

Controlling the DUI Offender: Interlocks and Other Methods

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 Presentation to
Conference 2006
 Florida Association of DUI Providers



Topics

- Introduction: Overview of impaired-driving problem
- License suspension and the failure of DUI offenders to reinstate
- PARC: Florida's test of a new level 1 DUI education program
- Vehicle sanctions
- Interlocks
- Future methods for controlling DUI

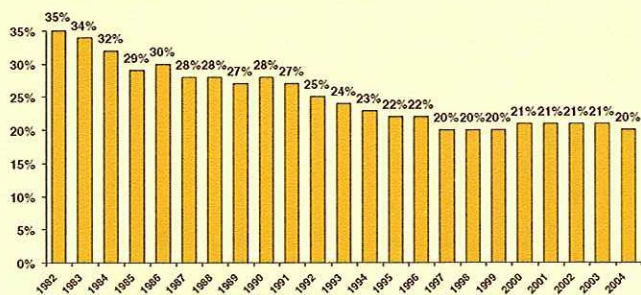
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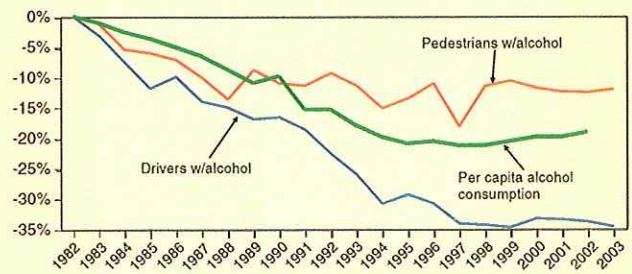
Traffic Fatalities 1982–2004



Proportion of all Drivers Involved in Fatal Crashes Estimated to Have Been Legally Intoxicated (BAC=>.08)

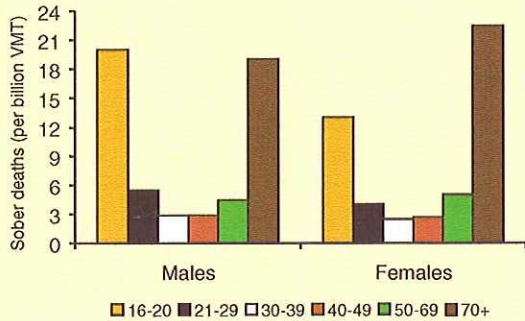


Percentage of Reduction in Fatally Injured Drinking Drivers and Pedestrians and Per Capita Alcohol Consumption in the US: from 1982 Baseline Year



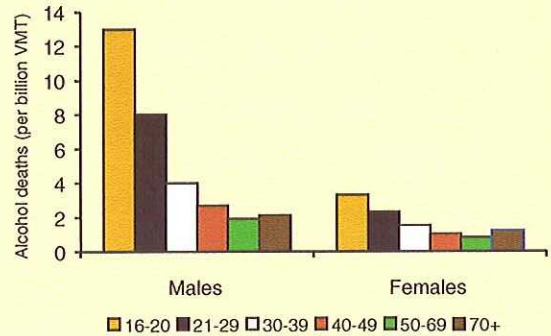
Source: FARS and NIAAA

Nondrinking Driver Death Rates by Age and Gender per Annual Miles Driven



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Drinking Driver Death Rates by Age and Gender per Annual Miles Driven



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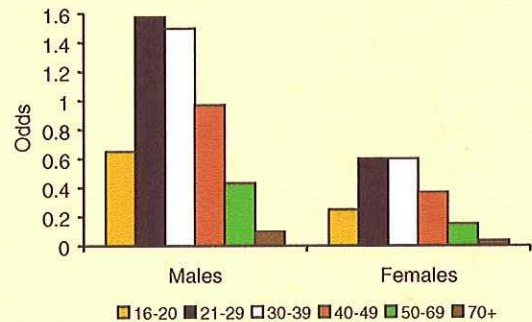
Odds that a Driver in a Fatal Crash Will Have Been Drinking

Drivers with BACs >.00

 Drivers with BACs =.00

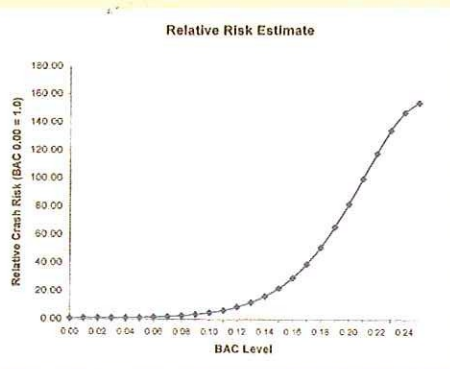
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Odds That a Fatally Injured Driver Had Been Drinking by Age and Gender



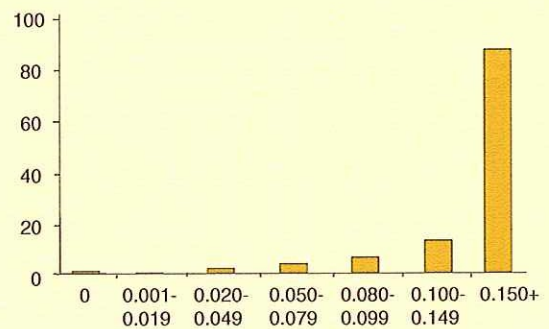
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Relative Risk Estimate



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Passenger Vehicle Driver Relative Risk of Fatal Crash Involvement by BAC (RR @ 0BAC = 1)



Zador et al., 2000

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Potential Lives Saved in 2004 if Drivers' BACs Had Been Limited to < 0.08 g/dl

Driver BACs (g/dl)	Fatalities 2004	Estimated reduction
0.150+	8,629	8,215
0.100 – 0.149	3,430	2,977
0.080 – 0.099	1,083	869
0.050 – 0.079	1,212	771
0.020 – 0.049	951	317
ALL	15,305	13,149

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Potential Lives Saved in 2004 if Drivers' BACs Had Been Limited to Specified Levels

Permitted BAC (g/dl)	Lives saved
< 0.15	4,794
< 0.10	6,855
< 0.08	7,886
< 0.05	10,493
< 0.02	12,319

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DWI Enforcement in the U.S.

- 1,400,000 drivers arrested for DWI/DUI each year
- 1 DWI arrest for every 135 licensed drivers
- 1 DWI arrest for every 772 reported episodes of driving after drinking
- 1 DWI arrest for every 88 episodes of driving over the BAC limit
- 1 DWI arrest for every 6 stops by police for suspicion of DWI
- 120 DWI arrests for every drunk driver involved in a fatal crash

Sources: FBI Uniform Crime Report; Zador et al. (2000); NHTSA, FARS

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Three Levels of Prevention

- Primary prevention
 - Reducing drinking or reducing driving
- Secondary prevention
 - Separating driving from drinking
- Tertiary prevention
 - Controlling the DUI offender

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Primary Prevention

- Reduce high-risk driving
 - Drink promotions
 - Responsible beverage service
- Reduce high-risk driving
 - Buses
 - Taxis
 - Designated drivers

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Secondary Prevention

- Prevent driving after drinking
 - DUI laws
 - Enforcement

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SECONDARY PREVENTION

General Deterrence

- Perceived risk of apprehension
- Perceived severity of penalty
- Time between apprehension and penalty

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Tertiary Prevention

- Provide education and/or treatment to promote recovery
- Control driving to protect the public during recovery process—*incapacitation*

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Incapacitation

Traditional methods:

- Jail

→ ? stop on
interchanges

- License suspension (1910)

↳ Depend on individual
study 75% drive
→ low prob. of arrest.

24hr drive. CA 1m suspended, 1m no license

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Incapacitation

Vehicle sanctions

- Impoundment
- Forfeiture
- License plate/registration cancellation

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Incapacitation

Technological Monitoring Methods

- Electronic house arrest
- Alcohol interlocks
- BAC monitoring--SCRAM

? whole
set of
technology

Break - 50 yrs

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Treatment and Education Programs

- Screening
- Assessment
- Educational programs
- Treatment programs

↳ Cost on the offender.

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Accountability

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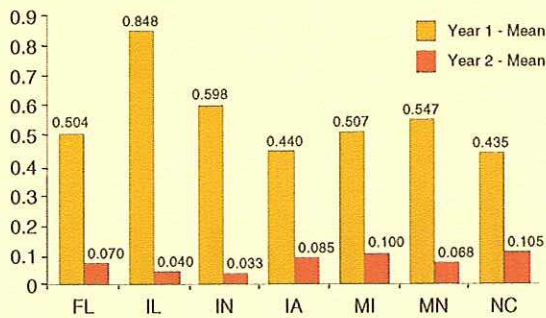
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Participating States

	Drivers	DWI Offenders	Rate	Years Covered	No. of Driving Records
Florida	12,086,011	59,457	0.49%	1992-2000	897,347
Illinois	7,777,700	64,185	0.83%	1994-2000	284,922
Indiana	3,834,104	32,130	0.84%	1988-2000	281,816
Iowa	1,948,324	18,623	0.96%	1990-2001	151,698
Michigan	6,811,841	85,818	1.26%	1992-2001	545,339
Minnesota	2,877,068	34,983	1.22%	1988-2001	319,342
North Carolina	5,460,519	53,824	0.99%	1989-2000	678,021

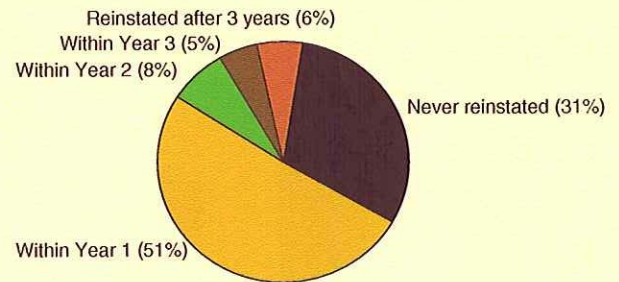
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Relation of States to Year 1 and Year 2 Reinstatement Rate



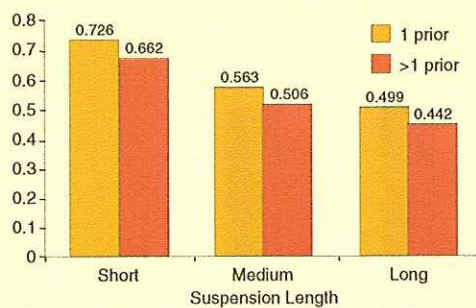
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Proportion Reinstating by Year from the Date of Suspension (Six States— Illinois not Included)



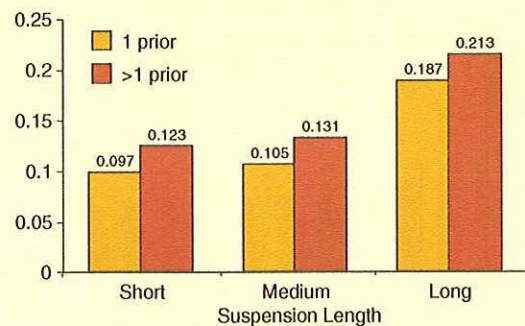
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Relation of Priors and Sentence Length to Year 1 Reinstatement Rate



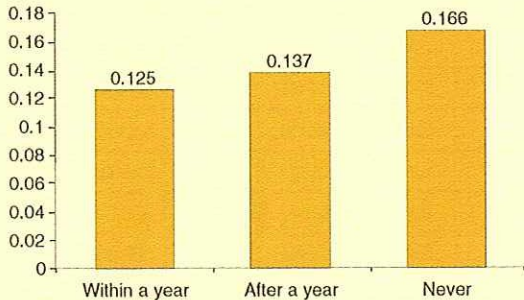
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Recidivism During the First Year of the Suspension Period as a Function of Priors and Suspension Length



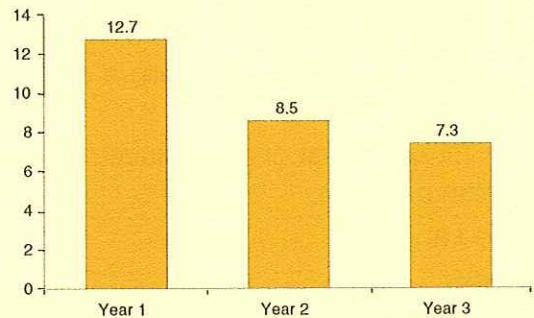
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Recidivism in Relation to Reinstatement Category During the First Year of the Suspension Period



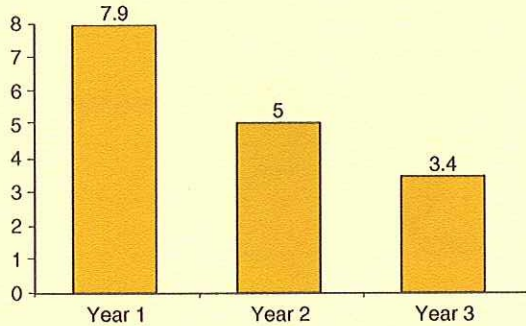
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Recidivism During the First 3 Years of the Suspension Period



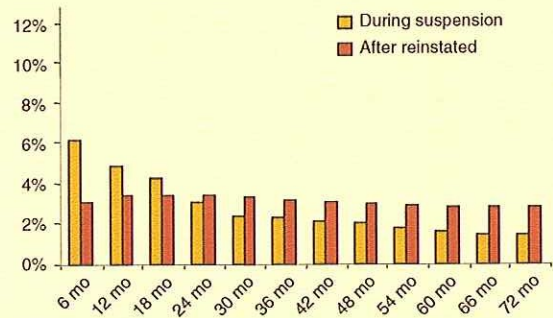
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Recidivism (by Year) Following Reinstatement



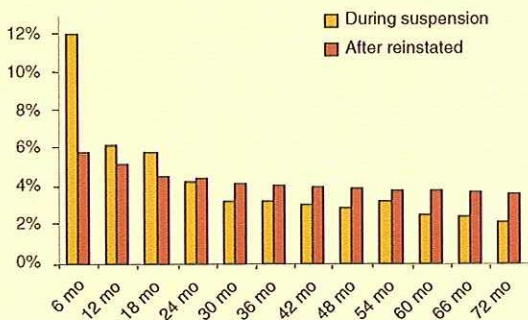
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Six-Month Recidivism Rates over 6 Years from Date of Suspension for Suspended and Reinstated First DWI Offenders



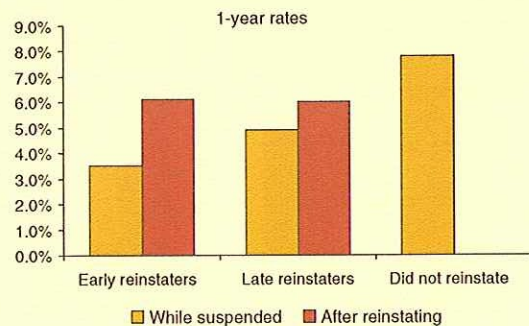
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Six-Month Recidivism Rates over 6 Years from Date of Suspension for Suspended and Reinstated Multiple DWI Offenders



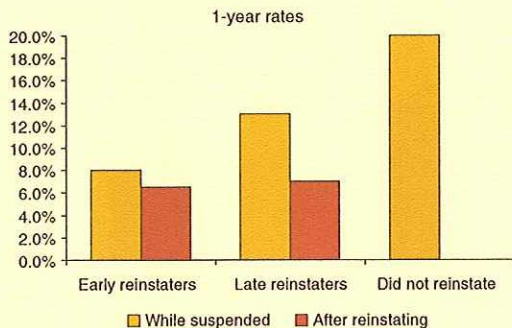
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Florida First Offenders 1-Year Recidivism Rates



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Florida Multiple Offenders 1-Year Recidivism Rates



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Florida – Recidivism Rates

	First Offenders		Multiple Offenders	
	1 year	2 years	1 year	2 years
Early Reinstaters				
while suspended	3.5%	5.5%	8.0%	11.0%
after reinstated	6.1%	11.7%	6.5%	12.5%
Late Reinstaters				
while suspended	4.9%	7.2%	13.0%	17.0%
after reinstated	6.0%	11.3%	7.0%	13.5%
Did not reinstate				
while suspended	7.8%	12.0	20.0%	28.5%

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The Problem

- 1.5 million drivers are arrested yearly for drunk driving in the United States, two-thirds for the first time and one-third as repeat offenders (FBI, 2001).
- 35 to 40% of all fatally injured drinking drivers are estimated to have had at least one prior DUI offense (Simpson, 1995; Vingilis et al., 1994).
- 35 to 50% of first-time DUI offenders will reoffend in their lifetimes (Voas, 2001; Peck & Helander, 2001).

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Traditional DUI Level 1 Programs

- The majority of first-time DUI offenders are assigned to short-term educational programs Such programs—
 - emphasize control of drinking (e.g., setting drink limits, sipping drinks slowly, recognizing the signs of impending intoxication).

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Novel Educational Approach

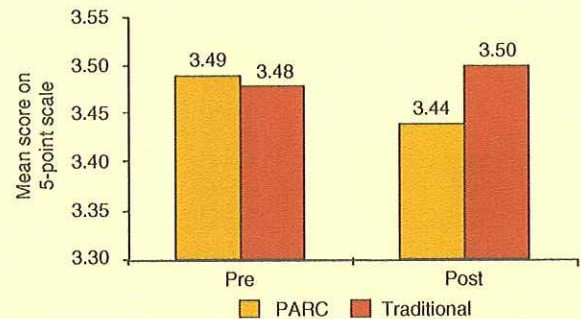
- PARC (Preventing Alcohol-Related Convictions)
 - Emphasizes controlling driving vs. controlling drinking, with a simple message — **“Don't Drive to Drinking Events.”**

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Study 1

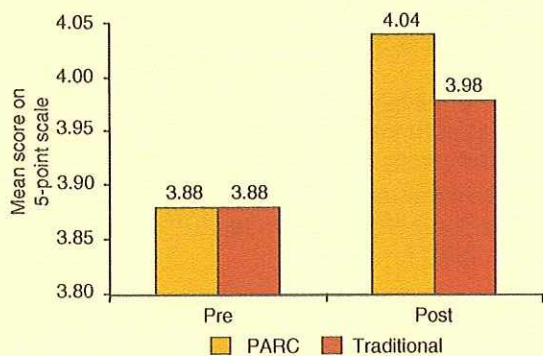
Motivations for Change Measured at Pretest and Posttest Using an Adapted Stages of Readiness (SOR) Survey

Study 1 Results: Controlling Drinking Strategy



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Study 1 Results: Controlling Driving Strategy



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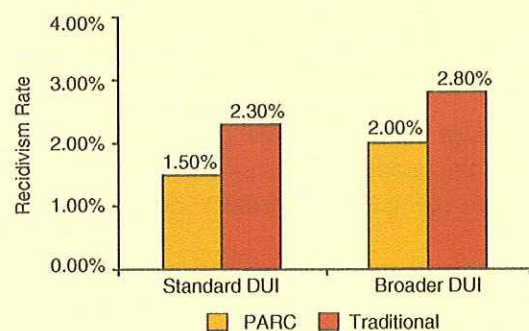
Study 2

Influence on One-Year DUI Recidivism as Measured Using Alcohol-Related Convictions on Driving Records from Florida Department of Highway Safety and Motor Vehicles (DHSMV)

Study 2 Results

PARC students had a significant 33% lower likelihood than Traditional students of recidivating after having taken the course (odds ratio=0.67, $p=.007$).

Study 2: Curriculum Effect on Recidivism



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Significance of Covariates in Curriculum Analysis

Interactions	Odds ratio	t-test	p-value
Gender X Curric.	1.03	.07	.95
Ethnicity X Curric.	.18	-1.60	.11
Race X Curric.	.90	-.17	.86
Location type X Curric.	1.44	.87	.39

Model F(9, 103)=1.15, p=.34

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Conclusions

- PARC program was effective in motivating participants toward increased readiness for change.
- PARC students chose different plans and actions than Traditional students; they more fully adopted the strategy of controlling driving rather than attempting to control drinking.

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Conclusions (cont.)

- PARC students showed a substantially lower recidivism rate in the year following their class attendance across two measures of recidivism.
- Replication of these results with a larger sample and more mature data is necessary to fully investigate the effectiveness and practical significance of the PARC DUI program.

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1992 Vehicle Sanctions Report

- This report is a followup to the 1992 NHTSA-sponsored survey of vehicle sanctions.
- The survey found relatively few jurisdictions with active vehicle sanction programs.
- Although 32 states had vehicle sanction laws programs, they were rarely used.

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Types of Vehicle Sanctions

- Programs that confiscate or impound the vehicle.
- Programs that confiscate the vehicle plates and vehicle registration and/or require special plates on the vehicles of DWI offenders.
- Devices installed in the vehicle that prevent its operation if the driver has been drinking alcohol (ignition interlock).

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Definitions

- **Vehicle Impoundment** — Taking possession of a vehicle for a limited time.
- **Vehicle Immobilization** — Use of devices (e.g., “club” or “boot”) to prevent vehicle from being operated.

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Definitions (cont.)

- **Alcohol Ignition Interlock** — Installation of a device requiring drivers to provide breath samples before vehicle will operate.
- **License Plate Actions** — Actions related to removal of license plates and/or invalidation of vehicle registration.

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Definitions (cont.)

- **Special License Plates** — Issuance of a license plate or addition to a license plate (e.g., sticker) designed to identify vehicle as belonging to DWI or DWS offender.
- **Vehicle Forfeiture** — Permanent confiscation of a vehicle.

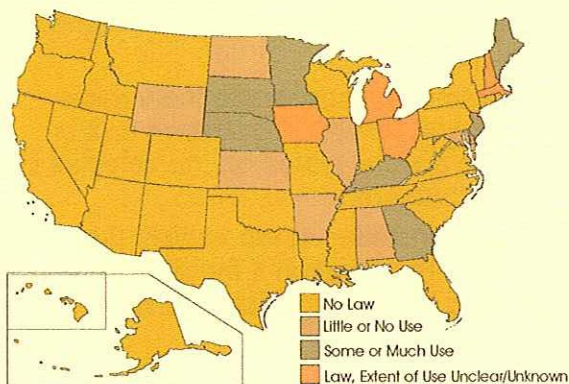
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Summary of States' Vehicle Sanction Laws

Sanction Type	1992	2004
■ Registration/License Plate Actions	18	22
■ Special License Plates	3	6
■ Vehicle Impoundment	11	16
■ Vehicle Immobilization	1	13
■ Vehicle Forfeiture	14	31
■ Alcohol Ignition Interlocks	—	43

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Registration/License Plate Actions



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Registration/License Plate Actions (cont.)

- Often involves registration cancellation for same period as driver's license
- May require offenders to mail in plates
- Difficult to enforce

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Plate Impoundment

Minnesota Plate Impoundment Law

- Administrative, not court mandated
- Impoundment at time of arrest
- Impoundment of car driven even if not owned by arrested driver
- Provision for high BAC first offenders
- 25 to 50% effective while in place

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Special License Plates



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Special License Plates (cont.)

- Special License Plates: "Family Plates"
- Provides basis for stopping vehicle in some states
- May be clearly recognizable (e.g., Ohio)

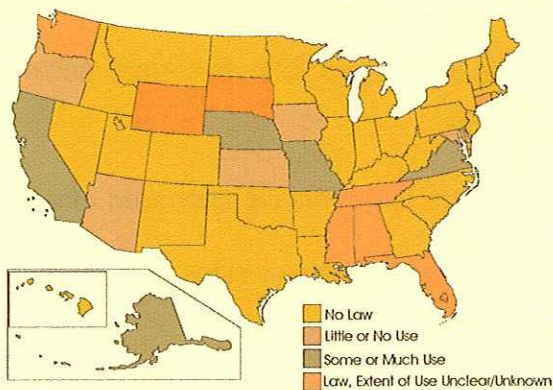
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License Plate Sticker Programs

- Washington/Oregon sticker program
- Effective in Oregon
- Sunset clauses in both states

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Vehicle Impoundment



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Vehicle Impoundment Issues

- Imposed for both DWI and DWS
- More effective if administrative
- Nonoffender owners (50%)
- Towing and storage
- Up to 50% not retrieved
- Provide for service fee

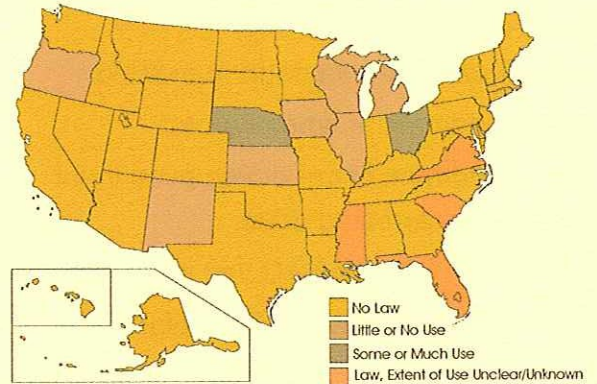
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Vehicle Impoundment Evaluations

- Manitoba, Canada
- California Specific Deterrence
- California General Deterrence
- Franklin County, Ohio
- Hamilton County, Ohio

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Vehicle Immobilization



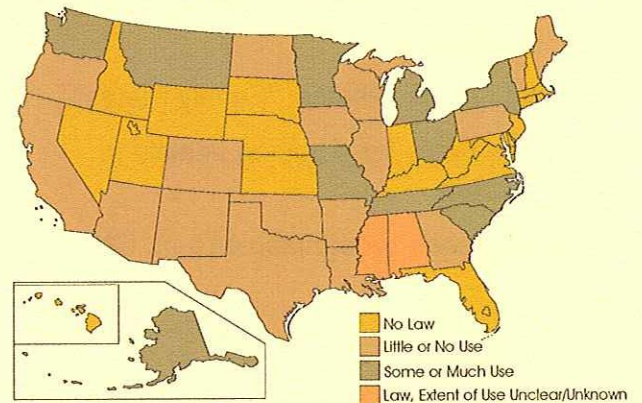
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Vehicle Immobilization Issues

- Equally effective as impoundment
- Lower cost to offender
- Potentially avoids cost to communities for vehicles that are not retrieved
- Should have fee to cover police costs
- Ohio has service providers

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Vehicle Forfeiture



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Vehicle Forfeiture Issues

- Nonoffender owner problem
 - Stipulated agreement
- Junker vehicle problem
 - Rapid release or seizure procedure
- Attorney expense problem
 - Processing fee

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Vehicle Forfeiture Evaluations

- **Portland Oregon:** Effective small-scale program
- **New York City:** Initially appeared effective
- **California:** Only a few cities implemented the law

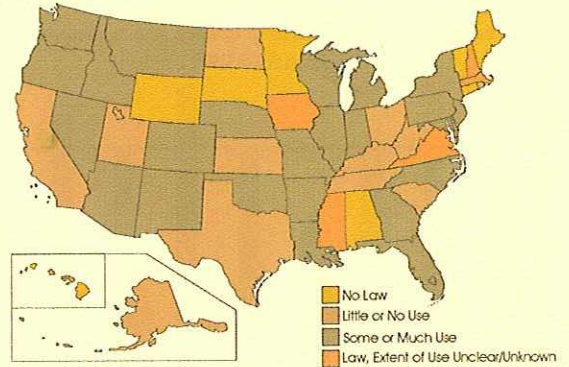
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Alcohol Ignition Interlocks



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Cuts @ 0.025 → 0.03

Alcohol Ignition Interlock Issues

- NHTSA Model Standards
- Difficult to circumvent
 - Operation of non-interlock-equipped car main threat
- Requires good monitoring program
- Records BAC and engine operation
- Effective when installed
 - No carryover effect when removed from car

First in 1969

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Interlocks Underused

- 1.4 million DUI arrests each year
- 100,000 interlocks in use

new data

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Alcohol Ignition Interlock Programs

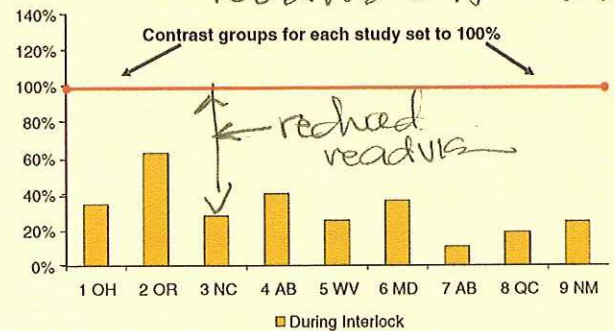
- "Voluntary" Programs *< 10%*
 - Limited license rather than full suspension
- Court-Mandated Programs *< 10%*
 - Condition of probation
- DMV-Mandated Programs
 - Requirement for reinstatement

*#2/day
#70 for install*

→ discontinue to reinstate

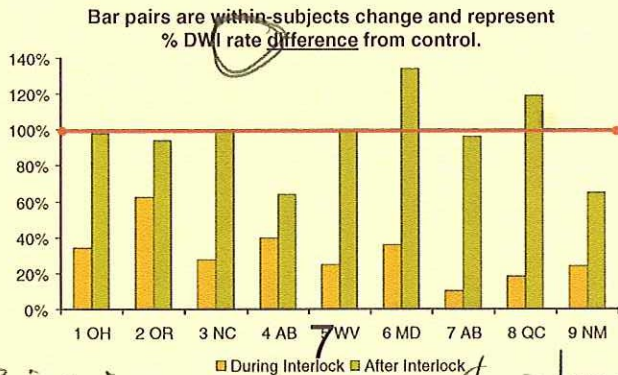
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Interlock Studies



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Interlock Studies



Readvise once interlock off \Rightarrow had to update statistics

Interlocks and Treatment

- Use of interlock data in treatment programs
- Use of interlock data to determine when to terminate treatment
- Use of interlock data to determine when to remove units

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Interlock Users: Why So Few?

California example:

- Convicted DWI offenders required by law to be placed on interlocks 887
- Ordered to install by judges 83
- Offenders installing interlocks 18

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Interlocks: Current Issues

- Offenders without cars
- Offenders who pledge not to drive
- Overloaded probation officers
- No requirement for reporting
- Negative impact of reporting on providers
- Conflict with suspension laws

may impact to get interlock on sooner.

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Interlocks: Future Issues

- Can number of users be increased?
- Will forcing interlocks increase circumvention?
- Will that result in loss of effectiveness?
- Will courts apply pressure?
- Will requiring them for reinstatement reduce applications?
- Does interlock reduce crashes?

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Florida DMV Interlock Program

- Uniquely strong program because — we do
 - Offender performance on interlock closely monitored ✓
 - Provision for existing treatment provider to intervene with poor performing offenders ✓
 - Carefully developed system for increased treatment for interlock offenders who continue to record high BAC events ✓

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Florida Interlock Law is a Model Program

- There is a strong trend for states to provide for administrative interlock programs.
 - California: Interlock can be substituted for the second year of a 2-year suspension.
 - New Mexico: Any suspended offender can obtain a limited license to drive with an interlock-equipped vehicle.
 - Michigan: Interlocks required for reinstatement.

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Important to Evaluate Florida Interlock Program

- Because judges must require the interlock to provide the requirement at reinstatement, it is important to demonstrate its effectiveness.
- Florida can provide an important guide for other states —
 - The importance of monitoring
 - The importance of having an integrated treatment program

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Future Methods for Controlling DUI

- Interlocks for all DUI offenders.
- Vehicle impoundment at time of arrest.
 - Release when interlock is installed.
- Integration of treatment program with interlock.
- Rational determination of period on interlock.
- Electronic house arrest or BAC monitoring as an alternative to interlock.

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? system body
style the of fair

⇒ find other
technologies