

THE DWI COURT REPORTER

A Publication by the  **NCDC**
NATIONAL CENTER
FOR DWI COURTS

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Meet David and Cliff and see what publications you need for your DWI Court, or to raise awareness in your community.

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NTSB CALLS FOR COMPREHENSIVE APPROACH TO COMBAT DRUNK DRIVING

INCLUDES CALL FOR DWI COURT SYSTEM IN EVERY STATE

At a press conference last month in Washington DC, the National Transportation Safety Board (NTSB) announced its new list of the 10 "Most Wanted" critical transportation issues that need to be addressed to improve safety and save lives. DWI Court was presented as a key component in the effort to eradicate alcohol-impaired driving, one of the "Most Wanted" safety issues.

Alcohol-Impaired Driving

Discussing the impaired driving issue was NTSB Board Member, Dr. Mark Rosekind. In a NTSB video clip played at the press conference, Dr. Rosekind noted that combating impaired driving requires an understanding that no two impaired drivers are identical and that it will take a comprehensive approach to end impaired driving.

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**NTSB Board Member
Dr. Rosekind
addressing those in
attendance at the
press conference.**

NHTSA STUDY CONCLUDES DWI COURT WORKS; IT REDUCES RECIDIVISM

Alexandria, VA – March 25, 2011 – A three-county evaluation done in Georgia found that repeat Driving While Impaired (DWI) offenders participating in DWI Court was up to 65% less likely to be re-arrested for a new DWI offense than DWI offenders sentenced in



**Click the image to
download a summary
of the NHTSA study.**

a traditional format. The evaluation conducted by the Pacific Institute for Research and Evaluation (PIRE) and funded by the National Highway Traffic Safety Administration (NHTSA), compared repeat DWI offenders in DWI Court to

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AMERICAN JUDGES ASSOCIATION ENDORSES DWI COURT

Alexandria, VA (April 19, 2011) - The American Judges Association (AJA) is the latest national organization to officially support DWI Court as an effective means of reducing recidivism among the nation's most dangerous drunk drivers.



reducing recidivism. DWI Court holds DWI offenders strictly accountable while giving them the treatment they need to permanently change their behavior. This is the most effective tool we have to handle repeat DWI drunk drivers.”

Hardcore drunk drivers are drivers with a BAC of .15 and above and/or a prior conviction for impaired driving. They are the most dangerous drivers on our roads and are statistically overrepresented in fatal crashes. In 2009, greater than 70% of all alcohol related fatalities, 7,607, involved a hardcore offender. Throughout the country there are 2 million people with three or more DWI convictions and a staggering 400,000 with five or more.

“The repeat impaired driver is not impacted by the same general deterrence methods as other offenders,” said Judge Mary Celeste, the organization’s President. “Given the pervasive problem of impaired driving and the national threat to public safety it represents, it is critical that AJA supports programs that have proven truly effective at

DWI Court is designed specifically to address hardcore DWI offenders and the dependence on alcohol that keeps them from changing their behavior.

Participants in DWI Court are regularly and randomly tested for alcohol use and required to appear weekly before a judge to ensure they are living up to their

obligations. In addition to strict accountability, they also receive long-term, rigorous treatment and close community supervision.

“Judges are of critical importance in DWI Court and the National Center for DWI Courts (NCDC) is thrilled to have the support of the AJA,” said NCDC Director David Wallace. “It is the responsibility of the courts to ensure that our most dangerous drunk drivers are held accountable for their actions, treated for their addiction and are never arrested for impaired driving again.”

According to a 2008 study by the Michigan Supreme Court, DWI court participants are nineteen times less

likely to be re-arrested for a DWI charge than those who have been through traditional sentencing. The study also found that DWI Court saved the criminal justice system time and money by getting the impaired driver into the program quicker and using

sanctions, such as jail, more strategically.

“DWI Court holds DWI offenders strictly accountable while giving them the treatment they need to permanently change their behavior. This is the most effective tool we have to handle repeat DWI drunk drivers.”

**Judge Mary Celeste,
President AJA**

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Get the Home COURT Advantage!!

Questions about DWI Court? What does the research say? Find pictures and videos of DWI Court events. Get the latest NCDC publications or download TA forms.

Go to www.DWICourts.org for that and more!!



AMERICAN JUDGES ASSOCIATION ENDORSES DWI COURTS

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In March, the National Highway Traffic Safety Administration released a study concluding that repeat DWI offenders graduating from DWI Courts in three Georgia counties were up to 65% less likely to be re-arrested for a new DWI offense than similar DWI offenders sentenced in a traditional court.

Now numbering over 525, DWI Court has become a proven model

for getting the most dangerous drunk drivers off the roads. Several states, such as Michigan, Missouri, and Texas, are now calling for the expansion of DWI Court as a public safety and budget solution. As DWI Courts are launched throughout the country, NCDC provides training and disseminates research to the personnel needed to operate them.

“We know that a conviction, unaccompanied by accountability and treatment, especially in the case of hardcore drunk drivers, is an

ineffectual deterrent,” added David Wallace. “But we know that DWI Court is highly effective for this population. The National Center for DWI Courts is committed to expanding DWI Courts to serve every hardcore drunk driver on the road today. The endorsement of the AJA is critical in building a coalition of criminal justice professionals, law enforcement professionals, and treatment professionals united to this end.”

A GRADUATE’S THOUGHTS ON DWI COURT

Editor’s Note: This article was written by a graduate I recently met. After hearing his story, I asked him to write a few comments about his experience in DWI Court.

I am no stranger to the judicial system. For years I have battled alcoholism and addiction inside and outside the courtrooms. There have been brief periods of recovery, only to be followed by still worse relapses. The consequences of my actions piled up and became far too difficult to solve. The only option available was incarceration to protect society from me. I had no hope and there certainly was no vision of a brighter future ahead. The DWI Court program was the final opportunity at recovery. I was literally faced with a stiff sentence in the penitentiary or changing my life through the recovery process.

As many DWI Court participants, I felt that what was asked in the beginning was overwhelming. I thought it was ridiculous to call in everyday, wear a scram bracelet, go to treatment meetings, etc. However, I knew what the alternative option was and I did not want to return to



incarceration. I wanted sobriety MORE than I wanted to drink. I desired a new way of life MORE than I wanted to negate the system. I have since found that the system did not fail me, rather I failed the system. What appeared to be insurmountable obstacles and hoops to jump through turned out to be the foundation of being held accountable to the recovery process. I completed the DWI Court program in eighteen months with not one sanction. I found the program to be time consuming but immensely effective. I have continued active participation in the program of Alcoholics Anonymous not because it is noble or expected. I have continued because I have received the gift of sobriety, a new and exciting lifestyle, and a purpose to give back to others what has been so freely given to me.

In summation, I wish to purport that what I have received in the past 2 years would not have been possible if the DWI Court program did not exist. I believe we have finally found a program that works as an alternative to incarceration. I believe that we have found a roadmap to the recovery process that will change people’s lives.

NHTSA STUDY CONCLUDES DWI COURT WORKS; IT REDUCES RECIDIVISM

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locations where DWI Courts were not available. The ultimate question of the research was: are DWI Courts more effective than traditional courts in reducing recidivism of repeat offenders? With a recidivism rate of 15% for all DWI Court participants that either graduated or were terminated, versus a recidivism rate of up to 35% for those not in DWI Court, the conclusion was a clear yes, DWI Court was more effective. The study also noted that because of the effectiveness of the Georgia DWI Courts, between 47 and 112 more repeat DWI arrests were prevented. This saved a substantial amount of taxpayer money that would have been needed for incarceration, court time, and probation supervision.

Judge Kent Lawrence, Chairman of the National Center for DWI Courts (NCDC) DWI Court Task Force, and one of the judges that participated in the evaluation noted: "The evaluation of the three Georgia DWI Court programs validates and confirms for our DWI Courts that the daily work performed in the trenches with repeat impaired drivers has proven to be both effective and fruitful, and reflects an affirmation that DWI COURT WORKS! All of the DWI Courts in Georgia are pleased with the outstanding positive results reported in the NHTSA evaluation, and commit

ourselves to the continued growth of DWI Court in our state."

DWI Court is an accountability court that is based on the proven Drug Court model. It requires individual accountability; enhanced supervision; extended counseling and treatment; frequent and random drug testing; and continued monitoring of the offender by the court.

"The evidence continues to grow that DWI Court is making our communities safer;" said David Wallace, director of the NCDC.

"We know that jail alone doesn't change the behavior of a repeat DWI offender. We have to hold the person accountable for his or her actions, and require long-term treatment to accomplish a change in

behavior. That is what DWI Court is all about, and this is one more study that demonstrates it works. DWI Court saves lives."

Studies demonstrating that DWI Court works have been growing on a steady basis. A 2008 three-county DWI Court study in Michigan found that the DWI Court participants were up to 19 times less likely to reoffend and a 2009 Wisconsin study also found that DWI Court was more effective than a traditional court.



DRIVE SOBER OR GET PULLED OVER



August 19 through September 5, 2011, is the National Impaired Driving Crackdown. This is an annual nationwide enforcement effort to crack down on impaired driving and reduce roadway fatalities. This year's crackdown is supported by paid national advertising to help put motorists on notice that if they are caught driving while impaired, they will be arrested. The national ads, produced by the National Highway Traffic Safety Administration in English and Spanish, are targeted at young male drivers and motorcycle riders, who are the most common perpetrators of this deadly crime. This national effort has the new tag line: *Drive Sober or Get Pulled Over.*

A promotional planner was developed to help get the message out. It provides marketing materials, earned media tools, and marketing ideas to distribute. The intent of this promotional planner is to provide material that can be distributed to fit local needs and objectives while at the same time partner with other states, communities, and

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ORANGE COUNTY DWI COURT NAMED NCDC ACADEMY COURT

May 9, 2011 – Newport Beach, California. It was a beautiful day in Orange County, California, and according to some, it's always a beautiful day in Orange County. But on this day, it was even better for two important reasons. First, the Harbor Justice Center DWI Court in Newport Beach, California was holding a graduation for 10 DWI Court participants who had turned their lives around, and second, it was also being named the 4th DWI Academy Court by the National Center for DWI Courts (NCDC).

It was an uplifting time to hear the graduates speak about where they were before DWI Court and where they are now. A few of the comments included:

- “Over a year ago I was planning my funeral, until DWI Court.”
- “I entered DWI Court on my birthday, and it was the best birthday present I could have ever given myself.”
- “Through DWI Court I understood I had the power to change and I am the only one that can do it for me.”

During their comments, the emotions the graduates were feeling were clearly seen, as they would look for a tissue to dap their eyes, full of tears of sorrow



NCDC Director David Wallace presenting the plaque to the DWI Court team.

and joy. As Judge Biggs noted in wrapping up the Graduation Ceremony, “Success is not a single goal, it’s a lifestyle. These graduates clearly have started working that lifestyle.” That is one of the many reasons this court was chosen as a NCDC DWI Academy Court.

It was during the graduation ceremony that the director of the NCDC presented Judge Biggs with a plaque naming the Harbor Justice DWI Court one of the four NCDC DWI Academy Courts. DWI Academy Courts serve as primary NCDC training locations, hosting training and technical assistance sessions, and demonstrating best practices for visiting DWI Court professionals and teams.

The Harbor Justice DWI Court, then presided over by Judge Carl Biggs, consists of a team of professionals to ensure that DWI offenders are held accountable and receive the necessary treatment to change their behavior. In receiving the recognition, Judge Biggs noted: “The Orange County Superior Court – Harbor Justice Center has been operating a DWI Court for almost 7 years. Prior to starting and

throughout our existence we have received support and inspiration from NADCP and NCDC. We are honored to be selected as an “Academy Court” so that



Director David Wallace with Judge Carl Biggs after receiving the DWI Court Academy Court Plaque.

we can share our experience with other courts seeking to start and operate a DWI Court and thereby ‘pay forward’ all the help and support we have received over the years.”

A few of the dignitaries in attendance included: Judge Wendy Lindley; Judge Robert Gannon; Kathy Burnham, Executive Director, Community Court Foundation; Tom Glazier, Orange County District Attorney’s Office; MaryBeth Griffin, Orange County M.A.D.D.; Deborah Kwast, Orange County Public Defender; and Lt. Chuck Wilmot, Orange County Sheriff’s Office.

The Harbor Justice DWI Court will be a DWI Academy Court for three years. The three other Academy courts are: Greene County DWI Court in Springfield, MO; Athens-Clarke DWI Court in Athens, GA; and, the Ottawa County DWI Court in Holland, MI.

For more information about the NCDC DWI Academy Courts, click [here](#).

NCDC RELEASES NEW PUBLICATION: THE BOTTOM LINE

The National Center for DWI Courts (NCDC) has taken the next step in raising awareness of DWI Courts and the issues surrounding them with the release of its new publication, *The Bottom Line*.

This publication will provide practitioners and policy makers with a quick-read on key issues facing DWI Courts. Each *Bottom Line* publication will be printed and given out at DWI Court and Drug Court training programs, state Drug Court conferences, traffic safety conferences and other appropriate venues.

The inaugural edition discusses who should be in a DWI Court and why. It was made possible by a generous donation from the Century Council.

Ron Engle, Director, Traffic Safety of The Century Council stated: "This edition of *The Bottom Line* does an excellent job of reaffirming the effectiveness of the DWI

Court Model and concisely explaining the type of offender better suited for participation in this program."

"The Century Council has been a strong advocate for DWI Court and the NCDC is fortunate to have its support," said David Wallace, director of the NCDC. "With this inaugural edition, we are raising awareness across the country on what DWI Court is all about and who should be brought into it."

Who should be in DWI Court? As stated on the very front of the publication: "DWI Courts are specifically for alcohol dependent hardcore DWI offenders."

To obtain an electronic copy of the publication, it can be downloaded from the NCDC website, www.dwicourts.org under Resources and then publications, or click the image on the right.



The Bottom Line
DWI Courts are specifically for alcohol dependent hardcore DWI offenders.

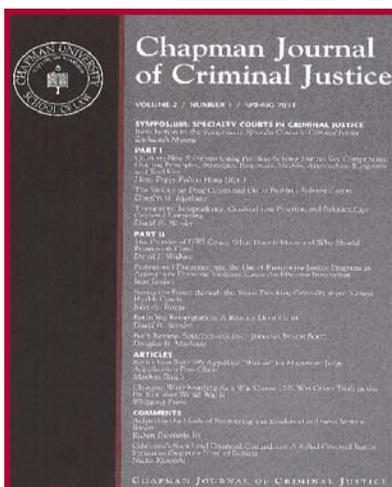
DWI Court: First-Time DWI Offenders - In or Out?

Over 1.4 million people are arrested every year for impaired driving, with one-third having a prior DWI conviction. Every year more than 10,000 people are killed in alcohol-impaired crashes. Just as concerning, more than half of the alcohol-impaired fatalities every year involve a driver with a BAC of .15 or higher. A driver with a .15 BAC or higher is 20 times more likely to be involved in a fatal crash than a non-impaired driver, and five times more likely to have a prior conviction for DWI in the past three years.

Individuals with a BAC of .15 and/or a prior conviction for DWI are sometimes referred to as hardcore DWI offenders. While every impaired driver on the road is a threat, this particular population of DWI offenders presents an even greater risk of physical injury or death to everyone. Most hardcore DWI offenders are alcohol dependent and unlike the majority of the impaired drivers arrested, unable to control their behavior due to the destructive nature of their addiction. **This is precisely why DWI Court has been designed specifically for hardcore DWI offenders.**

Click on the image to download the inaugural edition of *The Bottom Line*.

PROSECUTOR'S SHOULD BE INVOLVED WITH DWI COURT



Click on the image to download the Chapman Journal article.

Because DWI Court is post-conviction, prosecutors will sometimes ask the question, why should we be involved with it? After all, the case is over, in terms of the prosecution. With fewer people in a prosecutor's office because of budget constraints, and caseloads that continue to expand, it is an important question.

The Chapman Journal of Criminal Justice recently published its second volume, with this issue focusing on Specialty Courts in the Criminal Justice System. DWI Court is included in the discussion on Specialty Courts with the article: *The Promise of*

DWI Court: What Does It Mean and Why Should Prosecutors Care?

Written by the director of the National Center for DWI Courts (NCDC), who is a former assistant prosecutor with over 20 years of prosecutorial experience, the article answers prosecutors' questions. It provides a detailed description of the need for DWI Court, what it is, and why prosecutors should be active members of the DWI Court team.

The article can be downloaded from the NCDC website, www.dwicourts.org under Resources and then publications, or click the image on the left.

NTSB CALLS FOR COMPREHENSIVE APPROACH TO COMBAT DRUNK DRIVING

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"What we need now are more meaningful changes to stop this entirely preventable behavior. People have grown complacent by thinking that we can never eliminate alcohol-impaired driving; complacency has become part of the problem. Let's start by recognizing that no two impaired drivers are alike, and that no single approach will be effective for all offenders. This requires building a system of counter-measures that help identify problem offenders, hold them accountable for changing their behavior, and separate them from their vehicles until they do so.

There are a variety of effective interventions that every state should employ to address impaired driving, such as high visibility enforcement, sobriety checkpoints, a DUI Court system, and ignition interlocks." Dr. Mark Rosekind

NCDC Director David Wallace indicated his pleasure with NTSB's statement. "The comprehensive approach NTSB called for is critical in the fight against impaired driving and I am pleased that the NTSB

acknowledges DWI Courts as one of the important tools in this effort," said Mr. Wallace. "DWI Courts are a critical component in any

comprehensive and effective effort, as the research and the lives saved demonstrate."

To see the video on alcohol-impaired driving with Dr. Rosekind, click [here](#).

NTSB's Most Wanted List

The new "Most Wanted List" highlights safety issues that impact transportation nationwide. "The NTSB's ability to influence transportation safety depends on our ability to communicate and advocate for changes," said NTSB Chairman Deborah A.P. Hersman. "The Most Wanted List is the most powerful tool we have to highlight our priorities." On each "Most Wanted" issue, a short video clip was prepared about the issue and uploaded onto the revised NTSB Web site (www.nts.gov).

NTSB began issuing an annual Most Wanted List in 1990. The list released this past June is the first one produced under a revised format

developed by the agency over the past several months in an effort to modernize and streamline the list.



**Some of those present at the NTSB
Press Conference in June**

This year's list features 10 broad issue areas that the NTSB will highlight in its advocacy efforts during the next year.

The new Most Wanted List can be found on the NTSB's remodeled website. The ten safety issue areas on the Most Wanted List are:

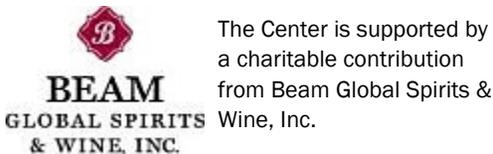
- Promote pilot and air traffic controller professionalism
- Address human fatigue
- Promote teen driving safety
- Improve general aviation safety
- Improve motorcycle safety
- Address alcohol-impaired driving
- Require safety management systems
- Improve runway safety
- Improve bus occupant safety
- Require image and onboard data recorders

Editor's Note: In part this article was developed from the NTSB press release dated June 23, 2011.



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The Center is supported by a charitable contribution from Beam Global Spirits & Wine, Inc.



DRIVE SOBER OR GET PULLED OVER

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organizations all across the country on this important effort.

The planner includes messaging and templates to support the impaired driving initiatives surrounding the 2011 Labor Day

Impaired Driving Prevention National Enforcement Crackdown. They are built around the new message, *Drive Sober or Get Pulled Over*.



This is a great opportunity for DWI Courts to partner with law enforcement agencies and community organizations to share the message that if someone drives impaired, they will be arrested and convicted. DWI Courts should consider obtaining the material, add information on the local court, find local partners, and distribute it to the media in the area.

These materials also carry the tagline, *Cops are cracking down*, which reinforces that law enforcement officials will be on the lookout and focusing their attention on impaired drivers.

For the promotion planner or more information, click [here](#) or go to: www.stopimpaireddriving.org.

ALCOHOL DEPENDENCE FOUR TIMES MORE LIKELY IN ADULTS WITH MENTAL ILLNESS

Alcohol dependence is four times more likely among adults with mental illness, compared with those without mental illness, according to a new government survey. The survey by the [Substance Abuse and Mental Health Services Administration](#) (SAMHSA) found the rate of alcohol dependence among adults with mental illness was 9.6 percent, compared with 2.2 percent for those without mental illness.

Medical News Today reports that the rate of alcohol dependence increases along with the severity of mental illness. While 7.9 percent of adults with mild mental illness were alcohol dependent,



that rate rose to 10 percent for those with moderate mental illness and 13.2 percent for those with serious mental illness.

“Mental and substance use disorders often go hand in hand. This SAMHSA study adds to the evidence of this connection,” SAMHSA Administrator,

Pamela S. Hyde, J.D., said in a news release. “Co-occurring mental illness and substance use disorders are to be expected, not considered the exception. Unfortunately, signs and symptoms of these behavioral health conditions are often missed by individuals, their friends and family members and unnoticed by health professionals. The results can be devastating and costly to our society.”

Editor's Note: Release from the Partnership at drugfree.org/Join Together, dated June 3, 2011.