



NCDC

NATIONAL CENTER
FOR DWI COURTS

Making Your Community A Safer Place

Repeat Drunk Driving...by the Numbers

1.4 million

Drivers arrested every year for DWI, *1/3 with at least one prior DWI conviction*

2 million

Current drivers with *3 or more DWI convictions*

400,000

Current drivers with *5 or more DWI convictions*

11,000

Lives lost in 2009 in crashes involving drunk drivers, *more than 70% involved hardcore DWI offenders*



Judge Michael Barrasse, DWI Court Judge

DWI COURT

- ▶ Changes the criminal justice system's approach to drunk driving
- ▶ Demands accountability through intensive supervision and long-term treatment
- ▶ Saves taxpayers money
- ▶ Improves public safety. DWI Court participants are:
 - Up to 19 times less likely to reoffend
 - 3 times less likely to be rearrested for any criminal offense

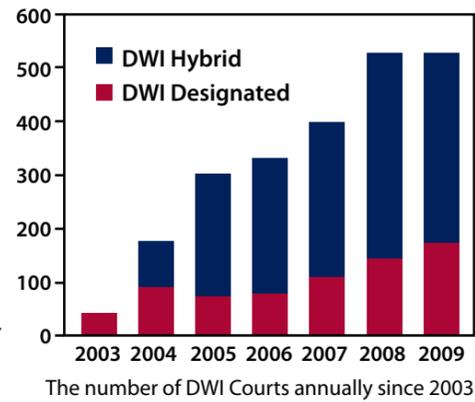
DWI Court is the Solution

DWI Court – Saving Lives

Drunk driving is a national epidemic. A staggering 400,000 drivers have more than five DWI¹ convictions; two million additional drivers have three or more DWI convictions. More than 70% of the 10,839 alcohol-impaired fatalities in 2009 involved hardcore DWI offenders, those individuals who drive with a BAC² of 0.15 or greater or who have multiple DWI convictions. One-third of all drunk driving arrests involve repeat DWI offenders. Hardcore DWI offenders are at the core of this epidemic. The traditional court response of incarceration and other punishment does not deter hardcore DWI offenders. Why not? Because these traditional interventions do not address the root cause: alcohol addiction.

Going In A Different Direction

A proven strategy exists to fight hardcore drunk driving: DWI Court. A DWI Court is dedicated to changing the behavior of the hardcore DWI offender by demanding accountability and requiring long-term treatment.



Communities throughout the country have recognized the need to change their approach to end drunk driving. As of December 2009, there were 526 DWI Courts³ with many more being planned.

Holding Participants Accountable

DWI Court exclusively supervises hardcore DWI offenders, statistically the most dangerous drivers on our roads. Because of the inherent risk of hardcore offenders, DWI Court emphasizes accountability and strict supervision to ensure compliance.

Among other important requirements in DWI Court, participants:

- Appear regularly in court
- Receive regular and random tests for alcohol and other drugs
- Receive scheduled and unscheduled home and work visits

Swift and sure responses are crucial to ensure accountability and treatment retention. Individuals who test positive for alcohol or drug use, or who miss an appointment (whether at the courthouse or treatment) are quickly brought before the DWI Court judge to face sanctions, which can include jail. Just as important, participants also receive rewards, such as praise from the judge, for living up to their obligations to themselves and their community.

Treating the Root Cause

While under intense supervision, participants in DWI Court also receive individualized, intensive long-term treatment. At the outset, each individual receives a clinical screening and assessment to develop a clinically sound treatment plan. This plan is regularly reviewed and revised. Because DWI Court employs a team approach, treatment providers are in regular communication with the court, providing updates on the progress of participants, raising concerns, and highlighting successes.

It Takes A Team

A significant difference between DWI Court and traditional court is the team approach. In a traditional court, the prosecutor and the defense attorney are adversarial, with the judge as arbiter. Law enforcement officers appear in court only as witnesses, and treatment providers are not even in the courthouse.

In DWI Court, these individuals all sit down together with one objective: how do we change the participants' behavior so they are no longer a threat to the community? Each team member brings a unique and specialized perspective to help ensure a complete response by the court.



The DWI Court team in Newport Beach, California

Supporting DWI Court

National organizations are lining up to support expansion of DWI Court, including National Mothers Against Drunk Driving (MADD).

In addition to MADD, the following organizations have also passed resolutions in support of DWI Court:

- The American Judges Association (AJA)
- The Governor's Highway Safety Association (GHSA);
- The Highway Safety Committee for the International Association of Chiefs of Police (IACP);
- The National Alcohol Beverage Control Association (NABCA);
- The National Association of Prosecutor Coordinators (NAPC);
- The National District Attorneys Association (NDAA); and,
- The National Sheriff's Association (NSA).

The Winning Results

Studies of DWI Court have shown success in reducing recidivism and saving money.

An evaluation of three DWI Courts in Georgia, funded by the National Highway Traffic Safety Administration (NHTSA), found:

- Repeat DWI offenders graduating from DWI Court were 65% less likely to be re-arrested for a new DWI offense.
- All DWI Court participants had a recidivism rate of 15%, whether or not they graduated or were terminated, versus a recidivism rate of up to 35% for those not in DWI Court.
- The three DWI Courts prevented between 47 and 112 more repeat DWI arrests.

The study noted the effectiveness of the Georgia DWI Courts saved a substantial amount of taxpayer money that would have



Before and after – one success story of many

been needed for incarceration, court time, and probation supervision.

Additionally, findings reported in a three-county evaluation of DWI

Courts in Michigan found that in a two-year period persons sentenced to DWI Court were three times less likely to be re-arrested for any charge and were up to nineteen times less likely to be re-arrested for a DWI charge than those sentenced by a traditional court. The study also found that DWI Court saves the criminal justice system time and money when compared to a traditional court. These results lend compelling support for the positive effects of DWI Court.

Conclusion

There is no doubt that our current approach to drunk driving does not adequately protect public safety. Hardcore DWI offenders are the most likely to cause a fatality on the road. Without strict supervision, ongoing accountability, and intensive treatment, they will continue their dangerous behavior. DWI Court turns these individuals into law-abiding citizens by holding them accountable and addressing their addiction. DWI Court is changing the criminal justice system's approach to drunk driving and making our communities a safer place to live. It is time to invest in an effective solution and expand DWI Court throughout the country.



Press conference to raise awareness of DWI Courts held in Austin, Texas with Beam Global Spirits and Wine and the NCDIC.

DWI Court

- Operates in a post-conviction model using intensive supervision and treatment to permanently change the behavior of hardcore DWI offenders.
- Involves all the criminal justice stakeholders (judge, prosecutor, defense attorney, law enforcement, probation, and treatment) in a cooperative approach to ensure accountability.
- In a 2008 study, DWI Court participants were found to be up to 19 times less likely to be re-arrested than a DWI offender in a traditional court.

¹ Driving While Impaired/Intoxicated (DWI). For purposes of this article, DWI is the same as OWI (Operating While Impaired/Intoxicated) or DUI (Driving Under the Influence). These terms are used interchangeably in the literature. States may have different names for the behavior, but it is all the same: Driving after having consumed alcohol, with the alcohol affecting a person's ability to drive safely.

² Hardcore DWI offenders are defined as individuals who drive with a BAC – Blood Alcohol Content – of 0.15 percent or greater, or who are arrested for or convicted of driving while intoxicated after a prior driving while impaired (DWI) conviction.

³ There are currently 172 designated DWI Courts with an additional 354 Hybrid DWI/Drug Courts. A Hybrid DWI/Drug Court is one that started out as a Drug Court that also takes DWI Offenders.



NCDC

NATIONAL CENTER FOR DWI COURTS

The NCDC

The National Center for DWI Courts (NCDC), a professional services division of the National Association of Drug Court Professionals (NADCP), is the only dedicated advocacy, policy, training and technical support organization for DWI Courts in the nation.

Established in June 2007, the NCDC is dedicated to delivering research-driven practices to reduce impaired driving recidivism nationwide.

The NCDC is designed to:

- ▶ Expand DWI Courts nationwide
- ▶ Improve DWI Court operations through training and technical assistance
- ▶ Maintain operational standards for DWI Courts

Through these efforts, NCDC's message of "Making Your Community a Safer Place" is coming true.

The NCDC is supported by the National Highway Traffic Safety Administration, U.S. Department of Transportation; Beam Global Spirits & Wine; the Wine & Spirits Wholesalers of America; and The Century Council.

For more information on DWI Courts, DWI Court Training Programs, and the National Center for DWI Courts, contact: David J. Wallace, Director, National Center for DWI Courts, (703) 575-9400, dwallace@dwicourts.org.