

The Promise of DWI Courts

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Learning Objectives

As a result of this session, you will be able to:

- Introduce how DWI Courts operate in both a traditional & multi-track model
- Apply the practices supported by the evidence-based research from the success of DWI Court for offenders, the judicial system, and the community
- Discuss how DWI Courts can improve sentencing outcomes
- Identify and explain the benefits of the DWI courts, and the need for these courts from a judges' perspective

What Are DWI Courts?



Problem Solving Courts (a.k.a. Treatment Courts)

DWI courts are a part of the family of treatment-focused therapeutic courts that include:

- Drug Courts
- Juvenile and Family Drug Courts
- Campus Drug Courts
- Veterans Treatment Courts
- Mental Health and Co-occurring Disorders Courts
- Tribal Healing to Wellness Drug Courts
- State and Federal Reentry Drug Courts



WHAT IS A DWI COURT?



collaborative team approach

holistic and comprehensive

change behavior

court

monitoring

accountability

high-risk / high-need

long-term treatment

frequent alcohol and drug

testing

recovery

intensive

non-adversarial

supervision

DWI Courts: An Overview

- a.k.a. DUI Courts, Sobriety Courts, etc.
- a distinct or specialized docket dedicated to addressing the high-risk/high-need offender
- typically operates in a post-conviction model using intensive supervision and treatment.
- *GOAL: change behavior & reduce likelihood of further recidivism*



DWI Courts: An Overview (cont'd)

- Developed as a more effective judicially coordinated treatment-focused program to help reduce the adverse impact of repeat alcohol offenders on the court system and the community at large.
- The Court directly manages, oversees and supervises treatment and recovery.
- The Court recognizes day-to-day success and failure on the spot with a system of sanctions and incentives while working with treatment providers to enforce and adjust treatment plans.

DWI Courts: Key Elements

- Coordinated team approach
- Comprehensive therapeutic approach
- Intensive monitoring
- Incentives & sanctions



Team Composition

Defense Counsel
Representative

Community
Supervision

Evaluator



Judge

Prosecutor

Law Enforcement
Officer

Program
Coordinator

Treatment
Representative

Benefits of Collaboration

- Team dynamics
- More current information
- Integrated case planning to facilitate change
- Understanding where the participant is at & meeting their needs in real-time
- Addressing behaviors and barriers to decrease risk factors



Why Have a DWI Court?



Goals & Considerations

1. Goal is to move from compliance to commitment
2. Coerced treatment works
3. Every member of DWI Court team is in a therapeutic relationship with client
4. Care & concern are more effective than confrontation & consequences
5. Team can help identify barriers to success

Goals & Considerations (cont'd)

6. Individualized treatment plan
7. Engage offenders in treatment long enough to move from short-term compliance to commitment
8. Prompt responses to successes & failures
9. Hold offenders accountable
10. Address all needs so to reduce recidivism

Universal Components of DWI Courts

1. Community Partnerships & Collaborations
2. Judicial intervention/intensive supervision
3. Early identification of clients
4. Integrated treatment in justice processing
5. Continuum of services
6. Non-adversarial team approach
7. Frequent testing to ensure compliance
8. Coordinated strategy of responses to client behaviors – sanctions & incentives

Quality Control

As Promulgated by National Center for DWI Courts

- 10 Guiding Principles of DWI Courts
- Best Practice Standards





NCDC

National Center
for DWI Courts

Making Your Community A Safer Place

The Ten Guiding Principles Of DWI Courts

1. Determine the Population
2. Perform a Clinical Assessment
3. Develop the Treatment Plan
4. Supervise the Offender
5. Forge Agency, Organization, and Community Partnerships
6. Take a Judicial Leadership Role
7. Develop Case Management Strategies
8. Address Transportation Issues
9. Evaluate the Program
10. Ensure a Sustainable Program

Operating a DWI Court

- Typically involves multiple phases over 12-24 months
- Individualized treatment and supervision plan
- Alcohol & drug testing is both random and frequent
- Frequent court review sessions
 - the judge reviews the participants' progress
 - the team utilizes a range of incentives, sanction, and therapeutic adjustments toward the goal of changing behavior

Target Population

- Assessed using validated risk-assessment and clinical- assessment tools
- Identification of High-Risk High-Need population
- Repeat Offenders
- Subject to clinical disqualifications



DWI Courts: Step-by-Step

- initial clinical assessment
- development of treatment plan
- periodic meetings with case manager
- testing for alcohol and other drugs
- home and work visits
- violations are reported immediately
- court review sessions
- graduation



Complimentary Treatment and Social Services

- Clinical Case Management
- Mental Health Treatment
- Trauma-Informed Services
- Criminal Thinking Intervention
- Family & Interpersonal Counseling
- Vocational & Educational Services
- Medical & Dental Treatment
- Prevention of Health-Risk Behaviors
- Housing Assistance

Performance Review Hearings

- On a regular basis (e.g. every other week)
 - typically preceded by status conference with team
- Judge asks open ended questions
 - vital interaction with participant
- Supervision/Treatment/Testing updates
- Sanctions and rewards swiftly approved

Coordinated Strategy of Responses to Participant Behaviors



Immediate Consequences

- Consequences are imposed as soon after the violation as possible
- Rewards are given as soon as progress is achieved
- NOTE: Rewards more powerful than sanctions



Importance of Immediate Sanctions

- Can't wait to sanction on a VOP 6 months after a violation
- "You can't spank a puppy 6 months after peeing on the rug"



Incentives, Sanctions, and Therapeutic Adjustments: Examples

Incentives

- Praise
- Wheel
- Gift card
- Coin
- Leave court early
- Fee waiver

Sanctions

- ↑ testing
- ↑ appearances
- Letter of apology
- Reflective essay
- Community service
- Detention

Therapeutic Adjustments

- ↑ level of treatment
- Peer support
- Writing assignments
- MAT

DWI Court Funding

- Sources:
 - State Highway Admin.
 - Judiciary budgets
 - BJA & other grants
- Provides, in part, for:
 - Personnel
 - Treatment
 - Testing
 - Transportation



Sample DWI Court Funding Opportunities

- SAMHSA: <https://www.samhsa.gov/tloa/tap-development-resources/funding-opportunities>
- BJA: <https://bja.ojp.gov/program/adult-drug-court-grant-program/overview>



COST-EFFECTIVENESS

Maryland

DUI courts produce net cost-benefits to taxpayers of more than \$1,500 per participant and more than \$5,000 per graduate (2009).

Minnesota

DUI courts saved taxpayers \$700,000 annually and produced an average of \$2.06 (a high of \$3.19 in one court) in benefits for every \$1 invested – a 200% return on investment (2014).





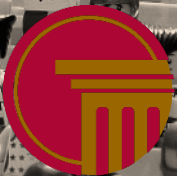
DWI COURTS REDUCE RECIDIVISM

Michigan
An analysis of three counties in a two-year period found DWI court participants were 19x less likely to be arrested for a DWI (2008).

Minnesota
An evaluation of nine DWI courts found that high-risk individuals had better outcomes, including reducing recidivism by up to 69% (2014).

Campbell Collaboration
A meta-analysis of 28 evaluations found an average reduction of DUI and general criminal recidivism by 12%. The best DUI courts reduced recidivism by 50-60% (2012).

Georgia
Repeat offenders graduating from DWI court were 65% less likely to be rearrested for a new DWI, and between 47-112 repeat DWI arrests were prevented (2011).



Campbell Collaboration Meta-analysis of 28 DWI Court Evaluations (2012)

- DWI Courts reduce recidivism by an average of > 12%*
- The best DWI Courts reduce recidivism by as much as 50-60%
- Decreases in recidivism provide substantial economic and public safety benefits

*Recidivism reductions likely higher - meta-analysis included all studies of early start-up courts

Reasons For DWI Court Success



TEAM APPROACH



**USE OF EVIDENCE-BASED
PRACTICES**



**INCENTIVES &
SANCTIONS**



**CLOSE SUPERVISION
& ACCOUNTABILITY**

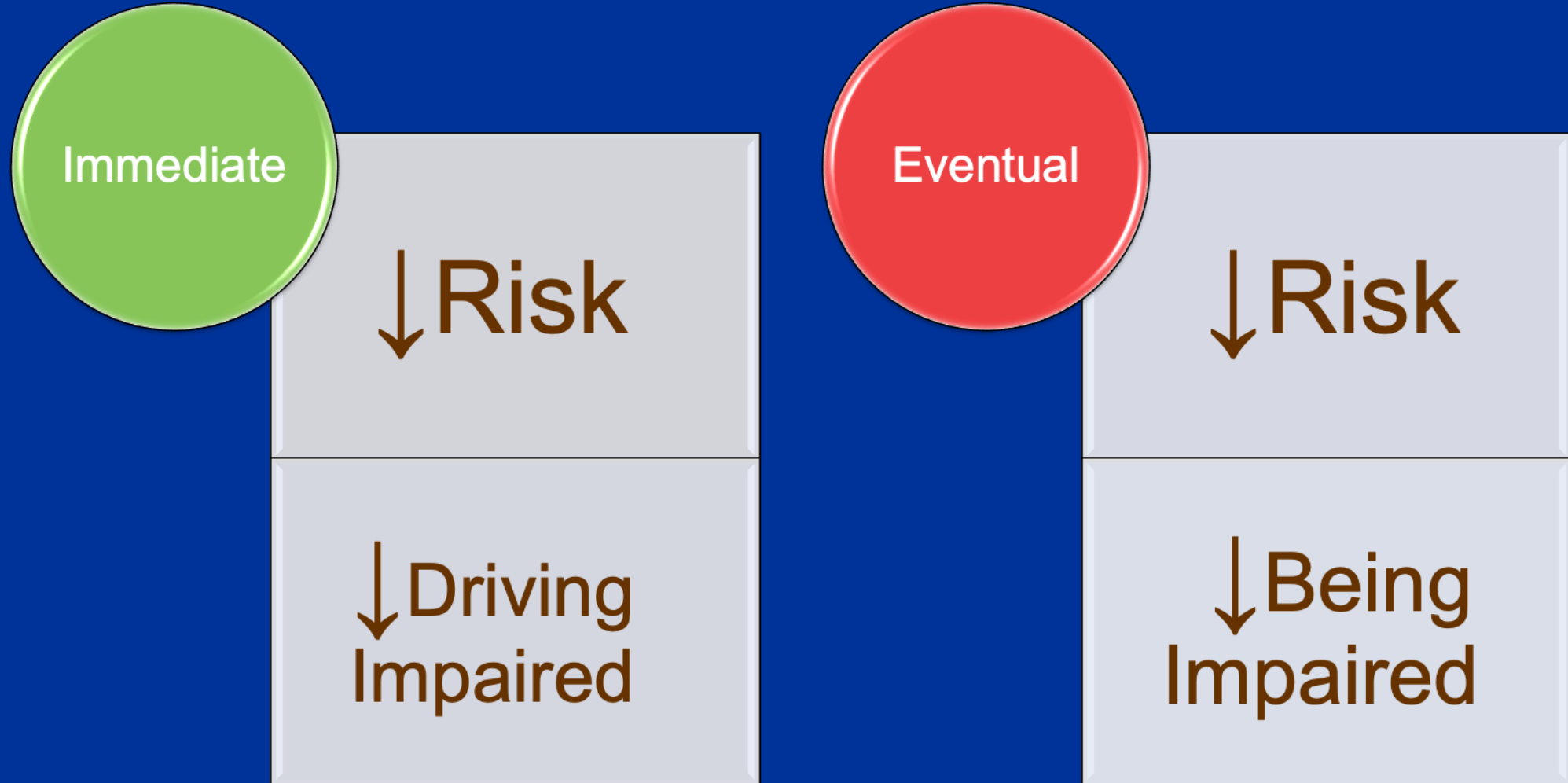


**CLOSE
COORDINATION
BETWEEN
TREATMENT &
SUPERVISION**



COMMUNICATION

How Do DWI Courts Help Prevent Impaired Driving?



Tip of the Iceberg



Multi-Track Models

- being developed to identify and address all repeat offenders by their risk & need
- placement of offenders into separate tracks designed to address the appropriate level of services and supervision

MULTIPLE TRACKS: AN EXAMPLE

High Risk

Low Risk

High
Need

High Risk (Q1) Track 1

Likely to be rearrested

High Need

Mod to severe MH/SUD

Low Risk (Q2) Track 2

Unlikely to be rearrested

High Need

Mod to severe MH/SUD

Low
Need

High Risk (Q3) Track 3

Likely to be rearrested

Low Need

Mild to no MH/SUD

Low Risk (Q4) Track 4

Unlikely to be rearrested

Low Need

Mild to no MH/SUD

A Bonus: Lessons from DWI Courts Are Transferable to Traditional Courts

- Quality assessments
- Individualized, flexible, treatment plans
- Increased/on-going judicial supervision
- Progress reports
- Better coordination between supervision & treatment
- Quicker response to relapse
- Incentives and sanctions
- Understanding of addiction & recovery
- Integration of social services

One Final Question: Do Drug-Impaired Drivers Belong in DWI Court?

- Repeat impaired drivers are different from clients in adult drug treatment courts not just in their criminal charges, but in many other important ways, including demographically and behaviorally.
- It doesn't matter whether the substance is alcohol, drugs or, most likely, a combination. DWI court practitioners—over others—are best equipped with the knowledge and tools to provide treatment and accountability to repeat impaired drivers in a way that balances public health and public safety.

The Bottom Line: DWI Courts Save Lives

DWI Courts are the most successful strategy for holding repeat impaired drivers accountable while ensuring they receive life-saving treatment



Great Resource



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Your Questions?

- How to reach me....

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