

DWI Courts:

A Promising Practice to Reduce Alcohol-related Traffic Fatalities

The Problem

The number of annual alcohol-related traffic fatalities has hovered around 17,000 for the past ten years. Education and public safety efforts that successfully reduced the number of deaths in the 1980s are now impervious to habitual drunk drivers who repeatedly drive at high BAC levels, despite multiple DWI arrests and previous sanctions. It has become apparent that if we are to continue to make progress against alcohol-related crashes and deaths, we need to rely upon a new intervention strategy that reduces the incidences of impaired driving among habitual drunk drivers.



DWI Courts as a Viable Solution

DWI courts have arisen as an effective response to the observed need for dealing with repeat DWI offenders. The purpose of the courts, ultimately, is to address the root causes of habitual, repeat drunk driving and significantly reduce the number of DWI offenders through a mix of treatment and accountability. They bring judges, prosecutors, probation officials, and treatment administrators together as a team to establish an appropriate treatment program, accountability measures, and monitoring conditions. DWI courts are based on drug courts, which are designed, to reduce recidivism by implementing court-supervised substance abuse treatment interventions as a way to address the root problem. There are now 1,927 drug courts in the United States, and research has repeatedly shown that drug courts surpass other strategies for dealing with drug-related offenses.

States have created DWI courts either by establishing designated, stand-alone courts or by forming them in hybrid fashion with drug courts. There are now 81 designated DWI courts and 249 hybrid DWI/drug courts in the United States. There are still 17 states that have not established DWI courts, but as the courts expand in popularity, that number is likely to grow smaller in the near future. Since 2005, training by the National Highway Transportation Safety Administration (NHTSA) has resulted in the creation of 43 DWI courts across the nation. DWI courts represent a rapidly growing trend.

Success

So are DWI courts working? From what we know so far, they appear to be enjoying the same type of success as their predecessor, drug courts. Policymakers, court officials, and other public officials have good reason to believe that the courts will prove to be a key long-term solution to the problem of drunk driving in America.

The State of Georgia started its DWI courts program in 2001 and recently completed an evaluation of its three longest-running sites. The sites were originally funded by NHTSA, and the evaluation was paid for

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by the Georgia Governor's Office of Highway Safety. Ninety-five percent of the court participants in the evaluation sites were addicted to alcohol or drugs when they began the program, and on average, they had three DWI arrests – in other words, they were habitual drunk drivers for whom traditional sanctions have little effect. Twenty-four months after graduation, the evaluation found, DWI court participants “are 4 times less likely to have a new DWI arrest. Even more promising, DWI court participants are 20 percent less likely to be arrested for a new felony” (Research Results: Georgia's DUI Courts Work. Judicial Council of Georgia, 2007). The State of Michigan has more designated DWI courts than any state in America and has been operating them for nearly 10 years. Since the courts have begun, the state has witnessed a 30 percent reduction in its number of DWI cases. These encouraging results come from two states with the most established DWI courts programs in the nation, which gives us good reason to believe that we will see more positive outcomes from other states' programs as they grow more mature.

Policy Pathways

In their efforts to seek policies aimed at reducing alcohol-related traffic fatalities in the United States, policymakers and other public stakeholders should give attention to the following core issues:

- Congress can support the continued evolution of DWI courts by funding drug courts at the historical \$40 million level needed to maintain capacity. Given the number of hybrid DWI/drug courts in the United States and the shared learning between the two types of courts,

continued capacity in our drug courts is a direct benefit to the growth of DWI courts.

- Policymakers should clarify whether funds under the 2005 SAFETEA-LU federal highway bill can be used by states to pay for treatment specifically associated with DWI courts. Currently, it is unclear whether the law permits the funding to be used for this important purpose.
- State policymakers should extend limited drivers licenses to DWI court participants who have demonstrated at least 90 days of sobriety and are progressing in treatment, so they can travel to and from treatment and other court-ordered appointments.
- Policymakers should look at the advantages of new, useful technology for monitoring defendants during treatment, but they should not promote the use of such technology in the absence of the long-term treatment and judicial oversight associated with DWI courts.
- Where possible, policymakers should encourage and support research on the effectiveness of DWI court programs that are mature enough for a sophisticated evaluation.

Beam Global Spirits & Wine is the first private sector company to support the National Center for DWI Courts. Similar private sector support for the National Association of Drug Court Professionals and the National Drug Court Institute would help ensure the continued success of drug courts. To learn more about DWI courts, go to www.nadcp.org.

For additional information about the International Institute for Alcohol Awareness contact Jim Cople, Director, at either 301-455-0654 or jcople@IIAOnline.org.

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