



## DWI Courts

DWI Courts are specialized, post-conviction court programs that provide a structure of appropriate treatment, supervision, and accountability. These specialty courts follow the well-established Drug Court model and are based on the premise that drunk driving can be prevented if the underlying causes of the DWI offending (e.g., substance dependence and mental health issues) are identified and addressed. Unlike the Drug Court model, offenders who participate in DWI Courts do not have their convictions expunged upon successful completion of the program.

The population that these courts are developed for are DWI offenders who are not deterred by traditional sanctions and are most resistant to behavior change (demonstrated by their multiple convictions). These offenders are classified as high risk/high need. Each DWI Court participant will have an individualized supervision and treatment plan that is designed to address both their risk level and their needs.

In contrast to the traditional court process which is adversarial in nature, in DWI Courts a team approach is utilized. Judges, prosecutors, defense counsel, law enforcement, probation officers, treatment practitioners, and other involved stakeholders work collaboratively with court participants and create both support and accountability. DWI Courts are expected to maintain fidelity to the program model and adhere to the National Center for DWI Courts' (NCDC) Ten Guiding Principles.

To ensure accountability, DWI Court participants are subject to intense supervision. More specifically, offenders are:

- Subject to scheduled and unscheduled visits to their home and place of employment;
- Required to adhere to both regular and random alcohol and drug testing requirements;
- Appear regularly before the judge to review their progress; and,
- Complete treatment that addresses underlying issues.

In the event of violations, DWI Courts are able to respond swiftly to the offender behavior with graduated sanctions. Practitioners also use positive reinforcements to encourage positive behavior and motivate offenders to seek long-term change.

### **Research Highlights:**

- A Michigan study of three DWI Courts found that participants were 19 times less likely to be re-arrested for another drunk driving offense during a two-year follow-up period than offenders processed through a traditional court (Carey et al., 2008). DWI Courts were also determined to be cost-effective and efficient in the adjudication and supervision of offenders.
- An evaluation of three Georgia DWI Courts funded by the National Highway Traffic Safety Administration (NHTSA) found that DWI Court participants had a recidivism rate of 15% (this includes participants who were terminated from the program in addition to those who graduated) compared to a recidivism rate of 35% among DWI offenders who were processed through traditional courts (Fell et al., 2011). It is estimated that DWI Courts prevented between 47 and 122 repeat DWI arrests over a four-year period.

- A study of the Waukesha County Alcohol Treatment Court in Wisconsin revealed that participants had a significantly lower recidivism rate two years post-entry when compared to traditional probationers (29% versus 45%) (Hiller and Saum, 2009).
- In evaluations of DWI Courts in Arizona (Maricopa County), California (Los Angeles County), and Georgia (Athens), it was found that graduates had lower recidivism rates than offenders processed through traditional courts (Marlowe et al., 2009).

### **Responsibility.org Position:**

The Foundation for Advancing Alcohol Responsibility (Responsibility.org) supports the DWI Court model and recognizes the importance of utilizing an approach that balances accountability and rehabilitation to address offending among the high risk/high need DWI offender population. We believe that it is imperative to screen, assess, treat, and intensely supervise repeat offenders who are at heightened risk of recidivism which are all important components of DWI Court programs. Responsibility.org further supports NCDC's expansion efforts to bring this model to counties across the country to address the problem of hardcore drunk drivers.

### **References**

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Marlowe, D., Festinger, D., Arabia, P., Croft, J., Patapis, N., & Dugosh, K. (2009). [\*A systematic review of DWI court program evaluations\*](#). *Drug Court Review*, 6(2), 1-52.

National Center for DWI Courts (NCDC). [\*Ten Guiding Principles\*](#).