

National Impaired Driving Prevention Month: The Importance of DWI Courts



The Justice Programs Office, a center within the School of Public Affairs at American University (JPO at AU) is the home of the resource center for the BJA Adult Drug Court Program. This fact sheet is part of a series created to respond to significant issues facing the field. For more information about JPO at AU, go to www.american.edu/justice.

On November 30th, 2016, President Obama declared December as National Impaired Driving Prevention Month. As the proclamation noted, “Driving drunk, drugged, or distracted poses a significant threat to drivers, passengers, pedestrians, and all who share our roads.”¹ Over the past thirty years or so, impaired driving fatalities have fallen roughly by half, from over 21,000 in 2012 to around 10,000 in 2016.² However, 2015 saw an increase of 3.2 percent in these fatalities over the prior year,³ which demonstrates a continued need to address this health and safety issue.

The longstanding problem of driving under the influence of alcohol is complicated by new trends in impaired driving. While rates of drunk driving have been decreasing over the past thirty years, the percentage of drivers testing positive for illicit drugs has been increasing.⁴ In 2013, a reported 10 million people drove while under the influence of drugs.⁵ And the National Highway Transportation Safety Administration (NTSA) reported in a recent study that drivers tested positive for drugs other than alcohol (legal and illegal) in 16% of motor vehicle crashes.⁶

Law enforcement has been a key partner in reducing impaired driving crashes. In 2015, approximately 1.1 million people in the United States were arrested as a result of driving while under the influence.⁷ However, research looking at rates of reconviction show that over a 10 year period, about one in three people convicted of driving under the influence will reoffend.⁸ For those who are addicted to drugs or alcohol, incorporating treatment into justice system responses to DWI offending can reduce impaired driving.⁹

DWI Courts

DWI courts are an important step towards reducing the financial and human costs of impaired driving. Modeled after the successful drug court concept, DWI courts work to reduce recidivism through treatment while under the supervision of the court. The target population for DWI courts follows specific criteria, but primarily includes those with repeat offenses and serious substance use disorders.¹⁰

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Like other problem solving courts, DWI courts both hold participants accountable and offer them the services necessary to deter future offending. These courts promote sobriety and law-abiding behavior by utilizing intensive treatment, individualized sanctions and rewards, and close judicial supervision.¹¹

While DWI courts closely follow the drug court structure, they also incorporate elements uniquely suited to addressing DWI offenses. Central to this approach is the identification of high risk individuals with DWI offenses, as well as a focus on resolving transportation issues.

As license revocation affects almost every individual with a DWI offense, DWI courts have taken into consideration how to prevent their participants from driving without licenses. DWI courts usually address this issue by emphasizing the sanctions involved in driving without a license (which assists participants in accepting responsibility for their actions), as well as by supporting participants in obtaining lawful means of transportation.¹²

Effectiveness of DWI Courts

Recent studies suggest that DWI courts have results comparable to that of other problem solving courts,¹³ and that, when conducted according to best practices, they can be a more effective approach to reducing DWIs than traditional courts. An evaluation of three DWI courts in Georgia found that those who graduated from DWI courts were 65% less likely to recidivate than comparison groups, and that the courts saved money.¹⁴ An evaluation of DWI courts in three Michigan counties found that participants had significantly fewer re-arrests than comparison group of offenders.¹⁵

Conclusion

Although drunk driving fatalities have decreased dramatically in the past few decades, impaired drivers still pose a significant threat to public safety. By addressing addiction while still holding individuals accountable, DWI courts show promising results, and are quickly becoming a valued tool in reducing impaired driving.

Endnotes

¹ Accessed at <https://www.whitehouse.gov/the-press-office/2016/11/30/presidential-proclamation-national-impaired-driving-prevention-month>

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⁵ Center for Behavioral Health Statistics and Quality (CBHSQ). (2014). *Behavioral Health Trends in the United States: Results from the 2014 National Survey on Drug Use and Health*.

⁶ Compton RP, Berning A. Traffic Safety Facts Research Note: drugs and alcohol crash risk. Washington, DC: NHTSA; 2015 [cited 2016 Feb 5]. Retrieved from: http://www.nhtsa.gov/staticfiles/nti/pdf/812117-Drug_and_Alcohol_Crash_Risk.pdf

⁷ Federal Bureau of Investigation. (2016). Crime in the United States: 2015. Retrieved from <https://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2015/crime-in-the-u.s.-2015/tables/table-29>

⁸ Warren-Kigenyi, N., & Coleman, H. (2014). *DWI recidivism in the United States: An examination of state-level driver data and the effect of look-back periods on recidivism prevalence*

⁹ Bouffard, J. A., Richardson, K. A., & Franklin, T. (2010). Drug courts for DWI offenders? The effectiveness of two hybrid drug courts on DWI offenders. *Journal of Criminal Justice*, 38(1), 25-33.

¹⁰ National Center for DWI Courts. (N.d.). *The ten guiding principles of DWI courts*. Retrieved from [http://www.dwicourts.org/sites/default/files/ncdc/](http://www.dwicourts.org/sites/default/files/ncdc/Guiding_Principles_of_DWI_Court_0.pdf)

[Guiding_Principles_of_DWI_Court_0.pdf](http://www.dwicourts.org/sites/default/files/ncdc/Guiding_Principles_of_DWI_Court_0.pdf)

¹¹ AAA. (N.d.). *DUI/Drug courts*. Retrieved from <http://duijusticelink.aaa.com/issues/procedures/duidrug-courts/>

¹² Ibid.

¹³ Mitchell, O., Wilson, D. B., Eggers, A., & MacKenzie, D. L. (2012). Assessing the effectiveness of drug courts on recidivism: A meta-analytic review of traditional and non-traditional drug courts. *Journal of Criminal Justice*, 40(1), 60-71.

¹⁴ National Center for DWI Courts. (N.d.). *Research*. Retrieved from <http://www.dwicourts.org/learn/about-dwi-court/research>

¹⁵ NPC Research. (2008). *Michigan DUI courts outcome evaluation: Final report*. Retrieved from http://www.dwicourts.org/sites/default/files/nadcp/MI%20DUI%20Outcome%20Evaluation%20FINAL%20REPORT%20Re-Release%20March%202008_0.pdf

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