

## DWI DASHBOARD STRATEGIC GUIDE: ADDRESSING GAPS IN THE DWI SYSTEM

**Working** Group on DWI System Improvements

## The Traffic Injury Research Foundation

The mission of the Traffic Injury Research Foundation (TIRF) is to reduce traffic-related deaths and injuries. TIRF is an independent, charitable road safety research institute. Since its inception in 1964, TIRF has become internationally recognized for its accomplishments in identifying the causes of road crashes and developing program and policies to address them effectively.



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# **DWI DASHBOARD STRATEGIC GUIDE: ADDRESSING GAPS IN THE DWI SYSTEM**

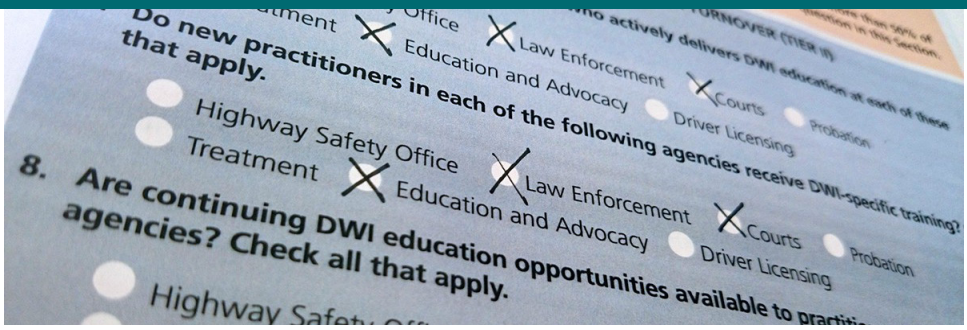
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# 1. USING THE GUIDE

In 2013, the Traffic Injury Research Foundation (TIRF) developed the Driving While Impaired (DWI<sup>1</sup>) Dashboard in conjunction with the DWI Working Group on System Improvements. The Dashboard was intended to provide jurisdictions with a monitoring tool to gauge the strengths and weaknesses of their own impaired driving systems. It was created based on experiences and input from eight states and critically reviewed by the Working Group. This tool was designed to measure factors that are central to the effectiveness of the impaired driving system. It enables jurisdictions to gain insight and understanding into how and why progress is, or is not, being achieved in reducing impaired driving incidents. It can also inform decision-makers about strategies to address system gaps that impede progress. The DWI Dashboard consists of a two-tiered structure of questions. Tier I measures issues at a state level and aims to determine whether an issue is a potential gap that requires closer examination. Tier II measures issues at an agency level and acknowledges differences across agencies with respect to a particular topic. Collectively, the results of the Dashboard can identify potential gaps as well as where and why they may be occurring.

In 2014, the annual meeting of the DWI Working Group focused its attention on the development of a strategic guide to help states tackle priority issues that were identified by the DWI Dashboard. This guide was compiled by TIRF based upon the proceedings of the 11<sup>th</sup> Annual Meeting of the DWI Working Group. The purpose of this guide is to provide strategies, describe important caveats, and list helpful resources and templates to states that are seeking to address existing gaps in the impaired driving system. The guide is structured in nine sections according to the priority issues that are examined in the Dashboard tool. The guide is intended to provide options to states to improve their systems since each state will have issues that are unique to its own jurisdiction. This guide lists best practices, major caveats,

<sup>1</sup> The abbreviation DWI (driving while intoxicated or impaired) is used throughout this report as a convenient descriptive label, even though some states use other terms such as OUI (operating under the influence) or DUI (driving under the influence), and in some states they refer to different levels of severity of the offense. We have used DWI not only to maintain consistency throughout the report but also because it is more descriptive of the offense usually associated with drunk drivers.

and resources that practitioners may find useful to guide the implementation of solutions. Ultimately, it is important for practitioners to use their own intimate knowledge of the impaired driving system in their jurisdiction to determine which strategies can be enacted and determine which caveats may be encountered.

## About the Working Group

The Working Group on DWI System Improvements is a prestigious coalition of senior members of organizations representing frontline professionals in all segments of the criminal impaired driving system (law enforcement, prosecution, judiciary, supervision, and treatment). This coalition was formed in 2003 to advance the recommendations stemming from the DWI System Improvements report series, previously funded by Anheuser Busch.

During its 14-year tenure, this distinguished consortium has shaped the focus on and development of impaired driving initiatives in the United States with its unique perspective on knowledge transfer of critical research findings, as well as the translation of legislation, policies, and programs into operational practices. The Working Group is a recognized source of institutional knowledge and expertise that has become a valuable resource to practitioners, agency administrators, and policymakers across the country.

The efforts of the Working Group on DWI System Improvements have served to identify critical system needs, to make needed educational materials available, to articulate the complex issues associated with program and policy implementation embedded within broader systems, to give voice to the concerns of practitioners in the impaired driving system and to identify achievable solutions.

Since 2004, the Working Group has met annually to produce much-needed educational primers, policy documents and guides for justice professionals to help strengthen the efficiency and effectiveness of the impaired driving system for dealing with persistent impaired driving offenders. These documents can be accessed at [www.dwiwg.tirf.ca](http://www.dwiwg.tirf.ca).

- > 2004 – Working Group on DWI System Improvements: Proceedings of the Inaugural Meeting
- > 2006 – A Criminal Justice Perspective on Ignition Interlocks  
10 Steps to a Strategic Review of the DWI System: A Guidebook for Policymakers
- > 2007 – Screening, Assessment, and Treatment: A Primer for Criminal Justice Practitioners  
Improving Communication and Cooperation
- > 2008 – Impaired Driving Priorities: A Criminal Justice Perspective

- > 2009 – Impaired Driving Data: A Key to Solving the Problem  
Funding Impaired Driving Initiatives  
Understanding Drunk Driving
- > 2010 – Effective Strategies to Reduce Drunk Driving
- > 2011 – Performance Measures in the DWI System
- > 2012 – Impaired Driving in Rural Jurisdictions: Problems and Solutions
- > 2013 – DWI Dashboard Report: A Tool to Monitor Impaired Driving Progress
- > 2014 – DWI Dashboard Strategic Guide: Addressing Gaps in the DWI System
- > 2015 – Post-Conviction Services for DWI Offenders: Building Community Partnerships





## 2. DEVELOPING STRATEGIES TO IMPLEMENT DASHBOARD OUTCOMES

The DWI Dashboard contains ten priority sections that examine different topics and areas of interest that can affect progress in reducing impaired driving incidents. Since the first section of the Dashboard contains measures of progress related to impaired driving indicators (e.g., alcohol-impaired driving fatalities and injuries, fatalities per VMT, DWI arrests and DWI convictions), there are no strategies associated with this section. However each of the remaining nine sections of the Dashboard are associated with distinct options, tools and resources that jurisdictions may consider as part of a strategic plan to strengthen their state impaired driving system in these respective areas.

Each of the nine sections is structured according to the types of strategies that may be considered to strengthen a particular area, important caveats that may influence the strategies, and examples of practical resources that provide more operational guidance and information.

### 2.1 Leadership

This section examines the presence and source of leadership for DWI initiatives at the political level and/or within agencies. In particular, it explores strategies related to the presence and characteristics of an impaired driving task force (or comparable entity), the enactment of well-planned legislation and agency policies, and the level of attention devoted generally by government to impaired driving issues.

#### 2.1.1 Strategies

There are several practices and strategies that jurisdictions can use to build and enhance leadership in their state DWI system. An important first step is to examine whether a DWI task force currently exists in a jurisdiction, and if so, how the task force was established (e.g., embedded in legislation or created via Executive Order), the mandate of the task force, and what

authority it possesses. Regardless of the process used to establish the task force, each method will have its own advantages and disadvantages, and it is important to recognize these features in advance of proposing or developing legislation or road safety initiatives to ensure that they are achievable.

If a task force exists, it may be useful to review the membership of the task force to determine if all of the relevant



agencies are represented as either primary or secondary task force members. If there is an opportunity to expand task force membership, it is advisable to consider the inclusion of non-traditional partners such as toxicologists, emergency medical services (EMS) or community partners such as advocacy groups or taxi companies. These non-traditional members can add to the scope of knowledge and expertise represented on the task force. They also can pose questions from previously unrecognized perspectives, and can potentially provide access to additional networks of support. To see a list of potential agencies that can be considered for inclusion in a DWI task force, please see Appendix A.

**The inclusion of toxicologists, emergency medical services or community partners can add to the scope of knowledge and expertise represented on the task force.**

Conversely, if a task force does not currently exist and there is motivation and cooperation to establish such an entity, then a plan to create a task force is needed. The task force should also aim to develop strong partnerships with political leaders, potential champions of legislation, and agency administrators. It is important that a task force be recognized as a valuable resource to these leaders who are best-suited to garner support for proposed legislation or initiatives. Moreover, it can be beneficial for DWI practitioners to identify opportunities to acknowledge their leadership and highlight their contribution through press events or the establishment of an award. Cultivating potential leaders who have a personal interest in road safety, or who have previously supported other road safety initiatives is one way to help build momentum for a task force. It can be equally beneficial to work closely with key political staffers and maintain strong relationships with them since staffers can share important information with elected officials, and can also be more accessible and permanent than the officials they serve.

Tragically, high-profile crashes often generate substantial media attention to ordinarily unnoticed collisions and can be an impetus for legislation and other initiatives. Legislation may include the use of alcohol interlocks to strengthen the DWI system. These tragedies, when they occur, can lead to motivation for change to prevent future tragedies. DWI practitioners may also find it beneficial to monitor emerging issues for opportunities to focus attention on impaired driving (e.g., the legalization of recreational and/or medical marijuana).

### 2.1.2 Caveats

It is important that task force members are equally aware of, and prepared for, potential barriers that could impede task force initiatives. For example, legislation that governs the creation and operation of a task force may also limit the ability of some members to advocate for improvements; not all agencies will be able to engage in advocacy efforts. For this reason, it is imperative to gauge which members/agencies may be able to lead initiatives to strengthen DWI laws and policies. Highway Safety Offices, for example, are not able to lobby and, while they may be called upon to provide objective information, they are unable to propose legislative amendments or new legislation. Conversely, community-based or grassroots organizations such as Mothers Against Drunk Driving (MADD) are well-equipped to fill this role.

A task force may also need a certain degree of independence from political officials and/or government in order to build a reputation among legislators and the public as being objective and evidence-based. As such, citizen advocacy groups and non-government organizations, as well as recognized individual “champions,” may be valuable partners to include in task force initiatives. To this end, an effective task force does not require

that all members be able actively to support and/or advocate for change, but at least a few organizations should have the ability and resources

**Citizen advocacy groups and non-government organizations, as well as recognized individual ‘champions’, may be valuable partners to include on task force initiatives.**

to focus attention on DWI issues. For example, election years can be an opportune time to engage political leaders; however, they can also act as a barrier. In other words, some politicians may be interested in using DWI initiatives as a campaign platform whereas others will not. In addition, it is essential to ensure that those elected follow through on platform positions.

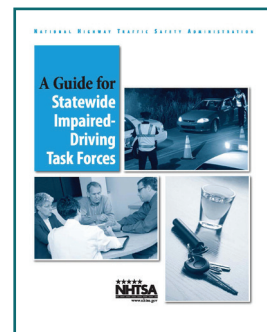
### 2.1.3 Resources

- > **The Florida Impaired Driving Coalition (FIDC).** The FIDC was created in 2009 to help reduce impaired driving in the state of Florida. They have published a brochure that contains valuable information about

the scope of their enforcement mechanisms and can be used to provide best practice strategies for similar task forces in other jurisdictions. Their efforts have primarily been aimed at strengthening enforcement, prosecution/adjudication, administration, education, treatment, data-sharing, and legislative mechanisms. The brochure is in the public domain and can be accessed via the following address <http://www.fdot.gov/safety/3-Grants/FIDCFactSheetOCT13.pdf>.

- > **Colorado Task Force on Drunk & Impaired Driving.** In 2006, Colorado created a task force to help address impaired driving issues in the state whose mission is to support prevention, awareness, enforcement, and treatment of DWI. Members are diverse and partnerships have been established across public, private, and non-profit organizations to pursue improvements and focus on training practitioners. The task force website contains useful information about inter-agency coordination as well as annual reports which are in the public domain. Learn more about the committee at <https://www.codot.gov/about/committees/DUI-taskforce>.
- > **Minnesota DWI Task Force.** Minnesota has had a DWI Task Force for the last 35 years. It was created to improve DWI laws, increase awareness of DWIs and support the prevention and enforcement of DWIs as well as treatment opportunities for individuals. The task force consists of many professionals including judges, attorneys (prosecutors, private and public defenders), enforcement, probation agents, safety advocates and representatives from different state agencies. More information regarding the DWI Task Force can be found at <http://www.dwitaskforce.com/>.
- > **Implementation guidebooks.** The National Highway Traffic Safety Administration (NHTSA) has published two guidebooks that jurisdictions can use to develop a state or local task force to tackle DWI issues:
  - » A Guide for Statewide Impaired Driving Task Forces
  - » A Guide for Local Impaired-Driving Task Forces

These reports contain detailed analyses of task forces at both the state and the local level and address key issues such as reasons to establish a task force, its objectives, ways to establish a task force and information that will assist officials in their management of DWI programs. The reports are available for download at <https://www.nhtsa.gov/sites/nhtsa.dot.gov/files/811203.pdf> and [http://www.nccpsafety.org/assets/files/library/Guide\\_for\\_Impaired\\_Driving\\_Task\\_Forces\\_Vol\\_II.pdf](http://www.nccpsafety.org/assets/files/library/Guide_for_Impaired_Driving_Task_Forces_Vol_II.pdf).



## 2.2 Resources

This section describes strategies to increase resources for DWI initiatives, including funding, staffing, training and equipment.

### 2.2.1 Strategies

State providers of DWI services must receive the resources to deliver the full scope of services needed in the DWI system and to accommodate the volume of offenders moving through the system. The identification of trends in relation to the level and type of resources that have previously been requested and allocated to DWI initiatives is important information to consider during the development of DWI initiatives. In particular, this information is a key component of a business plan that can help legislators, champions and agency administrators understand that resources for DWI initiatives may have stagnated or declined, and ultimately impacted the ability of agencies to implement or sustain DWI programs and policies.

The cost of proposed DWI initiatives is also a critical feature of any proposal to decision-makers so DWI practitioners must be prepared to answer these types of questions. It is helpful to prepare documentation regarding answers that can be shared with leaders as part of any proposal, and it is useful to have hard data and information on-hand to respond to these questions. Visual illustrations of declines in funding are an efficient way to demonstrate this fact, and to provide leaders with a clear sense of current funding allocations. Such tools can help focus attention on the tangible consequences of funding cuts and the importance of proposed initiatives.

Specifically, practitioners must be prepared to demonstrate how declines in resources have made it difficult to accomplish the priorities and expectations of the DWI system, and the implications for public and community safety. These facts can help build buy-in among leaders and provide them with the requisite information to answer the difficult questions they will likely be asked by colleagues and other decision-makers.

In addition, it may be worthwhile for agencies that are considering DWI initiatives to explore their ability and authority to assess reasonable fees to generate revenue where appropriate (e.g., fees for specific actions such as driver license renewal, vendor certification). Practitioners may discover that this ability to generate revenue is available, and/or this authority may be ingrained in law or regulation to support the delivery of DWI programs and policies.

### 2.2.2 Caveats

The success or failure of any strategy to secure resources will be influenced by several key factors. Due to the nature of resource acquisition, one important consideration is the selection of leaders and champions who can

facilitate access to resources. These individuals can serve as catalysts to drive DWI priorities. It is imperative to ensure that chosen candidates possess the necessary political influence to consistently obtain the required resources to support initiatives. The pursuit of DWI resources can be made more challenging if the champion selected is not able to effectively influence the allocation of needed resources.

### 2.2.3 Resources

- > **Funding impaired driving initiatives.** In 2010 TIRF, as part of the DWI Working Group, released a report that was written specifically to address resource and funding issues in the DWI system. The report is available at [www.tirf.ca/TIRFCAD10D](http://www.tirf.ca/TIRFCAD10D). The report discusses specific funding opportunities to secure resources (such as funding trends over time), how jurisdictions are addressing the problem, and what funding is currently available. Several approaches and examples are shared for consideration.
  - > **Cost-benefits of alcohol interlocks.** According to a cost-benefit analysis produced by the European Road Safety Observatory (2006), the value of using alcohol interlocks was ranked fourth out of 39 road safety measures. In particular, a Norwegian study (Elvik 1999) showed that installing alcohol interlocks in the vehicles of all impaired drivers would have an estimated cost savings of \$8.75 for each \$1.00 of cost incurred. Other cost-benefit studies provide a range of estimated savings. Roth et al. (2007) estimated that requiring alcohol interlocks for all first offenders would result in the accrual of \$3 for every \$1 in program costs. In another study by Miller and Levy (2000), the interlock had estimated benefits of \$7 for every \$1 in program costs. Moreover, the U.S. Insurance Institute for Highway Safety (IIHS) has estimated that the use of alcohol interlocks among all repeat DWI offenders has the potential to save as many as 800 lives annually as a result of reduced alcohol-related crashes (Lund et al. 2007). This translates into huge savings as the combined costs of healthcare, loss of productivity, court and prosecution, law enforcement, and property damage are in excess of several million dollars for each DWI fatality.
- In addition, a 2012 cost-benefit analysis of participation in a rehabilitation program and alcohol interlock program was conducted in Germany (Feustel-Seidl). Approximately 30% of interlock participants indicated that they were able to achieve a higher level of income by approximately \$646 (on average) as a result of participation and 40% had lower travel costs (by \$195). Moreover, 72% of subjects noted time



savings due to participation in the interlock program of almost two hours per day.

- > **NHTSA Countermeasures that Work 7th Edition (2013).** This comprehensive resource contains a chapter on strategies to reduce impaired driving. Information about the cost of implementation is provided in relation to each strategy. This report is available at <https://www.nhtsa.gov/staticfiles/nti/pdf/811727.pdf>. The estimates in this report do not include the costs of enacting legislation or establishing policies.

## 2.3 Data collection

This section describes strategies to improve data collection and its accessibility and use in decision-making as well as links to other sources.

### 2.3.1 Strategies

Current, high quality data is a fundamental element of an effective DWI system. Without accurate data to guide decision-making, it can be challenging to determine where gaps exist or ways that these problems can be overcome. More importantly, robust and timely data are an essential precursor to the efficient allocation of resources.

There are a variety of data collection strategies that can help improve the DWI system in various areas. An important step towards improving DWI



system effectiveness is to evaluate critically the quality of existing data. This evaluation can provide insight into where and why gaps are occurring, and how such problems can be resolved. This step involves creating a DWI system workflow chart to track how offenders are processed through the DWI system and to identify gaps in data collection processes at each

step. Key questions to consider include who collects data and how data are shared with other relevant partners who require access to it. Once these gaps are identified, practitioners can more easily determine the magnitude and scope of data collection priorities. Moreover, this process can help ensure that data collection or data-sharing partners have a uniform understanding of issues, which is an essential foundation for discussions to overcome these issues. For example, this common understanding about gaps in data collection can provide important insight to help develop data collection strategies that facilitate the creation of a standardized impaired driving report. Such a report can be useful to increase consistency and

comparability across different agency datasets, and ensure that these data can be accurately interpreted by diverse practitioners in a jurisdiction.

During this assessment of current data systems, practitioners may discover that aspects of their respective systems are in need of improvement. These improvements may require large scale support from senior administrators or political leaders. This should not deter practitioners from pursuing improvements. Instead, practitioners are encouraged to use the value of timely data to make a strong case for system improvements, and to link data gaps to current priorities where appropriate. For example, drug-impaired driving is a high-profile priority, but gaps in data collection make it difficult to distinguish alcohol-impaired from drug-impaired driving incidents, and thereby gauge the magnitude of the latter issue. This example helps demonstrate one obvious gap in data collection processes that requires attention and resources to address it.

### 2.3.2 Caveats

A major caveat associated with improvements in data collection protocols is to be sensitive to the quality of the data. Inaccurate or insufficient data is a

**Inaccurate or insufficient data is a serious threat to the effectiveness of any program and can be detrimental to data improvements.**

serious threat to the effectiveness of any program and can be detrimental to data improvements. Data

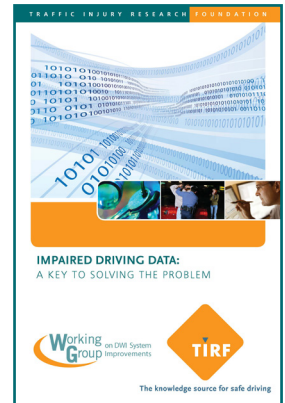
quality should be the foremost consideration of all program initiatives and should not be compromised for the sake of budgetary constraints since practitioners will have to rely on systems for a decade or more. Practitioners are encouraged to focus attention on data quality throughout discussions about data collection initiatives. Furthermore, examples of poor data quality can be used to demonstrate the need for more robust data collection practices as examples of poor quality data demonstrates critical barriers to decision-making and the allocation of resources.

### 2.3.3 Resources

- > **Traffic Records Coordinating Committee (TRCC).** There is a Federal DOT TRCC and each state also has a TRCC. The federal entity is a multi-agency collaboration involving representation from several federal agencies responsible for transportation issues. They work to strengthen the collection, management, and analysis of traffic safety data at the state and federal level to improve data quality across six core systems: crash, vehicle, driver, roadway, citation and adjudication, and injury surveillance. More information is available at the [DOT's Traffic Records Coordinating Committee \(TRCC\) webpage](#). Each state also has a TRCC that is responsible for managing and gathering road safety data and coordinating the use of these data by key agencies. Data collection

initiatives can be strengthened by working with the State TRCC representative. The list of State Traffic Records Coordinators is available at <https://www.transportation.gov/sites/dot.gov/files/docs/20170125-State%20TRCC%20Chairs%20and%20Coordinators.pdf>

- > **Impaired Driving Data: A Key to Solving the Problem.** In 2010, TIRF released a brochure that examines the importance of good data to inform decision-making. It also describes some of the barriers that can impede the collection of high quality data and provides recommendations for change. The report was developed by the DWI Working Group and is available online at [http://tirf.ca/wp-content/uploads/2017/01/wg\\_data\\_brochure\\_11.pdf](http://tirf.ca/wp-content/uploads/2017/01/wg_data_brochure_11.pdf)
- > **Model Impaired Driving Records Information System (MIDRIS).** The goal of MIDRIS is to document ways that jurisdictions can further improve and expand existing data systems. NHTSA has published a report that tracks the development and implementation of MIDRIS across four states. The report is available at <https://www.nhtsa.gov/sites/nhtsa.dot.gov/files/811489.pdf>
- > **Minimum Model Uniform Crash Criteria (MMUCC).** The MMUCC is a standardized data set for describing motor vehicle crashes and the vehicles, persons and environment involved across jurisdictional boundaries. The data set has been updated three times, most recently in 2012, to account for emerging highway traffic issues. The 4<sup>th</sup> edition guide is available at <https://www.nhtsa.gov/about-mmucc>. In 2017, it was announced that the 5<sup>th</sup> edition of MMUCC is now under development. The objective of this edition is to further advance the data collection standard to streamline frontline data collection and provide flexibility for data collectors and managers as vehicles and the driving environment continue to evolve.
- > **Global Information Sharing Toolkit (GIST).** The Global Justice Information Sharing initiative was created to help promote the exchange of pertinent justice and public safety information in order to provide criminal justice professionals with timely, accurate, complete, and accessible information. GIST was developed and is maintained by Global to help practitioners identify actionable solutions to some of the challenges they face in their jurisdiction. It is a resource for best practices and program development. GIST has a wealth of information about impaired driving that could be used to inform data collection. GIST is available at <https://it.ojp.gov/global>.



## 2.4 Communication & information-sharing

This section explores strategies to improve communication within and across agencies as well as strategies for agencies and practitioners to share and exchange knowledge, information and experience.

### 2.4.1 Strategies

Effective communication and information-sharing strategies within and between agencies are essential components of an effective and efficient DWI system. One strategy that can help to facilitate interagency communication is to utilize cross-professional training opportunities, such as conferences and/or seminars, as networking platforms. These types of events also create opportunities to generate ideas and best practices that can be exchanged.

Another strategy to achieve this objective is to encourage practitioners to help identify what platforms already exist that facilitate communication, and evaluate existing formal and informal means that agencies already use to communicate. For example, practitioners may determine the primary means of communication that they use with various agencies (e.g., email, telephone, chat rooms, bulletins and newsletters) and gauge whether these systems are adequate or if they can be improved. One possible improvement, if it does not already exist, is the implementation of a memorandum of understanding (MOU) among important partners to effectively structure the exchange of ideas and communication and sharing of information related to specific programs.



A key component of strategies to improve communication and information-sharing is the clarification and review of agency functions and responsibilities in the DWI system so the role of each agency is understood. This process can help identify which agencies are best-suited to take the lead on certain issues. In addition, it will help agencies understand how their work relates to, and affects, other practitioners throughout the DWI system. As part of this review, practitioners are encouraged to become familiar with the communication strategies used by other relevant partners in order to identify common, shared communication mechanisms. This knowledge can increase understanding and awareness of appropriate and practical information-sharing processes with individual agencies. As a final consideration, many agencies may have a public information officer (PIO) who can help to facilitate communication across organizations.

### 2.4.2 Caveats

Effective communication is crucial, but certain features can undermine the quality of communication. For example, the length of time that it takes information to travel through a particular agency, or between agencies, may seriously hamper the communication process, and thereby the efficiency of tasks. To account for and reduce delays as much as possible, it is advisable to be aware of lengthy time requirements for approval processes, or for changes to be implemented within a particular agency or agencies if there is an interest in forming a partnership with them.

There are also jurisdictional considerations that must not be overlooked as they relate to information-sharing. To illustrate, resolving an issue at the municipal level can be vastly different from resolving one at the state or federal level due to the number of persons involved, time and resources. Some agencies may also be restricted by privacy legislation and may not be able to become as involved in any sort of large scale networking. There may also be political or procedural differences between agencies that can be barriers to effective communication. Practitioners are encouraged to overcome such problems where possible, and to focus on areas where measurable progress can be achieved.

**Resolving issues at the municipal level can be vastly different than resolving them at the state or federal level due to the number of persons involved, time and resources.**

Practitioners must also measure the level of interaction across agencies, but not overlook that some agencies may have less developed communication strategies, as a result of their limited involvement in the overall DWI system.

### 2.4.3 Resources

- > **Towards Zero Deaths.** The Towards Zero Deaths (TZD) initiative is based upon the philosophy that, until traffic fatalities are completely eliminated, the work of traffic safety officials is not finished. The TZD philosophy posits that even one death on the roadways is unacceptable and efforts must be made to make roadways as safe as possible. Through this program states such as Minnesota and Washington have been able to coordinate efforts to share important information and establish communication protocols between agencies. Minnesota and Washington have also digitized their regional meeting proceedings and placed them in the public domain. More information is available at <http://www.minnesotatzd.org/>, and <http://wtsc.wa.gov/News/toward-zero-deaths-tzd2/>, and <https://www.visionzeroatx.org/>.

- > **Oklahoma Highway Safety Office (HSO).** This HSO was able to coordinate with state toxicologists to provide in-person training to law enforcement for oral fluid testing. This was invaluable to law enforcement officers as they were using a new oral fluid testing method with which they were unfamiliar. The HSO was also able to ensure this training was provided online. Further information is available from the Impaired Driving Program Manager at [donald.longfellow@dps.ok.gov](mailto:donald.longfellow@dps.ok.gov).
- > **Improving Cooperation and Communication: A Report from the Working Group on DWI System Improvements (2008).** This brochure was designed to help agencies identify common barriers to cooperation and communication. It provides insight into practical ways that these issues can be addressed. More importantly, it also contains a brief survey to help agencies gauge how well they are doing. This brochure is available at <http://www.dwiwg.tirf.ca/group/index.php>

## 2.5 Practitioner education/training & turnover

This section describes strategies that can help improve the availability and content of DWI training/education opportunities, ways for delivering them, and strategies that can help manage the level of turnover among staff.

### 2.5.1 Strategies

Impaired driving is a complex issue. Understanding of this behavior has evolved substantially and is based on more than four decades of alcohol research. Moreover, in the past decade, much has been learned about effective interventions to manage this population of risky drivers, continually improving the implementation of these strategies. Using this knowledge to educate and train practitioners in the DWI system is of paramount importance. Moreover, it is essential to use high quality knowledgeable instructors to achieve this objective.

At present, the demanding nature of the responsibilities of law enforcement and probation supervision can result in high levels of staff turnover within these agencies. In addition, impaired driving cases are often assigned to new prosecutors despite the fact that these cases are multi-faceted and typically involve technical scientific evidence, making them among the most complex to prosecute. This situation has resulted in a continuing demand for education and training for frontline practitioners in the DWI system. Strategies to develop and retain a knowledgeable and experienced staff are an ongoing need.

There are a variety of opportunities to reinforce and enhance practitioner education and training in the DWI system. The growing availability of online educational platforms and webinars has increased the efficiency of education, making it possible to reach a larger population of professionals at lower cost. As such, it is suggested that agencies investigate the use of online training strategies to determine whether a web-based approach



is feasible and practical. It is also recognized that some topics may be best delivered in person, using a hands-on approach. It is equally important to ensure that the quality of instructors and the breadth and consistency of training materials are carefully planned and reviewed.

Additionally, cross-professional training is an efficient way to deliver widespread education and can provide value in terms of exchanging perspectives and experiences. In order to take advantage of these types of opportunities, it is advisable to identify as many potential areas for cross-professional training as possible. For instance, Traffic Safety Resource Prosecutors (TSRPs) are often able to organize joint training with prosecutors and law enforcement. This type of training is crucial as these two agencies are dependent upon one another for the effective prosecution of impaired drivers. Therefore it is beneficial that they be involved in cross-professional training to ensure consistency and coordination of their practices and policies.

A barrier to comprehensive training sessions is that practitioners will often have to sacrifice attendance at longer training sessions to accommodate job demands. An effective way to increase the value of shorter training sessions is to package them into a more robust format (i.e., online) to make them more readily available.

In developing such programs, however, great care should be

**Shorter online training sessions that practitioners can regularly attend can increase value.**

taken to provide opportunities for the professionals in different agencies to interact. Creating continuing legal education (CLE) credits and post-certified trainings are effective strategies to incentivize participation and encourage agencies to prioritize education for their staff.

Staff turnover can also be a particularly challenging barrier. To effectively manage staff turnover, it is important to ensure that there are incentives for experienced practitioners to remain within the DWI system. This can be an obstacle for many agencies, however there are strategies that can be enacted to mitigate these challenges. For example, in California the Office of Traffic Safety (OTS) gives a grant to fund a Traffic Safety Resource Prosecutor (TSRP) program. In order to qualify for this grant, TSRP attorneys must have a minimum number of years of experience prosecuting DWI cases. Prioritizing experience as an asset to secure grant funding incentivized senior prosecutors to remain in the DWI system and allowed the OTS to staff positions with experienced prosecutors, whom they might otherwise not have been able to attract.

## 2.5.2 Caveats

Practitioner education is a vital feature of an effective DWI system. However, even in the most robust programs, a number of challenges associated with educating staff and managing turnover can still be encountered. For example, judges and other court practitioners may not be able to participate in trainings due to competing priorities. For judges, required impartiality may prevent them that from participating in multi-disciplinary training sessions. Inconsistent trainings can create a substantial gap between the knowledge of court practitioners and the rest of the DWI system, which can impede the effective delivery of DWI initiatives. To account for such barriers, it is recommended that practitioners promote the fact that DWI research is dynamic and not static, which can reinforce the need for ongoing education initiatives. Effective continuing education and training can also help manage staff turnover as practitioners with little or no previous DWI experience can be regularly trained and can actively contribute to DWI program when instances of turnover do occur.

**Promote the position that DWI research is dynamic and not static thus increasing the need for ongoing education services.**

## 2.5.3 Resources

- > **Law Enforcement Liaisons (LELs).** The goal of an LEL is to build relationships with stakeholders and to advance critical program objectives. LELs can deliver effective education to important practitioners and are valuable resources for program administrators. An overview of the LEL program is available at <http://www.nlelp.org/>.
- > **Traffic Safety Resource Prosecutors (TSRPs).** TSRPs are current or former prosecutors who provide training, education and technical support to prosecutors and law enforcement agencies throughout their states. TSRPs are good resources for states to leverage appropriately, especially to take the lead on educational initiatives aimed at prosecutors and defense attorneys. The most current list of active TSRPs that was available at the time this report was published can be found at <http://www.nlelp.org/wp-content/uploads/2017/06/TSRP-List-20170516.pdf>.
- > **Judicial Outreach Liaisons (JOLs).** JOLs are judges who act as peer-to-peer trainers/educators for judges. Over time the role of JOLs has expanded and both regional and state JOLs may be available. They can be points of contact to begin educational initiatives for judges and can offer valuable insight into the judicial system for program administrators. More information can be obtained at <https://www.nhtsa.gov/staticfiles/nti/pdf/811783.pdf>.
- > **Probation Fellow.** Funded by NHTSA, the American Probation and Parole Association (APPA), probation fellow offers training, technical

assistance and guidance on supervision of the DWI population to probation and parole departments across the nation. Training topics include the use of assessment tools, evidence-based alcohol and drug treatment, DWI Courts, alcohol monitoring technologies, building community collaborations and other supervision strategies that have been shown to be effective in reducing recidivism of high-risk impaired drivers. The Fellow presents the probation perspective to other branches of the DWI criminal justice system on issues related to the supervision of DWI offenders. More information can be obtained at [Probationfellow@csg.org](mailto:Probationfellow@csg.org).

- > **NHTSA trainings.** NHTSA offers training sessions and seminars for DWI practitioners across the country. These trainings can be state-specific or targeted towards a region of states. NHTSA will also sponsor training sessions hosted by states or regional administrators. Additional information can be accessed at <https://www.nhtsa.gov/sites/nhtsa.dot.gov/files/811455.pdf>, <https://oag.dc.gov/page/sfst-training-manuals>, and <http://doddlawfirm.com/wp-content/uploads/pdf/2015-6-15-SFST-Brochure-small.pdf>.
- > **National Centre for DWI Courts (NCDC).** The NCDC is a division of the National Association of Drug Court Professionals (NADCP) and is dedicated to delivering research-driven practices to reduce impaired driving recidivism nationwide. The NCDC works toward reducing impaired driving through the expansion of DWI Courts. In Michigan, for example, a comprehensive DWI court system has been established through the resources made available by the NCDC. Michigan's court system has achieved success in ensuring that all individuals have access to the services of a DWI court, even those located in areas where it where it was not traditionally feasible to provide access to one. Additional information can be obtained at <http://www.nadcp.org/learn/about-ncdc> and <http://courts.mi.gov/Administration/SCAO/Resources/Documents/Publications/Manuals/Specialty/Regional-DWI-Manual.pdf>.
- > **Highway Safety Offices (HSOs).** HSOs are able to coordinate, sponsor, and fund educational and training initiatives for state practitioners. They are also able to forge valuable connections through their established networks in all areas of the DWI system. For example, in Oklahoma the HSO was able to facilitate the training of law enforcement officers by toxicologists for new methods of oral fluid testing. They also sponsored the travel of these trainers to ensure they could go to rural areas that would have traditionally been excluded from such training sessions. More information is available at <http://www.ghsa.org/about/shsos>.
- > **Online training materials (Minnesota).** Minnesota has encountered challenges associated with connecting to practitioners located in rural areas. To resolve these challenges they uploaded their breath test operator course and resources to an online platform. These are available

at <https://dps.mn.gov/divisions/bca/bca-divisions/forensic-science/Pages/forensic-programs-breath-alcohol-testing.aspx>.

## 2.6 DWI countermeasures

This section describes tools and resources that can guide the implementation and delivery of proven DWI countermeasures (e.g., DWI courts, alcohol interlocks, probation services, substance abuse treatment).

### 2.6.1 DWI courts

#### Strategies

Courts have responded to the complex nature of DWI offenses by processing them through specialized courts. These courts provide an opportunity for practitioners to deliver intensive supervision and services to DWI offenders

while reducing risks and recidivism. Experiences and knowledge gained from many courts has informed the development of best practices for this countermeasure.

The first step for practitioners is to research whether a statutory provision that governs the creation of a specialized court within their jurisdiction currently exists. Funding for these courts is an important point for consideration as these courts are resource-intensive. An examination of



how neighbouring jurisdictions fund their DWI courts may provide insight into ways this can be achieved. If there is limited support for such programs then an alternative strategy would be to determine whether similar services can be delivered through other agencies (i.e., an intensive supervision program for DWI offenders).

Educational initiatives directed specifically toward judges can help increase support for DWI courts and generate leadership for them. A common strategy to identify champions is to make contact with an influential judge or recognized leader who would be able to guide educational efforts (i.e., attend DWI court conferences) and encourage buy-in. JOL and NCDC trainings can also be utilized as opportunities to increase knowledge and understanding about the value of DWI courts. There may also be an opportunity to coordinate with the media to increase visibility about the positive benefits of DWI courts.

## Caveats

Although DWI courts have several advantages, and are well-established, implementation may be hindered by low political will, or a one-sided emphasis on punishment. For this reason, it may be beneficial to gauge the level of support and political leadership associated with DWI courts as part of an implementation strategy. It is also important to evaluate the volume of appropriate cases that might enter a DWI court to determine the resources needed to meet this demand. This might be an especially prominent caveat

in jurisdictions where courts do not yet exist, or where a hybrid DWI/drug court is currently in place. In this case, it may be helpful to cite research to show that DWI courts are more effective in managing these offenders as compared to hybrid drug/DWI courts (Bouffard et al. 2010).



## Resources

- > **Judicial Outreach Liaisons (JOLs).** JOLs are judges who act as peer-to-peer trainers/educators for judges. Over time the use of JOLs has expanded and many jurisdictions may have either a state or regional JOL who can provide assistance. They can be points of contact to begin educational initiatives for judges and can offer valuable insight into the judicial system for program administrators. More information can be obtained at <https://www.nhtsa.gov/staticfiles/nti/pdf/811783.pdf>.
- > **National Centre for DWI Courts (NCDC).** The NCDC is a division of the National Association of Drug Court Professionals (NADCP) and is dedicated to delivering research-driven practices to reduce impaired driving nationwide through the expansion of DWI Courts. NCDC developed ten guiding principles of DWI courts that can be used to inform the development of a DWI court. It highlights important program features that should be included as part of the court. More information is available at [https://www.dwicourts.org/wp-content/uploads/Guiding\\_Principles\\_of\\_DWI\\_Court\\_0.pdf](https://www.dwicourts.org/wp-content/uploads/Guiding_Principles_of_DWI_Court_0.pdf)

In Michigan, for example, a comprehensive DWI court system has been established through the resources made available by the NCDC. Michigan's court system has achieved success in ensuring that all individuals have access to the services of a DWI court, even those located in areas where it where it was not traditionally feasible to provide access to one. Additional information can be obtained at <http://www.nadcp.org/learn/about-ncdc> and <http://courts.mi.gov/Administration/SCAO/>

Resources/Documents/Publications/Manuals/Specialty/Regional-DWI-Manual.pdf.

- > **National Association of Drug Courts (NADCP) training.** The NADCP offers training seminars, courses, and conferences to help criminal justice professionals manage offenders with drug and substance abuse related issues. Trainings are targeted towards judges, prosecutors, defense counsel, treatment representatives, DWI/Drug Court coordinators, experts in research, probation/supervision, and law enforcement. As part of this training, stand-alone DWI courts and related issues are covered as topics of interest. More information can be obtained at the following web address <http://www.nadcp.org/resources/training-programs>.

## 2.6.2 Alcohol monitoring

### Strategies

The development of alcohol monitoring technologies to supervise offenders, such as alcohol interlock and continuous alcohol monitoring devices, are an effective way to reduce recidivism and impaired driving fatalities. However, the mere presence of these technologies is not enough to reduce the problem. Comprehensive program features must be integrated with these technologies to increase effectiveness.

As a first step, it is useful first to quantify the participation rate of DWI offenders in alcohol interlock or related programs, as this can provide an important context for improvements. An examination of the level of participation by offenders can also help to identify barriers to participation and explore strategies to overcome them.

It is equally important to ensure that practitioners involved in the delivery of these countermeasures have accurate information about current technologies and that research is readily available to answer questions they may have about these technologies. Regular educational opportunities related to these technologies can also help to expand their usage.

**An important part of monitoring is to ensure that accurate information about current technologies and research is readily available.**

A review of similar technologies and countermeasures used in other states can also provide important insights into best practices. For example vendor oversight protocols, enforcement strategies and monitoring techniques are all vastly different from state to state and are usually tailored to each jurisdiction. Monitoring can take many forms: not all offenders will require the same level of monitoring. In addition, monitoring may be a shared activity undertaken by several agencies who take some responsibility to manage workload.

## Caveats

Monitoring is a complicated process that is challenging to implement; not all agencies have the ability or authority to monitor offenders. For example, court and probation agencies have the authority to utilize a range of monitoring tools and impose sanctions for non-compliance, whereas driver licensing agencies do not. In addition, the use of monitoring requires staff capacity and resources to review monitoring data and respond to instances of non-compliance. Monitoring may also create liability for agencies who are notified about non-compliance but who do not take action to address it. As such, the use of monitoring must be well-planned to ensure adequate data management and the consistent application of responses to non-compliance. When contracting with companies that offer alcohol technologies, it is essential to include all organizations that may play a role in the oversight or supervision of these tools.

## Resources

- > **Association of Ignition Interlock Program Administrators (AIIPA) Best Practices.** AIIPA has developed a report describing best practices in relation to the use of interlock devices. The objective of the guide is to outline standardized best practice recommendations for states to ensure that testing and performance of interlock devices is uniform from state to state. The guide is available at [http://aiipaonline.org/assets/AIIPA\\_Best\\_Practices.pdf](http://aiipaonline.org/assets/AIIPA_Best_Practices.pdf).
- > **NHTSA Model Guidelines for State Ignition Interlock Programs.** In response to increasing scientific evidence that interlock devices enhance traffic safety, NHTSA has released model guidelines for states to help strengthen several essential program features. The guide includes information on legislation, education, program administration, vendor services, data collection, driver licensing, and the devices themselves. It is available at <http://www.shcmoks.com/media/images/NHTSAIgnition.pdf>.
- > **Alcohol Interlock Curriculum for Practitioners.** This curriculum provides general information about alcohol interlocks to the public and also allows registered instructors to tailor educational materials to meet their respective needs and deliver these materials at their convenience. It is designed to meet the educational needs of law enforcement, prosecutors, the judiciary, probation and parole officers, treatment professionals, and driver licensing professionals. The curriculum contains a wealth of information about essential program features and monitoring strategies. It is available at [www.aic.tirf.ca](http://www.aic.tirf.ca).
- > **Continuous Alcohol Monitoring Primers.** Continuous alcohol monitoring devices use transdermal alcohol monitoring and allow for continuous monitoring of offenders 24 hours a day, seven days a week

for the duration of the supervision period. TIRF has compiled a series of primers on this technology for criminal justice professionals to explain the use of these devices and their limitations. The primer contains checklists and templates to guide program implementation and is accessible at [http://tirf.ca/wp-content/uploads/2017/02/CTAM\\_Practitioner\\_Guide\\_Full\\_Report.pdf](http://tirf.ca/wp-content/uploads/2017/02/CTAM_Practitioner_Guide_Full_Report.pdf).

- > **AAMVA Ignition Interlock Working Group.** The American Association of Motor Vehicle Administrators (AAMVA) has spearheaded a Working Group focused on the use of ignition interlocks as a DWI countermeasure. The objectives of the Working Group are to review current interlock research, current programs that are administered throughout the US, and to develop scientifically supported best practices that help inform enforcement strategies. Working Group resources can be accessed via <http://www.aamva.org/Ignition-Interlock-Working-Group/>.

- > **Online presentations.** Various online presentations that cover the use of monitoring technology as a sanction against DWI offenders have been published by the NADCP, APPA, and AAMVA. The presentations contain valuable research statistics, best practices, information about drugged driving, and effective countermeasures such as interlock devices. They can be accessed at the following addresses <http://www.nadcp.org/sites/default/files/2014/A-6.1.pdf>, <https://www.appa-net.org/eweb/docs/APPA/ISDWI.pdf>, and [www.aamva.org/WorkArea/DownloadAsset.aspx?id=1880](http://www.aamva.org/WorkArea/DownloadAsset.aspx?id=1880).



- > **Industry journals.** There are many research and scholarly peer-reviewed journals that examine the effectiveness of monitoring technologies to help inform best practices. These journals span a wide range of topics and many are specifically focused upon the use of ignition interlocks. Although many of these journals are available only through paid subscription, the extremely useful information they provide may justify their cost. Journals such as *Traffic Injury Prevention* (available at [http://www.tandfonline.com/loi/gcpi20?open=18&year=2017&repitition=0#vol\\_18\\_2017](http://www.tandfonline.com/loi/gcpi20?open=18&year=2017&repitition=0#vol_18_2017)) require a subscription while some online resources, such as SagePub (accessible at <http://journals.sagepub.com/doi/abs/10.1177/1541931214581441>) contain useful traffic safety information that is in the public domain.

## 2.6.3 Correctional services

### Strategies

Correctional services, including probation and parole supervision, offer effective countermeasures for DWI offenders. Several strategies can be considered to ensure that correctional services in a jurisdiction are equipped to manage DWI issues optimally.

A review of supervision services in the DWI system can be beneficial to survey officers to determine what options are available for first offenders who account for a majority of the impaired driver population. Many jurisdictions lack the authority or resources to screen or supervise first offenders in a meaningful way. It may therefore be advisable to create a committee to develop specific guidelines that can be explored for the efficient delivery of services to this population. Of importance, the use of supervision strategies should be considered in relation to the outcomes of a risk and needs assessment to ensure that strategies match the needs of offenders.

Another factor that is relevant to the use of supervision services is a clear understanding of the caseloads/workloads of practitioners who supervise DWI offenders. This information can inform decision-making and help achieve an appropriate balance between sanctions and appropriate incentives. It may also offer an opportunity to consider whether best practices from other jurisdictions can be implemented in the current system. For example, Minnesota uses an intensive supervision program (ISP) as a strategy to manage high-risk DWI offenders. The program is reported to have reduced recidivism rates among offenders. An evaluation of this program showed it reduced recidivism rates among DWI offenders (Wiliszowski et al. 2011). Similar programs can be implemented in other jurisdictions.



It can also be beneficial to review the quality of the screening processes and/or assessment tools used to select appropriate supervision strategies. Additionally the use of DWI specific assessment tools such as the Impaired Driver Assessment (IDA) are assisting probation and parole departments in making informed decisions about offender risk and needs and matching appropriate community resources to address their specific criminogenic needs. Clarity regarding the criteria used either to include or exclude offenders from a supervision strategy is important for consistency in the management of these offenders. Of course, DWI offenders in jail or prison are more likely to be in need of specialized services since access to treatment

and programming may be less available to institutionalized populations. Efforts are needed to ensure this high-risk population of DWI offenders is able to access needed services prior to their release in the community

## Caveats

The process of being arrested can have a powerful impact on offenders and may discourage at least some of them from re-offending. As such, not all offenders may benefit from more intensive supervision strategies. Caution is therefore warranted to avoid over-servicing low risk offenders, thereby increasing their risk to re-offend (Bonta et al. 2000; Andrews et al. 2006; Marlowe et al. 2008). Validated screening assessments can help reduce the likelihood of over-servicing and ensure that limited resources are devoted

to those offenders most in need of supervision.

**Pro-social activities can have a positive impact on an offender compliance.**

Of equal importance, pro-social activities can have a positive impact on the lives of offenders. Care is required to ensure that

offenders are able to participate in pro-social activities and that supervision requirements do not unintentionally disrupt these positive influences.

## Resources

- > **Impaired Driving Assessment (IDA) tool.** APPA developed this screening tool with funding from NHTSA to help identify recidivism risk among DWI offenders and determine the most effective community supervision programs to reduce risks. The IDA can be accessed at <https://www.appa-net.org/eweb/docs/APPA/pubs/SRNUIDA.pdf>.
- > **Guidelines for Community Supervision of DWI Offenders.** APPA has published national guidelines for the supervision of DWI offenders. The guide contains comprehensive strategies to help manage DWI offenders while under community supervision. It is available at <https://www.appa-net.org/eweb/docs/appa/pubs/DWI.pdf>.
- > **CCJ and COSCA Survey: Branch Responsible for Probation.** The Conference of Chief Justices (CCJ) and the Conference of State Court Administrators (COSCA) surveyed knowledgeable practitioners across the US to determine whether probation is an executive or judicial branch function of the state for juvenile, adult misdemeanor, and adult felony offences. The survey provides information for 45 US states (Iowa, Kentucky, New Hampshire, New Mexico, Oregon did not complete the survey) and the District of Columbia. The survey also contains additional clarifying comments made by practitioners where needed. The full list can be found at <http://www.ncsc.org/~media/Microsites/Files/CSI/Branch-Responsible-for-Probation.ashx>.

## 2.6.4 Substance abuse services

### Strategies

Substance abuse services offer treatment to DWI offenders who are diagnosed with substance abuse issues. These services can be an effective countermeasure and there are a number of best practices that can guide the implementation of these strategies.

A suggested starting point for practitioners is to investigate what percentage of DWI offenders has access to health insurance coverage and the types of specific provisions for these offenders that are available under state or local health care support program, Medicaid or the Affordable Care Act (ACA).

This activity will provide insight into the breadth of services that are needed as well as the demand

for substance abuse services that are most appropriate for these offenders. Practitioners can also use this

**Practitioners can investigate what percentage of DWI offenders has health insurance coverage and if there are specific provisions for these offenders within the Affordable Care Act (ACA).**

exercise to determine what types of services may not be covered by existing health insurance plans and whether other public funding mechanisms to support these services are accessible to DWI offenders.

In other words, treatment services should be assessed against the potential impact of the Affordable Care Act to ensure that adequate services are available. In addition, existing treatment services should also be assessed in light of best practices to ensure that quality treatment services with proven effectiveness are delivered to DWI offenders. The Substance Abuse and Mental Health Services Administration (SAMHSA) provides information on evidence based treatment modalities for the DWI population.

Another strategy that may be useful is to consider the use of an unaffordability model for offenders who are unable to pay for treatment services in lieu of an indigency model to determine eligibility. The unaffordability model is based on a more holistic examination of the financial status of offenders who may be unable to afford the costs of program participation. Measures used as part of an unaffordability assessment may include one or more of the following measures:

- > annual income;
- > monthly income and expenses;
- > eligibility for public assistance program enrollment;
- > number of dependants; and,
- > other court-related costs and expenses.

In instances where unaffordability provisions apply, offenders may be offered participation at a reduced cost that may include a discount or reduction that is applied to some or all costs, or some or all costs may be waived, or at least waived for a specified period. Working with treatment and health services to examine the availability of funding streams to increase the delivery of services can also be beneficial.

## Caveats

To qualify for substance abuse services, it is necessary for offenders to obtain a diagnosis. This obligation to determine need for services is primarily the responsibility of screening/assessment services providers. This is an important function to ensure that resources are not wasted on offenders who do not need them.

## Resources

- > **Substance Abuse and Mental Health Services Administration (SAMHSA) resources.** SAMHSA is an organization dedicated to the management of substance abuse and mental health issues within the US. Their goal is to improve the quality of treatment services offered to those who have been diagnosed with substance abuse or mental health issues. Their website contains a variety of resources for evidence-based best practices and general guidelines for effective substance abuse countermeasures. The website can be accessed at <http://store.samhsa.gov/home>.
- > **Screening and brief intervention guides.** NHTSA and SAMHSA have developed several guides and toolkits to help practitioners who conduct substance abuse screening and brief interventions. These screening tools were designed to help practitioners with no professional medical training identify potential candidates for substance abuse treatment programs while also providing brief five to ten minute interventions. These guides are available at [https://www.integration.samhsa.gov/clinical-practice/alcohol\\_screening\\_and\\_brief\\_interventions\\_a\\_guide\\_for\\_public\\_health\\_practitioners.pdf](https://www.integration.samhsa.gov/clinical-practice/alcohol_screening_and_brief_interventions_a_guide_for_public_health_practitioners.pdf) and [https://www.integration.samhsa.gov/clinical-practice/sbirt/NHTSA\\_SBIRT\\_for\\_Colleges\\_and\\_Universities.pdf](https://www.integration.samhsa.gov/clinical-practice/sbirt/NHTSA_SBIRT_for_Colleges_and_Universities.pdf).

## 2.7 Education & prevention

This section describes strategies to improve public education campaigns related to impaired driving and alcohol education and prevention efforts targeted towards young persons aged 20 or under in schools.

### 2.7.1 Strategies

Education about the impaired driving problem and countermeasures used to prevent and reduce it can discourage impaired driving behavior among the

general population. To increase awareness among the public and legislators, it is suggested that educational initiatives acknowledge the growing prevalence of drug impaired driving. This issue can help to illustrate the overall need for continued impaired driving education, prevention efforts, and research. It may be advisable to create a working group of agencies that are already involved with this issue to determine what has been done with regard to educational initiatives, what resources are available, what messages resonate with the public and what delivery mechanisms are available. It is equally important to assess whether previous campaigns on this issue have had positive effects on behavior.

There may also be an opportunity to create an inventory of what has been done by other agencies and/or entities (e.g. universities, non-profits, civic organizations, faith-based



organizations) and the public communication strategies commonly used across these agencies. Practitioners can look at the existing evidence base for education and prevention programs and determine if any strategies in their jurisdiction have already been evaluated.

Practitioners can examine the effectiveness of DWI education efforts by comparing local data about knowledge, attitudes and behaviors among youth in their jurisdiction to data collected by the Centers for Disease Control and Prevention (CDC) youth risk behaviour survey (by state or by school). It is also advisable to examine graduated driver licensing (GDL) programs and driver education resources to determine whether information about impaired driving is included in these curricula. There may even be opportunities to include alcohol education into classroom learning (e.g., the physics of alcohol on the human body) using NHTSA materials. Alcohol education could also be tied to community service requirements for teens to graduate high school. Additionally practitioners can look at other youth groups to deliver alcohol education (e.g. scouts, sport teams, religious groups). States can also consider focus group testing with messages, particularly among younger audiences, in order to gauge their effectiveness.

Research also shows that educational campaigns can be bolstered by strong enforcement. Working with local police agencies and prosecutors to launch and roll out education campaigns is encouraged. There may also be opportunities to work with the media as well as enforcement agencies to make messaging more consistent.

### 2.7.2 Caveats

When implementing educational messaging it is important to acknowledge the prevalence of drug-impaired driving. This is consistently overlooked in educational materials and the public is often uninformed about the issue. There is also a need to discuss the consequences of impaired driving beyond simply being arrested, such as how it can affect both employment and travel opportunities.

Practitioners are advised to be aware that there are current efforts to review/revise dietary guidelines related to a “standard” drink. Specifically, there is a concentrated movement attempting to update these guidelines. If these guidelines are successfully updated they should be utilized.

**Educational messaging should acknowledge the prevalence of drug-impaired driving.**

Above all, it is important to ensure that there is follow-through on messaging and the correct consequences are applied in

terms of both arrest and sanctions. For education to be effective it has to be believed. To this extent, educational messages have to be implemented in practice. This will further highlight the benefits of partnering with law enforcement and court agencies to deliver education.

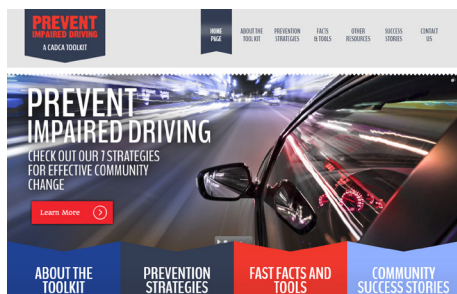
### 2.7.3 Resources

- > **Association of National Stakeholders in Traffic Safety Education (ANSTSE) impaired driving resources.** This organization continually publishes resources for traffic safety practitioners to use in relation to all aspects of driver education. They have several resources that are targeted towards combating impaired driving. Some of these resources include actions states can take towards managing drug-impaired driving, alcohol monitoring case studies, training evaluations, among many other useful topics. They are available at <http://www.anstse.info/Impaired%20Driving.html>.
- > **National Organization of Youth Safety (NOYS).** This organization has initiatives that are targeted towards combating impaired driving among youths. They offer a number of resources for educating youth about alcohol and drug impaired driving. The website can be accessed at <https://noys.org/impaired-driving/>.
- > **Students Against Destructive Decisions (SADD).** This organization is a youth-based organization aimed at educating youth so they can successfully confront the risks and pressures that challenge them throughout their daily lives. One of their key components is traffic safety and informing youth about the risks associated with distracted and impaired driving. They have a number of articles available in the public domain and promote the Towards Zero Deaths (TZD) initiative. More

information can be obtained at the following address <https://www.sadd.org/what-we-care-about/traffic-safety/impaired-driving/>.

> **Community Anti-Drug Coalitions of America (CADCA) Toolkit.**

CADCA has developed an impaired driving toolkit for practitioners to use



as they see fit. It is designed to provide coalitions, law enforcement partners and drug prevention practitioners with strategies to prevent and reduce impaired driving in their communities. It contains seven strategies that CADCA has developed to help manage the

problem and is available at <http://www.cadca.org/resources/prevent-impaired-driving-toolkit>.

> **Tennessee Driver Handbook.** The State of Tennessee has updated their new driver handbook to include more comprehensive information on a wide variety of subjects. Of note, they have an entire chapter dedicated to impaired driving, covering information on both alcohol and drugs. This type of structure could inform other state driver manuals. It is available at [https://www.tn.gov/assets/entities/safety/attachments/DL\\_Manual.pdf](https://www.tn.gov/assets/entities/safety/attachments/DL_Manual.pdf).

> **Virginia teen/parent driver education.** As important as it is for teen drivers to be properly educated, parents have a role to play in their teens learning to drive. Several states now recognize this and some states such as Virginia even offer a combined parent/teen driver education course. The course covers parental responsibilities regarding juvenile driver behavior, juvenile driving restrictions, and the dangers of impaired driving. The course website can be accessed at <http://www.aadrivingacademy.net/90-minute-parent-teen-class.html>.

## 2.8 Environmental & contextual factors

This section describes strategies pertaining to the role of rural jurisdictions in DWI initiatives, the presence and enforcement of alcohol ordinances, discussions and partnerships with tribal entities on DWI issues, and the availability of alternative transportation options across a jurisdiction.

### 2.8.1 Strategies

The physical environment of a jurisdiction can influence progress in reducing impaired driving. This can be especially pronounced in rural states where the physical distance between population centres is a barrier to consistent enforcement and the delivery of impaired driving countermeasures. There are a variety of strategies that can help mitigate such barriers and which can be implemented on a case-by-case basis.

Tools such as Data-Driven Approaches to Crime and Traffic Safety (DDACTS) can be used to map DWI crashes and crime locations to identify priority areas for enforcement to best utilize enforcement resources. More information about this tool can be accessed at [https://one.nhtsa.gov/Driving-Safety/Enforcement-&Justice-Services/Data%E2%80%93Driven-Approaches-to-Crime-and-Traffic-Safety-\(DDACTS\)](https://one.nhtsa.gov/Driving-Safety/Enforcement-&Justice-Services/Data%E2%80%93Driven-Approaches-to-Crime-and-Traffic-Safety-(DDACTS)). County sheriffs are also an important law enforcement partner in rural areas and should be consulted during the development of DWI initiatives. Positive working relationships with county sheriffs are essential to manage DWI enforcement in rural areas, and workload can be shared across these agencies that often have limited resources.



It may also be useful to compare DWI crashes in the jurisdiction to the density of alcohol outlets. This measure can help to demonstrate the need for alcohol enforcement strategies and local ordinances. Members of the Alcohol Beverage Control (ABC) department can help in this regard, and should be considered for inclusion for any sort of task force or committee aimed at reducing impaired driving.

Another opportunity to strengthen impaired driving initiatives is to ensure that rural jurisdictions are represented on a statewide task force or working group. This strategy can help ensure that topics and issues specific to rural jurisdictions, and implications for them at the local level are considered as part of discussion. Building on this strategy, it can also be useful to implement regional task forces that are better able to focus on community priorities and tailored solutions, with support from a state entity. For example, in Minnesota and Washington, regional “Vision Zero” initiatives were established to help reduce impaired driving incidents. The initiatives were supported by MOUs and cooperative agreements between key agencies.

It is also encouraged to seek efficient ways to deliver countermeasures in rural areas. For example, the expanded availability and use of ignition interlocks in rural jurisdictions can help ensure that offenders have transportation to access other impaired driving services in neighbouring communities such as treatment or DWI courts. Regional DWI court initiatives which involve the court providing services in different communities on specified days can also be considered to reduce distances that offenders must travel to access services. A model for this approach is available in Michigan.



It may also be beneficial to determine if there are opportunities to work with casinos, entertainment venues, Chamber of Commerce, Indian Affairs liaisons, and tribal land representatives to tackle impaired driving in rural areas. There may be value in meeting individually with these entities to discuss the problems they face and possible solutions. Reaching out to Universities and Colleges is also advisable to reach the youth population with services.

Opportunities to seek border state cooperation on certain issues should also be considered. It is not uncommon for impaired driving incidents to occur near or across state lines. Sporting events, concerts and casinos are just a few examples of scenarios that can result in a need for cross-border enforcement. For example, Missouri and Kansas law enforcement agencies were able to partner in order to more effectively manage impaired driving during sporting events in Kansas City which required patrons to cross state borders.

There may also be a need to investigate mutual aid agreements between tribal police and local sheriffs. This can help strengthen activities and build longer-term relationships that can have a positive impact on the program. For instance in New Mexico, under State Statute 29-1-11, tribal police officers have been deputized as New Mexico Peace Officers as a way to resolve jurisdictional issues when managing impaired driving on Tribal lands. The special authority granted to these officers has allowed them to respond to and handle impaired driving cases by applying state criminal/traffic safety statutes against offenders as they are now Peace Officers. However it should be underscored that generally the most successful approaches are those that are tailored to meet the specific needs of a particular tribe.

Finally, a review of local transportation options and the identification of key gaps in service schedules may be needed. It can be helpful to determine whether safe ride or ride-sharing programs are available in local areas so their availability can be promoted to reduce impaired driving. Important considerations related to these programs include the way they are licensed, their use of insurance, and ways that complaints are managed. Local and civic organizations (e.g. faith-based and veterans offices) may provide a template or model for a broader safe ride program. A critical review of safe ride programs is available at [Safe rides as an alternative to alcohol-impaired driving and their effects: A literature review.](#)



Similarly jurisdictions can consider transportation options that are offered in peak tourism areas, or seasonal events, and try to identify ways to make these available year round.

### 2.8.2 Caveats

The political climate in individual jurisdictions may be a barrier to the development of impaired driving strategies. Cost is a prevalent issue as legislators and administrators are often challenged to allocate resources to new initiatives. Unions and organized lobby groups may also be an impediment in some instances if workers are being asked to extend hours of service, or if ordinances are perceived to interfere with business interests. One strategy to help overcome at least some barriers is to ensure that a portion of fines or fees that are collected are allocated to the agencies that perform relevant services. This can be particularly important for local law enforcement agencies that are tasked with many demands.

DWI administrators must also recognize that many prosecutors in rural areas must be generalists who cannot specialize in prosecuting any one kind of crime. Their training and resources may therefore not be comparable to those of full-time DWI prosecutors in urban jurisdictions. As such, it is helpful for training on impaired driving issues for prosecutors and judges in rural areas to highlight local data that underscores the serious nature of the problem. This can help to overcome the misperception that impaired driving is primarily an urban problem, and to motivate these jurisdictions to focus attention on this issue.

**Training on impaired driving issues for prosecutors and judges in rural areas can help motivate these jurisdictions to focus attention on the serious nature of the problem.**

The delivery of safe ride programs is another important issue warranting attention. The structure and regulation of these programs varies across jurisdictions, and there may be potential liability associated with them if they are not well-managed.

Some organizations may be less receptive to a top-down approach to the development of an impaired driving strategy. Limitations of this approach are that practitioners on the frontline are uninvolved in the development process, which can pose an impediment to obtaining their buy-in. Impaired driving is also influenced by local and contextual factors, so a bottom-up approach may help to ensure that approaches are effective for each community.

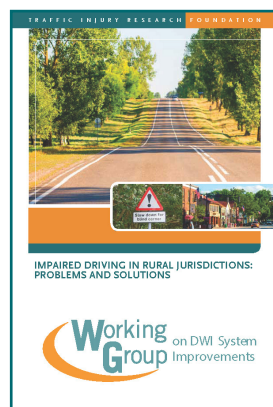
Jurisdictional challenges also arise from efforts to implement impaired driving strategies on Tribal lands. Tribal governments are sovereign entities, with jurisdiction over criminal conduct committed by tribal persons on Tribal

lands. State authorities may not exercise authority in such cases without tribal consent. With many tribal communities suffering disproportionately from DWI, Tribal governments are potential partners for states undertaking DWI initiatives.

States wishing to implement impaired driving initiatives on Tribal lands should become familiar with policies and practices on Tribal lands to establish respectful partnerships with their leaders and relationships based on trust. At the same time, state authorities should ascertain whether Public Law 280 is applicable in their state. This federal legislation gives state law enforcement jurisdiction on Tribal lands. States initially included as part of Public Law 280 were: AK, CA, MN, NE, OR, and WI. Other states were later permitted at their option to acquire jurisdiction pursuant to PL 280, and include IA, NV, SD, ND, AZ, FL, MT and UT (Public Law 280 (Pub.L. 83-280 (August 15, 1953), codified as 18 U.S.C. § 1162, 28 U.S.C. §1360, and 25 U.S.C. §§1321-1326). Experience has shown that the Tribal support for these partnerships depends on the strength of broader state-tribal relationships.

### 2.8.3 Resources

- > **Impaired Driving in Rural Jurisdictions.** This report from TIRF and the DWI Working Group explores the issue of impaired driving in rural jurisdictions and highlights a variety of impaired driving strategies that have been developed in rural areas as examples of practice. This report is available at [http://tirf.ca/wp-content/uploads/2017/01/WG-2012-\\_Rural-DWI-FINAL.pdf](http://tirf.ca/wp-content/uploads/2017/01/WG-2012-_Rural-DWI-FINAL.pdf).
- > **NHTSA report on local ordinances.** NHTSA has compiled a comprehensive review of several strategies and pieces of legislation that can be implemented at the local level to help combat alcohol impaired driving. It is not meant to be a how-to guide for states but instead provides valuable information and examples of effective strategies adopted in local jurisdictions throughout the country. The review can be accessed at <https://www.nhtsa.gov/sites/nhtsa.dot.gov/files/811678.pdf>.
- > **Oklahoma Highway Safety Office (HSO).** This HSO was able to coordinate with state toxicologists to provide in-person training to law enforcement for oral fluid testing. This was invaluable to law enforcement members as they were using a new oral fluid testing method with which they were unfamiliar. The HSO was also able to ensure this training was provided online. Further information is available



at from the Impaired Driving Program Manager at [donald.longfellow@dps.ok.gov](mailto:donald.longfellow@dps.ok.gov).

- > **ABA Highway to Justice Fall 2014 Vol. 19 Issue 1 newsletter.** In the Fall of 2014 Judge J. Matthew Martin published an article in the American Bar Association's Highway to Justice newsletter. It describes some of the complex legal issues that can arise when trying to determine who has the authority to enforce impaired driving laws on Tribal lands. He highlights several cases that have occurred in the past fifteen years where it was initially unclear where the authority to prosecute resided, demonstrating the very real challenges associated with trying to enforce impaired driving laws on Tribal lands. The newsletter can be found on the ABA's website at the following web address [https://www.americanbar.org/content/dam/aba/publications/judicial\\_division\\_record/highwaytojustice\\_fall2014.authcheckdam.pdf](https://www.americanbar.org/content/dam/aba/publications/judicial_division_record/highwaytojustice_fall2014.authcheckdam.pdf).
- > **Tribal Technical Assistance Program.** The Federal Highway Administration (FHWA) has a technical assistance program that is primarily aimed at managing issues of impaired driving on Tribal lands. The program is designed to assist tribal governments by providing training, technology transfer, and research opportunities to help reduce impaired driving on Tribal lands. More information can be found at <https://flh.fhwa.dot.gov/programs/ttp/ttap.htm> and <http://nltapa.org/>.

## 2.9 Costs of impaired driving to offenders

This section highlights strategies to review and assess the costs of impaired driving for convicted offenders in terms of programmatic and licensing fees, and to gauge trends related to costs.

### 2.9.1 Strategies

Impaired driving prevention programs are most effective when the majority of offenders participate in and successfully complete them. However, cost is a common barrier to participation for many offenders. While it is unrealistic for the state to bear all the costs for impaired driving offenses, it is equally unlikely that many offenders will be able to pay all of the costs imposed on them. For this reason, it is important to direct the costs to be paid by offenders to the programs most likely to reduce recidivism. There are strategies available to states to make the costs more manageable for offenders, and to help them and their communities benefit from those services most likely to reduce recidivism.

Initially, members of a DWI task force or committee may find it useful to investigate and report on the impaired driving fees currently imposed on DWI offenders by their respective agencies. A template that documents all of the relevant costs related to an arrest, adjudication, conviction, and re-licensing is an effective way to create a common understanding of the cost

issue. Such a template will help all stakeholders and agencies appreciate all of the costs that are imposed and how the collected funds are utilized. This information can provide a solid foundation for strategic discussion about the management of costs and the implications for participation rates in various programs and services. For example, if participation rates are



low, this may suggest that the current system is not working. There may also be important distinctions between first and repeat offenders that warrant consideration.

Once practitioners have a better understanding of the actual costs imposed on first and repeat offenders they can determine whether

or not those costs are proportional to the offense, how these costs influence the successful completion of sanctions, and whether it is reasonable to expect offenders to pay these costs. The reality is that impaired driving programs need to be funded, and if participation rates are low then this will likely drive up the cost of participation for offenders. This could have long-term consequences that are detrimental to the impaired driving problem. As such, highlighting the relationship between cost and participation to stakeholders as a way to make the case for renewed participation initiatives can be valuable. As part of this exercise, it may also be useful for practitioners to examine how fees and costs for impaired driving compare to those for similar offenses.

Conducting a cost analysis may also be a useful exercise to help ensure that the delivery of services and programs is equitable and sustainable. For example, if the consequences of an impaired driving offense make it impossible for offenders to secure meaningful employment or disrupt pro-social factors such as family relationships or stable housing, this increases the burden on the state for these offenders and increases the likelihood that offenders will repeat their offense. Similarly, if treatment services are “one-size-fits-all” rather than tailored to individual needs, then outcomes may be sub-optimal, again leading to recidivism.

A good measure to consider as part of an analysis is the proportion of impaired driving offenders who are re-licensed following conviction. A low proportion of offenders becoming successfully re-licensed indicates that the system is not working. Another important indicator is the level of enforcement of driving while suspended or revoked laws, and the nature of the penalties associated with these offenses. Offenders who are able to drive

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_

5. ACTION TAKEN		6. EFFECTIVE DATE	
		MO.	DAY
<input type="checkbox"/> Suspended	<input type="checkbox"/> Revoked		
<input type="checkbox"/> Suspended	<input type="checkbox"/> Revoked		
<input type="checkbox"/> Suspended	<input type="checkbox"/> Revoked		

The above named person was advised \_\_\_\_\_

unlicensed with a low likelihood of detection, or low concern for the consequences if detected, similarly indicate a gap that requires attention.

Another important indicator is the magnitude of unpaid fees associated with impaired driving offenses at local, county and

state levels. This can inform discussion about fees and provide insight into the burden imposed on impaired driving offenders, and whether the current status of fees is counter-productive to reduce impaired driving. One strategy to help alleviate some of this financial burden is to spread these costs over time using a payment schedule scheme. In some jurisdictions, such as Oklahoma and Maryland, revocations are deferred in order to encourage people to enter the impaired driving system.

## 2.9.2 Caveats

When evaluating the cost to offenders it is important to keep in mind that the costs are most manageable when they are proportional to the cost of providing the appropriate services (i.e., fines for an impaired driving offense can be used to pay for treatment services). If the fees are too high it may be a difficult process to lower them as agencies are not inclined to give up a source of funding. It is suggested to keep in mind that lower fees may result in higher collection rates and better use of resources. However, even if these strategies are successful in driving up participation rates, it is important to remember that reducing costs alone may not solve all the issues currently facing the system.

## 2.9.3 Resources

- > **2011-2012 Policy Paper: Courts Are Not Revenue Centers.** The Conference of State Court Administrators (COSCA) has compiled a policy paper to assess best practices when using court fees as a source of revenue for the courts and other functions of government. The paper addresses the tension between ensuring that the appropriate fines and fees (i.e. those that directly cover court fees and associated sentencing costs) are collected as part of the sentence while also trying to avoid imposing unreasonable financial burdens upon individuals to fund other aspects of non-related government programs. The paper is available at <http://cosca.ncsc.org/~media/Microsites/Files/COSCA/Policy%20Papers/CourtsAreNotRevenueCenters-Final.ashx>.



### 3. CONCLUSIONS

The DWI Dashboard was designed as a tool to allow states to gauge priority gaps in their impaired driving systems. This guide describes best practices and practical strategies to address identified gaps, major caveats that warrant consideration, and tools, templates and resources that practitioners can use as a starting point to tackle problem areas. Of importance, some gaps will be more easily fixed whereas others may require more planning and a longer-term commitment of time and resources. As such, prioritizing solutions and working to address them in a strategic and coordinated fashion is paramount and can help practitioners remain focused on tasks and avoid feeling overwhelmed. A focus on shared responsibility, accountability, and measures of success can also boost and sustain commitment to an impaired driving strategy.

Continual access to leadership and resources or funding streams is equally important to the success of an impaired driving strategy. The data provided by the DWI Dashboard can help make a compelling case to build leadership and facilitate access to the needed resources. It can also create inter-agency partnerships and solid relationships across staff and agencies to achieve progress in reducing impaired driving. Hence, the value of the Dashboard as a continuous monitoring tool is underscored.

Effectively implementing a strategy and addressing issues that may be encountered along

the way will be contingent upon adequate planning and foresight, as well as incorporation of flexibility into the strategy. To avoid long-term complications and delays, practitioners may find it useful to account for potential delays during the development process. Although such delays may not always occur, it is a matter of best practice to be aware of them in order to be prepared to resolve them if necessary. The suggested strategies and best practices outlined in this guide may help inform practitioners about possible ways to resolve some of their respective challenges. However, the

**It is imperative that effective and continual access to leadership and resources/funding streams be available in order to address system needs identified by the Dashboard tool.**

implementation of those practices is ultimately a matter for practitioners themselves to determine. They know the impaired driving system in their own jurisdiction and the potential challenges that each best practice may encounter.

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# APPENDIX A: POTENTIAL DWI TASKFORCE STAKEHOLDERS

Administration Office of Courts	Organization of Victims of Impaired Driving
Alcohol Beverage Control	Police Chief’s Association
Alcoholic Beverage Manufacturers	Probation Services
Department of Business and Professional Regulation	Prosecuting Attorney’s Association
Department of Health	Public Safety Institute
Department of Highway Safety and Motor Vehicles	Public/ Private Transportation Agencies
Department of Law Enforcement	Schools/ Colleges/ Universities
Department of Revenue	Sheriffs Offices
Department of Transportation	Social Services
EMS/toxicologists	State Judicial Organizations
Faith/ Religious Community	Students Against Destructive Decisions
Judicial Outreach Liaison	Substance Abuse Treatment Services
Highway Safety Office	Traffic Safety Resource Prosecutor
Law Enforcement Liaison	Victim & Student Advocacy Organizations
Mothers Against Drunk Driving	



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