

The DWI Court **HotSheet**

A Publication by the  **NCDC**
National Center for DWI Courts
Making your community a safer place

NTSB Calls on States to Continue Adopting Most Wanted Items To Improve Highway Safety—Wanted Items include DWI Courts

At a recent press conference in Washington D.C., The National Transportation Safety Board (NTSB) Members reviewed the past year's progress in getting States to enact safety legislation and updated the public on the status of the State portion of the NTSB's Most Wanted List.

When discussing highway safety, the board emphasized 5 specific areas of concern:

- Child Occupant Protection;
- Primary Seat Belt;
- Enforcement Laws;
- Eliminating Distractions for Young Drivers; and,
- Eliminate Hard Core Drinking Driving.

In each of these areas, the Board had specific suggestions on ways the States can make their highways safer.

"Well over 90 percent of the nation's transportation fatalities occur on our roads," NTSB Acting Chairman

Mark V. Rosenker said at the press conference. "Enactment of life-saving highway legislation is best done at the State level, and that is why we place so much emphasis on recommendations to state governments."

Hard Core Drinking Driving

Of the 17,036 alcohol-related highway fatalities in 2007, hard core drinking drivers (repeat offender-drinking drivers with a prior DWI arrest within the past 10 years or offenders with a BAC of 0.15 percent or greater) were involved in almost 54 percent of them. In 2006, hard core drinking drivers were involved in a minimum of 9,414 (53.5% of all) alcohol-related fatalities, the estimated cost of which was over \$9.1 billion.

The Board has recommended a model program involving 11 elements aimed at keeping hard core drinking drivers off the road. These drivers pose an increased risk of crashes, injuries, and fatalities.



Acting Chairman Mark V. Rosenker discusses NTSB's Most Wanted Items at a recent press conference.

DWI Courts

Included in the 11 elements aimed at combating hard core offenders, NTSB called for action by the states to "[e]stablish individualized court-based sanction programs, such as DWI courts, with frequent offender contact, unannounced testing, mandatory assessment, treatment, and long-term follow-up."

"Impaired driving is a crime," said Mr. Rosenker. "But we're burying our heads in the sand if we think that more fines, more jail time is all we should do to get drunk drivers off the road. And that's

particularly important for getting the hard core drinking driver off the road."

In wrapping up his comments, Mr. Rosenker declared: "The American people deserve better protection from hard core drinking drivers than they are getting right now."

Providing Protection

DWI Courts are providing that protection. These courts are accountability courts, holding the hard core impaired drivers accountable for their decisions; decisions made before the arrest—to drink and drive; and their

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December is National Drunk & Drugged Driving Prevention Month

The holiday season between Thanksgiving and New Year's is one of the deadliest and most dangerous times on America's roadways due to an increase in impaired driving. Since 1981, every President of the United States has demonstrated the commitment to preventing impaired driving by proclaiming December as National Drunk & Drugged Driving (3D) Prevention Month.

Alcohol impaired driving is one of America's most-often-committed and deadliest crimes.

- In 2007, 17,036 people were killed in alcohol-related fatalities. 12,998 of those individuals were killed in alcohol-impaired driving crashes which involved a driver or motorcycle rider (operator) with a blood alcohol concentration (BAC) of .08 or higher. 66%, or 8,698 persons, had a BAC of .15 or above.
- During the month of December, 3,235 people were killed in crashes on America's roadways in 2007. Of that number, 992 people were killed in crashes that involved driver or motorcycle rider (operator) with a blood alcohol concentration (BAC) of .08 or higher. 491 of those persons had a BAC of .15 or greater.

NTSB Provides Most Wanted List—List Includes DWI Courts

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decisions made after the conviction—to comply with a court's order and follow through with treatment.

“We are very gratified that another agency of the federal government has recognized the importance of DWI Courts,” said David Wallace, director of the National Center for DWI Courts. “It is important to get the word out, that hard core impaired drivers are dangerous. They need to be closely supervised and held accountable for their actions while getting the long-term treatment they need. DWI Courts do that.”

Using sanctions and incentives, all of the criminal justice stakeholders (judge, prosecutor, defense attorney, law enforcement, probation, and treatment providers) work together to change the offender's behavior. But this takes time, and hard work by the offenders.

“This is not a vacation for DWI offenders,” said Wallace. “Change for anyone is difficult, and these are people dependant on a chemical substance, alcohol, which is also a legal substance. Without the courts to enforce the intensive treatment required, they won't follow through to change their behavior.”

A recent study from Michigan examined three separate DWI courts to determine if they reduced an offender's recidivism. It determined that participants in the

DWI courts were substantially less likely to be arrested for a new DWI offense or any new criminal offense than individuals sentenced in a traditional court within 2 years of entering the DWI Court. For example, in one court system, persons that did not go through the program were 3 times more likely to be rearrested for a new criminal offense and 19 times more likely to be rearrested for a DWI charge. In other words, the recidivism rate was significantly lower for the DWI Court participants.

Currently there are 445 DWI courts in the country. With their rapid expansion and proven effectiveness, DWI Courts are changing the mindset of criminal justice professionals and effecting how hard core DWI offenders are handled. Treatment with intensive supervision works with this population—and promises better long-term outcomes, through decreased recidivism.



A display at the NTSB press conference

Reaching a .15 BAC is not from social drinking. It takes 8 beers in 3 hours to reach that level.