



DWI Courts: Making Your Community A Safer Place

A Publication by the

NATIONAL CENTER FOR DWI COURTS



Special Points of Interest on DWI Courts.

There are 110 designated DWI Courts in the country.

There are 286 "Hybrid" DWI Courts in the country.

A "Hybrid" DWI Court is a court that started as a Drug court and then added a track to the docket for DWI offenders .

DWI Courts—Trained to Be the Best

Across the country, DWI Courts are growing in number and in impact. However, just saying a court is a "DWI Court," does not make it one. There are a number of criteria that must be considered, such as, does it follow the 10 Guiding Principles as described by the National Association of Drug Court Professionals (NADCP). Is it a court that uses intensive supervision and treatment with rapid accountability when the person doesn't follow through? Is it a court that involves all components in the justice system, law enforcement, prosecutors,

defense attorneys, probation, treatment, and of course the judge? In a DWI Court, these individual components work together with a common purpose. These are a few important questions to ask to determine if the court truly is a DWI Court.

Additionally, an important factor of any DWI court is the initial training everyone on the



DWI Court Teams being trained in Newport Beach, California.

team receives. A DWI Court changes the DWI offender's knowledge and behavior because the DWI Court team has a new awareness and understanding on how to act, and how to respond.

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A critical component of any DWI court is the evaluation of the program. The 9th Guiding Principle discusses how a credible evaluation will demonstrate the effectiveness of the program – and build support with the



A poor evaluation can be a weak link.

stakeholders of the DWI court, and the community at large. But what is a "credible" evaluation? What information is needed to do one? One possible tool is the *Treatment Research Institute Court*

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The team has increased knowledge on the ways to impact someone dependent on alcohol, and they have learned to work together as a team, relying on each other's judgment. To gain this knowledge, and understand the changes each team member must go through, the team must be trained. It is through comprehensive training and support that a DWI court through its team can take the giant step to change people's lives for the better. The National Center for DWI Courts (NCDC) – a division of NADCP – is now the key organization for that training. With the funding and partnership of the National Highway Traffic Safety

Administration (NHTSA), two training programs were developed and implemented to assist DWI Courts, a 3 ½ day course and a 1 day course. Which training program a team

attends, will depend on the current status of the court.

The 3 1/2 Day Training

The 3½ Day Planning Training is designed for courts that are not currently operating a drug or DWI court. It is a team oriented, comprehensive training which is key to the planning and

development of a DWI court. Lead by experienced faculty currently participating in DWI courts, using group lectures and breakout sessions, the participants are walked through all aspects of a DWI Court and the role each person plays.

Key issues addressed in the training include the development of:

- Mission statement, goals and objectives
- Target population, eligibility criteria and disqualification criteria
- Court model
- Identification, referral, screening, assessment and admission process
- Phases, phase duration and phase transition criteria
- Treatment, supervision and drug testing protocols for each phase
- Formation of graduation and termination criteria
- Court responses to client behavior and algorithms of incentives and sanctions
- Long-term sustainability plan that includes traditional and nontraditional funding, community mapping, resource development, evaluation and monitoring.



Judge McMillen facilitates a team's discussion at a training in Newport Beach, California.

When a team leaves the training and heads home, they leave with a rough draft of a policy and procedures manual; a vital tool in operating a DWI Court. It is that manual that sets out the criteria for the team and allows each team member to understand the purpose and limitations of each other and the court. But more important, in many respects, they leave the training with a greater understanding of how a DWI Court works, why it works, and what each of their roles will be for it to succeed.

1 Day Training

If a court is already operating as a Drug court, then, it will have a basic policy and procedures manual, and the team will already understand a good portion of their roles. However, what the team will need is a clear understanding of the differences between a person addicted to illegal drugs, and one to the legal drug known as alcohol and the ways to respond that may be unique for that person. That is the

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reason for the one-day enhancement training. The one-day training is designed for operational drug court teams that would like to expand their target population to include impaired drivers. Drug offenders and DWI offenders are two distinct and different groups. Responding to each takes different actions. Topics at the one-day enhancement training include:

- Targeting the Problem;
- The Guiding Principles of DWI courts;
- Developing the DWI Court Treatment Continuum;
- Community Supervision Protocols; and,
- Sustainability of the DWI Court Program.

It is important to note that jurisdictions unfamiliar to the drug court concept should not choose the one-day training.

DWI Court members must work as a team, with each member of the team playing an integral role. So it is important that the entire team

attends the training. To participate in the DWI Court Training each community has to identify a DWI court planning team consisting of eight to ten people representing various professions which include the following:

- Judge
- Prosecutor
- Defense Counsel
- Treatment representative
- DWI/drug court coordinator/ Planning coordinator
- Expert in research or evaluation
- Probation/Supervision
- Law Enforcement

By having that training as a group, each member is hearing the same information, and then able to discuss it with the other team members during the training. This provides that opportunity to build each person's knowledge, understanding, and trust.

Support by NHTSA and SHSO

While these training programs would not happen without support from NHTSA, it is important to also recognize the support of the individual State Highway Safety Office (SHSO). It is the SHSO that covers the travel costs for the team, such as airfare, lodging, and meals.

In offering training and technical assistance through NCDCC, NHTSA and the SHSO's are demonstrating a commitment to working with local communities to prevent and control impaired driving, substance abuse, and crime. With a well trained team, that commitment will be continued.

It is through comprehensive training and support that a DWI court through its team can take the giant step to change people's lives for the better.

The training can never be planned too far in advance. The application for the next calendar year has been sent out to the NHTSA regions, SHSOs, other state agencies, and associations across the country. If you are interested in starting the discussion, contact your State Highway Safety Office for the application, or contact David Wallace, Director of the National Center for DWI Courts at dwallace@nadcp.org.

Properly trained DWI Courts are changing the face of the Criminal Justice System. They are changing the behavior of the people participating in the court. They are making our roads and our families safer.



Training the team together builds an effective DWI Court

DWI Courts—A Law Enforcement Officer's Viewpoint

By:

Joseph Lumpkin, Sr.
Chief of Police
Athens-Clarke County



Chief Lumpkin

As a former commander of the police department's DWI Task Force, I know first hand of the tremendous human and material devastation caused by the revolving door of drunk driver arrests and ineffective dispositions. Fortunately, since early 2001, Athens-Clarke County (ACC) has benefited tremendously from the outcomes of the Athens-Clarke County State Drug Court. The results produced by this Court have significantly improved the overall public safety of Athens-Clarke County.

The Drug Court program encompasses a multifaceted approach to combating substance abuse issues underlying the repetitive pattern of persons driving under the influence of alcohol or other drugs in ACC. The program has also effectively informed citizens of the multiple benefits which are derived through the operation of the program. In the first six years of the program, not a single graduate received a new DWI conviction; and reducing recidivism continues to be the top program priority. The Court's results are truly remarkable given

the average participant has five DWI convictions.

Program Description

The program's success can be attributed to the dedication of all the individual stakeholders, particularly the tireless efforts of Judge Kent Lawrence. It is through such dedicated individuals that the five key components of the program are maintained. The program requires:

- Individual Accountability
- Enhanced Supervision
- Extended Counseling and Treatment (for a minimum of 12 months)
- Frequent and Random Drug Testing
- Direct Contact with a Judge (minimum two times a month)

The DWI/Drug Court Program has demonstrated to participants that they are not alone in their attempt to harness their addictions. As such, the

The results produced by this Court have significantly improved the overall public safety of Athens-Clarke County.

DWI/Drug Court provides for an enhanced level of supervision coupled with organized, specific, monitored substance abuse treatment. Individuals potentially qualify for the program if he/she exhibits: a 2nd in 5 years DWI, 3rd lifetime DWI, and/or a combination

of criminal acts and substance abuse that indicates a need for an enhanced level of supervision to redirecting behavior. In exchange for an individual's adherence to the program's firm guidelines and requirements, participants receive reduced jail sentences. To accomplish its goal, the program is divided into five successive phases of operation that a participant must satisfactorily complete prior to graduation from the program.

The phases include:

- Phase I – Jail, Orientation and Intake
- Phase II – Extended Assessment and Pretreatment Tasks: (Minimum 8 weeks)
- Phase III – Active Treatment and Early Recovery: (Minimum 24 weeks)
- Phase IV – Relapse Prevention: (Minimum: 16 weeks)
- Phase V – Continuation of Care and Maintenance: (Until Graduation)

Law Enforcement Perspective

From a law enforcement perspective, the benefits gained from the program are substantial as evidenced by the decreased levels of DWI among the participants. Additionally, Athens-Clarke County experiences reduced roadway carnage and material loss as well as costs associated with police services, jail and court time (jail cost avoidance

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A Law Enforcement Officer's Viewpoint

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savings estimated at approximately \$100,000 per year). The accountability instilled in participants returns the offender to the community as a productive member of society less likely to pose a potential public danger.

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A number of my current DWI Task Force officers have noted the benefits of the program. One traffic supervisor observed the decreased rate of recidivism has been recognized by a number of line officers. He noted that prior to the DWI/Drug Court, "it was common for more than one of our officers to have arrested the same offender a number of times for DWI in a relatively short period of time; this does not appear to be the case as it once was."

Officers have also observed that for anyone "to be successful in [Judge Lawrence's] court room required diligent preparation, knowledge, professionalism and just plain old effort." Such a demand for quality performance ensures that DWI/Drug Court "participants are willing to accept responsibility for their actions, and

their rehabilitation." Such glowing benefits are echoed in the accounts of graduates of the program that describe the program as an "insurance policy," a means of obtaining a "good look at self," a program that has provided "endless benefits," and even a means for a "different outlook on life." Given the many potential benefits

a DWI/Drug Court presents for any jurisdiction, I encourage police departments to actively support the formation and operation of DWI/Drug Courts as a means of improving overall public safety.

Editor's Note: Chief Lumpkin has over 15 years as a Chief of Police with 3 different departments. He has been Chief to the Athens-Clarke County Police Department since January 13, 1997. He has been employed as a law enforcement officer for 36 years.



Officers are seeing a decrease in recidivism.

TRI-CEP and DWI Court Evaluations

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Evaluation Program or TRI-CEP. This program not only allows the court to keep up-to-date records on all of the participants, it will also provide all the information needed to do an effective evaluation.

TRI-CEP™ is a web-enabled performance monitoring tool built to measure all of the performance indicators and outcome variables needed to evaluate a DWI Court Program. Transmissions are security protected using industry-standard 128 bit SSL encryption and levels of access can be regulated for different users. For example, the judge might be authorized to view all data-entry screens whereas a probation officer might be limited to viewing probation and treatment screens.

Following the principle of "less is more," users only see those data-entry screens that are directly relevant to their jobs and do not need to wade through multiple screens or columns of information. The screens are arranged just like one's own appointment calendar and automatically date-stamp all information. Using a familiar and simple point-and-click approach, the screens look just like the types of web pages one routinely encounters when purchasing items or conducting searches on the internet. There are no spreadsheets to look at and no lines of data. Simple-to-use

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Upcoming Conferences and Training Programs

**NADCP's 15th Annual Drug Court Training
Conference**

June 10-13, 2009
Anaheim, CA

**National Drug Court Institute and the National Highway
Traffic Safety Administration:**

3.5 Day Planning Training Programs

July 15-18, 2008—Athens, Georgia

For more information on the NADCP Annual Drug Court
conference go to: www.nadcp.org.

Applications are now being taken for next year's
training programs—both the 3.5 Day training and the 1
day training. For more information contact David
Wallace at dwallace@nadcp.org.

We're on the web
www.nadcp.org

Evaluating a DWI Court—Strength with TRI-CEP

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windows ask for information in a straightforward and intuitively simple manner. It takes less than 2 minutes to enter all of the required weekly data elements for immediate and real-time statistical reports to be generated for various needs. The data can also be depicted in graphic or tabular form to assist in interpretation of the results.

Finally, TRI-CEP ensures accountability on the part of program staff. It routinely prods staff members for missing information and keeps track of whether data elements are being entered in a timely manner. This permits the judge and other managerial staff to address

problems of poor data-entry in real time, rather than months after the fact when it is often too late to retrace one's steps and figure out where the problem lies with the information.

Because TRI-CEP is web-enabled, it can be used by anyone who has a computer with high speed



**Too much paper? TRI-CEP is
web-enabled.**

internet access, a web browser, and security access. The system can be hosted on a program's or jurisdiction's own server, or alternatively it can be hosted on a secure server at the Treatment Research Institute. Hosting the system at TRI permits scientists to customize features of the tool for local purposes, manage the database, and program aggregate statistical reports as needed.

Pricing is based on the number of staff members and clients who will be using the system, whether the system is being hosted locally or at TRI, and whether customization of the tool is required. For additional information contact Meghan Love at mlove@research.org or 215-399-0980.