

## Overcoming Perceived Pitfalls of DWI Courts

Developed by:  
 National Center for DWI Courts

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PITFALL #1 

# It's too risky




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### POLITICAL PITFALLS



- ✓ Lack of leadership support
- ✓ Repeat DWI offenders are a high risk to public safety
- ✓ Lack of understanding of the effectiveness of DWI courts
- ✓ Competing interests

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## IF NOT PRISON OR JAIL, WHERE?



- ✓ Repeat DWI offenders are still on supervision through a probation office
- ✓ ***Jail is not a level of care***
  - ✓ Repeat DWI offenders' treatment needs are not met in custody – no change



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## ALCOHOL VIOLATIONS



- ✓ Public safety risk – drinking usually leads to driving
- ✓ DWI courts reliably detect and immediately respond
- ✓ Treatment needs vs. public safety



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## SUPERVISION/TESTING/TECHNOLOGY



- ✓ DWI courts have more contact with the client and address problematic behaviors immediately
- ✓ Witnessed random drug and alcohol testing is a tool to assist with recovery
- ✓ Research shows technology paired with supervision paired with treatment works



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**PARTNERSHIPS** 

- ✓ Partnerships are critical to implementation and sustainability
- ✓ Stakeholders and nontraditional partnerships
- ✓ Importance of the media



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**PITFALL #2** 

**There's no carrot**



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**PROCESSING** 

- ✓ The earlier the better
  - ✓ Hit rock bottom
- ✓ Resolve case faster
- ✓ Pre-sentence conditions
- ✓ Voluntary vs. mandatory



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## SENTENCING



- ✓ Reduced confinement
- ✓ Ability to serve mandatory sentences in a less restrictive manner
- ✓ Reduced fines and costs
- ✓ A lesser offense is not an option

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## PRIVILEGES



- ✓ Limited driver's license
- ✓ Use of tools and technology
- ✓ Freedom

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## LIFE CHANGING



- ✓ (Early) Sobriety
- ✓ (Later) Recovery

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**PITFALL #3**



**We have a  
drug court...  
can we do  
DWI too?**



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**DEMOGRAPHICS**



- ✓ Not knowing the DWI population
- ✓ Repeat DWI offenders differ from typical drug court participants
- ✓ High functioning does not mean low risk
- ✓ Using invalid, unreliable risk and need tools

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**STRUCTURE AND CASE MANAGEMENT**



- ✓ Supervision of high-risk and high-need DWI offenders
- ✓ Mixing risk and need populations
- ✓ Considering additional populations
- ✓ Treatment
- ✓ Court structure

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## RESPONSES TO BEHAVIOR/ATTITUDES



- ✓ Attitudes about alcohol
- ✓ Criminal thinking
- ✓ Don't identify themselves as "drug addicts"
- ✓ Public safety risk



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## PITFALL #4



**Focused on the  
drug, not the  
behavior**



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## ALCOHOL COURT



- ✓ Not a DWI-processing calendar
- ✓ Considering it only as "alcohol court" is a disservice



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## DUID



- ✓ Driving under the influence of drugs
- ✓ Presence of drugs ≠ impairment
- ✓ It does mean polysubstance use

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## TESTING



- ✓ Reliably detect use
- ✓ Alcohol testing
- ✓ Drug testing (polysubstance)

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## SUD



- ✓ Substance use disorder is a disease
- ✓ Prevalence of mental health disorders

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**DANGER...DANGER...** 

**We are perfect**



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**WE ARE PERFECT** 

<b>Targeting</b>	<b>Continued analysis and modifications</b>
<b>Sustainability</b>	
<b>Fidelity to the model and drift</b>	<b>Evidence-based practices</b>



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**WE ARE PERFECT** 

**Fidelity to the model**

*Research shows an increase in criminogenic factors in clients for programs that do not follow the Guiding Principles or Best Practices*



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## WE ARE PERFECT



### **Michigan**

An analysis of three counties in a 2-year period found that DWI court participants were 19 times less likely to be arrested for a DWI (2008).

### **Minnesota**

An evaluation of nine DWI courts found that high-risk individuals had better outcomes, including up to 69% less recidivism (2014).

### **Campbell Collaboration**

A meta-analysis of 28 evaluations found that DWI and general criminal recidivism was reduced by an average of 12%. The best DWI courts reduced recidivism by 50% to 60% (2012).

### **Georgia**

Repeat offenders graduating from DWI court were 65% less likely to be rearrested for a new DWI, and between 47 and 112 repeat DWI arrests were prevented (2011).

## WE ARE PERFECT



### **San Joaquin County, California**

DUI court participants were half as likely to be involved in an alcohol- or drug-related crash over a period of 18 months (2012).



## WE ARE PERFECT

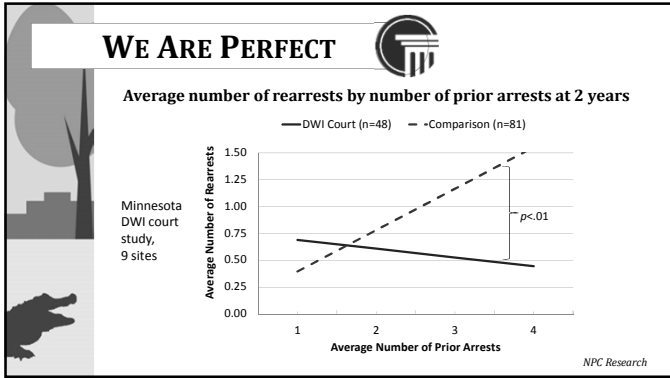


### **Maryland**

DWI courts produce net cost benefits to taxpayers of more than \$1,500 per participant and more than \$5,000 per graduate (2009).

### **Minnesota**

DWI courts saved taxpayers \$700,000 annually and produced an average of \$2.06 (a high of \$3.19 in one court) in benefits for every \$1 invested – a 200% return on investment (2014).




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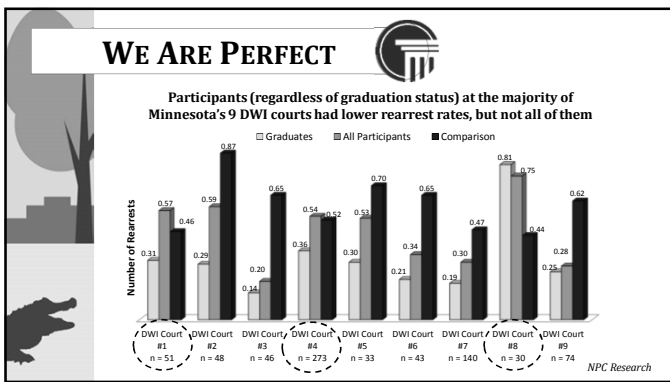
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### Strategic Planning Notebook

Connect how the topic relates to recovery

Write down these connections to recovery

Share ideas on how to incorporate the topic into your program

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