

63254



JOSEPH P. FOLEY
COMMISSIONER

The Commonwealth of Massachusetts

Office of Commissioner of Probation

211 New Court House, Boston 02108

DRIVING UNDER THE INFLUENCE OF LIQUOR:

FOLLOW-UP STUDY OF AGE, SEX AND SIMULTANEOUS OFFENSES

Joseph P. Foley
Commissioner

Prepared by:

Marjorie Brown Roy
Director of Research

and

Elaine Greenblatt
Senior Statistical Clerk

63254

November 27, 1979

DRIVING UNDER THE INFLUENCE OF LIQUOR:

FOLLOW-UP STUDY OF AGE, SEX AND SIMULTANEOUS OFFENSES

by

Marjorie Brown Roy, Director of Research
Elaine Greenblatt, Senior Statistical Clerk

I. Purpose of the Study

The objective of this DUIL study was to determine the age and sex distribution of drunk driver defendants in the Commonwealth of Massachusetts, and to assess the incidence of simultaneous offenses by age.

This study was modeled after a February, 1979 DUIL research project, and was undertaken to assess any shifts in age of defendants since the enactment of Massachusetts legislation (S. 1727, amended) which raised the legal drinking age from 18 to 20 years as of April 16, 1979.

The first research report was published by the Office of the Commissioner of Probation on March 30, 1979, before the new legislation was in effect.

In light of the new legislation which raised the legal drinking age in the Commonwealth, the study asked the questions:

1. What is the average age of drunk driver defendants in the state?
2. What percent of those charged with drunk driving are under the new legal drinking age?
3. Is there any age linkage to simultaneous offenses; that is, do certain types of additional charges occur more frequently among certain age groups?
4. Has the new legislation reduced the frequency of drunk driving among teenagers?

II. Methodology

The Office of the Commissioner of Probation analyzed data based on court appearance records received from 70 probation departments statewide from October 1-26, 1979. This data was compared to records received from February 5 to March 2, 1979.

In the February, 1979 sample period, 1,795 defendants were charged with driving under the influence of liquor (111A). In the October, 1979 sample, 1,788 defendants were similarly charged.

The Office of the Commissioner of Probation is unique in that all criminal and delinquency records statewide are centrally filed in Boston; six million court appearance records dating back to 1924 are stored in the OCP Central File.

Each day, probation departments across the state send in records of cases heard on the previous day, including new charges, the status of continued cases and dispositional information.

Only those records reflecting new charges for drunk driving were included in the samples.

Records were counted daily, and coded by age, sex and offenses. Offenses were coded, based on the following categories:

* DUIL only

* DUIL, plus one or more of the following:

1. Operating to Endanger
2. Use of a Motor Vehicle Without Authority
3. Larceny of a Motor Vehicle
4. Leaving the Scene of an Accident
5. Property Damage
6. Personal Injury
7. Speeding/reckless Driving
8. Other major Motor Vehicle
9. Other minor Motor Vehicle
10. Other Criminal Offenses
 - a. against persons
 - b. against property
 - c. controlled substance
 - d. public order

III. Findings

A total of 1,788 Drunk Driver records were received and included in the October 4-week sample, compared to 1,795 in the February 4-week sample. This data indicates that no significant shifts in volume of drunk driver arrests have occurred as a result of the new legislation.

The sex distribution of the February and October cases is as follows:

	<u>February Sample</u>	<u>October Sample</u>
Male	1,647 (91.75%)	1,618 (90.49%)
Female	148 (8.25%)	170 (9.50%)

While the October sample shows a slightly higher percentage of female DUII defendants (from 8.25% in February to 9.50% in October), an additional longitudinal study would be needed to assess whether this was a significant trend, or a finding unique to this sampling period. The data warrants further review.

The average age for male and female DUII defendants was as follows:

	<u>February Sample</u>	<u>October Sample</u>
Male	29.8 yrs. (range of yrs.: 15-75)	29.4 yrs. (range of yrs.: 15-82)
Female	31.4 yrs (range of yrs.: 17-67)	32.2 yrs. (range of yrs.: 16-78)

The above data shows no significant change in the mean age for males or females. While the February sample showed the oldest DUII defendant to be 75 years of age, the October sample included DUII defendants up to 82 years of age. The youngest defendant in both samples was 15 years old.

The age distribution for the DUII cases by sex was as follows:

<u>Age</u>	<u>February sample</u>			<u>October sample</u>		
	<u>Male</u>	<u>Female</u>	<u>Combined</u>	<u>Male</u>	<u>Female</u>	<u>Combined</u>
15	.18%	-	.18%	.06%	-	.06%
16	.60%	-	.60%	.93%	1.76%	1.01%
17	2.36%	2.70%	2.30%	3.95%	2.94%	3.86%
18	5.46%	3.37%	5.29%	5.13%	4.71%	5.09%
19	5.52%	5.40%	5.51%	8.09%	3.53%	7.66%
20	8.80%	5.40%	8.52%	7.23%	6.47%	7.16%
21-25	25.14%	25.67%	25.18%	23.84%	20.58%	23.55%
26-30	16.87%	13.51%	16.60%	17.05%	17.06%	17.06%
31-40	17.97%	22.97%	18.38%	16.67%	18.82%	16.89%
41-50	8.98%	12.83%	9.30%	9.82%	11.76%	10.01%
51-60	6.19%	6.75%	6.23%	4.94%	8.82%	5.26%
61-70	1.76%	1.35%	1.72%	1.91%	2.35%	1.96%
71+	.12%	-	.12%	.37%	1.17%	.45%
TOTAL	99.95%	99.95%	99.93%	99.99%	99.97%	100.01%

This age distribution for DUII defendants in the October sample closely parallels the age distribution in the February sample, with no decreased frequency among teenagers.

The above age distribution shows that while 14.12% of the males and 11.47% of the females were under 20 years of age in February (prior to the change in the legal drinking age), in the October sample 18.16% of the males and 12.94% of the females were under the age of 20.

Conclusions which may be drawn from the above data include:

1. Police discretion may play an important role in the increased number of teenagers arrested for drunk driving; that is, police are actually enforcing the new law;

2. Teenagers are probably not obeying the new legislation;
3. The inability to legally drink in a bar or tavern may induce some teenagers to do more of their drinking in cars.

The data shows that when the legal drinking age was 18 years (prior to April 16, 1979), 3.08 percent of the DUIL defendants were 17 years of age or younger. In the October sample, 4.93 percent of the DUIL defendants were 17 or younger. Again, this phenomenon may be due to greater police awareness of teenage drunk drivers.

In both the February and October samples, the 21-25 year old age group showed the highest frequency of drunk drivers. While 25.18 percent of the DUIL defendants in the February sample were between 21-25, 23.55 percent were 21-25 in the October sample.

More than half the defendants in both the February (52.35%) and October (51.63%) were 26 years of age or older.

Nature of the Charges

The study also examined the nature of the charges, analyzing those cases which had one or more simultaneous offenses in addition to the drunk driving charge. In the February sample, 51 percent of the defendants had simultaneous offenses, compared to 46 percent in the October sample.

If there was no age linkage to multiple offenses, one would expect the distribution of multiple offenses to parallel the overall percent distribution of the various age groups in the sample. That is, if 20 percent of the overall sample were within a given age group, one would expect the incidence of any given additional offense to also be 20 percent in that age group. Where an offense was under or overrepresented when compared to the age group's percent of the total sample, that offense may have some age linkage.

Table 1 & 2 in the Appendix show that in both the February and October samples, defendants under the age of 20 are overrepresented in the incidence of several offenses. Because of the small number of females in both samples, no separate analysis by sex was undertaken.

While the teenage DUIL defendants accounted for 13.97 percent in the February sample and 17.67 percent in the October samples, they were underrepresented among those charged with DUIL only, indicating that during both months, a higher than expected frequency of multiple offenses by teenagers occurred.

As Tables 1 and 2 indicate, juveniles in both months were charged with the following motor vehicle offenses more often than one would predict from their age representation in the study:

- * Operating to Endanger
- * Use of a Motor Vehicle Without Authority
- * Leaving the Scene of an accident with property damage
- * Leaving the Scene of an accident with personal injury

The teenage drivers, 15-19 years of age, were also overrepresented in other types of criminal offenses. In October, they accounted for 24.14% of the crimes against property (such as: receiving stolen goods, larceny, breaking and entering, malicious damage to property), and 55.56 percent of public order crimes (possession of open container of alcohol, disorderly conduct, other liquor law violations). In the February sample, teenagers accounted for 15.63 percent of the crimes against property and 24.28 percent of the public order crimes.

However, despite the overrepresentation of teenage drunk drivers in these offense categories, the 21-25 year old age group in October accounted for the highest percent of the following:

- * Operating to Endanger (28.43%)
- * Speeding and Reckless Driving (25.58%)
- * Leaving the Scene with Property Damage (34.38%)
- * Leaving the Scene with Personal Injury (37.50%)

In terms of other criminal offenses, the 21-25 year old age group also showed the highest frequency of crimes against persons (25.40%), controlled substance violations (42.53%) and disorderly conduct (40%).

In both the February and October samples, drivers 26 years of age and older showed a consistent pattern of reduced percentage of defendants charged with multiple offenses and a higher percentage of defendants charged with drunk driving only.

Older drivers (61+ years of age) accounted for less than 2% of the DUIL defendants in both February (1.72%) and October (1.96%); however, in both sample months, the older drivers were overrepresented in accidents which caused personal injury. In both sample months, over 6% of the personal injury charges were against older drivers.

Summary of Findings

This comparative study of drunk driver defendants in Massachusetts in February and October, 1979 was undertaken to assess the effectiveness of the new law (S. 1727, amended) which raised the legal drinking age in Massachusetts from 18 to 20 years on April 16, 1979..

When the October sample was compared to a similar sample in February, this DUIL study found a 26 percent increase in the number of teenagers (15-19 years of age) who were charged with driving under the influence of liquor (n=250 in February, n=316 in October). While teenagers comprised about 14 percent of the February DUIL defendants, they accounted for over 17 percent in October.

While one would have expected a sharp reduction in teenage drunk drivers after S. 1727 was enacted, this follow-up research found an increased number of arrests among people under 20 years of age. This may be due to: intensive police enforcement. However, it is also likely that some teenagers are probably not honoring the new law. They may be drinking more in cars inasmuch as they cannot legally drink in a tavern or bar.

Both the February and October studies found that the majority (86% in February, 82.0% in October) of drunk drivers were over 20 years of age. In both studies, the mean age was approximately 30 for males and females. Males accounted for over 90 percent of the DUIL charges in both the February and October studies. DUIL defendants ranged in age from 15-82.

Teenagers were found to have a higher than predicted frequency of multiple offenses, including: operating to endanger, use of a motor vehicle without authority, leaving the scene of an accident with property damage and personal injury, crimes against property and public order offenses.

However, drivers 21-25 years of age represented the highest absolute frequency of DUIL defendants in both studies. Drunk driving decreased in frequency in the older age groups; older drivers also are underrepresented in simultaneous offenses.

This study will be repeated in October, 1980 to further assess the enforcement and effectiveness of the new legislation in Massachusetts.

TABLE 1: February, 1979 Sample (n=1,795)

DRIVING UNDER THE INFLUENCE OF LIQUOR -- Distribution of Offenses by Age (Percent Distribution)

Age	% of total	DUIL only	DUIL PLUS SIMULTANEOUS OFFENSES										Agst. Pers.	Agst. Prop.	C.S.	P.O.
			112A	114A	Lar.MV	113A/B	Prop. Dmg.	Pers. Inj.	116A/110A	Other maj.MV	Other min.MV					
15	.18	0	.50	9.52	-	-	.83	13.33	-	.63	-	-	-	-	-	-
16	.60	.34	1.00	2.38	-	-	.83	-	-	.63	-	-	-	-	-	-
17	2.39	2.18	1.00	7.14	-	-	4.16	-	5.33	2.54	2.51	3.22	3.13	2.32	10.0	
18	5.29	4.25	7.30	14.28	25.0	4.16	10.00	20.00	5.33	3.82	4.68	9.67	9.37	8.13	10.0	
19	5.51	4.82	5.79	7.14	-	2.08	10.83	-	6.66	5.73	6.35	3.22	3.13	5.81	4.28	
sub total	13.97	11.59	15.59	40.46	25.0	6.24	26.65	33.33	17.32	13.35	13.54	16.11	15.63	16.26	24.28	
20	8.52	4.25	9.82	4.76	25.0	6.25	9.16	6.66	8.00	2.54	5.35	16.12	3.13	18.60	14.78	
21-25	25.18	24.79	28.96	21.42	50.0	20.83	11.66	-	29.33	30.57	27.75	20.96	40.62	31.39	11.42	
26-30	16.60	16.99	15.11	16.67	-	18.75	19.16	6.66	13.33	21.01	18.06	14.52	18.75	17.44	21.42	
31-40	18.38	20.55	16.12	7.14	-	27.08	17.50	26.66	22.66	18.47	22.41	17.74	15.62	16.27	22.85	
41-50	9.30	10.90	8.31	7.14	-	10.42	7.50	20.00	8.00	12.10	10.03	11.29	3.13	-	4.28	
51-60	6.23	8.72	4.03	-	-	2.08	3.33	-	-	1.91	3.01	1.61	3.13	-	1.42	
61-70	1.72	2.06	1.51	2.38	-	6.25	4.16	6.66	1.33	-	.66	-	-	-	-	
71+	.12	-	.50	-	-	2.08	.83	-	-	-	-	1.61	-	-	-	

112A = Operating to Endanger
 114A = Use of Motor Vehicle without Authority
 113A = Leaving the scene of an accident with property damage

113B = Leaving the scene of an accident with personal injury
 116A = Speeding
 110A = Reckless driving
 C.S. = Controlled substance violations
 P.O. = Public order crimes

Table 2:

OCTOBER SAMPLE, 1979 (n=1,788)

DRIVING UNDER THE INFLUENCE OF LIQUOR — Distribution of Offenses by AgePERCENT DISTRIBUTION

Age	% of total	DUIL only.	OTHER MOTOR VEHICLE OFFENSES				LEAVING SCENE OF ACCIDENT			Other Major M/V	Other Minor M/V	OTHER CRIMINAL OFFENSES			PUBLIC ORDER CRIMES					
			112A	114A	Lar. Mv.	116A/110A	113A/B	Prop. Dmg.	Pers. Inj.			Agst. Pers.	Agst. Prop.	Cont. Sub.	Minor Trans. Alc.	Poss. Op. Ch. Alc.	Oth. Liq. Laws	Dis. Con.	Oth. Pub. Ord.	
15	.06	0	0	7.69	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
16	1.01	.52	.96	7.69	0	2.33	2.94	1.56	0	1.04	3.61	0	0	1.15	18.18	3.57	0	0	0	
17	3.86	2.48	4.58	23.08	0	4.65	2.94	6.25	0	4.17	4.82	4.76	17.24	2.30	27.27	28.57	10.00	8.00	8.70	
18	5.09	4.03	6.75	7.69	0	4.65	2.94	4.69	0	3.65	3.61	4.76	6.90	3.45	22.73	25.00	0	8.00	4.35	
19	7.66	7.14	8.19	15.38	0	11.63	5.88	11.72	18.75	7.81	7.23	4.76	0	10.34	31.82	32.14	20.00	0	13.04	
sub tot.	17.67*	14.17	20.48	61.54	0	23.26	14.71*	24.22	18.75	16.67	19.28*	14.29*	24.14	17.24	100.00	89.29*	30.00	16.00	26.09	
20	7.16	6.83	8.19	0	0	9.30	2.94	7.03	0	8.33	9.04	9.52	6.90	4.60	0	0	20.00	12.00	4.35	
21-25	23.55	20.89	28.43	7.69	0	25.58	32.35	34.38	37.50	20.31	17.47	25.40	24.14	42.53	0	7.14	10.00	40.00	30.43	
26-30	17.06	17.79	13.49	7.69	0	13.95	11.76	13.28	18.75	24.48	28.31	20.63	13.79	22.99	0	3.57	20.00	8.00	17.39	
31-40	16.89	16.86	16.39	23.08	100.00	13.95	35.29	15.63	18.75	20.31	18.67	22.22	27.59	10.34	0	0	10.00	8.00	21.74	
41-50	10.01	13.03	7.95	0	0	11.63	0	3.13	0	6.77	4.82	4.76	3.45	1.15	0	0	0	8.00	0	
51-60	5.26	7.14	3.37	0	0	2.33	2.94	1.56	0	2.60	2.41	3.17	0	1.15	0	0	10.00	4.00	0	
61-70	1.96	2.59	1.69	0	0	0	0	0	6.25	.52	0	0	0	0	0	0	0	4.00	0	
71+	.45	.72	0	0	0	0	0	.78	0	0	0	0	0	0	0	0	0	0	0	
T	100.01	100.02	99.99	100.00	100.00	100.00	99.99	100.01	100.00	99.99	100.00	99.99	100.01	100.00	100.00	100.00	100.00	100.00	100.00	100.00

key: 112A = Operating to Endanger

114A = Use of Motor Vehicle without authority
113A = Leaving the scene of an accident with property damage

* Subtotal divided by Total Frequency.

113B = Leaving the scene of an accident with personal injury

116A = Speeding

110A = Reckless driving

C.S. = Controlled Substance violations

P.O. = Public Order Crimes

Table 3: Driving Under the Influence of Liquor, Age Distribution of Defendants

OCTOBER 1 - 26, 1979

AGE	M	F	T	%	AGE	M	F	T	%	AGE	M	F	T	%	AGE	M	F	T	%	AGE	M	F	T	%
15	1	0	1	0.06*	29	58	4	62	3.47	43	23	3	26	1.45	57	10	0	10	0.56	71	0	0	0	0
16	15	3	18	1.01	30	49	4	53	2.96	44	17	3	20	1.12	58	2	1	3	0.17	72	1	1	2	0.11
17	64	5	69	3.86	31	42	3	45	2.52	45	18	3	21	1.17	59	6	1	7	0.39	73	2	0	2	0.11
18	83	8	91	5.09	32	32	3	35	1.96	46	11	2	13	0.73	60	3	3	6	0.34	74	1	0	1	0.06
19	131	6	137	7.66	33	26	5	31	1.73	47	10	2	12	0.67	61	4	0	4	0.22	75	1	0	1	0.06
20	117	11	128	7.16	34	36	6	42	2.35	48	16	1	17	0.95	62	7	0	7	0.39	76	0	0	0	0
21	89	8	97	5.43	35	29	3	32	1.79	49	13	2	15	0.84	63	6	2	8	0.45	77	0	0	0	0
22	89	6	95	5.31	36	29	4	33	1.85	50	16	1	17	0.95	64	0	1	1	0.06	78	0	1	1	0.06
23	83	8	91	5.09	37	27	3	30	1.68	51	14	0	14	0.78	65	6	1	7	0.39	82	1	0	1	0.06
24	68	10	78	4.36	38	17	3	20	1.12	52	10	2	12	0.67	66	4	0	4	0.22	Total Percentage: <u>100.04%</u>				
25	57	3	60	3.36	39	15	2	17	0.95	53	10	1	11	0.62	67	0	0	0	0		TOTAL MALE: <u>1618</u>			
26	58	9	67	3.75	40	17	0	17	0.95	54	5	1	6	0.34	68	4	0	4	0.22	TOTAL FEMALE: <u>170</u>				
27	52	6	58	3.24	41	18	0	18	1.01	55	11	3	14	0.78	69	0	0	0	0	TOTAL CASES: <u>1788</u>				
28	59	6	65	3.64	42	17	3	20	1.12	56	8	3	11	0.62	70	0	0	0	0	\bar{X} AGE MALES: <u>29.34 yrs.</u>				
																				\bar{X} AGE FEMALES: <u>32.18 yrs.</u>				
																				\bar{X} AGE AGGREGATE: <u>29.61 yrs.</u>				



The Commonwealth of Massachusetts

Commissioner of Probation

206 New Court House, Boston 02108

NEWS RELEASE

December 3, 1979

RELEASE DATE: ON OR AFTER
SUNDAY, DECEMBER 9, 1979

For further information, contact: Joseph P. Foley, Commissioner, 617-727-5300; Marge Brown Roy, Director of Research, 727-5307; or the Chief Probation Officer in your local district court.

PROBATION STUDY FINDS INCREASE IN TEENAGE DRUNK DRIVER ARRESTS

Teenagers in Massachusetts are apparently not honoring the new 20-year-old drinking law, according to a research report published by the Office of the Commissioner of Probation.

The legal drinking age in the Commonwealth was raised from 18 to 20 years on April 16, 1979, after enactment of S. 1727, which was signed by Governor King on March 8, 1979.

In an effort to assess the enforcement and effectiveness of the new legislation, the Office of the Commissioner of Probation analyzed all drunk driver court cases statewide in February and again in October, 1979. The study compared the age distribution of drunk driver defendants before and after the change in the legal drinking age.

According to Probation Commissioner Joseph P. Foley, "teenagers accounted for over 1.7 percent of the drunk driver arrests in October, 1979, compared to less than 1.4 percent in February." The frequency of teenagers being charged with driving under the influence of liquor increased 26 percent, when the October and February data were compared.

-more-

The Probation study analyzed 1,795 drunk driver court cases in February and compared the findings to 1,788 cases in October, 1979. Drunk drivers ranged in age from 15-82, with the mean age being about 30 years for both males and females. Males accounted for over 90 percent of the drunk driving arrests.

82% Over 20 Years Old

While 17.67 percent of the drunk drivers in October were between 15 and 19 years of age, 82.33 percent of those charged with driving under the influence of liquor were 20 years of age or older. Young adults 21-25 years of age accounted for the highest frequency of drunk driving in both the February and October samples, representing about one-quarter of all arrests.

The age distribution in the October study was as follows:

15 years	-	.06%
16 years	-	1.01%
17 years	-	3.86%
18 years	-	5.09%
19 years	-	7.66%
20 years	-	7.16%
21-25 years	-	23.55%
26-30 years	-	17.06%
31-40 years	-	16.89%
41-50 years	-	10.01%
51-60 years	-	5.26%
61-70 years	-	1.96%
70+ years	-	.45%

"The findings from this research indicate that police are actively enforcing the new drinking law. Some teenagers appear not to be honoring the 20-year-old drinking law, and they may be doing more drinking in cars, street corners, parking lots and other places because they cannot legally drink in taverns and bars," Commissioner Foley said.

Simultaneous Charges

The Probation study also examined the nature of the charges, analyzing those court cases where the defendant had one or more simultaneous

charge in addition to the drunk driving offense.

Over 56 percent of teenage drunk drivers were charged with additional motor vehicle and/or criminal offenses, compared to 45 percent of those 20 years of age or older. These findings indicate that teenagers are responsible for more than their share of multiple crimes.

Although teenagers accounted for 17.67 percent of all drunk driving arrests in October, they represented more than 17.67 percent of those charged with several simultaneous offenses. The following data reflects what percent of each crime were committed by teenagers:

Operating to Endanger	20.48%
Use of Motor Vehicle without Authority	61.64%
Speeding/Reckless Driving	23.26%
Leaving the Scene of Accident with Property Damage	24.22%
Property Crimes	24.14%
Public Order Offenses	55.56%

Young Adults Show Highest Frequency

However, young adults (21-25 years) showed the highest frequency of drunk driving arrests, accounting for 23.55 percent of the 1,788 October court cases. Young adults also showed overrepresentation in several offenses, including: operating to endanger, leaving the scene of an accident with property damage or personal injury, speeding/reckless driving, controlled substance violations and crimes against persons (such as: assault, homicide by motor vehicle, assault with a dangerous weapon, threats).

Enforcement and Effectiveness

According to Commissioner Foley, "if teenagers were honoring the new legal drinking age, one would expect the percent of drunk drivers in the 'under 20' age group to be significantly reduced by October, 1979,

six months after the law was enacted." This statewide data indicate that the law has not yet been an effective deterrent to teenage drinking, but that police are actively enforcing the law.

The Probation study will be replicated again in October, 1980, to determine if there is a lag time before legislation such as this is effective.

The Office of the Commissioner of Probation conducts research studies on numerous crime and delinquency topics. The OCP is unique in that all criminal and delinquency records statewide are centrally stored in the Probation Central File, including six million records dating back to 1924.

Copies of the completed drunk drivers study are available by contacting the Research Unit, Office of the Commissioner of Probation, 211 New Court House, Boston 02108 (617-727-5307).