The Promise of DWI Courts

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The Good News

54%

Since 1982, the number of ALCOHOL RELATED fatalities declined from 26,173 in 1982 to 11,948 in 2010.
Motor Vehicle Fatalities: Lowest Rate in Recorded History

1966

2011
Rate
1.10

1.10 deaths per 100 million vehicle miles traveled in 2011
Life Saving Traffic Safety Strategies

- Safer Roads
- Safer Cars
- Speed
- Seat Belt/Restraint Enforcement
- Raising Minimum Drinking Age
- Lowering BAC Limits to .08
National Campaigns

NCDC: A Professional Services Division of NADCP
Alcohol-Impaired Fatalities
2000–2011

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The Bad News

Alcohol Impaired

31%

In 2010, 31% of those killed in traffic crashes died in an ALCOHOL-IMPAIRED CRASH.
The Bad News

Every 53 minutes

Someone is killed in the United States in an ALCOHOL IMPAIRED CRASH
The Bad News

Drivers with a BAC level of .08 or higher in fatal crashes in 2011 were seven times more likely to have a prior conviction for driving while impaired than were drivers with no alcohol.
Drugged Driving

One in Eight - the rate of Americans driving on a weekend night testing positive for an illicit drug
The involvement of drugs in fatal crashes has increased, even as the overall number of drivers killed in motor vehicle crashes in the United States has declined.
High Risk Offenders

Honest, Officer all I had was a couple of beers!
Traditional DWI /DUI Case Processing

• Suspect is arrested for DUI based on probable cause and is jailed
• Arraignment, not guilty plea, conditions of release set, motions, plea or trial
• If not guilty, case over, defendant released
• If guilty, sentencing occurs.
• Sentence may include Jail, probation, treatment
Traditional DWI/DUI Case Processing

- Jail
- Probation
- Probation plus treatment
- Probation Violations—Processed timely?
- Violations= more Jail? Reinstatement of probation and treatment?
- Accountability? Testing?
- Recidivism=revolving door of criminal justice
How Do We Protect Our Communities?

Punishment

or

Rehabilitation
Why Can’t People Just Change?
Change is Hard
Treatment can work . . . BUT . . .

Not if the person isn’t there.
Research Studies

• Drug Abuse Reporting Project (DARP)
• Treatment Outcome Prospective Study (TOPS)
• Drug Abuse Treatment Outcome Study (DATOS)
• National Treatment Improvement Evaluation Study
Research Findings

The length of time a patient spent in treatment was a reliable predictor of his or her post treatment performance.
Coerced patients tend to stay longer in treatment.
Courts as a Problem-Solver

Effective trial courts are responsive to emergent public issues such as drug abuse.
“The body of literature on recidivism is now strong enough to conclude that completing a drug court program reduces the likelihood of further involvement in the criminal justice system.”
Drug Court Clearinghouse and the Government Accounting Office

• Over 350,000 clients have been admitted to U.S. drug court programs since 1989 with a 67-71% retention rate.

• “Represents a six-fold increase in treatment retention over most previous efforts”

  – Marlowe et al., 2003
“Drug courts provide the most comprehensive and effective control of drug-using offenders’ criminality and drug usage while under the court’s supervision.”
“We know beyond a reasonable doubt that Drug Courts significantly reduce drug use and crime and do so with substantial cost savings.”
DWI Offenders

What Ingredient Can We Add to Convince DWI Offenders to Participate in treatment, long-term?
The Answer is DWI COURT

Treatment + Accountability

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What is a DWI Court?

Post-Conviction

High Risk

Quick
Accountability

Intensive
Why DWI COURTS?

DWI Courts are based on the tested and proven DRUG COURT model.
Fidelity to the Model

10 Key Components of Drug Courts

PLUS

THE 10 Guiding Principles of DWI COURTS
10 Key Components

- Integrate treatment in justice processing
- Non-adversarial approach
- Identify clients early
- Continuum of services
- Frequent testing to ensure sobriety
- Coordinated strategy of responses to client behaviors
- Judicial interaction
- Program evaluation
- Continuing education
- Partnerships and collaboration
The 10 Guiding Principles of DWI Courts

Presented by Judge Kent Lawrence (Ret.)
Co-author
The 10 Guiding Principles

- Target the Population
- Provide a Clinical Assessment
- Develop the Treatment Model
- Supervise and Detect Behavior
- Develop Community Partnerships
- Take an Active Judicial Role
- Provide Case Management
- Solve Transportation Barriers
- Evaluate the Program
- Ensure Sustainability
A Drug/DWI Court’s purpose:

- To expedite the time interval to get offenders into accountability and treatment QUICKLY
- To keep the individual engaged in treatment LONG ENOUGH to receive treatment benefits
- It is a common-sense approach to the drug/alcohol offender
Best Practices

• Treatment
• Prosecution
• Defense attorney
• Probation Officer/case manager
• Law enforcement
• Coordinator
• Judge
A Coordinated Effort

- Judge
- Treatment Provider
- Court Coordinator
- Advocates
- Researchers
- Defense Counsel
- Probation
- Law Enforcement
- Prosecutor

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Core Competencies

• Each team member has important roles and core responsibilities for the team and the DWI Court.
DWI Courts

Why Do You Believe DWI Court is the Answer?
Michigan Study

- Reduced recidivism
- Fewer re-arrests
- Cost savings
Wisconsin Study

Waukesha Wisconsin

Recidivism rates for any new offense were found to be significantly lower for the DWI Court participants.
NHTSA Study (2011) Georgia

15% vs. 35% recidivism
79% retention
DWI Courts – June 30, 2012

208 Stand-Alone DWI Courts

401 Hybrid DWI Courts

609 Total
“GHSA supports DWI courts and urges states to work with their state criminal justice agency counterparts to implement them where appropriate. GHSA also recommends that NHTSA evaluate DWI courts to determine their effectiveness”
“MADD supports the use of post-adjudication DUI/DWI courts that employ the strategies of close supervision, frequent alcohol and other drug testing, and ongoing judicial interaction to integrate alcohol and other drug treatment services with the justice system. MADD recommends that DUI/DWI courts should not be used to avoid a record of conviction and/or license sanctions.”
Other Organizations in Support

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The Promise of a Coordinated Approach

To capitalize on the trauma and consequences of an arrest to intervene earlier in the addict’s “career” of abuse
DWI Courts

Work
How can you help start a DWI Court in your community?

• Contact your local judges and let them know your community needs a better approach to the repeat DWI offender problem

• Reach out to your District Attorney, your law enforcement agencies, your highway safety offices

• Encourage your lawmakers at the local and state level to push the courts to begin a DWI Court program

• You can make a difference and SAVE LIVES!!!!!!!
For More Information

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