

Models, Funding, Strategies for DUI Courts: Adapting to Covid, Assistance from NHTSA

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September 2, 2021

Learning Objectives

After this session you will be able to:

- 1. Understand the important role judges can play in effectively handling impaired driving offenders on a larger scale.
- 2. Recognize all high risk cases involving impaired driving, and apply evidence based strategies to effectively supervise those individuals and minimize the negative impact they have on our communities.
- 3. Develop strategies for imposing effective sentences and supervision on a larger scale to more significantly reduce recidivism in impaired driving cases.

Latest Updates and Research on DUI Courts

Evolution of Court Involvement in
DUI Supervision –

Going to Scale

Principles

➤ Risk Principle

- Target ALL high risk offenders

➤ Accountability

- Monitoring
- Role of the Judge

➤ Program is Data-Driven & Evidence-Based

➤ Early Intervention



Identify All High Risk DUI Offenders



DUI Offenders

All DUI offenders are high risk.



= True



= False

Identifying High Risk DUI/DWI Offenders

- Most DUI offenders do not re-offend
- Repeat DUI offenders have already done so
- Groups over-represented in crashes
 - BAC .15% or greater
 - Repeat DUI offenders

Identifying High Risk Offenders

California Repeat DUI/DWI Offenders (2015)

- 1.43% of drivers
- 24% of DUI arrests
- **59%** of drivers in fatal & serious injury impaired driving collisions

DUI Offenders

DUI offenders are different than traditional criminal justice offenders.



= True



= False

IDENTIFYING HIGH RISK DUI OFFENDERS - TOOLS

- *~20% of repeat DWI offenders who score as high risk for a DWI score as low risk on traditional probation risk tools*
- Any tool needs to be DUI specific
 - Colorado study found different population
 - Traditional tools underscore risk

IDENTIFYING HIGH RISK DUI OFFENDERS - TOOLS

- Triage/Screening Tools
 - Needs to be validated for DUI offenders
 - Can be done efficiently in real time
- Assessment Tools
 - More detailed but much longer

The Under-Recognized Group

- High risk for re-offense but low substance use disorder (SUD) needs
 - Very different
 - Issues generally cognitive behavioral
 - Need to be handled differently

Repeat Offenders Break Out

Risk/Needs Data - All Repeat Offenders
1650 in S.J. County since 2015

28%	High Risk High Needs	Low Risk High Needs	4%
49%	High Risk Low Needs	Low Risk Low Needs	18%

Let's Review!

(Select correct answer)

The largest percentage of repeat offenders score as:

- a) High Risk and High Needs
- b) Low Risk and High Needs
- c) High Risk and Low Needs
- d) Low Risk and Low Needs



Using Monitoring & Accountability To Get To Scale



**Evidence shows monitoring reduces
recidivism among DUI/DWI offenders.**

True

False

It Depends

Monitoring / Accountability

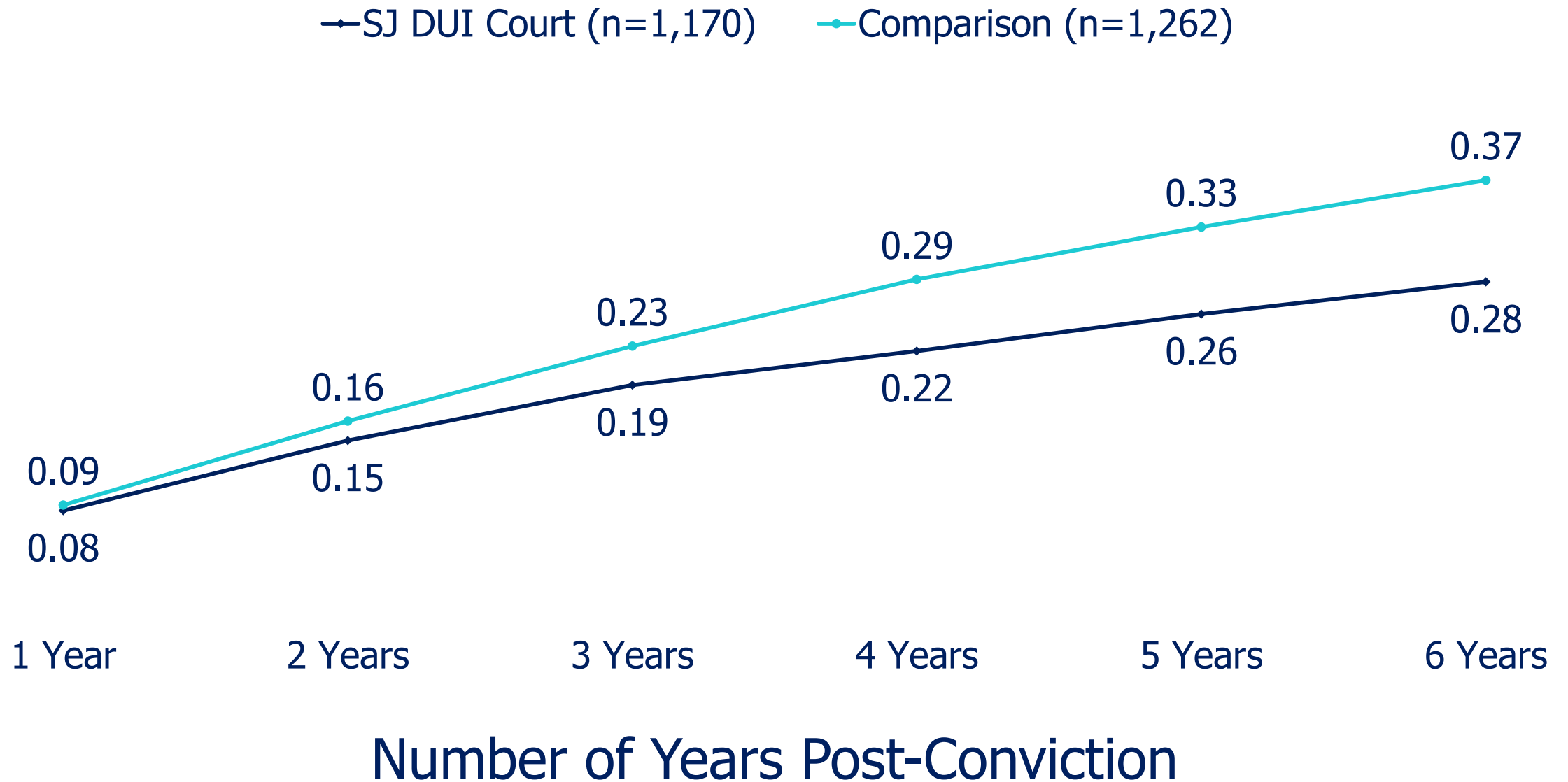
- Monitoring works if verified
 - No effect if not verified
- Reduction in recidivism while monitored
 - Ignition Interlock Study in California - 3 months
 - NHTSA study on transdermal monitoring – 4 months
- Reversion to norm upon removal
 - 3 months & 4 months

Monitoring / Accountability

2019 San Joaquin County DUI Court Longitudinal Study

- 1 year of monitoring with installation verified
- No reversion to norm upon removal
- Reduction in recidivism increased every year for all 6 years measured

Participants in SJ DUI Court had 24% Fewer DUI Convictions 6 Years After Program Entry



Let's Review!

(Select correct answer)

What length of time of monitoring does evidence show produces long term behavioral change?

- a) 1 month
- b) 3 months
- c) 4 months
- d) 6 months
- e) 1 year

Types of Monitoring

1. Alcohol - Breath
 - Ignition Interlock Device (IID)
 - Portable Breath Testing
 - 24/7
2. Alcohol - Transdermal
3. Drug testing
 - Urine 2-3 times per week
 - Random
 - Oral fluid

Negative Sanctions

Positive
Reinforcement

What type of response to behavior gets the largest reduction in recidivism?

Jail

All equally

Role of the Judge

- Largest effect
 - Cannot be done as effectively by others
- Use of evidence based behavior change principles
 - Swift & certain responses: severity irrelevant
 - Negative responses: lowest level possible
 - Positive responses: most important

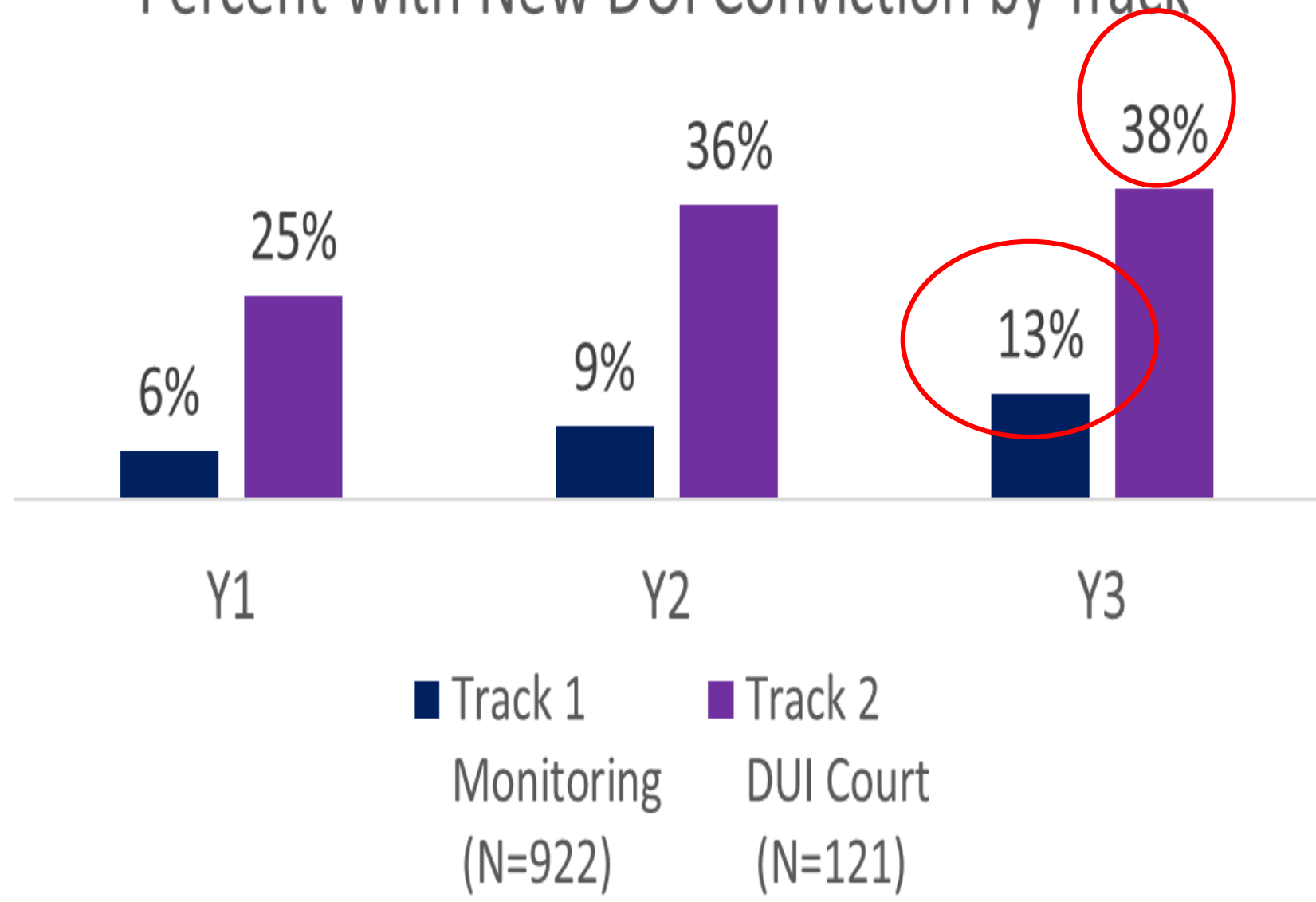


Some Data on Monitoring Effect



Track 1
(HR/HN)
vs
Track 2
(Majority HR/LN)

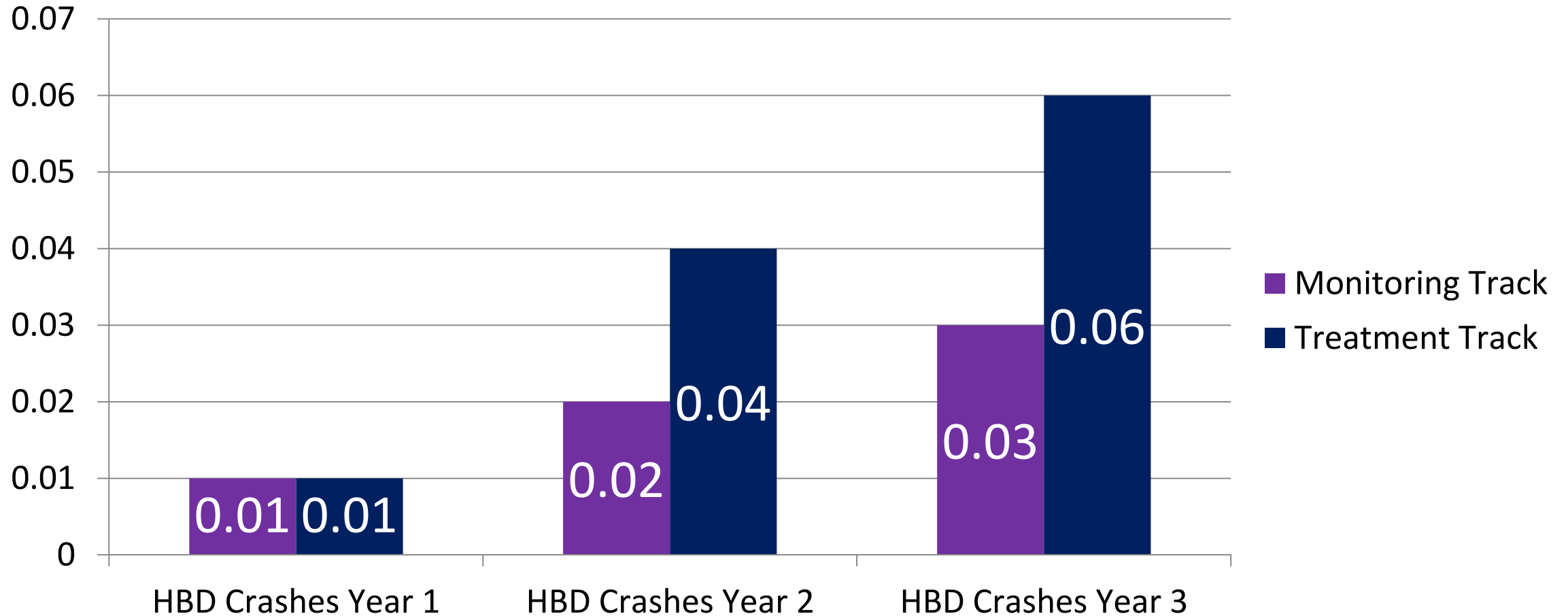
Percent With New DUI Conviction by Track



San Joaquin County DUI Court: 2020 Track Comparison Study

Monitoring Track v. Treatment Track

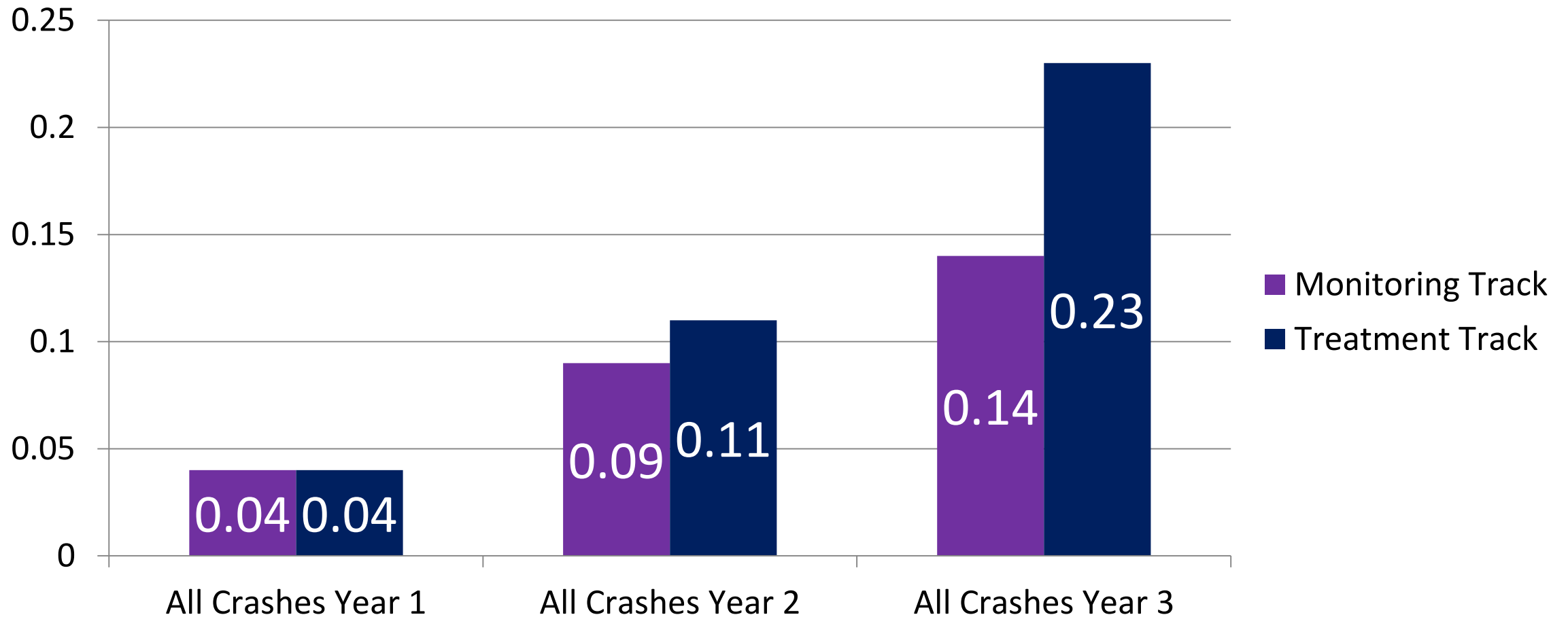
HBD Crashes



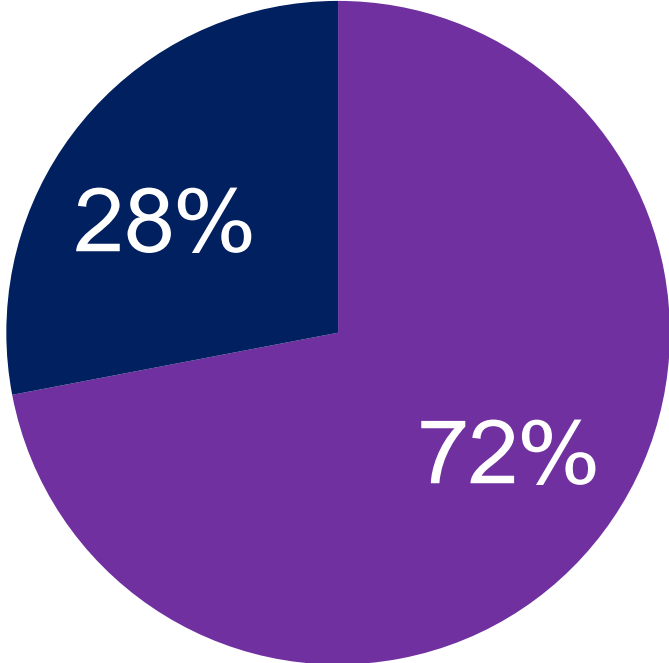
San Joaquin County DUI Court: 2020 Track Comparison Study

Monitoring Track v. Treatment Track

All Crashes



Overall Track %

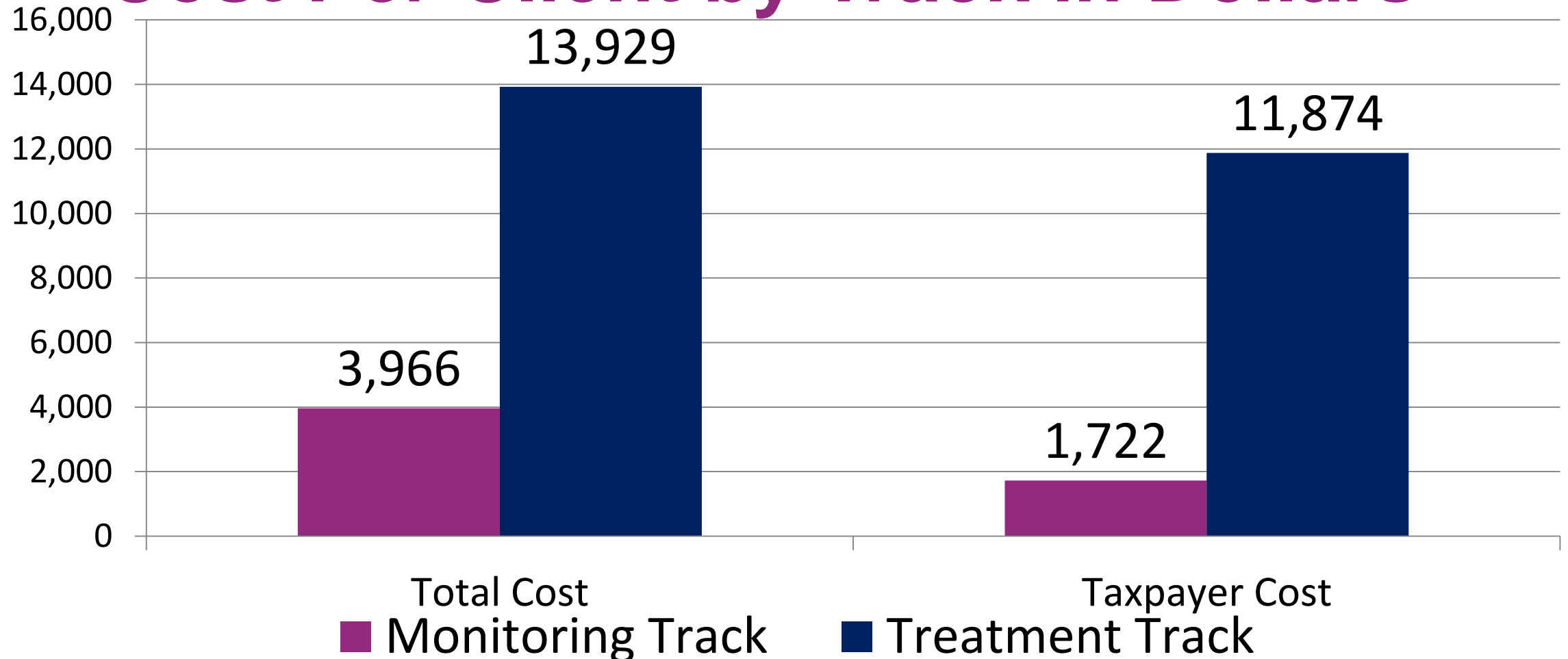


■ Monitoring Track Approx. 3,672 ■ Treatment Track-Approx. 1,428

San Joaquin County DUI Court: 2020 Track Comparison Study

Monitoring Track v. Treatment Track

Cost Per Client by Track in Dollars

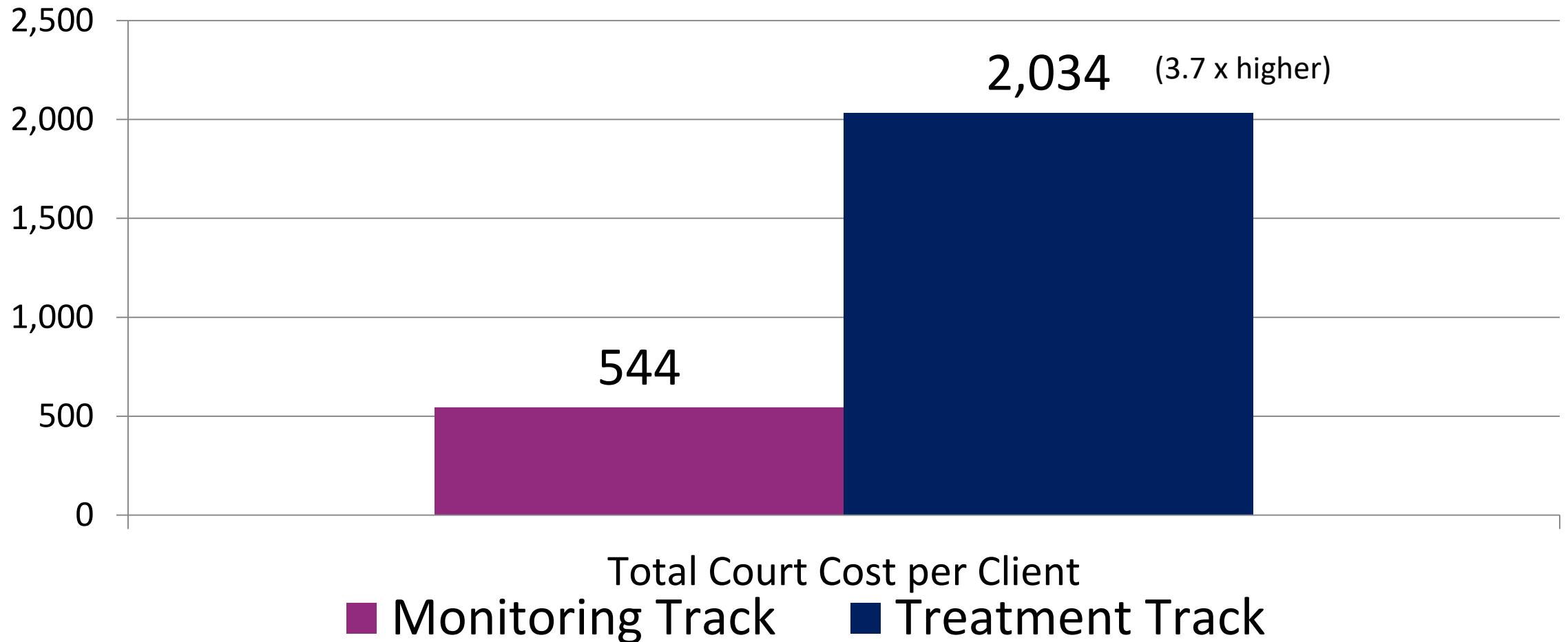


Monitoring Track - 70% of Participants/28% of Total Costs

Only 14% of Taxpayer Costs

SJ DUI Court: 2020 Track Comparison Study Court Time

Court Session Cost Per Client by Track in Dollars



San Joaquin Experience

Two Tracks for All
Repeat DUI Offenders

1. Treatment Court
2. Monitoring



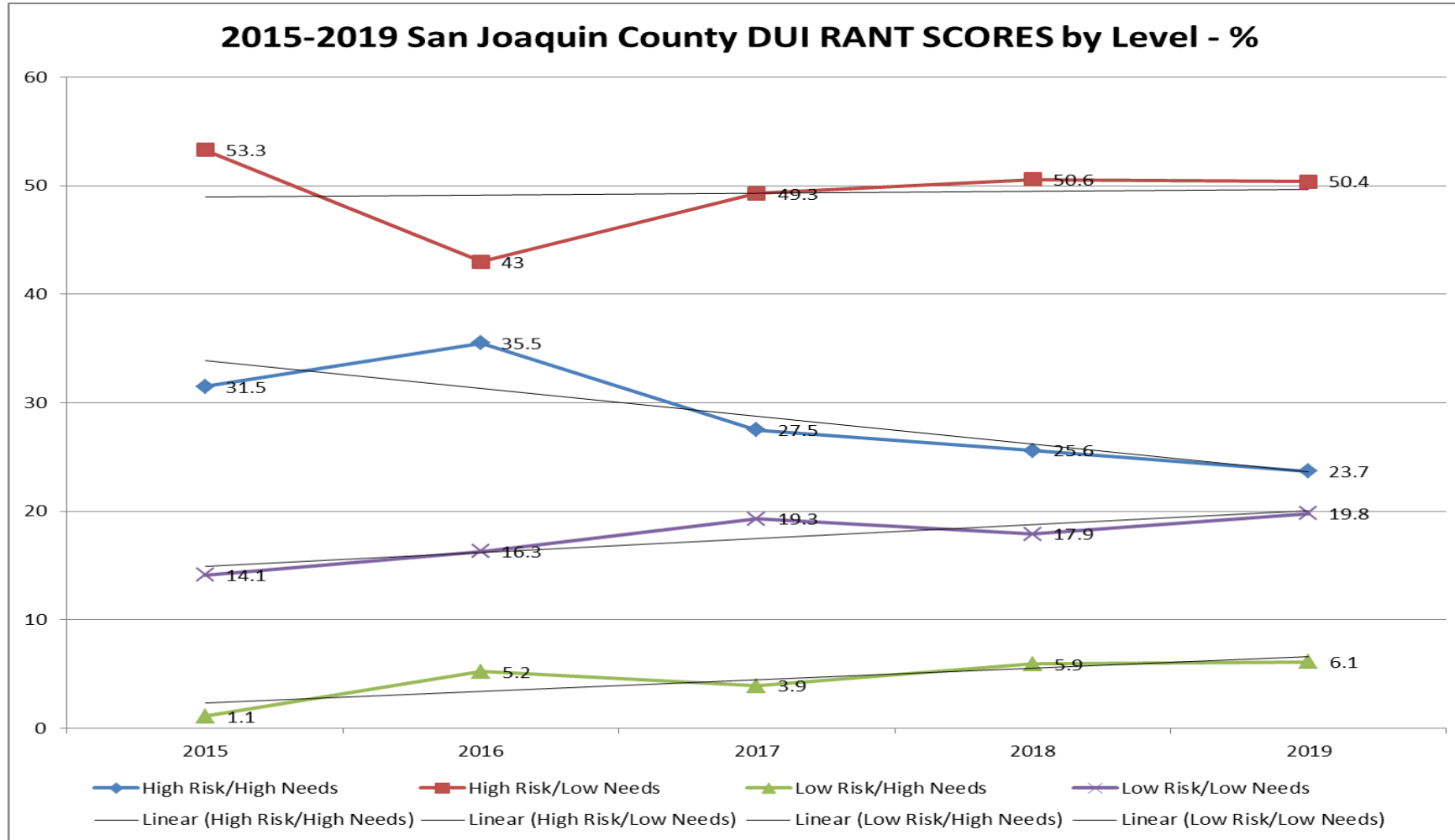
1. Treatment Court Track

- Critical for significant percentage: 28%

2. Monitoring Track

- Greater number: 72% of repeat offenders
- Lower cost: 71% less total; 85% less to taxpayer
- Lower recidivism; less crashes and HBD crashes

Value of Early Intervention Less High Risk Repeat Offenders?



High Risk/High Need down 25%

Low Risk up 58%

Thank You!

Questions?

Comments?