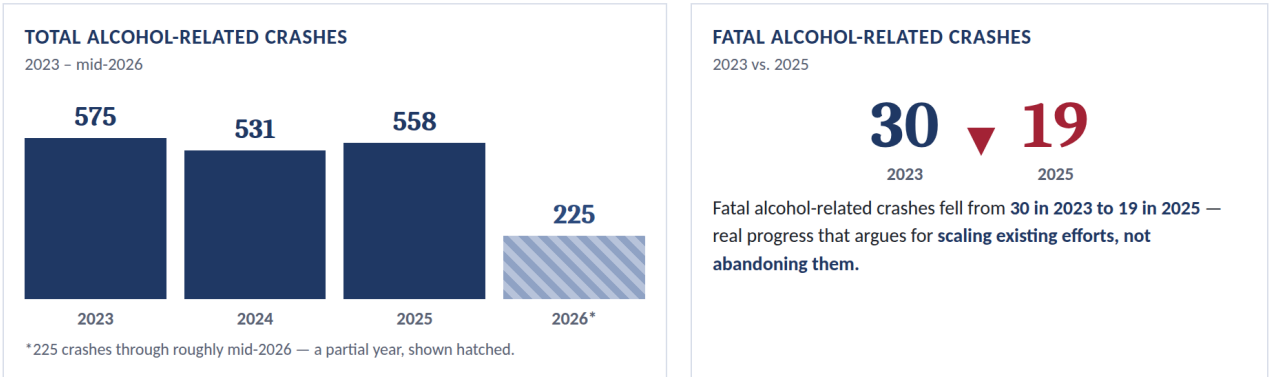
THE DWI DATA — PART 1

SMALL SHARE OF CRASHES, OUTSIZED SHARE OF DEATHS



Under one percent of crashes produce roughly a third of all traffic deaths — and the share is rising, not falling.

CRASH VOLUME & FATAL CRASHES



ON ACCOUNTABILITY : District Attorney James Montoya has said misdemeanor DWI filings have fallen from roughly 3,000 pre-pandemic (with about 400 felony filings) to roughly 2,100 misdemeanor cases now, even as arrest volume grows; and he has called for more cases to be filed and pursued.

THE DWI DATA — PART 2

ENFORCEMENT ACTIVITY



THE DWI DATA — PART 3

REPEAT OFFENDERS

PRIOR DWI ARRESTS	2024	2025	AS OF APR. 15, 2026
2 or more prior DWI arrests	124	158	51
Three or more prior DWI arrests	161	196	63

Figures as reported. The 2026 column is a partial year (through April 15, 2026).

WHO IS BEING ARRESTED

~90% of DWI arrestees are first-time offenders	25–34 men in this age range are the largest group	36% report last drinking at a bar or nightclub	~30% report last drinking at a private residence
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WHEN & WHERE

FRI 10 P.M. → SAT ~3 A.M. PEAK CRASH WINDOW	The peak alcohol-related crash window runs Friday 10 p.m. through approximately 3 a.m. Saturday , concentrated in downtown nightlife corridors per EPPD hotspot mapping.
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3 A LEGAL REALITY CHECK: “ENFORCEMENT” CAN MEAN IN TEXAS

Any enforcement plan must start from what Texas law permits. Texas does not allow sobriety checkpoints. In *Holt v. State*, 887 S.W.2d 16 (Tex. Crim. App. 1994), the Court of Criminal Appeals reviewed an Arlington Police Department checkpoint and held that absent a statewide procedure authorized by a politically accountable governing body, suspicionless DWI roadblocks are unreasonable and unconstitutional under the Fourth Amendment. The Texas Legislature has never enacted such a scheme, so checkpoints have remained unavailable for over thirty years.

This is a legal-authorization problem, not a Texas-constitutional privacy holding — a distinction worth getting right, since the remedy Holt identifies is state legislation, not municipal action. Asking Council for “checkpoints” would be asking for something it has no power to grant, and would invite an easy and correct rejection. The lawful tools that achieve the same deterrent effect are saturation patrols (concentrating officers in known hotspots and time windows), traffic stops supported by observed violations, and No Refusal operations in which officers obtain warrants for blood draws when a suspect refuses a breath test. Every recommendation below is built on these.

If Council wants to pursue checkpoint authority, the correct vehicle is the state legislative agenda it already amended on May 12 — not a municipal ordinance.

POLICY RECOMMENDATIONS

EL PASO ANTI-DWI STRATEGY · SEVEN ACTIONS FOR CITY COUNCIL

1

Compel delivery of the overdue 90-day strategy, with a hard agenda date

COUNCIL AGENDA

Place the outstanding anti-DWI strategy on the **next available agenda as an action item**, require the City Manager to state **in writing** why the August 10 deadline was missed, and adopt the practice that any Council-directed deliverable which passes its deadline is **automatically calendared for the following meeting**. *Deadlines without automatic consequences are suggestions.*

2

Convert the strategy directive into a funded program in the FY2027 budget

FY2027 BUDGET

A strategy document changes nothing without appropriation. Whatever the City Manager returns should be accompanied by a **specific dollar figure, specific positions, and a specific enforcement target**, taken up during the FY2027 budget cycle rather than deferred to another study.

3

Expand No Refusal operations from ad hoc holidays to a year-round weekend calendar

GRANT FUNDING

El Paso runs No Refusal operations around selected holidays. Tarrant County expanded from **two holiday periods to seven** using a state grant of roughly **\$300,000** — funding on-call judges, hospital blood-draw sites, medical kits, and lab analysis. El Paso should pursue equivalent **TxDOT and state impaired-driving grant funding** to extend coverage across the **Friday 10 p.m. to Saturday 3 a.m.** window EPPD has already identified as peak, **every weekend** — not only designated holidays.

4

Fund standing blood-draw and on-call magistrate capacity

CASE ATTRITION

No Refusal operations only work if warrants can be obtained and executed quickly. **Permanent rather than holiday-only** on-call judge rotations and hospital-based phlebotomy capacity would reduce the case attrition caused by delayed or unavailable blood draws — attrition that shows up downstream as **the dismissals and reduced pleas the DA is describing**.

5

Weight saturation patrols to EPPD's own hotspot and timing findings

DEPLOYMENT

The **July 7 presentation** identified specific **downtown nightlife corridors** and a specific overnight window as the highest-risk combination. Patrol deployment and **TxDOT Selective Traffic Enforcement Program (STEP)** overtime shifts — funding EPPD already receives and has used for dedicated DWI enforcement months — should be explicitly concentrated there rather than distributed evenly across the week.

6

Establish a budget-protected DWI enforcement unit and close the prosecution gap

STAFFING

Chief **Peter Pacillas** has stated publicly that EPPD does not have enough officers to enforce every traffic violation and has asked the community for help. Under that constraint, specialty DWI assignments are the first thing absorbed into general patrol shortages. A unit with its **own protected budget line** — STEP grant dollars plus a City General Fund match — insulates DWI capacity. In parallel, funding **additional dedicated DWI prosecutors sized to current arrest volume** rather than pre-2020 staffing is what turns arrests into accountability. *Expanding enforcement without expanding filing capacity simply relocates the bottleneck.*

7

Prioritize repeat offenders and publish the data quarterly

ACCOUNTABILITY

Arrests of drivers with **two or more and three or more prior DWIs** are rising faster than first-time arrests, and this population should receive enforcement priority: **stricter ignition-interlock compliance checks**, coordinated notification between courts and patrol on repeat-offender vehicle registrations, and **expedited case processing**. Separately, the May 12 directive produced a one-time report; Council should convert it into a **standing quarterly public DWI dashboard** covering arrests, crash locations, fatalities, case-filing rates, and progress against enforcement targets, so accountability does not depend on a single presentation.

Seven actions. All within existing Council authority and available state grant funding.

4 CONCLUSION

El Paso does not need new legal authority to reduce impaired-driving deaths, and it does not need another study. Saturation patrols, No Refusal operations, STEP grant funding, and a functioning DWI court are all lawful, proven, and already partially in place. On May 12, 2026, Council said so out loud and set itself two deadlines. It missed the first by eleven days and, as of this writing, has let the second pass without delivering.

The families who sat in that chamber were told to expect follow-through. The measure of this Council is not the resolution it passed in May. It is what appears in the FY2027 budget.



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