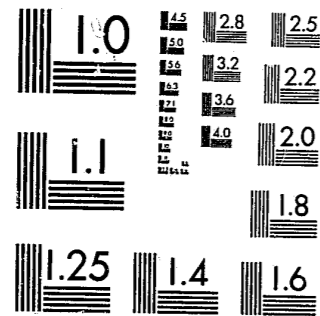


National Criminal Justice Reference Service



This microfiche was produced from documents received for inclusion in the NCJRS data base. Since NCJRS cannot exercise control over the physical condition of the documents submitted, the individual frame quality will vary. The resolution chart on this frame may be used to evaluate the document quality.



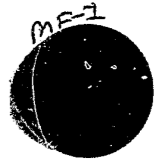
MICROCOPY RESOLUTION TEST CHART
NATIONAL BUREAU OF STANDARDS-1963-A

Microfilming procedures used to create this fiche comply with the standards set forth in 41CFR 101-11.504.

Points of view or opinions stated in this document are those of the author(s) and do not represent the official position or policies of the U. S. Department of Justice.

National Institute of Justice
United States Department of Justice
Washington, D. C. 20531

8/22/83



ALTERNATIVE SENTENCING EVALUATION PROJECT FINAL REPORT

PREPARED FOR:

ALTERNATIVE SENTENCING EVALUATION
COMMITTEE FOR DRIVING UNDER
THE INFLUENCE

HONORABLE C. BERNARD KAUFMAN, CHAIRMAN

87149,03

JANUARY 1981

CAPITOL RESEARCH AND
CONSULTING CORPORATION

U.S. Department of Justice
National Institute of Justice

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this copyrighted material has been granted by

PUBLIC DOMAIN/LEAA

to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the copyright owner.

ALTERNATIVE SENTENCING EVALUATION PROJECT

FINAL REPORT

Credit Reference:

"The preparation of these materials was financially assisted through a federal grant from the Law Enforcement Assistance Administration and the California Office of Criminal Justice Planning and under Title I of the Crime Control Act of 1973."

Disclaimer:

"The opinions, findings, and conclusions in this publication are those of the author and not necessarily those of OCJP or LEAA. OCJP and LEAA reserve a royalty-free, non-exclusive, and irrevocable license to reproduce, publish and use these materials, and to authorize others to do so. A copy of these materials may be obtained from OCJP or LEAA upon payment of the cost for reproducing the materials."

NCJRS

1981

ACQUISITIONS

January 1981

TABLE OF CONTENTS

<u>SECTION</u>	<u>TITLE</u>	<u>PAGE</u>
1	Executive Summary	I-1
	1.1 Background	I-1
	1.2 Alternative Sentencing Evaluation Project	I-2
	1.2.1 Project Organization	I-2
	1.2.2 Project Goal	I-3
	1.3 Summary of Findings	I-3
	1.3.1 Literature Review Findings	I-3
	1.3.2 Sentencing Alternatives/Inducement Methods Assessment Findings	I-4
	1.3.3 Program Provider Survey Findings	I-7
	1.3.4 Statistical Analysis Findings	I-8
2	Introduction	II-1
	2.1 Background	II-1
	2.2 The Alternative Sentencing Evaluation Project	II-3
3	Literature Review Summary	III-1
	3.1 Introduction	III-1
	3.2 Publication Selection Methodology	III-1
	3.3 Report Overview	III-2
	3.4 Report Utilization/Dissemination	III-4
4	Sentencing Alternatives/Inducement Methods Assessment	IV-1
	4.1 Assessment Overview	IV-1
	4.2 Assessment Procedures	IV-1
	4.3 Sentencing Alternatives	IV-5
	4.3.1 The Traditional Method	IV-6
	4.3.2 The Rehabilitation Method	IV-11
	4.3.2.1 Pre-Conviction Drunk Driver Programs	IV-17
	4.3.2.2 Post-Conviction Drinking Driver Programs	IV-21
	4.3.3 Sentencing Alternatives: Perceptions of the Interviewees	IV-25
	4.4 Inducement Methods	IV-28
	4.4.1 Voluntary	IV-28
	4.4.2 Incentive	IV-29
	4.4.3 Coercive	IV-30

TABLE OF CONTENTS

(continued)

<u>SECTION</u>	<u>TITLE</u>	<u>PAGE</u>
5	Survey of Program Providers	V-1
	5.1 Survey Procedures	V-1
	5.1.1 Survey Respondents	V-2
	5.2 Survey Responses	V-4
	5.2.1 Program Services	V-4
	5.2.2 Client Profile	V-9
	5.2.3 Program Administration	V-9
	5.2.4 Comparison of Pre- and Post-Conviction Models	V-11
	5.2.5 Other Responses	V-14
	5.3 Overall Summary of Survey of Program Providers	V-17
6	Results of the Second Offender Drinking Driver Survey	VI-1
	6.1 Introduction	VI-1
	6.2 Comparison of the Characteristics of the Four Sample Groups	VI-2
	6.2.1 Summary	VI-5
	6.3 Comparison of the Individuals Completing Treatment	VI-5
	6.3.1 Summary	VI-6
	6.4 Comparison of Recidivists and Non-Recidivists	VI-7
	6.4.1 Summary	VI-8
	6.5 Recidivism Analysis	VI-8

LIST OF EXHIBITS

<u>NUMBER</u>	<u>TITLE</u>	<u>PAGE</u>
Exhibit 4.1	The Traditional Method for Dealing with the Problem Drinking Driver	IV-7
Exhibit 4.2	The Rehabilitation Method for Dealing with the Problem Drinking Driver	IV-12
Exhibit 6.1	Drinking Driver Survey	VI-3
Exhibit 6.2	Survival Rates for the Four Sample Groups	VI-10
Appendix A	Detailed Results of the Second Offender Drinking Analyses (under separate cover)	
Appendix B	Review of Relevant Literature (under separate cover)	

SECTION I

EXECUTIVE SUMMARY

The Executive Summary of the Alternative Sentencing Evaluation Project provides an overview of the intent, scope, activities, and findings of the Project. While it is recognized that many individuals may not have time to read beyond this summary, it must be cautioned that as with all summaries, individuals desiring to understand the intricacies of the findings should thoroughly review the entire document.

1.1 BACKGROUND

The problems associated with drinking and driving have been well documented over the years. The California Highway Patrol indicates that alcohol is the primary collision factor in highway fatalities, responsible for two and one half times as many fatalities as excess speed--the second leading cause of death on California roadways. In 1977, 2,626 persons lost their lives in California as a result of alcohol impaired drivers; 555 in Los Angeles County alone. More people die as a result of drinking drivers than are killed in willful homicides.

As a result of these tragic statistics over the past ten years California has developed an aggressive legislative and therapeutic approach to the drinking driver problem. Los Angeles County has been in the forefront in developing treatment/education alternatives for the alcohol impaired driver. While it would appear obvious that benefit should accrue by having a wide variety of alternatives available for discretionary use, the sheer number of providers and types and levels of service available makes it difficult, if not impossible, to determine which alternative

should be imposed. Making the task even more difficult is the fact that research to date is inconclusive with respect to all alternatives except the removal of the privilege to drive.

1.2 ALTERNATIVE SENTENCING EVALUATION PROJECT

1.2.1 PROJECT ORGANIZATION

As a result of the need to gain knowledge of the impact of sentencing alternatives a special committee of judges of the Los Angeles County Municipal Courts Judges' Association decided to undertake a study to determine the impact of local alternatives on the DUI offender. To accomplish this, the subcommittee solicited proposals from qualified firms. Following a competitive bidding process that included oral interviews, the firm of Capitol Research and Consulting Corporation (CRCC) of Sacramento, California, was selected to coordinate the study. Throughout the course of the study, CRCC worked closely with the Municipal Court Judges' Association Special Committee. Members of that Committee during the course of the study were:

Honorable C. Bernard Kaufman, Chairman
Burbank Municipal Court

Honorable Leon Emerson
Downey Municipal Court

Honorable Thomas P. Foye
South Bay Municipal Court

Honorable John R. Hopson
South Gate Municipal Court

Honorable Kenneth E. Vassie
Englewood Municipal Court

Honorable Juaneita Veron
Los Angeles County Court

1.2.2 PROJECT GOAL

The overall goal of the Project is to conduct a comprehensive analysis of each commonly used alternative sentence in driving under the influence cases so as to determine the effect of such sentences on the recidivism rates of misdemeanants. Objectives and task activities are described in Section II of the Report.

1.3 SUMMARY OF FINDINGS

Project findings related to each of the major Project activities are provided in the following subsections.

1.3.1 LITERATURE REVIEW FINDINGS

Appendix B to this Report (provided under separate cover) individually summarizes a large number of professional research studies. Generalized findings resulting from the literature review are as follows:

- Even though drunk driving has been a major target of all tiers of government during the past ten years a "silver bullet" has yet to emerge. Probably the most significant result to date is the identified need for a true integrated systems approach when attempting to develop a countermeasure for alcohol-related accident incidence. This essentially means the effective cooperation of law enforcement, judiciary, probation, alcohol abuse treatment service providers, public education and information service providers, as well as a core of personnel totally dedicated to the integration and monitoring of these various system components.
- When evaluating the effectiveness of various sentencing alternatives three levels of criteria are important: (1) traffic safety impact of the alternative; (2) impact of the alternative on the ability of the adjudication system to efficiently process the volume of cases; and (3) impact on the client's life style beyond their operation of a motor vehicle. If the sentencing alternative is to be considered at least part of an accident countermeasure program the order of the priority of the criteria is in accordance with this listing. Essentially, this means an alternative should be considered effective only when it evidences traffic safety impact without producing an inefficient court process or creating an undue impact on a client's activities outside the operation of a motor vehicle.

- To date the only countermeasure component that has been documented as impacting traffic safety, at least for multiple offenders, has been the mandatory use of licensing actions (licensing, suspension, and revocation). The positive impact of such action on judicial processing and a client's life style is dubious, but unknown.
- The mixed results, associated with the research findings reviewed, suggest the need for integrating various approaches to permit use of the positive elements of each. One such approach might be the integration of licensing actions such as enforceable license restriction with alcohol abuse education and/or treatment. This would permit at least a facade of control on driving exposure while permitting the potential impact of alcohol abuse education/treatment to be affected.
- The primary benefit to be derived from a reading of all of the abstracts that comprise the "Review of Pertinent Literature" is that it will provide a basic understanding or awareness of the current state-of-the-art in adjudicating the DUI offender. For the 144 judges and numerous subordinate judicial officers in Los Angeles County who deal with driving under the influence cases, such an understanding is critical.

1.3.2 SENTENCING ALTERNATIVES/INDUCEMENT METHODS ASSESSMENT FINDINGS

The findings presented here record the results of a sentencing alternatives/inducement methods assessment which was conducted by the Project staff during the months of May and June 1980. The assessment was conducted for two purposes. The first was to identify and provide a comprehensive analysis of currently available and commonly used alternative sentences imposed in driving under the influence cases in Los Angeles County. Alternative sentences, for the study's purposes, refer to the range of punitive and therapeutic sanctions or dispositions which may be applied to a drinking driver offender. The second purpose, was to identify and analyze the techniques used by the courts to encourage treatment program participation and completion. The results of the assessment were as follows:

- There are two primary methods for dealing with the drinking driver utilized in Los Angeles County--the traditional method and the rehabilitation method. The traditional method handles all drinking drivers--social drinkers, problem drinkers, and alcoholics--in exactly the same way. It starts with the arrest of the individual while driving under the influence of alcohol; flows through prosecution to the adjudication of his case; his sentencing and resultant license restrictions and punitive sanctions; and, in some cases, follow-up action to ensure that the individual does not drive during his period of restriction. In short, drinking drivers are either found not guilty and sent home; or are allowed to plead to a lesser charge for reckless driving; or sent to jail for a short sentence and then released. Under the traditional method, very little is done to change the behavior patterns of the problem drinker and/or alcoholic.

The rehabilitation method for DUI defendants treats different kinds of drinking drivers differently. For the social drinker the traditional sanctions are advocated since they have worked well in the past. For the problem drinkers pre-sentence investigations (to determine who is a problem drinker or an alcoholic) and alternative sanctions such as alcohol education and supervised treatment are proposed.

- The traditional method has been the method for dealing with DUI offenders most widely used by the courts within Los Angeles County. Reasons identified for the judges' support of this method include:
 - the lack of evidence that demonstrates the effectiveness of alcoholism rehabilitation efforts;
 - the inability of most drinking drivers to afford the combined costs of a fine, attorney's fee, and a comprehensive alcoholism treatment program;
 - the lack of knowledge as to what rehabilitation resources are available in the community and the quality of the programs they offer;
 - the lack of court resources to perform DUI offender screening, evaluation, and referral activities; and
 - the belief that many of the pre- and post-conviction programs were established strictly for the economic gains they afford their owners/operators. Since it is difficult, if not impossible, to tell the sincere operators from those with "profit motivations" there is a high risk in their utilization.

- Of the punitive options associated with the traditional method the size of the fine and the length of the jail sentence were the two areas which appeared to differ most significantly from court to court and judge to judge. The differences ranged from the minimum sanctions mandated by the law (\$250 and 48 hours in jail) to extremely heavy fines and extensive jail time (\$1,000 and 12 months in jail).
- The modalities most frequently used to provide an introduction to the therapeutic approaches available to the DUI offender are Alcoholics Anonymous (A.A.) and state approved traffic safety schools. Key to their selection was the fact that they were seen as programs with high integrity (A.A.) or were subject to state monitoring (the approved traffic safety schools).
- Two rehabilitation alternatives, the pre- and post-conviction drunk driving programs, have their supporters among the judges and other community personnel and are believed to be effective in modifying drinking driver behavior. The specific reasons given by the interviewees for the support of these programs included the following:
 - their ability to modify the life style and drinking driver behavior of the DUI offender;
 - their ability to determine the severity of an individual's problem and to structure a treatment program consistent with the individual's needs; and
 - their ability to monitor the individual's progress in fulfilling court imposed obligations.
- With few exceptions, the interviewees felt that incentives were the most valuable inducement method to obtaining DUI treatment program participation and completion. The incentives most frequently mentioned as having a significant impact on the offender's participation were: charge reduction, fine reductions, and avoidance of incarceration.
- Neither the voluntary or coercive methods by themselves were viewed by the interviewees as being effective in obtaining DUI treatment program participation and completion. Most interviewees felt that few DUI offenders would ever volunteer for either punitive actions or rehabilitation efforts if given a real choice. Similarly, the ordering of an offender to cooperate with, or participate in, an alcoholism rehabilitation program was not seen as being able to maintain a person's participation in treatment. However, when combined with the threat of extensive jail time or a substantial fine for failure to complete the program, the coercive method was seen as being quite effective.

1.3.3 PROGRAM PROVIDER SURVEY FINDINGS

This section summarizes the findings associated with the conduct of a mail questionnaire survey of pre-conviction and post-conviction drinking driver programs operating in Los Angeles County. The survey was conducted primarily to obtain data to better understand the nature of the programs that are actually being offered to the individuals included in the statistical sample described in Section VI of this Report. The findings resulting from the survey are as follows:

- In respect to program services, all programs offered individual counseling, group counseling, and education. The majority also provided family counseling and chemotherapy and had the capability to refer to other required community resources. Other comments indicated that all respondents have, or have had, A.A. as a mandatory service element of their program; most feel their current services are adequate; all but three respondents attempt to classify the extent of a client's problem; and most have a documented set of criteria for terminating a client.
- In respect to the characteristics of the clients participating in these programs, the vast majority of the clients are male and in the 20-44 age group. Approximately half of the clients are White with the remainder split evenly between Blacks and Spanish speaking. Less than 10 percent of the clients seek additional treatment following program participation and over 60 percent of those dropping out of the program do so due to poor attendance.
- In respect to administrative characteristics of the programs they range in size from a low of 45 clients to a high of 888 clients; all offer a 12-month service program and provide services on both weekdays and weeknights; nine programs indicated that they offered classes in Spanish in addition to English; and fees range from a low of \$0 to a high of \$636 annually. Other comments indicated that: (1) all programs had a formal training requirement and utilized, primarily, on the job training and formal classrooms as the training vehicles; (2) experience in the field was the key criteria utilized in staff selection; and (3) client behavior, attitude, and attendance record were identified as indicators of program success.

- In respect to the question "Do you believe you could operate more successfully as a pre- or post-conviction program?" 14 program operators preferred pre-conviction status and 5 preferred post-conviction status. Six additional program operators felt both were of equal merit and four failed to respond to the question.

1.3.4 STATISTICAL ANALYSIS FINDINGS

The following paragraphs summarize the results of statistical analyses applied to the background and Department of Motor Vehicle data obtained on each of the four sample groups. The conclusions presented four major analyses. These analyses concerned a comparison of the characteristics of persons completing treatment to those not completing treatment, a comparison of the characteristics of recidivists to non-recidivists, and a statistical analysis of recidivism rates for the four sample groups. The findings resulting from these analyses are:

- Analyses of covariance employing statistical adjustments for prior convictions and length of time available in which to be rearrested revealed no differences between any of the four sample groups for either of two recidivism definitions. In the first definition, those persons convicted of either a DUI or lesser alcohol-related offense subsequent to the index DUI arrest were considered recidivists. In the second definition, persons convicted of a DUI, a lesser alcohol-related offense, or a reckless driving offense subsequent to the index DUI arrest were considered recidivists.
- A comparison of the demographic variables, judicial sanctions, and arrest histories associated with each of the four sample groups revealed many similarities and differences. All four groups were similar with respect to most demographic variables, such as: age, sex, and marital status. Both the pre- and post-conviction traditional sanction groups tended to receive more severe judicial sanctions than either the pre- or post-conviction treatment groups. A notable exception to this tendency occurred in the fines imposed on the post-conviction treatment group and the post-conviction traditional sanctions groups. In this case, the treatment group received a higher average fine (\$255 versus \$147) than the traditional sanctions group. The two traditional sanction groups had generally higher numbers of traffic offenses prior to the index DUI arrest than did either the pre- or post-conviction treatment groups.

- A number of differences between persons completing treatment programs successfully and those not completing their programs successfully were identified in the analyses. With respect to those successfully completing, those who did not complete tended to be younger; better educated but had lower incomes; be subject to longer jail sentences and higher fines; and have larger number of traffic offenses prior to the index DUI arrest.
- Differences between recidivists and non-recidivists were also revealed. Recidivists were more likely than non-recidivists to be better educated but have lower incomes; have a higher blood alcohol concentration at their index arrest; and be subject to longer suspensions or revocations. Additionally, recidivists were driving with a revoked or suspended driver's license at the time of the index arrest more often than non-recidivists; and recidivists generally received lower fines, but longer jail sentences, than non-recidivists.

SECTION II

INTRODUCTION

2.1 BACKGROUND

In the years prior to 1972, the primary controls which could be applied to the drunk driver offender by the courts in Los Angeles County were fines, jail sentences, and suspension or revocation of the driving privilege. In 1972 the National Highway Traffic Safety Administration (NHTSA) entered into a contract with Los Angeles County for the conduct of a three-year alcohol countermeasures program. The Los Angeles Alcohol Safety Action Project (ASAP), which was created by this funding, became the largest of the thirty-five ASAPs sponsored by the NHTSA in terms of federal funds allocated (\$6 million) and population served (7 million). The goal of the project was to reduce the incidence of abusive drinking-driver behavior and involved a diverse range of sixteen criminal justice, public health and community resource agencies.

In respect to the judiciary, the project sponsored the introduction of special drinking-driver alcohol screening, referral, and monitoring programs in five courts in the county. These "pre-sentence investigation" activities provided judges with more meaningful sentencing information on DUI offenders and spurred development of alcohol education and treatment alternatives throughout the county.

In the years following the development of these initial alcoholism education/treatment efforts, numerous modalities were designed and implemented with the intent to reduce both the incidence of drunk driving and alcohol-related

traffic accidents. Driver improvement courses, alcoholism education, individual and group counseling, and chemotherapy, among others; were offered singularly, or as part of more comprehensive drinking driver treatment programs.

While it would appear that there are obvious benefits to the court in having numerous educational/treatment options available for their discretionary use, in addition to or separate from normal punitive actions, the sheer number of providers and types and levels of services available makes it difficult, if not impossible, to determine which alternative should be imposed. Making the task more difficult is the fact, that of the research conducted to date the only countermeasure component that has been documented as having a positive impact on either traffic safety or an offender's life style is the mandatory use of licensing actions (license suspension or revocation). Even here, only the traffic safety impact has been demonstrated and only in respect to multiple DUI offenders.

Add to this information, other data that shows that offenses like driving under the influence have dramatically increased to over 1 million a year and, that while they represent a victimless crime, drinking drivers represent an extreme risk to public safety. Over 25,000 highway deaths each year are classed as "alcohol-related", and impairment by alcohol is the largest single human factor related to highway accidents of all kinds. Though still a misdemeanor, it is the most serious misdemeanor most courts handle, and the most serious traffic offense classified as a misdemeanor.

With all of these facts, one can appreciate the dilemma faced by the courts. On one hand, they must deal with a very serious problem, the drunk driving

offender; while on the other hand, they have no evidence that shows that any of the punitive or therapeutic sanctions available to them have an impact on alleviating this problem.

2.2 THE ALTERNATIVE SENTENCING EVALUATION PROJECT

The Alternative Sentencing Evaluation Project is an attempt by the Los Angeles County Municipal Courts to provide a solution to their dilemma by obtaining data reflecting the impact of various local sentencing alternatives on the DUI offender. Specifically, the objective of the project, which was funded through a grant awarded by the State Office of Criminal Justice Planning, is to conduct a comprehensive analysis of each commonly used alternative sentence in driving under the influence cases so as to determine the effect of such sentences on the recidivism rate of misdemeanants. To achieve this objective the study implemented seven task activities. They were:

- the identification and categorization of the currently available and commonly used alternative sentences imposed in driving under the influence cases;
- the identification and analysis of the techniques used by the courts to encourage alcohol treatment program participation and completion;
- a review of the literature and research findings relevant to the task of effectively adjudicating the first time or multiple drunk driving offender;
- the identification and analysis of the types, operating components and characteristics of the educational and treatment programs that have been established to serve the drunk driving offender;
- the development of a methodology for determining the recidivism rates for each of the alternative sentences selected for study, including a methodology for collecting and analyzing the associated data;
- the identification and analysis of offender types and personal variables and factors which are relevant to recidivism and types of sentencing; and

- the development of a strategy to relate the rate of recidivism for each type of offender to each alternative sentence.

In the sections that follow the results of these activities are recorded.

SECTION III

LITERATURE REVIEW SUMMARY

3.1 INTRODUCTION

The Alternative Sentencing Evaluation Project report entitled Review of Relevant Literature (under separate cover) was prepared for the Municipal Court Judges' Association to provide the judges with a broad overview of the current state-of-the-art of adjudicating DUI offenders. It contains abstracts on publications relevant to this evaluation and summarizes reports covering pertinent DUI topics including: development of sentencing strategies, judicial standards and training, recidivism data and impact evaluations of various drinker classification/treatment approaches. In addition to the abstracts, the report contains cross reference lists which can be used to facilitate review of a specific author's work or subject areas.

3.2 PUBLICATION SELECTION METHODOLOGY

Candidate publications for inclusion in the report were identified through telephone contacts with Federal, State of California, and Los Angeles County traffic safety and alcoholism program research staffs; the review of pertinent journals and literature; the personal knowledge of the evaluation staff, and the recommendations of the Los Angeles County Municipal Courts Planning and Research Office.

Copies of the suggested reports were then obtained and read by a member of the evaluation staff. Any work considered highly suspect in terms of design, data acquisition or statistical analysis was eliminated from further considerations. A few reports, as with most research conducted in the real world,

evidenced design shortcomings or raised questions as to the generalization of their findings to the Los Angeles County environment. In those situations, the publications were included with the appropriate cautions recorded.

3.3 REPORT OVERVIEW

The Abstracts cover a diverse number of areas all relevant to the complex task of effectively adjudicating the first time or multiple drunk driving offender. Even though drunk driving has been a major target of all tiers of government during the past ten years a "silver bullet" has yet to emerge. Probably the most significant result to date is the identified need for a true integrated systems approach when attempting to develop a countermeasure for alcohol-related accident incidence. This essentially means the effective cooperation of law enforcement, judiciary, probation, alcohol abuse treatment service providers, public education and information service providers as well as a core of personnel totally dedicated to the integration and monitoring of these various system components.

When evaluating the effectiveness of various sentencing alternatives three levels of criteria are important: 1) traffic safety impact of the alternative; 2) impact of the alternative on the ability of the adjudication system to efficiently process the volume of cases; and 3) impact on the clients life style beyond their operation of a motor vehicle. If the sentencing alternative is to be considered at least part of an accident countermeasure program the order of the priority of the criteria is in accordance with the listing above. Essentially this means an alternative should be considered effective only when it evidences traffic safety impact without producing an inefficient court process or creating an undue impact on a client's activi-

ties outside the operation of a motor vehicle. As an example, long term jail sentences would evidence positive traffic safety impact (at least during the term of incarceration) but would be utterly devastating to judicial processing and a client's life style. Alternately, alcohol abuse treatment normally facilitates judicial processing, should result in an improvement in a client's life style (has yet to be scientifically documented), but unfortunately has no positive impact upon traffic safety when subjected to a scientific evaluation. To date the only countermeasure component that has been documented as impacting traffic safety, at least for multiple offenders, has been the mandatory use of licensing actions (licensing suspension and revocation). The positive impact of such action on judicial processing and a client's life style is dubious, but unknown. These mixed results suggest the need of integrating various approaches to permit use of the positive elements of each. One such approach might be the integration of licensing actions such as an enforceable license restriction with alcohol abuse education and/or treatment. This would permit at least a facade of control on driving exposure while permitting the potential impact of alcohol abuse education/treatment to be effected.

The abstracts offered in the Review of Relevant Literature provide the reader with knowledge acquired to date, but the motivation and imagination to integrate these results into innovative formats will have to come from within. The reader must be cautioned that any new approach must be submitted to a scientific evaluation to determine its impact on the three criteria listed earlier. Too often a program becomes institutionalized on the basis of emotion rather than fact. This unfortunately results in long term maintenance of a program that may be detrimental to the public safety or well

being. Further, it limits or eliminates the motivation to explore other innovative accident countermeasure mixtures that may have positive impact on traffic safety, judicial processing and the client's life style outside the operation of a motor vehicle.

3.4 REPORT UTILIZATION/DISSEMINATION

As mentioned earlier the primary benefit to be derived from a reading of all of the abstracts is that it will provide a basic understanding or awareness of the current state-of-the-art in adjudicating the DUI offender. For the 144 judges and numerous subordinate judicial officers in Los Angeles County who deal with driving under the influence cases, such an understanding is critical. The wide range of alternatives available in sentencing drunk drivers, resulting from SB 330, 38 1458 and AB 272, makes the task of devising an appropriate sentence for the defendants in these complex cases difficult. Understanding what sentencing alternatives are available; how the drinking driving problem has been approached in various environments; what success has been achieved with different treatment modalities/judicial sanctions, and under what conditions; and why certain strategies were undertaken by the various communities/researchers can provide valuable input to that decision process. A reading, therefore, of this report should be a high priority of each member of this population.

In addition to the judiciary, the literature review can be of value to any individual interested in learning about the present status of drinking driving activities, and can be useful for government officials, both at the County and State levels, who are interested in the state-of-the-art in this important field. A dissemination strategy for the report that includes those officials that are constantly involved in the development of legislation

pertaining to the drunk driver or are key to the distribution of funds associated with drunk driver programming should be considered. Also, copies of the report should be provided to the County alcoholism authority; the components of the local criminal justice system (i.e. District Attorney's Office, Public Defender, etc.); the universities involved locally in alcoholism research; and other traffic safety/alcoholism public interest organizations.

Improving their knowledge of the problem of drinking driving can help to move the County toward a comprehensive solution. Certainly, it will at least provide a common base from which to discuss the problem and its issues.

SECTION IV

SENTENCING ALTERNATIVES/INDUCEMENT METHODS ASSESSMENT

4.1 ASSESSMENT OVERVIEW

This section of the report records the results of a sentencing alternatives/inducement methods assessment which was conducted by the project staff during the months of May and June, 1980. There was a two-fold purpose to the assessment. The first, was to identify and provide a comprehensive analysis of currently available and commonly used alternative sentences imposed in driving under the influence cases in Los Angeles County. Alternative sentences, for the study's purposes, refers to the range of punitive and therapeutic sanctions or dispositions which may be applied to a drinking-driver offender. The second purpose, was to identify and analyze the techniques used by the courts to encourage treatment program participation and completion. These techniques, or inducements, were seen as being either coercive or incentive. "Coercive" techniques are those in which the offender does not have a choice of participation, but is ordered to cooperate. "Incentive" or reward techniques allow for offender choice in whether to participate, although the choice is often illusory.

As with other analyses detailed in this report, the assessment provides a description of the alternative sentences and their related inducement methods, not a statement of their effectiveness.

4.2 ASSESSMENT PROCEDURES

To determine the range of alternative sentences possible, the following sources were utilized:

- Statutory law, including the California Vehicle and the Health and Welfare Code (which includes laws dealing with alcohol abuse and alcoholism).
- Descriptive statistics on sentences in drinking driving cases (e.g. California Judicial Council reports).
- Previous California, other state, and national level studies (including the most recent findings from federally sponsored research).
- Selected judges from the sample municipal courts/branches. Each was asked to validate and refine the list of alternative sentences identified through the previous sources.

From these sources two listings were developed. The first listing was a classification scheme reflecting sanctioning or sentencing policies in operation in Los Angeles County both before and after the passage of Senate Bill 330--the legislation which provided a therapeutic alternative to traditional sanctions for driving under the influence of alcohol. In its final form that listing included the following eight disposition alternatives:

- Fine (including fine assessed and fine paid);
- Incarceration (including days assessed and days served);
- License Suspension and Revocation (including length of withdrawal);
- Formal Probation (including length and conditions);
- Summary Probation (including length and conditions);
- Treatment Under a Formal Pre-Conviction Program (including type and length);
- Treatment Under a Formal Post-Conviction Program (including type and length); and
- Treatment Not Associated with a Formal Pre- or Post-Conviction Program (including type and length).

The second listing was a classification of the inducement techniques used by Los Angeles County judges to encourage treatment program participation and completion. As can be seen from the list, which follows, inducement

techniques are limited only by the imagination of the sentencing judges and the legislators. (For presentation and study purposes, the various inducement methods were categorized broadly as: (1) voluntary, (2) incentive, and (3) coercive.)

- Voluntary (full choice);
- Coercive (no choice)
 - (1) Direct court order, but no probation;
 - (2) Formal probation without suspended sentence;
 - (3) Summary probation without suspended sentence;
- Incentive (choice between court-offered alternatives)
 - (1) Fine reduction or avoidance (amount of reduction);
 - (2) Incarceration reduction or avoidance (amount of reduction);
 - (3) License action avoidance (amount or type of action avoided);
 - (4) Suspended sentence with formal probation in lieu of other penalty;
 - (5) Suspended sentence with summary probation in lieu of other penalty;
- Charge Reduction or Substitution
 - (1) Plea to reduced or substituted charge, DUI dismissed;
 - (2) Plea to DUI accepted, other charge(s) dismissed;
 - (3) Plea to arrest-related charge(s); DUI dismissed; and
 - (4) All arrest-related charge(s) dismissed.

Using the lists as a starting point, personal interviews of individual decision makers who participated in the criminal justice/alcoholism rehabilitation processes, both before and after the passage of SB 330, or of knowledgeable observers of the process in a specific sample court were conducted by senior project personnel to complete the sentencing alternatives/inducement methods assessment. The interviews, of one-to one-and-one-half-hour duration, were held with the following types of individuals:

	<u>Number of Interviews</u>
• Chief Presiding Judge	2
• Judges/Commissioners with a significant drinking-driving caseload (arraignment/sentencing) and, differing philosophies on sentencing	8
• District Attorney Staff	2
• Probation Department Staff, including at least one with pre-sentence investigation responsibilities associated with drinking drivers	3
• Public Health Investigators, including at least one active in drinking-driver investigation/screening, referral, monitoring and follow-up	4
• Operators of SB 330/38/1458 treatment programs	3
• Former operators of pre-conviction drunk driving programs	3
• Los Angeles County Alcoholism Authority Staff (OAAA)	2
• Staff of the City Attorney's Office, City of Los Angeles	3
• Alcohol-Education School Operators	2
• University Research Staff	2
• Court Administrators	2
• Police Traffic Supervisor/Officer (Drinking-Driver Emphasis)	1
• Other Knowledgeable Observers (i.e. former Director/L.A. ASAP; Automobile Club of California, etc.)	5

Each interview focused on the validation or additional identification and description of the range of punitive and therapeutic sanctions and inducement methods utilized in Los Angeles Courts in drinking-driving cases. While

a structured interview protocol was developed to elicit the required information, the decision was made to utilize the protocol only as a guide and to allow the interview to be more freeform in nature. This provided the interviewee with an opportunity to present their views/ thoughts on the drinking-driver process in Los Angeles County, as opposed to responding to the areas of interest of the project team. The information to be secured by the interview process included:

- Decision making policies, procedures, practices and criteria of the court and other criminal justice system components.
- Sentencing alternatives available and used, including selection factors, estimated frequency of use, and the interviewee's observation as to effectiveness.
- Inducement techniques employed, including selection factors, estimated frequency of use, and the interviewee's observation as to effectiveness.

The on-site interviewing resulted in the findings presented in the paragraphs that follow. For presentation purposes, the findings are organized in the following manner:

- A discussion/description of the two primary methods for dealing with the drinking-driver, including their characteristics and a decisional flowchart for each of the two models.
- A discussion of currently available and commonly used inducements for securing offender participation in and completion of alcohol treatment programs.

4.3 SENTENCING ALTERNATIVES

Since 1972, when the Los Angeles County Board of Supervisors concluded an agreement with the National Highway Traffic Safety Administration for the county to become the site of one of the thirty-five Alcohol Safety Action Projects in the United States, Los Angeles County has had a range of varied dispositional options and incentives available to be used with DUI offenders.

4.3.1 THE TRADITIONAL METHOD

The traditional method handles all drinking-drivers--social drinkers, problem drinkers, and alcoholics--in exactly the same way. It starts with the arrest of the individual while driving under the influence of alcohol; flows through prosecution to the adjudication of his case; his sentencing with the resultant license restrictions and punitive sanctions; and, in some cases, follow-up action to ensure that the individual does not drive during his period of restriction. In short, drinking drivers are either found not guilty and sent home; or are allowed to plead to a lesser charge of reckless driving; or sent to jail for a short sentence and then released. Under the traditional method, nothing is done to change the behavior patterns of the problem drinker and/or alcoholic. Exhibit 4.1 depicts, graphically, the traditional method. (This Exhibit was extracted from a NHTSA publication of which the title is unknown.) For the second and subsequent conviction for DUI, under this traditional method, the offender must be punished according to the following disposition schedule.^{1/}

- Second conviction within five years. For a second or subsequent DUI conviction within five years of a prior DUI conviction:
 - Imprisonment for not less than 48 hours nor more than one year; and
 - Fine of not less than \$250 nor more than \$1,000; and
 - Driver's license suspension by the Department of Motor Vehicles for one year and until the person gives proof of ability to respond to damages in the future

The court may order "suitable treatment" in addition to the mandatory penalties.^{2/} If probation is granted in the case of a second conviction

^{1/} California Vehicle Code §§23102, 13352

^{2/} California Vehicle Code §23102.3 (c)

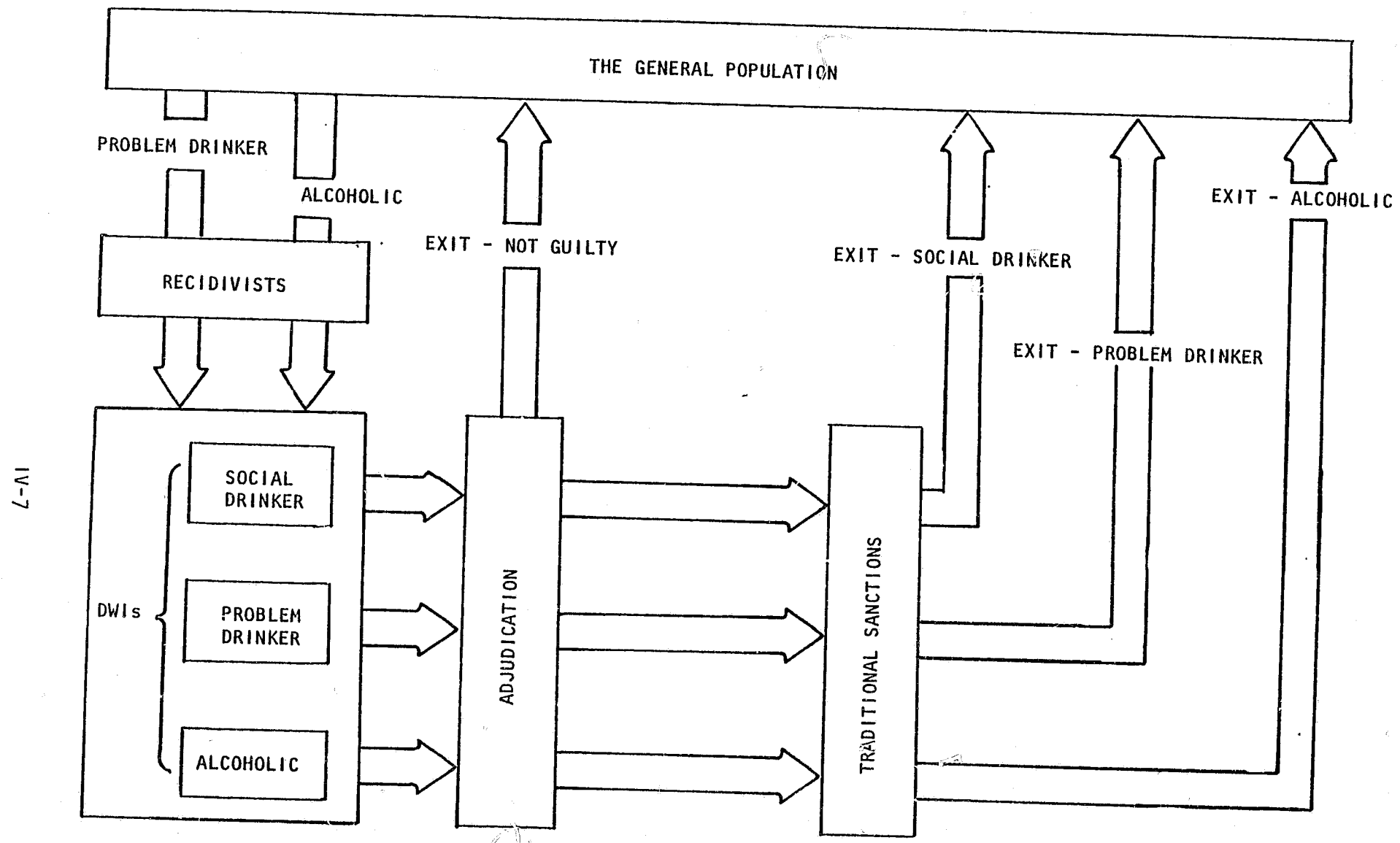


EXHIBIT 4.1
 THE TRADITIONAL METHOD
 FOR DEALING WITH THE PROBLEM DRINKING DRIVER

within five years, a required condition of probation is confinement in jail for at least 48 hours and payment of a fine of at least \$250.^{3/} In no event can the court absolve the convicted second or subsequent offender from the minimum penalties (48 hours in jail and \$250);^{4/} however, the court may strike a prior conviction for the purpose of sentencing in unusual cases where the interests of justice demand an exception.^{5/}

- Third conviction in seven years. For a third or subsequent conviction for DUI within seven years, the driver's license penalty is increased. Upon the third conviction, the Department of Motor Vehicles must revoke the driver's license, and it cannot be reinstated for a period of three years and until the person gives proof of ability to respond to damages in the future.

In summary, an offender convicted of a second or subsequent DUI offense within five years must be penalized, at a minimum, by 48 hours in jail, a fine of \$250, and a one-year driver's license suspension. Treatment may be required. If the conviction is the third within seven years, a three-year driver's license revocation is mandatory.

There is an additional penalty for any DUI conviction involving a driver under 21 years of age. If the under-21 driver is the owner of the vehicle used during the DUI offense, the vehicle may be impounded at the owner's expense for one to thirty days.^{6/}

As one might anticipate, the traditional method has been the method for dealing with DUI offenders most widely used by the courts within Los Angeles County. In respect to the punitive aspects of the traditional methods

^{3/} California Vehicle Code § 23102 (e)

^{4/} California Vehicle Code § 23102 (f)

^{5/} California Vehicle Code § 23102 (g)

^{6/} California Vehicle Code § 23102 (i)

the size of the fine and the length of the jail sentence are the two areas which appear to differ most significantly from court to court and judge to judge. The differences range from the minimum sanctions mandated by the law (\$250 and 48 hours in jail) to extremely heavy fines and extensive jail time (\$1000 and 12 months in jail). The interview process indicated that courts/judges which applied the minimum sanctions did so for two basic reasons. First, they did not feel that the offender was a problem drinker driver and that the experience associated with the arrest/conviction was significant enough to alter their actions in terms of drinking and driving. Second, that the offender's financial condition was poor and they could not afford the burden of the lost work/income which a heavier fine/jail time would demand.

The major reason given for the application of "stiffer" punitive sanctions was the inability of the DUI offender to respond to alternative sanctions in previous violations/convictions. The feeling expressed during the interview process was that if a DUI offender had not responded to reasonable sanctions following their first or second conviction for driving under the influence then the court had an obligation to remove the individual from the environment where they represented a serious threat to human life.

In respect to the therapeutic aspects of the traditional method, two modalities were mentioned frequently, by the interviewees as representing the best of the "suitable treatment" options^{7/} available to the court. The two were: Alcoholics Anonymous and State approved traffic safety schools. Other options available to the court, but not an exclusive list, included the following modalities:

^{7/} Options discussed under the traditional method did not include pre- and post-conviction programs as they are discussed as separate methods for dealing with the drinking-driver.

- Alcohol Rehabilitation Clinic
- Detoxification Center
- Defensive Driving Schools
- Private Counselor/Therapist
- Rap Sessions
- Alcohol Education Programs

In regard to Alcoholics Anonymous there was total agreement that it was a proven alcohol rehabilitation program that could benefit a significant number of offenders. There were strong differences of opinion, however, among the interviewees commenting on this subject as to the appropriateness of mandating that all offenders attend A.A. and, when required to attend, the number of sessions (weekly/monthly) which should constitute the DUI offender's attendance. The majority felt, that minimally, an A.A. orientation program should be mandated, but that an offender should be allowed to substitute a court approved treatment program for A.A. if they found A.A. inappropriate for them. In respect to the number of sessions, the majority felt that at least twelve sessions (over a three month period) were needed to develop, in the individual, a self motivating interest to continue their rehabilitation.

In regard to the State approved traffic safety schools there were two basic comments offered. The first, that these schools offered the DUI offender an opportunity to see how alcohol impacted both their driving ability and more importantly, their lives. These were envisioned as being most effective with the responsible individual who would recognize the potential associated with continued drinking and driving and would change their life style accordingly. The second, that there were too many of these schools in the Los Angeles area and that in their desire to be cost-competitive a number of the schools were finding ways to meet State standards while pro-

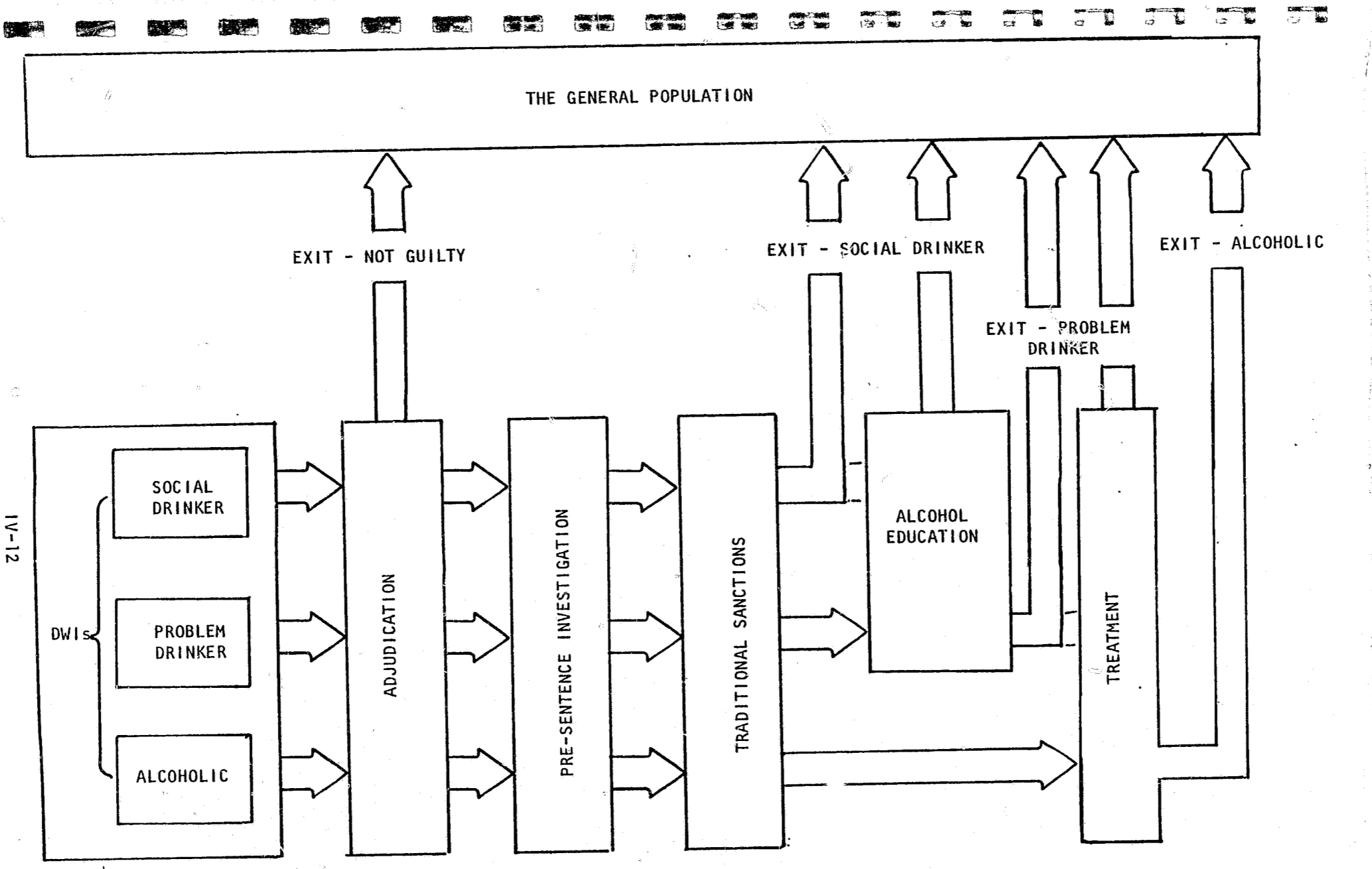
viding less than an adequate service. Improved monitoring and evaluation of these schools was the proposed solution to this problem.

4.3.2 THE REHABILITATION METHOD

The rehabilitation method for DUI defendants treats different kinds of drinking drivers differently. For the social drinker (usually only first time offenders will meet this definition) the traditional sanctions are advocated since they have worked well in the past. For the problem drinkers pre-sentence investigations (to determine who is a problem drinker or an alcoholic) and alternative sanctions such as alcohol education and supervised treatment are proposed. Exhibit 4.2 depicts, graphically, the rehabilitation method. (This exhibit was extracted from a NHTSA publication of which the title is unknown.)

In California, attempts to modify the role of alcohol have received considerable emphasis. The first piece of legislation in this area was implemented in January, 1974 and required a pre-sentence investigation (PSI) for individuals arrested due to alcohol abuse, be routinely performed for each person convicted more than once (second and subsequent) of driving a vehicle under the influence of alcohol. For first offenders, this legislation left the pre-sentence investigation at the discretion of the court.

Pre-sentence investigations as defined by the State Department of Alcohol and Drug Abuse (ADA) are evaluations...of those factors which indicate the extent of involvement with alcohol of a person convicted of driving a motor vehicle under the influence of intoxicating liquor to determine whether such a person might benefit from treatment for alcohol abuse or alcoholism.



IV-12

EXHIBIT 4.2
 THE REHABILITATION METHOD
 FOR DEALING WITH THE PROBLEM DRINKING DRIVER

The apparent legislative intent in mandating a PSI for the multiple offender convicted of driving under the influence of intoxicating liquor was to determine if it was an isolated instance or a developing or established pattern of alcohol abuse. If it were the latter, the next question facing the PSI investigator was what remedial treatment was required. The end product of this PSI process was the formulation and presentation to the court of a prevention/rehabilitation recommendation based on a determination of the extent of the defendant's drinking problem.

In 1978, this legislation was modified, due to the lack of court resources and increasing court costs, to allow for the utilization of the PSI but strictly on a discretionary basis with the judge determining when s/he wanted one conducted.

In 1975, the California legislature passed Senate Bill 330 (Gregorio) which permitted drivers convicted of multiple driving-under-the-influence (DUI) offenses to participate in a 12-month treatment program in lieu of mandatory suspension or revocation of their driving privileges. Prior to this legislation, as discussed earlier, a second conviction within five years required the imposition of a 12-month license suspension. A three year license revocation was mandated when a third or subsequent DUI conviction was incurred within a seven year time frame.

The SB 330 legislation required that each program provide: (1) close and regular supervision of participants, (2) face-to-face interviews with participants at least once every other calendar week, (3) a variety of direct treatment services for problem drinkers/alcoholics or the capability of referring them to such treatment, and (4) capability of monitoring and

supervising participants referred to outside agencies. Any participant failing to meet program standards including re-conviction of DUI, was to be dismissed from the program and subject to the mandatory licensing action that was originally removed as a result of treatment participation.

The original legislation enacted in January, 1976 provided for a demonstration of this treatment sentencing strategy in four of the 58 California counties. The demonstration effort was legislatively refined and extended statewide effective January 1, 1978 (SB 38, Gregorio, 1977). Finally, further refinement of the concept, effective January 1, 1979, was offered with the passage of SB 1458 (Gregorio, 1978).

Even before the passage of this legislation, Los Angeles County was in the forefront in developing treatment/education alternatives for the alcohol impaired driver. In 1972, the largest of the NHTSA funded Alcohol Safety Action Projects was established in Los Angeles County. Its goal was to develop effective law enforcement, judicial, rehabilitation and public information countermeasures designed to reduce alcohol related crashes. In conjunction with that goal, and in the same year, the Los Angeles ASAP funded the Los Angeles Unified School District to develop alcohol court school classes in twelve (12) locations of the San Fernando Valley and Downtown Traffic Court regions (the largest traffic court in the world, handling over 2,000 DUI cases per month).

During 1973 there was a large increase in the number of organizations (public and private) and classes established for the DUI and a concurrent increase of offenders referred from the courts following conviction for DUI. Also during 1973, the ASAP recognized the need to develop a court

school for convicted drinking drivers who were identified as problem drinkers and established such schools with the objective to encourage the student to examine his drinking behavior and to accept a program of rehabilitation. These classes were designated as Level II classes and differed from the earlier classes (now called Level I) in that Level I classes were not intended for problem drinkers, but to teach cognitive data concerning alcohol use and traffic safety.

In 1972 the Southern California Alcohol and Traffic Education (SCATE) Association was formed as a professional association for both the private and public providers of education/treatment services. This organization was instrumental in developing standards, providing training seminars and providing legislative input for alcohol and traffic safety issues.

During 1976 ASAP and SCATE developed an innovative approach to dealing with the issues of the multiple DUI offender. The approach became known as "pre-conviction programs" and was developed whereby clients, prior to being convicted of a multiple DUI, could opt for enrollment in a one year long extensive alcohol treatment program. In the three years that the approach formally existed in Los Angeles County over 16,000 clients were enrolled in these programs.

It was the success of the pre-conviction programs in Los Angeles County that provided the incentive for the California legislature to adopt SB 330. However, pressures from the Department of Motor Vehicles and the State Attorney General's Office resulted in enabling legislation that required a DUI conviction before the court could refer a drinking driver to the one year long alcohol treatment program. In exchange for partici-

pation in these "post-conviction programs" the DUI offender is allowed to retain his/her driver's license.

As a result of the early and aggressive involvement of the traffic safety community in Los Angeles, there now exists numerous treatment/education alternatives available to the courts. Most are short-term informational/educational activities or specialized treatment programs. Two discussed earlier, Alcoholics Anonymous and traffic safety schools, are used fairly frequently, but normally in conjunction with the traditional punitive sanctions. Each is well thought of by both the courts and the community and considered "effective" by the interviewees with particular offender types.

Two additional rehabilitation alternatives, the pre- and post-conviction programs, have their supporters among the judges and other community personnel and are seen as potential influencers of a drinking-driver's behavior. They are, in addition, the two most controversial alternatives in that they represent both significant dollar potential for their operators and require more commitment by their attendees. While the pre-conviction drunk driving program has basically been eliminated in Los Angeles County, due to the passage of SB 330, there is still strong interest in this approach and a desire on the part of many of the interviewees to return to it. In a few innovative situations judges have actually managed to maintain the basic philosophy of the pre-conviction program approach while operating within legislative mandates.

Because the pre- and post-conviction program approaches are the two most important alcoholism rehabilitation alternatives (in the opinion of the

majority of the interviewees) they are discussed in summary detail, in respect to program types, components and characteristics, in the following paragraphs; and profiled, in respect to individual providers, in Section V.

4.3.2.1 Pre-Conviction Drunk Driver Programs

The pre-conviction drunk-driving programming field, when operational in Los Angeles County, was characterized by extensive diversity. One way to facilitate description of any diversified field is to provide a framework of analysis. Such a framework provides a common frame of reference within which program functions and operations may be discussed and allows an accurate overview of the field to be presented. The framework chosen for reviewing the pre-conviction drunk-driving programs includes the following categories: program types, program components, and program characteristics. Following is a discussion of each.

PROGRAM TYPES

There were two basic approaches to the pre-conviction drunk-driving programs. They were: (1) the Deferred Prosecution Approach and (2) the Diversion Approach.

- (a) Deferred Prosecution Programs -- normally required that a defendant stipulate to a prima facie case of evidence for conviction of Vehicle Code 23102 or 23101, waiving, in the process, his right to jury trial. The case was then deferred for prosecution pending the defendant's enrollment in a court approved program for problem drinking. Once enrolled in the program the defendant underwent a detailed diagnostic evaluation of his problem; was classified in terms of the severity of his problem; was referred to appropriate educational/treatment activities; and upon successful completion of his rehabilitation program, had his case disposed of by further

plea bargaining in accordance with the equities of his case. If the defendant failed to complete his program to the satisfaction of the court, the case was disposed of by court trial, normally resulting in a conviction for the original charge.

- (b) Diversion Programs -- allowed a defendant to enter a plea of guilty to a charge of driving while under the influence of intoxicating liquor. Sentencing was continued for varying periods up to fifteen months. During the postponement of sentencing, the defendant attended an educational/treatment program for his drinking problem. Since these programs were normally operated by agencies outside the criminal justice system, and since the defendant's involvement with the traditional criminal justice system had been altered to prevent his further penetration of that system they were classified as "diversion" programs. The abstract of conviction was withheld pending the outcome of the defendant's rehabilitation program. If the program was successfully completed the plea of guilty was vacated and the case disposed of by reduction of the charge to a lesser offense, most frequently Vehicle Code 23103, reckless driving.

PROGRAM COMPONENTS

An analysis of the documentation collected during the survey phase of this study, describing various pre-conviction drunk-driving programs, provided the basis for the material presented in this section. While the material showed that each program contained at least one unique feature, either in terms of an operating procedure or administrative control, it also indicated that there were certain basic program components which were relatively consistent across programs. Among these were the following:

- (a) A Signed Stipulation, Admission of Facts, and Waiver Form -- In addition to serving as an application to the program, this form recorded the defendant's admission to the facts surrounding his case and waived his rights to a jury trial.

- (b) Orientation -- This program component provided the defendant with an overview of the program, its objectives, and purposes. It also outlined the legal and personal responsibilities required by the Court and the program of the applicant and ended with the scheduling of the applicant for evaluation of his problem.
- (c) Interview/Problem Evaluation -- This program component consisted of indepth probing and evaluation of the participant's current arrest, the circumstances surrounding it, and a review of his blood alcohol level, prior alcohol-related arrests and past driving record (DMV). The interviewer also reviewed the participant's drinking history/patterns; his employment record; his educational background; his economic stability; his health and medical problems; his family configuration and relationships and other pertinent factors which might mitigate or aggravate the client's (participant's) drinking problem.
- (d) Education/Treatment Resources -- The primary resources utilized by the documented drunk-driving programs included: traffic safety classes; DUI schools; group therapy; Alcoholics Anonymous (A.A.) meetings; and Antabuse therapy, as required and approved by the participant's physician. Other resources which were utilized on an "as needed" basis were: individual and family counseling; occupational therapy; marital counseling and community involvement (volunteerism).
- (e) Case Tracking/Monitoring -- This program component monitored the participant on a regular basis relative to program progress, compliance with program activities, adequacy of the treatment program, and the participant's progress on a personal level.
- (f) Reporting Services -- This program component's primary purpose was to provide an informational capability for reporting to the court, prosecution, participant and counsel on the progress and status of the participant's program-related activities.

In respect to these last two components, the District Attorney's Office played an important role in providing both a monitoring/approval capability and an automated client reporting system. With the passage of Senate Bill 330 the District Attorney discontinued these services as the responsibility for monitoring post-conviction programs was assigned to the local County Alcoholism Authority.

PROGRAM CHARACTERISTICS

Among the characteristics, or distinguishing traits, of the pre-conviction drunk-driving programs were two which most programs shared and one where there was considerable variation. The first of the characteristics shared by most of the programs was an emphasis on the rehabilitation of the multiple offender problem drinker. Their thrust was to encourage the Courts to focus on the multiple offender with a drinking problem, while making minimum provisions for the first offender problem drinker. While there appeared to be the capability to serve the first offender drinking driver, few actively pursued their participation, in their programs, with the Courts.

The second shared characteristic concerned the pre-conviction programs' approach to their educational/treatment requirements. Almost without exception the programs developed educational/treatment resources as an integral component of their program. With the exception of the physical required with Antabuse therapy, education or treatment was provided by program staff in program facilities. The only community treatment resource which was utilized as a supplement to their program was Alcoholics Anonymous.

The characteristic in which programs varied was in their approach to fee schedule/payment plan development. The lack of historical data concerning

program operating costs and client volumes forced most programs to develop a fee schedule/payment plan in the dark. Compounding the problem further, few programs had any indication as to the extent to which Courts would utilize their services. As a result, budgets and fee schedules reflected the best estimates of the individual program director. At the program level, the result was higher client fees, understaffed programs, and fee schedules which demanded heavy front-end payments. Payment plans provided few options, except for the proven hardship case, and generally depicted a highly conservative utilization/revenue recovery attitude.

4.3.2.2 Post-Conviction Drinking Driver Programs

On September 26, 1978 Los Angeles became an approved county for operating drinking driver programs (DDP). In obtaining that approval Los Angeles County agreed to abide by certain statutory requirements outlined in Senate Bill 38/1458. They were, that each "DDP" must:

- meet State Department of Alcohol and Drug Abuse standards;
- provide for close and regular supervision of the person, including face-to-face interviews at least every other week regarding the person's progress;
- not charge fees in excess of the maximum set by the Department of Alcohol and Drug Abuse;
- make provision for persons who cannot afford the fees in order to enable them to participate in the program;
- include a variety of treatment services for problem drinkers and alcoholics or have the capability of referring such persons to appropriate treatment services and regularly and closely supervising such persons while in attendance;
- report periodically to the court on the performance of the person participating in the program; and
- report immediately to the court on the failure of the person to comply with the program's rules and regulations.

In respect to the courts, the statutory requirements are as follows: The court, upon conviction of a first or multiple offender DUI, shall determine whether to refer such a person to an approved program by considering any relevant information about the person made available from a pre-sentence investigation (PSI) or other screening procedure. The court may refer persons only to approved programs. If an approved program does not exist in the county on the date of conviction of the person and if the county does not have an agreement to allow referral of persons to approved programs in other counties, the convicted DUI offender shall be subject to the provisions of Section 13352 of the Vehicle Code. Judicial alternatives include:

- The court may refer a person to an approved program, even though the person's privilege to operate a motor vehicle is suspended or revoked.
- A court may refer first offenders who meet the requirements.
- The court may require proof of ability to respond to damages as a condition to participation in a program.
- The court may permit transfer of jurisdiction over a convicted person to another county for participation in its program.
- The court will forward abstracts of records indicating the person's consent to participate and participation in an approved program to the Department of Motor Vehicles within ten days after sentencing.
- The court shall require periodic reports concerning the performance of each person referred to and participating in a DDP and the immediate report of failure of any such person to comply with the program's rules and regulations. If, at any time after referral to or while participating in a program, a participant fails to comply with the rules and regulations of the program, the court, upon finding such fact, shall immediately suspend, or order suspension or revocation of, the privilege of such person to operate a motor vehicle for the period prescribed by law and shall, within 5 days notify DMV, by amended abstract of such program termination.
- The court may suspend mandatory jail time, only for persons convicted of a second DUI offense, if they are successfully participating in an approved DDP.

Referring, now, to the framework utilized for reviewing pre-conviction drunk-driving programs---program types, program components, and program characteristics---a brief discussion of this therapeutic alternative follows.

PROGRAM TYPES

There is only one type of post-conviction drinking driver program. It is a judicial sentencing strategy for drivers convicted of driving-under-the-influence offenses that permits drivers convicted of multiple offenses to participate in a 12-month alcohol abuse treatment program in lieu of receiving mandatory suspension or revocation of their driving privilege. In order to qualify for this opportunity to retain the driver's license, the individual must meet the following criteria:

- be convicted of DUI (regardless of the number or date of prior convictions);
- consent to participate satisfactorily for one year in a public or private alcohol treatment program meeting standards set by the State alcoholism authority; and
- not previously have been in an alcohol treatment program under the provisions of Senate Bill 38/1458.

If the participant fails to comply with the rules and regulations of the program, the court must immediately suspend or order suspension or revocation of the individual's driver's license for the period prescribed by the law.

PROGRAM COMPONENTS

Similar to the pre-conviction drunk driving programs, the typical post-conviction drinking-driver program contains Orientation, Interview/Problem Evaluation, Education/Treatment Resources, Case Tracking/Monitoring and

Reporting Services components. As they operate in a manner identical to that outlined earlier, and are detailed from a different focus in Section V, no attempt will be made to report that information here.

The primary differences, in respect to the program components of the two strategies, are that the pre-conviction drunk driving programs required the Signed Stipulation, Admission of Facts and Waiver Form and the post-conviction drinking driver programs do not; and that participation in post-conviction drinking driver programs requires the court to prepare a properly coded court abstract for DMV. Additionally, the enabling legislation for post-conviction drinking driver programs allows a program participant to transfer his/her participation to another county, under certain conditions and with court approval. In those situations a transfer form must be prepared.

PROGRAM CHARACTERISTICS

As with program components, the characteristics of the pre- and post-conviction program strategies are consistent. Both emphasize the rehabilitation of the multiple offender problem drinker. Both have developed educational/treatment resources as an integral component of their program. A difference here is that post-conviction drinking driver programs are mandated to provide a certain number of hours of educational/counseling services to the participant while the pre-conviction drunk driving programs were not. Also, they are required to provide bi-weekly face-to-face interviews regarding the person's progress while the pre-conviction drunk driving program did not have such a requirement. Finally, both have faced significant problems in developing an operating budget and in establishing a fee schedule/payment

plan. In each case, the reasons for the problem and the impact on the program and the client have been identical.

4.3.3 SENTENCING ALTERNATIVES: PERCEPTIONS OF THE INTERVIEWEES

Interestingly, the perceptions of the individuals interviewed, recognizing the diversity of their roles and responsibilities in respect to the drinking driver, were very consistent. The majority felt that there were two primary sentencing alternatives--the traditional method and the rehabilitation method.

Within the traditional method they felt there were two options: punitive sanctions or punitive sanctions supplemented by a suitable short-term educational/treatment program. In respect to the rehabilitation method they felt that a comprehensive approach was the most appropriate and mentioned both the pre- and post-conviction models as examples of comprehensive programs. While other rehabilitation-oriented alternatives were mentioned, such as: driver improvement schools, purely educational efforts, and private alcoholism counseling programs; none were seen as offering a level of success equal to the comprehensive treatment strategy.

Those supporting the traditional method listed as reasons:

- the lack of evidence that demonstrates the effectiveness of alcoholism rehabilitation efforts;
- the inability of most drinking drivers to afford the combined costs of a fine, attorney's fee and a comprehensive alcoholism treatment program;
- the lack of knowledge as to what rehabilitation resources are available in the community and the quality of the programs they offer;
- the lack of court resources to perform DUI offender screening, evaluation and referral activities; and

- the belief that many of the pre- and post-conviction programs were established strictly for the economic gains they afford their owners/operators. Since it is difficult, if not impossible, to tell the sincere operators from those with "profit motivations" there is a high risk in their utilization.

Those supporting the rehabilitation method listed as reasons:

- their ability to modify the life style and drinking driver behavior of the DUI offender;
- their ability to determine the severity of an individual's problem and to structure a treatment program consistent with the individual's needs; and
- their ability to monitor the individual's progress in fulfilling court imposed obligations.

A few of the individuals interviewed felt that a sentencing alternative which allowed some flexibility to the rehabilitation program in customizing treatment to unique characteristics of individual drivers or subgroups of drivers in the multiple offender group was the solution to the problem. They based this opinion on their understanding of the findings presented to date. Also offered as a suggestion was an alternative that combined some form of license restriction, simultaneously with treatment program participation. This alternative ensured that the offender would not drive, until they had demonstrated their sincere commitment to a rehabilitation effort. All of these latter suggestions have been expressed, in the form of recommendations to the State Legislature, as a result of a joint evaluation prepared in December 1978 by the Departments of Motor Vehicles and Alcohol and Drug Abuse.

Other key comments/perceptions offered by the interviewees included the following:

- that the pre-conviction drunk driving program approach was superior to the post-conviction philosophy. The

interviewees (better than 50% who expressed this opinion) listed more motivation for the offender, more incentives (e.g. reduction in charge, no insurance record, etc.), and the impression of a "second chance" as their reasons for this opinion.

- Concern was expressed over the inconsistencies in the screening process utilized to determine program eligibility and participation in post-conviction programs. Screening sources identified included judges, court staffs, probation officers, public health investigators and alcoholism council personnel. Each with their own approach and instrumentation and each with their particular knowledge of available resources. The group of interviewees that expressed this concern felt that some standard or guideline had to be established to ensure an equal opportunity for all offenders to be considered for treatment.
- that the post-conviction drinking driver program concept was becoming a "class" program in that it favors the responsible/middle income individual.
- that the post-conviction drinking driver program concept has resulted in more cases going to trial in an attempt by the DUI offender to prevent the stigma associated with a conviction.
- that the courts are not referring the number of DUI offenders needed to support the full contingent of County authorized drinking driver programs. The results of this situation, as identified by the interviewees, has been less qualified provider staff, a reduction in program standards, and the risk of a number of good programs going out of business. Increased court referrals or the elimination of a number of the authorized programs were the solutions offered to this problem.
- that incomplete or unsatisfactory rehabilitation program participation should result in a "stiff" penalty, such as a long jail sentence.
- that the County Alcoholism Authority has not provided the leadership mandated by SB 38/1458 in respect to provider monitoring and client tracking responsibilities. The level and types of services provided by the District Attorney's Office during the pre-conviction drunk driving program era was offered as an example of the leadership required.
- that the magnitude of the drinking driver problem in Los Angeles County dictates the need for a comprehensive approach to its solution. An approach that many felt had to have the full backing and support of the courts.

4.4 INDUCEMENT METHODS.

This section of the assessment results focuses on the inducement techniques used by Los Angeles County judges to encourage treatment program participation and completion. It basically identifies the inducement techniques utilized and presents the interviewees' impressions as to their effectiveness. Supplementing the data collected through the interview process are the findings of various State and local studies that evaluated specific inducement techniques. Following are the results of our effort.

As anticipated, the list which was developed to serve as a guide during the conduct of this segment of the analysis proved to be an accurate and complete presentation of the inducement methods utilized in Los Angeles County. It was anticipated because the list was originally developed as a result of a review of the literature associated with the 35 federally funded ASAP projects and included the methods operational at each site. Since that list was presented earlier in this section, a relisting of the methods does not appear necessary. Instead the perceptions of the interviewees, and any related findings, will be presented, organized by the major categories of inducement methods: voluntary, incentive and coercive.

4.4.1 VOLUNTARY

Most interviewees felt that few DUI offenders would ever volunteer for either punitive actions or rehabilitation efforts if given a real choice. They did feel, however, that success in combatting a personal drinking problem could only be achieved if the individual wanted it to happen. Therefore, to give them no choice in participating in a rehabilitation program, especially a long-term program as represented by the pre- and post-conviction models, did not appear to be appropriate.

The interviewees did feel that the DUI offender often needed help in making the decision to volunteer for assistance with their problem and that the ability of the court to provide a "carrot" or "stick" through the sanctions imposed was a valuable factor in those situations. Positive incentives or severe punitive actions were seen as providing the "courage" to solicit help.

4.4.2 INCENTIVE

With few exceptions incentives were seen as the most valuable inducement method to obtaining DUI treatment program participation and completion. The incentives most frequently mentioned as having a significant impact on the offender's participation were: charge reduction, fine reduction and avoidance of incarceration. The stigma associated with a conviction for driving-under-the-influence, and the subsequent increase in insurance costs were the factors given for the offender's interest in a charge reduction. Similarly, the stigma associated with serving time in jail and the potential loss of salary were the reasons outlined for the offender's desire to avoid incarceration. Of course, the cost factor was the reason behind the fine reduction incentive, especially with the additional costs of attorney's fees and program fees facing the individual if s/he participates in a program.

Of surprise, was the fact that there were few interviewees who actually mentioned license action avoidance as a major influencing factor. While it was mentioned as a factor in certain situations (for example, truck drivers) the feeling was that it was not that significant by itself. "In California people know that they have to drive to live and work and are mentally ready to accept the problems created by driving without a license" was a statement expressed frequently.

Also, seldom mentioned as a major factor was formal/summary probation. Those who did mention it felt it was more of a "bonus" type of incentive as opposed to a "pivotal" type of incentive. While an offender might not like the demands placed on him/her by probation, it is not as high on their list of concerns as was the conviction, the amount of fine and the potential of jail.

The review of the studies available to the evaluation team indicated many of the same results. A study performed by the Indiana University, Institute for Research in Public Safety of the Phoenix, Arizona ASAP indicated that the incentive of earning a plea bargain with a subsequent avoidance of the mandatory jail time was a significant factor in obtaining participation of DUI offenders in a local short-term alcohol rehabilitation program.

A second study, performed by the same organization for the U.S. Department of Transportation reviewed the adjudication disposition systems in operation in the ASAP activities of five states and found that incentives, in general, were key to encouraging offenders to cooperate with requirements on their behavior. Five court sites in Los Angeles County were included in the sites visited by the Indiana University study team.

The Review of Relevant Literature summarized in the previous section and contained in Appendix B provides more detailed accounting of these and other pertinent evaluative activities.

4.4.3 COERCIVE

The ordering of an offender to cooperate with, or participate in, an alcoholism rehabilitation program, by itself, was not seen as an effective

inducement method. However, when combined with the threat of extensive jail time or a substantial fine if cooperation, or participation, were not achieved, the method was seen as being tremendously effective. In fact, many of the interviewees felt that the most powerful sentencing alternative was one that combined incentives for successful completion, on one side, with stiff punitive sanctions for failure or lack of cooperation, on the other.

Their opinion was that success in completing a program should be rewarded; failure represented a potential risk to society that had to be countered with the only other alternative for reducing the offender's impact on the safety of the public.

A county-wide policy that clearly demonstrated that the courts were prepared to help an individual with a drinking-driving problem (where the merits of the case allowed and where they were prepared to seek assistance); but that failure to fulfill program requirements once initiated would result in action to limit the offender's impact (i.e. license actions, jail time, etc.), was considered by many of the interviewees, as a goal worth pursuing.

SECTION 5

SURVEY OF PROGRAM PROVIDERS

The purpose of this section of the report is to record the results of a mail questionnaire survey of pre-conviction and post-conviction drinking driver programs operating in Los Angeles County. The survey was conducted primarily to obtain data to better understand the nature of the programs that are actually being offered to the individuals included in the statistical sample described in the subsequent section. It is important to underscore that in no way was the survey conducted to be treated as an evaluation. Rather, the survey was designed to elicit profiles of the programs offered and to elicit opinions of program providers.

5.1 SURVEY PROCEDURES

For purposes of consistency and reliability of data, it was decided to include only "approved" pre- and post-conviction programs in the survey. With respect to pre-conviction programs, the sample was thus defined by a memorandum from the District Attorney's Office to all municipal court judges and commissioners in Los Angeles County in November 1977. This memorandum listed some 26 programs that were evaluated as acceptable.

The list of post-conviction programs from which response was solicited was that approved by the State Department of Alcohol and Drug Abuse and the Los Angeles Office of Alcohol Abuse and Alcoholism as acceptable programs. The list utilized contained 45 program names.

A six-page questionnaire was developed and tested in the spring of 1980. In April, the questionnaire was mailed to all programs on the previously

described lists with a request by the Municipal Court for prompt response. It was anticipated that response from pre-conviction programs would be difficult to obtain as the programs had technically ceased to exist with the passage of Senate Bill 38, the State post-conviction mandate. On the other hand, it was anticipated that the response from post-conviction programs would be virtually unanimous. Despite this latter expectation, the response to the first mailing was very disappointing.

In June a second request was sent to all nonresponding programs with a stronger request for participation from the Municipal Court Judges. This request was supported by the Office of Alcohol Abuse and Alcoholism and a number of private providers.

5.1.1 SURVEY RESPONDENTS

As a result of the previously described procedures, a total of 30 questionnaire responses were received. One of the responses indicated that it was not an authorized pre- or post-conviction program, although their address was apparently on the mailing list.^{1/} As a result, 29 usable questionnaires were returned and provide the basis of the tabulations in this analysis.

Of the 29 questionnaires received, one represented strictly a pre-conviction program. However, eight additional questionnaires were from programs that are currently authorized post-conviction programs but were once also DA approved pre-conviction programs. When contacted, these programs indicated that there would be no need to complete two sets of questionnaires as the answers would be identical except for the status of the conviction question.

^{1/}This apparently resulted from the fact that the respondent was at the address formerly associated with a pre-conviction program.

Finally, a few of the respondents were post-conviction programs that represented programs with branch offices. In these cases, the respondents were actually responding for all of their locations collectively. The effect of this is to potentially inflate the number of total respondents represented by the 28 post-conviction questionnaires. While it is difficult to directly measure the magnitude of this inflation it is evident it exists to some degree.

In comparing the responses, there is no discernible trend differences in the one pre-conviction program, the eight that were both pre- and post-conviction, and the 20 strictly post-conviction programs. As a result of this, the description presented in this section combines all 29 responses in the presentation of the profile.

It is believed that the profile and opinions presented provide a representative overview of available alcohol programming in Los Angeles County. As indicated, the raw number of questionnaires received apparently reflect more programs than would normally be indicated by the absolute number. Since the profile is designed to provide mostly qualitative data, i.e., program type, services offered, client profile, and opinion, rather than quantitative data it is believed the survey is fully adequate. As a final bit of evidence, the first question asked tends to indicate little difference in components to the sample. That question was:

"Did this program originate as a result of SB 330/38?"

The eight programs that were pre- and post-conviction programs of course answered no. Of the remaining 20 post-conviction programs, 10 answered that they were a result of SB 330/38 and 10 said they were not. As with other comparisons, there seemed to be no discernible differences among these subgroups.

5.2 SURVEY RESPONSES

In this subsection, the principal survey responses are tabulated and discussed. All responses are provided in summary form and at no time is a specific program identified. This procedure is followed as several respondents requested confidentiality and program identification is not necessary to the interpretation of the results. Responses are catalogued under the following headings:

- (1) Program Services
- (2) Client Profile
- (3) Program Administration
- (4) Comparison of Pre-Conviction and Post-Conviction Model
- (5) Other Comments

5.2.1 PROGRAM SERVICES

Services Offered

In response to a question concerning types of services offered, survey respondents indicated the following:

- (1) All programs offered individual counseling, group counseling, and education. In a subsequent question relating to quantity, the following estimates were provided:

<u>Type of Service</u>	<u>Estimated Amount</u>
Individual Counseling	6-20 hours most frequently mentioned. 26 sessions for 15 minutes.
Education	12-30 hours (15 hours average)
Group Counseling	Of those responding all but 2 respondents indicated that they provided at least the State required 52 hours. The remaining two reported 40 and 50 hours as their requirements.

- (2) Eleven programs indicated they did not offer family counseling, fifteen indicated they did not offer chemotherapy, and three said they did not provide referral to other services.

Services Adequacy

Only two programs indicated that they did not feel their current services were adequate. Although the vast majority felt current services to be adequate, additional services thought to be desirable were:

<u>Service</u>	<u>Number of Times Mentioned</u>
Family Counseling	11
Financial/Family Planning	3
Chemotherapy	2
Drug Testing	1
Social Detoxification	1
Ambulatory Detoxification	1
Out-Patient Medical	1

Alcoholics Anonymous

A number of judges on the Project Advisory Committee expressed particular interest with respect to determining the extent of use of the Alcoholics Anonymous (A.A.) Program. For this reason, and recognizing the importance of A.A. to alcoholism rehabilitation efforts the following questions were asked:

"Is, or has, Alcoholics Anonymous (A.A.) ever been a mandatory service element of your program?"

and

"If yes, how frequent attendance did you require?"

All respondents answered yes to the first question. With respect to frequency most programs required two to four sessions per month. One program indicated that eight sessions of A.A. were required monthly.

Eligibility Criteria

Program respondents were asked to briefly identify program eligibility criteria. Responses are summarized below. As in the case of other "open-ended" questions, the total responses add to more than the number of respondents as some respondents indicated multiple eligibility criteria.

Responses follow:

<u>Eligibility Criteria</u>	<u>Number of Times Mentioned</u>
Court Order/Referral	14
Previous Convictions	5
Mandatory Program Attendance	4
Total Abstinence	4
Meet Program Requirements	2
Voluntary	2
Submit to Antabuse	2
Desire to Help Self	2
Submit to Investigation/Interview	2
A.A. Attendance	1
Live Nearby	1
Agree to Examine Life Style	1
Sign Contract Agreement	1
Do Book Reports	1
Have Physical Check-up	1
No Response	2

Classification of Severity of Clients' Problem

All but three questionnaire respondents indicated that they attempt to classify the extent of a client's problem. In response to an open-ended question concerning techniques used, the following were listed as classification techniques:

<u>Classification Technique</u>	<u>Number of Times Mentioned</u>
Personal Interview/History	19
Hopkins and/or MAST Tests	7
Arrest Records	6
Employment Records	4
Client's Own Evaluation	3
Blood Alcohol Level (BAL)	3
Mandatory Antabuse	2
Public Health/Probation Reports	2
Other Tests	2
Driving Record	1
General Health	1
One-on-One Counseling	1
Look at Drug Patterns	1

Measure of Client Services

A question was asked relative to success indicators used. Options given were: client behavior, client attitude, client attendance record, abstinence, and other (to be specified). Virtually all programs checked all of the boxes provided. Reasons specified as other success indicators included:

<u>Other Success Measures</u>	<u>Number of Times Mentioned</u>
Life Style Changes	7
Attendance at A.A.	3
Enhanced Self Image	2
Continuing Program Participation	1
Congruence	1
Recidivism Rate	1
Payment of Tuition	1
Relationship with Group	1
Change in Drinking Pattern	1

Client Termination

Programs were requested to indicate which of the following are sufficient reason (in and of itself) for terminating a client.

<u>Reason for Termination</u>	<u>Sufficient for Termination</u>	
	<u>Yes</u>	<u>No</u>
Poor Attendance	27	2
Attendance Under the Influence	23	6
Commit New Offense	22	7
Client Request	21	8
Program Staff Request	7	22

Other reasons indicated include:

<u>Reason</u>	<u>Number of Times Mentioned</u>
Poor Attitude	3
Court Request	2
Use of Other Drugs	2
Serious Medical Problems	2
Nonattendance at A.A.	1
Violation of Contract	1
Refusal to Pay (When Capable)	1
Not Taking Antabuse	1
Program Infractions	1

5.2.2 CLIENT PROFILE

A number of questions were asked relating to client demographics, percent of clients seeking additional treatment, and reasons for dropping out of the program. The responses to these questions are directly comparable to innumerable other analyses. Specifically with respect to the client profile:

- (1) The vast majority of clients are male. Approximately half were White with the remainder split between Blacks and Spanish speaking.
- (2) All age groups are represented in the client population. About 75 percent of the clients are in the 20-44 age group.
- (3) Programs estimated that somewhat less than 10 percent of clients sought additional treatment. The actual estimate ranged from 0.01 percent to 40 percent.
- (4) Reasons for clients dropping out of the program were as follows:

Poor Attendance	62%
New Offense	14%
Relocation or Death	10%
All Other	9%
Attendance Under the Influence	5%
	<hr/> 100%

5.2.3 PROGRAM ADMINISTRATION

A number of questions were asked relating to program administration. The results of these questions are briefly summarized.

Program Size

Programs were asked to indicate the number of clients served last year. Program size ranged from a low of 45 clients to a high of 888 clients. The average size was approximately 260 clients.

Program Length

All programs indicated a 12-month program participation requirement.

Program Hours

All programs offered regular services on both weekdays and weeknights.

Four programs provided some regular service on Saturdays and four programs provided scheduled service on Sundays. A number of programs indicated they would provide service on weekends by appointment or in emergencies.

Languages Offered

Nine programs indicated they offered classes in Spanish in addition to English. No other language was indicated as offered in the questionnaire responses.

Fee

Virtually all programs indicated that fees were set on a sliding scale.

Fees ranged on this scale from a low of \$0 to a high of \$636 annually.

Most programs indicated their top fee to be approximately \$600.

Staff Training

All but three respondents stated that their program had a formal training requirement. In response to an open-ended question the following types of training were listed:

<u>Type of Training</u>	<u>Number of Times Mentioned</u>
On the Job	9
Formal Orientation	5
Formal Classroom	4
Workshops	3
A.A. Meetings	2
Interview/Counseling Training	2
Consultants	1
Payroll/Administration	1
Group Seminars	1

Staff Experience Rating

Respondents were asked to rate how important a number of criteria were with respect to staff selection. The rating scale was on the basis of 1=very important to 6=not important. Average ratings in order of importance were as follows:

<u>Factor</u>	<u>Importance Rating ^{2/}</u>
Experience in Field	1.5
Specialized Training	2.0
Educational Background	2.4
Ethnicity	4.2
Age	4.3

Other factors listed as important with respect to staff selection include:

<u>Factor</u>	<u>Number of Times Mentioned</u>
Recovered Alcoholic	5
Sensitivity	3
Dedication	2
Maturity	2
Compassion	1
Counseling Ability	1
Life Experience	1
Supports A.A.	1
Spanish Speaking	1

5.2.4 COMPARISON OF PRE- AND POST-CONVICTION MODELS

A major impetus of the entire evaluative effort described in this report is to compare pre- and post-conviction programs. For this reason and the great interest of the Project Advisory Committee members, programs were asked to provide their views. The specific question asked was as follows:

^{2/} Low number denotes greatest importance.

"Do you believe you could operate more successfully as a pre- or post-conviction program? (Success as defined here can be expressed in terms of reduced recidivism rates or progress in eliminating or controlling a client's drinking problem.) Please identify and explain your choice."

Not unexpectedly many answers to this question were very lengthy and in many cases provocative. The overall response to this question is tabulated as follows:

<u>Type of Response</u>	<u>Number of Responses</u>
Pre-conviction is preferred	14
Post-conviction is preferred	5
Both have equal merits or unsure	6
No response to question	4
Total Programs in Sample	<u>29</u>

Responses to this question are summarized under the following headings:

- (1) Pre-Conviction Programs Preferred
- (2) Post-Conviction Programs Preferred
- (3) No Preference for Pre- or Post-Conviction Programs Expressed

Pre-Conviction Programs Preferred

Those programs indicating that they preferred pre-conviction programs offered the following comments. Except where quotation marks appear, the comments have been paraphrased:

- (1) Nine programs provided lengthy responses indicating they preferred pre-conviction programs because of greater flexibility and that they felt pre-conviction programs had a "larger stick and better carrot". Specific comments include:
 - a. There is a greater incentive to enroll and stay in pre-conviction programs.

- b. Pre-conviction programs are more affordable.
- c. In pre-conviction programs car insurance is not affected.
- d. Pre-conviction programs could require more programming; i.e., they could go beyond the current State mandates.

- (2) In summary, one program said since more people opted for the drinking driver program under pre-conviction more could be reached.
- (3) Five programs indicated participants in post-conviction programs are more hostile than were participants in pre-conviction programs. A number of programs indicated noncompliance rates are higher and successful referral rates lower (one program said the former was twice as high and the latter one-half). Reasons given:

- a. Clients must pay a court fine, attorney fee, program fee, higher insurance cost, and he/she has a court record of the offense. One program suggested this was a real financial burden that led to more drinking.
- b. One program indicated that the lower socio-economic groups are not becoming involved because of costs.
- c. One program summarized the situation as follows:

"After a person has paid his attorney, fine and done his weekends, it is very difficult to explain to him in a one hour interview that he is saving his life and family, etc. by spending a year and \$500 on a program".

Rather, they decide to chance it without a license.

Post-Conviction Programs Preferred

Comments from individuals preferring post-conviction programs included:

- (1) Post-conviction programs are preferred as they establish an immediate crisis.
- (2) Clients entering post-conviction programs are more highly motivated (although in many instances they enter more hostile).

- (3) Post-conviction is preferred "simply because we had pre-conviction and post-conviction works better."
- (4) One program stated that input from staff favors post-conviction although recidivism is unknown and only a small number of clients actually cease drinking.

No Preference for Pre- or Post-Conviction Programs

Programs indicating no preference between pre- and post-conviction programs offered the following comments:

- (1) "We have been equally successful with pre- and post-conviction programs."

The program went on to state that in their opinion success depends on the structuring of programs for specific needs. The respondent stated that he would actually prefer to be able to offer both types of programs.

- (2) Either program is effective as long as consistent procedures are followed.
- (3) Either, it really depends on the specific program.

5.2.5 OTHER RESPONSES

The final page of the questionnaire was left for any additional suggestions desired by the respondent. The directions for the page were as follows:

"Please feel free to provide any comments you believe will be of some benefit to the court. We are especially interested in any suggestions you have concerning steps that can be taken to help you do a better job on behalf of the drinking driver."

The responses to this question were quite lengthy and generally very thoughtful. Due to the nature of the responses, they are difficult to categorize.

The synthesized responses are loosely provided under the following headings:

- (1) Uniformity of Procedure
- (2) Program Related
- (3) Education/Training Related

- (4) Fees
- (5) Sanctions

Except where indicated one response fell into each response type. As previously, the responses are paraphrased except where quotation marks appear.

Uniformity of Procedures

The greatest number of suggestions related to the need for greater standardization of policies and procedures. The following are indicative of the responses:

- (1) A standardized referral process is required (five responses). One program indicated it receives clients that know nothing except they are supposed to enroll in a program.
- (2) A standardized reporting system to the courts from the program should be developed (five responses).
- (3) Strive for more uniformity in all forms and procedures (two responses).
- (4) The court should provide each client with a copy of his/her arrest record, Department of Motor Vehicle report, name of judge, and case number. These often missing facts are necessary to facilitate programs enrolling individuals (two responses).
- (5) Eliminate excessive paperwork.
- (6) Require quarterly appearance by clients in court such as the Burbank and Glendale courts.
- (7) Develop a system that has less variance in jail terms, fines, and probation periods.

Program Related

A number of programs indicated desires relating to program flexibility.

Included were:

- (1) Increase the A.A. requirement (five responses).

- (2) Increase education requirement (two responses).
- (3) Court should remember that drinking driver programs are not designed for the chronic alcoholic and should refer these individuals elsewhere.
- (4) There should be more evaluation relating to the problem of drunk driving and the court should extend treatment beyond 12 months.
- (5) Suggest there be mandatory referrals for individuals not qualifying for programs; i.e., felony drunk drivers, multiple offenders, etc.
- (6) The option to continue a client that is progressing satisfactorily should be available even if the client is rearrested.

Education Related

The following education and research suggestions were offered:

- (1) Courts need to understand programs and clients better (two responses).
- (2) Better educate attorneys as to client needs and society will benefit.
- (3) Have more formalized training opportunities for program operators.
- (4) Educate judiciary to importance of treatment. One program complains that individuals sent back to court are automatically reinstated.
- (5) Have quarterly seminars with judges and providers present.
- (6) Client evaluation of programs would be desirable.
- (7) More usable research should be sponsored.

Fees Related

Responses pertaining to fees included:

- (1) The maintenance of quality staff on current fee schedule is very difficult.
- (2) Programs need more support from judges in area of fees (four responses). One program complained that

courts and probation say they are not collection agencies and thus offer little help. A second program states that clients who finally land jobs and can now pay go back to court to receive a change in program. Another program cryptically laments:

"Inter provider rumors point out that it is most unwise to refer a client back to the court for nonpayment of fees."

Sanctions

The following comments relating to sanctions were received:

- (1) Send clients to jail swiftly if there is program noncompliance (two responses).
- (2) There is a need for greater sanctions for program noncompliance.

5.3 OVERALL SUMMARY OF SURVEY OF PROGRAM PROVIDERS

The foregoing has provided a summary of responses to the provider survey questionnaire. It is believed that the information detailed provides the necessary background for understanding the program providers in Los Angeles County. Major points of the survey reveal the following:

- (1) The typical program provides individual and group counseling and education programs. The typical program believes its services to be adequate.
- (2) A.A. is required by all programs and is believed to be instrumental to program success.
- (3) Most programs attempt to classify the severity of the client's problems with alcohol. Most frequently used methods include: personal interview, specialized testing, and review of arrest records.
- (4) Programs view any positive element related to a client's actions as a measure of success.
- (5) Poor attendance is the most frequent reason for a program terminating a client.
- (6) The typical client is a White, Black, or Spanish speaking male between the ages of 20 and 44. The

typical client does not seek additional treatment and if he is terminated, it is most likely for poor attendance.

- (7) The typical program admits more than 200 clients annually for a 12-month program that is offered during the week (day or evening hours). The client pays a fee according to his/her ability ranging up to \$600.
- (8) Programs believe that experience in the field, specialized training and educational background are the most important considerations in retaining professional staff.
- (9) Among respondents to the questionnaire, the pre-conviction model is preferred to the post-conviction model. The principal reasons include:
 - a. The programs believe they had more flexibility and greater inducements for client participation within the pre-conviction model, and
 - b. The programs believe post-conviction clients are more hostile leading to lower success rates.
- (10) In providing suggestions, the programs strongly support more uniformity in procedures. Some programs desire more flexibility in programming and educational opportunities. A number of programs requested more support in collection of fees.

SECTION VI

RESULTS OF THE SECOND OFFENDER DRINKING DRIVER SURVEY

6.1 INTRODUCTION

The purpose of this section is to report the statistical results of an analysis of second offense driving while under the influence cases. In the survey second offense driving while under the influence cases were selected from court records. Data relating to the individual involved in the incident, both demographic and judicial system related, were entered on a data collection form. The case was subsequently followed through the Department of Motor Vehicles (DMV) to obtain driving data with the appropriate data again entered on the data form.

The principal purpose of this survey was to make comparisons between four different groups of offenders to ascertain whether or not different methods of dealing with driving while under the influence drivers produced different results. A secondary purpose was to determine whether or not certain characteristics of drunk drivers made any difference with respect to outcome. The four groups compared were:

- Group I. Drunk drivers entered in pre-conviction driving programs.
- Group II. Drunk drivers convicted at the time pre-conviction programs were offered but who received traditional sanctions.
- Group III. Drunk drivers entered in post-conviction driving programs.
- Group IV. Drunk drivers convicted at the time post-conviction programs were in existence but who received traditional sanctions.

Exhibit 6.1 on the following page provides additional data relating to the survey. The exhibit is included as a reference for readers to assist in understanding the comparisons discussed in this section.

The survey that is described in this section was rigidly controlled and highly complex.^{1/} Only major or significant aspects of the survey are described herein so as to facilitate understanding. Appendix A to this report, submitted under separate cover, provides a more detailed review of the data for those individuals having a deeper interest in the survey procedures and detailed results.

6.2 COMPARISON OF THE CHARACTERISTICS OF THE FOUR SAMPLE GROUPS

This subsection provides a comparison of the demographic characteristics, judicial sanctions, and prior traffic and criminal records associated with each of the four sample groups (referred to as Analysis 1 on Exhibit 6.1). Such a comparison is valuable for several reasons. First, the description to be presented of the sample groups provides a "profile" of the DUI offender that may provide additional insight into the DUI problem. Second, the presentation of profile data for each of the four sample groups allows for the identification of differences and similarities between offenders subject to the varying treatments associated with the four groups, i.e. traditional sanctions and pre- and post-conviction programs. Finally, it is hoped that the similarities and differences identified in these comparisons can eventually provide useful information in the interpretation of recidivism analysis results.

The analysis of characteristics follows:

- Age -- The average age of second offense drunk drivers in the survey ranged from 35 to 37 years of age.

^{1/}The reader is cautioned that the samples were drawn from group assignments developed within the courts' on-going judicial processes and were not developed randomly for this study.

VI-3

Court Locations in Sample	Types of Cases Selected	Comparison Groups	Comparisons Made
<p>Los Angeles (Van Nuys, San Pedro, Traffic, and West Branches)</p> <p>Citrus</p> <p>Long Beach</p> <p>Southeast (Huntington Park and Southgate Branches)</p> <p>Downey</p> <p>Malibu</p> <p>Santa Monica</p>	<p>For a case to be selected the driver was either convicted of a second drunk driving offense or stipulated to the fact that he/she was guilty.</p>	<p>Cases were divided into four comparison groups.</p> <p><u>Group I.</u> Drunk drivers entered in pre-conviction drunk driving programs.</p> <p><u>Group II.</u> Drunk drivers convicted at the time pre-conviction programs were offered but who received traditional sanctions.</p> <p><u>Group III.</u> Drunk drivers entered in post-conviction drunk driving programs.</p> <p><u>Group IV.</u> Drunk drivers convicted at the time post-conviction programs were in existence but who received traditional sanctions.</p>	<p>Analysis I--The characteristics of the four groups were compared.</p> <p>Analysis II--An analysis of the characteristics of individuals completing treatment vs. those not completing treatment was made.</p> <p>Analysis III--An analysis of the characteristics of recidivists vs. non-recidivists was made.</p> <p>Analysis IV--A comparison of recidivism rates among groups, i.e. traditional vs. pre- and post-conviction.</p>

EXHIBIT 6.1
DRINKING DRIVER SURVEY

- Education -- The average level of educational achievement was approximately ten years of schooling.
- Income -- The average monthly income was about \$700 or less than \$10,000 per year.
- Jail -- As would be expected individuals receiving traditional sanctions spent more time in jail on the average than did individuals in the pre- and post-conviction treatment groups (13 days vs. 5 days).
- Blood Alcohol Concentration -- The average blood alcohol concentration level for the second offenders in the survey was in the 0.19 to 0.20 range. This level corresponds to that found in other studies of the DUI offender.
- Prior Traffic Offenses -- A number of analyses were conducted to compare prior traffic offenses and assignment to groups. These analyses included a review of: (1) all prior traffic offenses; (2) prior serious traffic offenses; and (3) prior alcohol related traffic offenses. In all cases the individuals in the treatment groups had better records than those in the traditional sanctions groups.
- Marital Status -- About 50 percent of the offenders were married, 30 percent never married and 15 percent divorced.
- Occupation -- While the proportion of white collar and blue collar workers is about equal in the two treatment groups, blue collar workers represent a larger proportion of both traditional sanctions group than do white collar workers. This may suggest that white collar workers are more willing to participate in treatment programs, or that white collar workers are more able to afford such programs.
- Driver License Status -- "Drivers License Status" refers to the status of a sample member's driver's license at the time of the index DUI offense. There are major differences between the two treatment sample groups and the two traditional sanctions groups relative to the proportion with valid licenses at the time of their offense. Approximately 80 percent of the treatment group samples possessed valid licenses at the time of arrest as compared to about 60 percent of either of the two traditional sanctions groups. This finding may be indicative of a difference in the type of persons willing to participate in a treatment program.
- Probation Type -- There were some reasonably large differences in assignment of probation between the four sample groups. Nearly all of the offenders (90 percent) in the post-conviction treatment group were placed on summary probation. Conversely, about 62 percent of the individuals in the pre-conviction treatment group were placed on summary probation. Formal probation was an infrequently used option for all sample groups.

- Court Ordered Program Participation -- As expected virtually everyone in the two treatment sample groups was under court order to attend a treatment program. Of greater interest is the fact that about 75 percent of the pre-conviction traditional sanctions group and 43 percent of the post-conviction traditional sanctions sample group were under court order to attend treatment. It would appear that the courts are facilitating rehabilitation participation even for those individuals not participating in a formal pre- or post-sentence treatment program.

6.2.1 SUMMARY

In summary the typical individual in the survey sample groups was in his mid-thirties and had not completed high school. There was an equal chance that he was married or not married at the time of his arrest and he was employed in a low paying job. At the time of his arrest he had a blood alcohol concentration of 0.20.

At this point the reader is again referred to Appendix A for further elaboration and a presentation of detailed statistics for each of the attributes summarized in the survey.

6.3 COMPARISON OF THE INDIVIDUALS COMPLETING TREATMENT

This section presents a comparison of the demographic characteristics, judicial sanctions, and prior traffic and criminal records associated with individuals who successfully completed treatment and those who did not. A comparison of the characteristics of offenders who successfully complete treatment and those who do not can provide valuable information to both judges and treatment providers. If characteristics can be identified which distinguish between those likely to successfully complete a treatment program and those likely to terminate treatment before completion, the court could apply differing incentives to offenders according to the need to insure program completion. At the same time, if treatment providers could identify

those offenders likely to terminate unsuccessfully, specially tailored programs could be applied to such offenders.

Significant elements of the analyses are provided below:

- Age -- The data indicate that individuals successfully completing treatment are on the average five years older than those who do not.
- Prior Traffic Offenses -- As discussed in the previous subsection a number of analyses were conducted to compare prior traffic offender and assignment to groups. These analyses include a review of: (1) all prior traffic offenses; (2) prior serious traffic offenses; and (3) prior alcohol related traffic offenses. For all of these definitions those individuals successfully completing treatment had significantly better driving records than those who did not. The table below supplies numerical data.

	% with two or more traffic offenses	% with two or more serious traffic offenses	% with two or more alcohol related offenses
percent of individuals successfully completing program	50%	25%	15%
percent of individuals unsuccessfully completing program	70%	40%	24%

- Occupation -- In comparing the successful and unsuccessful completions it is found that blue collar workers and unemployed persons are less likely to complete programs successfully.

6.3.1 SUMMARY

Appendix A provides many more comparisons between individuals successfully completing treatment and those that do not. However, a review of these data indicate that the best predictors of successful completion are the prior driving records (fewer prior arrests increases chances of success); occupation (being gainfully employed in a higher paying occupation predicts a higher success rate); and older individuals have greater chances to successfully complete a program.

6.4 COMPARISON OF RECIDIVISTS AND NON-RECIDIVISTS

In this subsection a comparison is made between the characteristics of recidivists and non-recidivists. The reader is cautioned that in this analysis a recidivist is defined as an individual who is arrested on a DUI or lesser alcohol-related charge subsequent to the conviction that placed the individual in a sample group. It must be recalled that each individual in the sample group had already been convicted (or stipulated to the fact) of at least two incidences of drunk driving prior to being included in the survey.

Although recidivist/non-recidivist comparisons could have been made within each of the four sample groups, it was believed that an overall comparison would be more useful for future use and certainly less cumbersome. Recidivism could also have been defined on the basis of serious or total traffic offenses. Again, it was believed that defining recidivists on the basis of alcohol related offense would be more useful for future use. The total number of offenders in the recidivist group was 392. There were 2,125 offenders in the non-recidivist group.

Significant characteristics are summarized below.

- Age -- There is a tendency for the recidivist to be slightly younger than the non-recidivist. From a statistical standpoint this was not significant.
- Blood Alcohol Concentration -- The average blood alcohol concentration for recidivists is slightly higher than the blood alcohol concentration for non-recidivists. Although this difference may be indicative of some real difference, its magnitude is too small for it to be of practical significance.
- Prior Driving Records -- As in the previous analysis recidivists were compared to non-recidivists based upon three levels of prior driving records. In all cases the recidivists had poorer driving records than non-recidivists. It is noteworthy that the pattern of poorer prior driving records for recidivists with

respect to all three offense types corresponds well with other studies of the DUI offender. Prior driving records have repeatedly been shown to be good predictors of recidivism.

- Occupation -- Inspection of the occupation data reveals interesting differences between the sample groups with respect to white and blue collar workers. The proportion of blue collar workers relative to white collar workers is noticeably larger in the recidivist group. That is recidivists are more likely than non-recidivists to be blue collar workers. It is of interest that there are only small differences in the proportion of recidivists and non-recidivists unemployed.
- Driver License Status -- The data indicate that recidivists were somewhat more likely to have been driving with a suspended or revoked license at the time of their index arrest than non-recidivists (34.2 percent versus 24.2 percent).

6.4.1 SUMMARY

As in the previous lines of analysis prior driving records appear to be a good if not the best predictor of outcome. In this case recidivists had poorer driving records than did non-recidivists. Additionally, recidivists tended to be in the blue collar category and be slightly younger and have somewhat higher blood alcohol concentrations than did non-recidivists.

6.5 RECIDIVISM ANALYSIS

A final line of analysis was conducted to compare recidivism rates among sample groups. This line of analysis is of extreme importance as it attempts to answer the question whether or not there is any difference in outcome as measured by recidivism with respect to type of treatment received, i.e. traditional sanction or pre- or post-conviction treatment.

The results of this analysis is described in some detail in Appendix A. As is discussed, the findings to date do not indicate any difference in recidivism between types of intervention. It is extremely important to underscore at this point that this finding is premature as many of the

individuals in the post-conviction sample group were still in treatment at the time of the survey. For this reason, this line of analysis must be pursued in a subsequent year if funding becomes available. Thus, no conclusion is drawn at this time with respect to recidivism rates and types of intervention used.

An alternative to the Analysis of Covariance as a method of dealing with recidivism data is Survival Rate Analysis. In Survival Rate Analysis, the time between the index arrest and the first recidivism arrest (if a recidivist arrest has taken place) is plotted on a graph and statistically compared. This allows for the computation of recidivism rates (or non-recidivism rates) across time and a meaningful graphic representation of recidivism across time.

The graphic results of Survival Rate Analysis applied to alcohol related recidivist arrests are presented in Exhibit 6.2. On the graph the vertical axis depicts the percentage of individuals surviving (not committing another alcohol related offense). The horizontal axis depicts time from the index arrest. As would be expected the number of individuals in the sample group not recidivating drops with the passage of time for all groups (depicted by the downward slope of all lines).

A number of facts should be considered in the interpretation of the results presented. First, the Survival Rate technique is based on relative, rather than absolute time. Regardless of the actual date of the index arrest, the period in which a recidivist arrest took place is computed in months since that time. In other words, the index arrest is set to "time 0" and recidivism is computed in months since "time 0". This is why the graphs for the two Post-conviction groups are shorter. There were simply less months after the index arrest in which members could be rearrested. Second, it should be

VI-10

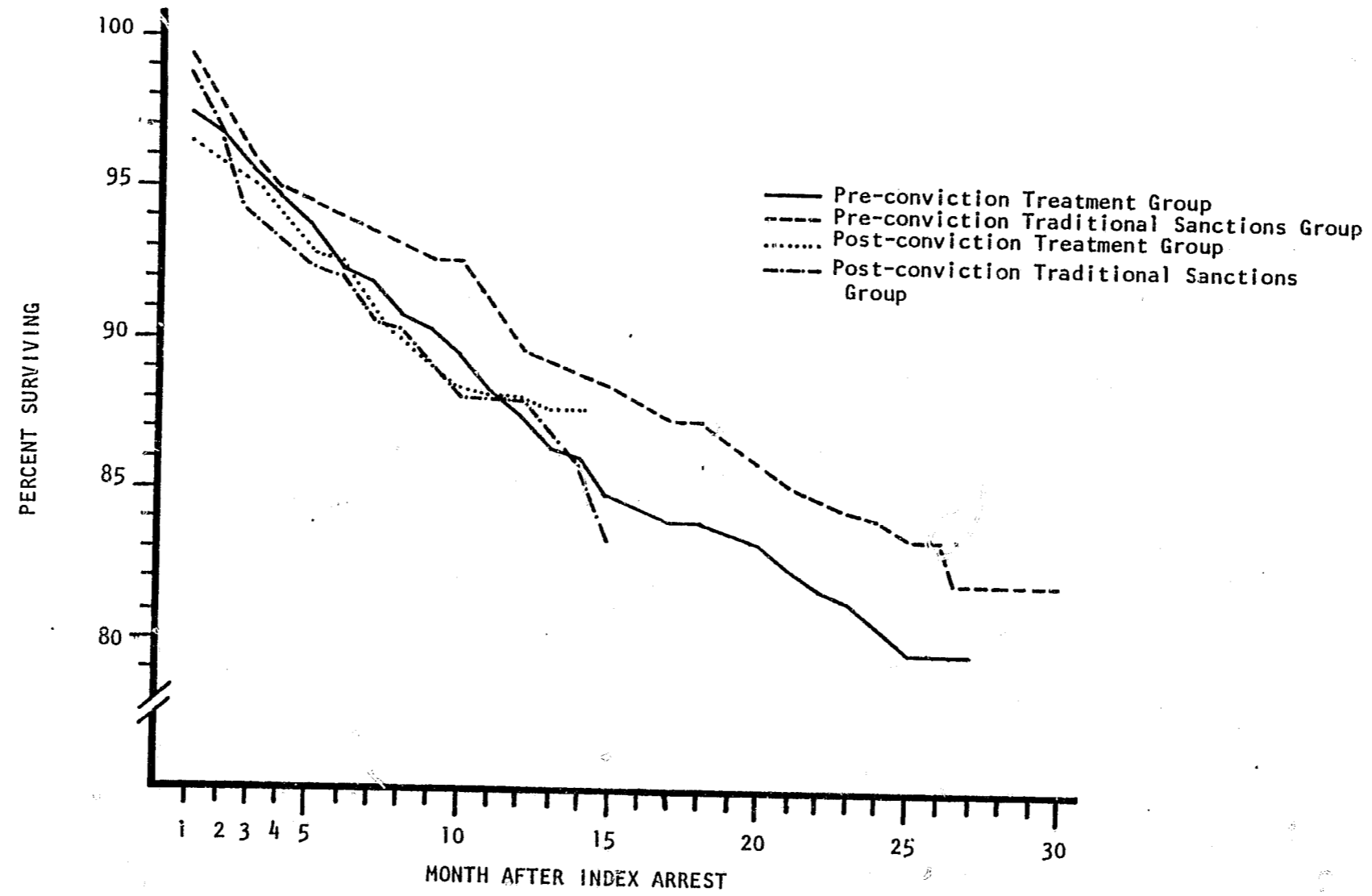


Exhibit 6.2 Survival Rates for the Four Sample Groups

noted that the last few periods shown for each recidivism curve are probably somewhat unstable as the recidivism rates for the last few points are in each case, based on relatively few persons. Finally, despite the apparent differences in the curves across time (particularly the pre-conviction treatment and pre-conviction traditional sanctions), the curves are not significantly different in the statistical sense.

ALTERNATIVE SENTENCING EVALUATION PROJECT

FINAL REPORT

APPENDIX A

DETAILED RESULTS OF THE ALTERNATIVE SENTENCING
EVALUATION PROJECT

PREPARED FOR:

ALTERNATIVE SENTENCING EVALUATION
COMMITTEE FOR DRIVING UNDER
THE INFLUENCE

HONORABLE C. BERNARD KAUFMAN, CHAIRMAN

JANUARY 1981

CAPITOL RESEARCH AND
CONSULTING CORPORATION

87149393

APPENDIX A

Detailed Results of the Alternative
Sentencing Evaluation Project
Second Offender Drinking Driver Analyses

NCJRS

RESEARCH

ACQUISITIONS

TABLE OF CONTENTS

<u>SECTION</u>	<u>TITLE</u>	<u>PAGE</u>
A.1	Introduction	A-1
A.2	Selection of Data Collection Sites	A-1
A.3	Selection of Cases	A-2
A.4	Comparison of Sample Group Characteristics	A-3
A.4.1	Introduction	A-3
A.4.2	Significant Differences in Group Characteristics	A-7
A.5	Comparison of Subject Characteristics by Treatment Completion Status	A-9
A.5.1	Introduction	A-9
A.5.2	Significant Characteristics in Discriminating Persons Successfully Completing vs. Not Completing Treatment	A-10
A.6	Comparison of Recidivists and Non-Recidivists	A-14
A.6.1	Introduction	A-14
A.6.2	Significant Characteristics in Discriminating Recidivists from Non-Recidivists	A-14
A.7	Recidivism Analyses	A-18
A.7.1	Introduction	A-18
A.7.2	Statistical Methodology	A-19
A.7.3	Results -- Alcohol Related Recidivist Offenses	A-19
A.7.4	Results -- Serious Traffic Recidivist Offenses	A-21
A.7.5	Results -- Total Traffic Recidivist Offenses	A-21

LIST OF TABLES/EXHIBITS

<u>NUMBER</u>	<u>TITLE</u>	<u>PAGE</u>
Exhibit A.1	Sample Characteristics by Group	A-4
Table A.1	Group Sample Sizes	A-7
Table A.2	Completion Status/Sample Sizes	A-10
Exhibit A.2	Characteristics of Individuals by Completion Status	A-11
Exhibit A.3	Comparison of Recidivist and Non- Recidivist Characteristics	A-15
Exhibit A.4	Analysis of Alcohol-Related Recidivist Offenses	A-20
Exhibit A.5	Analysis of Serious Traffic Recidivist Offenses	A-22
Exhibit A.6	Analysis of Total Traffic Recidivist Offenses	A-23

APPENDIX A

A.1 INTRODUCTION

The purpose of this section of the report is to provide a detailed summary of the methodology and results obtained from a descriptive statistical analysis of second offender groups. These groups consisted of:

- 1) Second offenders entered into pre-conviction programs.
- 2) A comparison group of second offenders convicted during the same time frame as the pre-conviction group, but receiving traditional sanctions.
- 3) Second offenders entered into post-conviction programs.
- 4) A comparison group of second offenders convicted during the same time frame as the post-conviction group, but receiving traditional sanctions.

Four major analyses were performed which compared and contrasted the second offenders' socio-demographic, arrest, sentencing, prior driving/criminal history characteristics. The specific analyses included:

- 1) Comparison of characteristics of the four groups.
- 2) Comparison of characteristics of persons completing vs. not completing treatment.
- 3) Comparison of characteristics of recidivists and non-recidivists.
- 4) Recidivism rates for the four groups.

A.2 SELECTION OF DATA COLLECTION SITES

Although collection of data from all 24 judicial districts in Los Angeles was initially considered, this plan was abandoned due to the following reasons. First, the expense of such a large-scale data collection effort was beyond the scope of the present contract. Second, the potential for a reduction in data quality existed as a result of the less tightly controlled data collection procedures associated with a large data sample.

CONTINUED

1 OF 2

It was proposed that a court sampling plan could be developed which would permit adequate generalization of results to the entire Los Angeles Judicial District. The selection of sample courts is described briefly in the following paragraph.

The 24 courts in the Los Angeles Judicial District were grouped into three sub-groups or stratifications according to their monthly volume of Group "C" misdemeanor dispositions. (Group "C" includes hit and run--V.C. 20002, driving under the influence--V.C. 23102, reckless driving--V.C. 23103, and driving under the influence of drugs--V.C. 23105.) The three sub-groups were defined as follows:

- 1) Large -- 1,000 or more dispositions/month
- 2) Medium -- 150-999 dispositions/month
- 3) Small -- less than 150 dispositions/month

To provide a balance in which large court caseloads would not be over-represented, it was decided that only one court should be selected from the "large" sub-group. Three courts each were selected from "medium" and "small" sub-groupings.

The results from the random selection process were as follows: Large Court-- Los Angeles (Van Nuys, San Pedro, Traffic, and West Branches); Medium Courts--Citrus, Long Beach and Southeast (Huntington Park and South Gate Branches); Small Courts--Downey, Malibu and Santa Monica.

A.3 SELECTION OF CASES

Each subject selected for participation in this study was either a driver who had been convicted of a second or subsequent misdemeanor Driving Under the Influence offense in one of the seven courts listed above; or a driver who stipulated to the fact that he/she was guilty of such a charge, but

was diverted into treatment.

The pre-conviction treatment sample and its comparison group were comprised of persons with court docket dates from February 1, 1978 through the date required to draw the needed sample. The post-conviction treatment and its comparison group were comprised of persons with court docket dates from January 1, 1979 through the date required to draw the needed sample.

The end dates for sample selection varied as a function of both sample grouping and court volume. For example, comparison (traditional sanction) cases generally appeared more frequently in the court records than treatment cases.

A.4 COMPARISON OF SAMPLE GROUP CHARACTERISTICS

A.4.1 INTRODUCTION

This section provides a descriptive comparison of the socio-demographic characteristics, judicial sanctions, arrest information and prior criminal/traffic records associated with each of the four second offender groups.

This information is of value in that it provides a "profile" of the DUI offender and may provide insights into the complexity of the DUI problem. Additionally, it is essential to identify any differences between the comparison groups so that any inferences drawn about the effectiveness of various treatment/sanction options can correctly be interpreted.

The characteristics of each of the four sample groups are presented in a tabular format in Exhibit A.1. Although a fixed sample was obtained for each group (Table A.1), characteristic data was not available for all subjects. The actual number of cases used for each characteristic grouping is supplied in parentheses in Exhibit A.1.

Exhibit A.1
Sample Characteristics By Group

Characteristic	Pre Conviction Treatment	Pre Conviction Traditional Sanctions	Post Conviction Treatment	Post Conviction Traditional Sanctions
AVERAGE AGE	35.8 (611)	37.0 (638)	35.5 (673)	35.4 (591)
AVERAGE HIGHEST GRADE IN SCHOOL	11.6 (30)	10.3 (61)	9.5 (27)	9.2 (52)
AVERAGE INCOME	\$703 (73)	\$701 (82)	\$681 (60)	\$717 (70)
AVERAGE DAYS JAIL SENTENCED	8.9 (612)	78.7 (640)	58.4 (673)	31.1 (592)
AVERAGE DAYS JAIL IMPOSED	4.7 (612)	12.9 (640)	4.8 (673)	14.2 (592)
AVERAGE FINE SENTENCED	\$86 (612)	\$203 (640)	\$289 (673)	\$169 (592)
AVERAGE FINE IMPOSED	\$61 (612)	\$175 (640)	\$255 (673)	\$147 (592)
AVERAGE DAYS REVOCATION/SUSPENSION SENTENCED	23.1 (612)	144.5 (567)	12.1 (665)	68.1 (584)
AVERAGE DAYS REVOCATION/SUSPENSION IMPOSED	22.5 (612)	141.0 (567)	12.1 (665)	68.1 (584)
AVERAGE DAYS PROBATION SENTENCED	9.6 (612)	24.4 (640)	27.5 (673)	18.9 (592)
AVERAGE DAYS PROBATION IMPOSED	9.6 (612)	24.4 (640)	27.4 (673)	18.8 (592)
AVERAGE BAC	0.20 (414)	0.19 (462)	0.19 (474)	0.16 (406)

NOTE: Numbers in parentheses are number of persons with non-missing data

Exhibit A.1 (Continued)
Sample Characteristics By Group

Characteristic	Pre Conviction Treatment	Pre Conviction Traditional Sanctions	Post Conviction Treatment	Post Conviction Traditional Sanctions
PRIOR TRAFFIC OFFENSES - ALL				
Average Number	1.97 (612)	2.44 (640)	2.46 (673)	3.21 (592)
% with 1	46.9	33.9	32.1	21.6
% with 2	29.6	28.1	30.0	23.8
% with 3 or more	23.5	38.0	37.9	54.6
PRIOR TRAFFIC OFFENSES - SERIOUS				
Average Number	1.37 (612)	1.70 (640)	1.46 (673)	1.92 (592)
% with 1	71.1	54.7	66.0	49.2
% with 2	22.8	28.9	25.7	29.1
% with 3 or more	6.1	16.4	8.3	21.7
PRIOR TRAFFIC OFFENSES - ALCOHOL RELATED				
Average Number	1.27 (612)	1.49 (640)	1.31 (673)	1.70 (592)
% with 1	78.9	66.4	75.3	60.3
% with 2	16.7	23.0	20.7	23.8
% with 3 or more	4.4	10.6	4.0	15.9
PRIOR CRIMINAL OFFENSES				
Average Number	0.43 (612)	0.12 (640)	0.09 (673)	0.12 (592)
% WITH 0	82.2	96.7	95.1	96.8
% WITH 1	7.8	0.6	2.5	1.2
% WITH 2 OR more	10.0	2.7	2.4	2.0
SEX				
% Male	93.3 (611)	95.1 (638)	94.3 (667)	97.1 (587)
% Female	6.7	4.9	5.7	2.9

NOTE: Numbers in parentheses are number of persons with non-missing data

Exhibit A.1 (Continued)
Sample Characteristics By Group

Characteristic	Pre Conviction Treatment	Pre Conviction Traditional Sanctions	Post Conviction Treatment	Post Conviction Traditional Sanctions
MARITAL STATUS	(410)	(184)	(323)	(217)
% Married	50.7	50.0	53.3	52.1
% Never married	28.8	25.0	27.2	29.5
% Separated	5.1	4.9	6.2	6.4
% Widowed	2.0	3.3	0.9	1.4
% Divorced	13.4	16.8	12.4	10.6
OCCUPATION	(494)	(527)	(542)	(504)
% White Collar	39.9	31.3	42.8	32.7
% Blue Collar	38.5	42.5	45.0	45.6
% Student	1.2	1.7	0.4	1.0
% Housewife	0.6	0.4	0.4	0.4
% Retired	1.8	3.0	1.1	2.0
% Unemployed	18.0	21.1	10.3	18.3
DRIVER LICENSE STATUS	(592)	(628)	(649)	(565)
% Valid	80.1	62.1	78.0	60.7
% Suspended	13.8	28.3	14.0	24.8
% Revoked	4.2	6.1	2.9	9.5
% No License	1.9	3.5	5.1	5.0
CHARGE CONVICTED OF	(611)	(640)	(671)	(592)
% DUI	16.7	69.4	96.1	50.7
% Non-Alcohol Related	63.2	20.6	0.8	31.1
% Not Convicted	7.7	4.5	1.9	4.2
% Bench Warrant	12.4	5.5	1.2	14.0
PROBATION TYPE	(490)	(598)	(661)	(506)
% Summary	61.8	81.1	90.0	77.3
% Formal	2.7	7.4	7.6	6.4
COURT ORDERED PROGRAM PARTICIPATION	(594)	(599)	(669)	(521)
% Yes	99.7	74.8	100.0	43.0
% No	0.3	25.2	0.0	57.0

NOTE: Numbers in parentheses are number of persons with non-missing data

Table A.1 -- Group Sample Sizes

Group	Sample Size
Pre-Conviction--Treatment	612
Pre-Conviction--Comparison	640
Post-Conviction--Treatment	673
Post-Conviction--Comparison	592

A.4.2 SIGNIFICANT DIFFERENCES IN GROUP CHARACTERISTICS

Inspection of Exhibit A.1 revealed the following differences in characteristics between the four groups of second offenders:

Age -- The pre-conviction comparison group (traditional sanctions) tends to be slightly older than subjects in the other three groups.

Education -- The two pre-conviction samples appeared to have completed a higher level of education than the two post-conviction groups. This observation is tenuous based on a less than 10% response rate.

Income -- The post-conviction comparison (traditional sanctions) group indicates a lower monthly income than the other three groups. This observation is tenuous, based on a small response rate.

Jail -- Both pre and post treatment groups had lower sentence/imposed jail days than their respective comparison groups.

Fine -- The pre-conviction fines sentenced/imposed were lower than fines for the pre-conviction, traditional sanctions group. The opposite trend was observed for the post-conviction groups. The fines sentenced/imposed for post-conviction treatment were higher than post-conviction traditional sanctions.

Revocation/Suspension -- The two traditional sanctions groups received longer revocation/suspension periods than either of the other two treatment groups. This is consistent with the incentive motivation for completing treatment.

Probation -- Sentenced/imposed probation days were fewer for the pre-conviction treatment group than for the pre-conviction traditional sanctions group. The opposite was observed for the post-conviction group with probation longer for treatment than traditional sanctions.

Blood Alcohol Concentration -- Subjects in the post-conviction traditional sanction group had a lower blood alcohol level than subjects in the other three groups.

Prior Traffic Offenses -- Subjects in the treatment groups (pre and post-conviction) had better prior driving records than their respective traditional sanctions. The two pre-conviction group samples, when taken together, also had better prior driving records than the post-conviction groups.

Marital Status -- The pre-conviction traditional sanctions sample contained slightly more divorced subjects than the other three groups. The distribution of other marital status categories was similar between groups.

Occupation -- Blue collar workers are over-represented in both traditional sanctions groups. This may suggest that white collar workers are more willing or able to afford treatment programs.

Unemployment status is lower in the post-conviction treatment group than in the other three groups.

Drivers License Status -- A higher percentage of subjects in both treatment group samples had valid drivers licenses at the time of their arrest. This finding may indicate a difference in the type of person willing to participate in a treatment program.

Charge of Conviction -- The majority of both the pre and post-conviction treatment groups were convicted of DUI. It is interesting to note that 69.4% of the pre-conviction traditional sanctions group were convicted of DUI while only 50% of the post-conviction traditional sanctions group are convicted of DUI.

Probation Type -- A significantly larger proportion of subjects were placed on summary probation in the post-conviction treatment group as opposed to those in the pre-conviction treatment group.

Court Ordered Program Participation -- As expected virtually everyone in the two treatment sample groups was under court order to attend a treatment program. Of greater interest is the fact that about 75% of the pre-conviction traditional sanctions group and 43% of the post-conviction traditional sanctions sample group were under court order to attend treatment. It would appear that the courts are facilitating rehabilitation participation even for those individuals not participating in a formal pre- or post-sentence treatment program.

In summary it was observed that significant differences existed between and within pre and post-conviction treatment and traditional sanctions groups except for the characteristics of prior criminal characteristics and sex. These two characteristics did not vary between groups because of the high proportion of no criminal histories and large proportion of males present in the groups.

A.5 COMPARISON OF CHARACTERISTICS BY COMPLETION STATUS

A.5.1 INTRODUCTION

This section of the report presents a comparison of the socio-demographic characteristics, judicial sanctions, and prior traffic/criminal records that differentiate subjects who completed the treatment programs vs. those that did not.

If characteristics can be identified which can predict successful completion, the court could use this information in assessing the potential benefit of treatment referrals. This information would also be helpful to program providers in developing programs to fit the needs of subjects with a high probability of not completing currently configured treatment programs.

Three comparison groups are developed from the pre and post-conviction treatment samples: 1) offenders successfully completing treatment; 2) offenders who did not successfully complete treatment, and 3) offenders for whom completion status was unknown. This third group is composed of post sentence treatment subjects who were still enrolled in treatment at the time of data collection.

Table A.2 presents the total number of subjects in each of the three groups.

Table A.2 -- Completion Status/Sample Sizes

Group	Sample Size
Successful Completions	729
Unsuccessful Completions	407
Completion Status Unknown	146

The actual number of subjects for whom data on a specific characteristic was available, is indicated in parentheses in Exhibit A.2

A.5.2 SIGNIFICANT CHARACTERISTICS IN DISCRIMINATING PERSONS SUCCESSFULLY COMPLETING VS. NOT COMPLETING TREATMENT

By inspection of Exhibit A.2 it can be seen that five socio-demographic and prior driving record characteristics are salient in differentiating those who successfully complete treatment from those that do not. These characteristics are as follows:

Age -- Subjects successfully completing treatment were, on average, five years older than those who did not complete treatment.

Education -- Persons who completed treatment were not as well educated as those who did not. This trend is tenuous in that there was less than 3% of the completion group with complete data.

Income -- Those successfully completing treatment had a somewhat higher average monthly income. Again, these findings are tenuous due to the high rate of missing data.

Prior Traffic Offenses (Including Serious and Alcohol Related) -- In all cases, moving violations and alcohol related, the successful completion had less prior violations than did those who did not successfully complete treatment.

Occupation -- White collar and employed status were more likely found in successful completions as opposed to unsuccessful completions.

Exhibit A.2
Characteristics of Individuals by Completion Status

CHARACTERISTIC	Successful Completion	Unsuccessful Completion	Completion Status Unknown
AVERAGE AGE	37.3 (728)	32.7 (407)	35.9 (146)
AVERAGE HIGHEST GRADE IN SCHOOL	9.6 (17)	11.0 (29)	11.3 (11)
AVERAGE INCOME	\$687 (66)	\$659 (51)	\$822 (16)
AVERAGE DAYS JAIL SENTENCED	23.3 (729)	51.5 (407)	47.0 (146)
AVERAGE DAYS JAIL IMPOSED	1.2 (729)	11.4 (407)	3.9 (146)
AVERAGE FINE SENTENCED	\$158 (729)	\$196 (407)	\$262 (146)
AVERAGE FINE IMPOSED	\$139 (729)	\$174 (407)	\$248 (146)
AVERAGE DAYS REVOCATION/SUSPENSION SENTENCED	4.0 (725)	46.9 (403)	2.5 (146)
AVERAGE DAYS REVOCATION/SUSPENSION IMPOSED	3.5 (725)	46.9 (403)	2.5 (146)
AVERAGE DAYS PROBATION SENTENCED	17.6 (729)	19.0 (407)	25.6 (146)
AVERAGE DAYS PROBATION IMPOSED	17.6 (729)	18.8 (407)	25.6 (146)
AVERAGE BAC	0.19 (506)	0.20 (288)	0.19 (92)

NOTE: Numbers in parentheses are number of persons with non-missing data.

Exhibit A.2 (Continued)
 Characteristics of Individuals by Completion Status

Characteristic	Successful Completions	Unsuccessful Completions	Completion Status Unknown
PRIOR TRAFFIC OFFENSES - ALL			
Average Number	1.96 (729)	2.61 (407)	2.50 (146)
% with 1	46.8	30.5	26.0
% with 2	30.3	28.0	31.5
% with 3 or more	22.9	41.5	42.5
PRIOR TRAFFIC OFFENSES - SERIOUS			
Average Number	1.31 (729)	1.54 (407)	1.59 (146)
% with 1	73.9	62.2	58.2
% with 2	22.0	26.8	30.1
% with 3 or more	4.1	11.0	11.7
PRIOR TRAFFIC OFFENSES - ALCOHOL RELATED			
Average Number	1.21 (729)	1.39 (407)	1.39 (146)
% with 1	82.2	70.0	71.2
% with 2	15.5	23.8	21.2
% with 3 or more	2.3	6.2	7.6
PRIOR CRIMINAL OFFENSES			
Average Number	0.29 (729)	0.28 (407)	0.03 (146)
% WITH 0	87.5	88.4	97.3
% WITH 1	5.6	5.4	2.1
% WITH 2 OR more	6.9	6.2	0.6
SEX			
% Male	93.2 (726)	94.6 (406)	94.4 (143)
% Female	6.8	5.4	5.6

NOTE: Numbers in parentheses are number of persons with non-missing data.

Exhibit A.2 (Continued)
 Characteristics of Individuals by Completion Status

Characteristic	Successful Completion	Unsuccessful Completion	Completion Status Unknown
MARITAL STATUS			
% Married	52.5 (425)	48.2 (228)	57.7 (78)
% Never Married	27.3	31.6	23.1
% Separated	5.2	6.6	5.1
% Widowed	2.1	0.0	2.6
% Divorced	12.9	13.6	11.5
OCCUPATION			
% White Collar	45.8 (592)	32.5 (335)	44.4 (106)
% Blue Collar	38.3	47.5	44.3
% Student	0.7	0.9	0.9
% Housewife	0.5	0.6	0.0
% Retired	1.7	0.9	1.9
% Unemployed	13.0	17.6	8.5
DRIVER LICENSE STATUS			
% Valid	83.5 (709)	73.0 (393)	72.8 (136)
% Suspended	10.7	18.1	19.1
% Revoked	2.7	4.8	3.7
% No License	3.1	4.1	4.4
CHARGE CONVICTED OF			
% DUI	41.0 (727)	76.6 (407)	93.1 (145)
% Non-Alcohol Related	51.2	4.2	1.4
% Not Convicted	6.6	1.5	3.4
% Bench Warrant	1.2	17.7	2.1
PROBATION TYPE			
% Summary	97.0 (541)	90.9 (284)	84.3 (134)
% Formal	3.0	9.1	15.7
COURT ORDERED PROGRAM PARTICIPATION			
% Yes	100.0 (715)	99.8 (400)	100.0 (145)
% No	0.0	0.2	0.0

NOTE: Numbers in parentheses are number of persons with non-missing data.

In summary, during the analysis of variables that are meaningful in differentiating persons successfully completing treatment from those who do not, five characteristics emerged as salient: Age, Education, Income, Prior Traffic Offenses and Occupation. The reader is cautioned that, due to the high rate of missing values for education and income, these may be unreliable trends.

A.6 COMPARISON OF RECIDIVISTS AND NON-RECIDIVISTS

A.6.1 INTRODUCTION

This section presents a descriptive comparison of the demographic characteristics, judicial sanctions and prior traffic/criminal records with two groups of second offenders: recidivists (those incurring an alcohol related offense subsequent to the initial offense) and non-recidivists (no subsequent alcohol related offenses).

Persons from all four sample groups were classified as recidivists or non-recidivists irrespective of their initial sample group membership.

The total number of subjects in the recidivist group was 392. There were 2,125 offenders in the non-recidivist group. Again, due to missing data, the actual number of subjects by characteristic is indicated in parentheses in Exhibit A.3.

A.6.2 SIGNIFICANT CHARACTERISTICS IN DIFFERENTIATING RECIDIVISTS FROM NON-RECIDIVISTS

A review of Exhibit A.3 indicates ten salient characteristics that differentiate recidivists from non-recidivists:

Education -- Recidivists tend to have completed a higher level of education than non-recidivists. However, due to the large number of missing cases, this finding may be tenuous.

Exhibit A.3
Comparison of Recidivist and Non-recidivist Characteristics

Characteristic	Alcohol Related Traffic Offense Non-Recidivist		Alcohol Related Traffic Offense Recidivist	
AVERAGE AGE	36.2	(2121)	34.6	(392)
AVERAGE HIGHEST GRADE IN SCHOOL	9.8	(141)	11.4	(29)
AVERAGE INCOME	\$706	(241)	\$677	(44)
AVERAGE DAYS JAIL SENTENCED	44.8	(2125)	46.8	(392)
AVERAGE DAYS JAIL IMPOSED	7.6	(2125)	16.8	(392)
AVERAGE FINE	\$187	(2125)	\$171	(392)
AVERAGE FINE IMPOSED	\$165	(2125)	\$149	(392)
AVERAGE DAYS REVOCATION/SUSPENSION SENTENCED	54.9	(2049)	82.8	(379)
AVERAGE DAYS REVOCATION/SUSPENSION IMPOSED	53.9	(2049)	82.8	(379)
AVERAGE DAYS PROBATION SENTENCED	20.4	(2125)	19.9	(392)
AVERAGE DAYS PROBATION IMPOSED	20.4	(2125)	19.7	(392)
AVERAGE BAC	0.18	(1491)	0.19	(265)

NOTE: Numbers in parentheses are number of persons with non-missing data.

Exhibit A.3 (Continued)
Comparison of Recidivist and Non-Recidivist Characteristics

Characteristic	Alcohol Related Traffic Offense Non-Recidivist	Alcohol Related Traffic Offense Recidivist
PRIOR TRAFFIC OFFENSES - ALL		
Average Number	2.43 (2125)	2.97 (392)
% with 1	35.2	25.5
% with 2	28.7	24.2
% with 3 or more	39.1	50.3
PRIOR TRAFFIC OFFENSES - SERIOUS		
Average Number	1.55 (2125)	1.89 (392)
% with 1	62.6	48.2
% with 2	25.9	30.4
% with 3 or more	11.5	21.4
PRIOR TRAFFIC OFFENSED - ALCOHOL RELATED		
Average Number	1.39 (2125)	1.69 (392)
% with 1	72.8	57.4
% with 2	19.9	27.3
% with 3 or more	7.3	15.3
PRIOR CRIMINAL OFFENSES		
Average Number	0.16 (2125)	0.36 (392)
% WITH 0	93.4	89.0
% WITH 1	3.0	3.3
% WITH 2 OR more	3.6	7.7
SEX		
% Male	94.6 (2114)	96.4 (389)
% Female	5.4	3.6

NOTE: Numbers in parentheses are number of persons with non-missing data

Exhibit A.3 (Continued)
Comparison of Recidivist and Non-Recidivist Characteristics

Characteristic	Alcohol Related Traffic Offense Non-Recidivist	Alcohol Related Traffic Offense Recidivist
MARITAL STATUS		
% Married	53.0 (959)	44.0 (175)
% Never Married	27.4	30.3
% Separated	5.1	8.6
% Widowed	1.8	1.7
% Divorced	12.7	15.4
OCCUPATION		
% White Collar	37.6 (1751)	32.0 (316)
% Blue Collar	42.0	48.0
% Student	1.0	1.3
% Housewife	0.5	0.0
% Retired	2.2	1.0
% Unemployed	16.7	17.7
DRIVER LICENSE STATUS		
% Valid	71.7 (2060)	63.4 (374)
% Suspended	18.9	27.0
% Revoked	5.3	7.2
% No License	4.1	2.4
CHARGE CONVICTED OF		
% DUI	58.5 (2122)	63.8 (392)
% Non-Alcohol Related	28.8	24.5
% Not Convicted	4.6	4.1
% Bench Warrant	8.1	7.6
PROBATION TYPE		
% Summary	92.8 (1623)	92.0 (289)
% Formal	7.2	8.0
COURT ORDERED PROGRAM PARTICIPATION		
% Yes	81.3 (2009)	79.9 (374)
% No	18.7	20.1

NOTE: Numbers in parentheses are number of persons with non-missing data

Income -- Subjects in the recidivist group have a somewhat lower monthly income level. Again, this finding is tenuous due to the large number of missing cases.

Jail -- The number of jail days actually imposed is more than twice as large for the recidivist group than for the non-recidivist group.

Fines -- Recidivists were subject to lower sentenced and imposed fines than were non-recidivists.

Revocation/Suspension -- Recidivists received suspension/revocation on nearly a month longer than non-recidivists.

Prior Traffic Offenses -- In all cases (total, serious and alcohol related), the recidivist had a significantly poorer prior record of traffic offenses.

Marital Status -- Recidivists are more likely to be divorced, separated or never married than non-recidivists.

Occupation -- Recidivists are more likely than non-recidivists to be blue collar workers.

Driver License Status -- It appears that recidivists were more likely to have been driving with a suspended or revoked license at the time of their index arrest than non-recidivists.

Charge Convicted Of -- Recidivists tended to be convicted of DUI for the index arrest more often than non-recidivists.

In summary, significant differences in the characteristics of recidivists and non-recidivists were observed in socio-demographic, judicial sanctions and prior traffic records.

Of importance to the judiciary would be the socio-demographic (education, income, marital status, and occupation) and prior traffic offenses which are predictors of future recidivism. This information may be useful in determining the potential benefits of referrals to treatment.

A.7 RECIDIVISM ANALYSES

A.7.1 INTRODUCTION

This section describes the results of statistical analyses performed to identify any differences in recidivism rates between subjects participating

in pre or post-conviction treatment programs and those subjects in comparison groups.

Three types of recidivism measures were used in the analyses: alcohol related (DUI), serious offense (DUI or reckless driving), and total (any moving violation).

A.7.2 STATISTICAL METHODOLOGY

The statistical technique chosen to analyze recidivism data was "analysis of covariance". The analysis of covariance procedure assigns a probability estimate to the chance that any observed differences in recidivism rates are real and not due to chance. The large "p" values are indicative that the perceived differences are probably not real. In most scientific research a "p" level of .05 or less is consistent with actual differences being valid.

Analysis of covariance also adjusts for basic differences in the sample groups. In this analysis "months of exposure" and "prior offenses" differ between samples and may affect the observed recidivism rates if they were not controlled for.

The end result of this form of analysis are "standardized" recidivism rates that are corrected for differences in the sample groups, and probability estimates (p) that indicate statistically whether the differences are real or due to chance.

A.7.3 RESULTS -- ALCOHOL RELATED RECIDIVIST OFFENSES

By inspection of Exhibit A.4 it can be seen that the adjusted mean number of alcohol related recidivism arrests are relatively small between sample groups. The observed differences between the four means were almost certainly due to chance.

EXHIBIT A.4.

RESULTS OF ANALYSIS OF COVARIANCE FOR
ALCOHOL RELATED RECIDIVIST OFFENSES

	GROUP			
	Pre Conviction Treatment	Pre Conviction Traditional Sanctions	Post Conviction Treatment	Post Conviction Traditional Sanctions
COVARIATE MEANS				
Months of Exposure to Rearrest	780.3	846.9	464.6	532.9
Prior Alcohol Related Traffic Offenses	1.27	1.49	1.31	1.70
MEAN NUMBER OF ALCOHOL RELATED RECIDIVIST OFFENSES (Adjusted for covariates)	0.21	0.16	0.19	0.18

RESULTS OF STATISTICAL TESTS: No significant differences between any of the groups in recidivist alcohol related offenses.

A.7.4 RESULTS -- SERIOUS TRAFFIC RECIDIVIST OFFENSES

By inspection of Exhibit A.5 it can be seen that the adjusted mean differences are small and almost certainly are due to chance.

A.7.5 RESULTS -- TOTAL TRAFFIC RECIDIVIST OFFENSES

Inspection of Exhibit A.6 indicates significant differences between the adjusted group mean recidivism rates. Specifically, the pre-conviction treatment group had an adjusted mean that was significantly higher ($p < .001$) than the other three samples. The post-conviction group had an adjusted mean recidivism rate significantly lower ($p < .05$) than the other three groups.

Two facts should be considered in the interpretation of these results. First, total traffic recidivist offenses are those most removed from the problem at hand--DUI recidivism. This suggests some caution in generalizing these results back to treatment effectiveness. Second, the significantly higher mean number of total traffic recidivist arrests for the pre-conviction treatment group may be, at least in part, an artifact. Those persons who successfully completed pre-conviction treatment programs were generally rewarded by a conviction on one or more non-alcohol related arrests approximately one year after the index arrest. Because of the way in which this analysis was conducted, these offenses were counted as recidivism events. This, of course, biases results against the pre-conviction sample group. Although this possibility could not be completely investigated with the data available, supplemental analyses (not reported here) tend to suggest that this bias may account for the significant differences.

In summary, no significant differences could be detected in DUI and serious recidivism rates between the four study groups. Significant differences

EXHIBIT A.5

RESULTS OF ANALYSIS OF COVARIANCE FOR
SERIOUS TRAFFIC RECIDIVIST OFFENSES

	GROUP			
	Pre Conviction Treatment	Pre Conviction Traditional Sanctions	Post Conviction Treatment	Post Conviction Traditional Sanctions
COVARIATE MEANS				
Months of Exposure to Rearrest	780.3	846.9	464.6	532.9
Prior Serious Traffic Offenses	1.37	1.70	1.46	1.92
MEAN NUMBER OF SERIOUS TRAFFIC RECIDIVIST OFFENSES (Adjusted for covariates)	0.24	0.21	0.21	0.20

RESULTS OF STATISTICAL TESTS: No significant differences between any of the groups in recidivist serious traffic offenses.

EXHIBIT A.6

RESULTS OF ANALYSIS OF COVARIANCE FOR
TOTAL TRAFFIC RECIDIVIST OFFENSES

	GROUP			
	Pre Conviction Treatment	Pre Conviction Traditional Sanctions	Post Conviction Treatment	Post Conviction Traditional Sanctions
COVARIATE MEANS				
Months of Exposure to Rearrest	780.3	846.9	464.6	532.9
Prior Total Traffic Offenses	1.98	2.44	2.46	3.21
MEAN NUMBER OF TOTAL TRAFFIC RECIDIVIST OFFENSES (Adjusted for covariates)	1.16	0.82	0.68	0.51

RESULTS OF STATISTICAL TESTS: Pre-conviction treatment group has a significantly higher mean number of total traffic recidivist arrests than the other 3 sample groups ($p < .001$). Post-conviction traditional sanctions groups has a significantly lower mean number of total traffic recidivist arrests than the other 3 sample groups ($p < .05$).

were detected in total recidivism rates with the pre-conviction treatment group having the highest rate and post-conviction traditional sanctions group having the lowest total recidivism rates.

Total recidivism rate differences are questionable due to biases introduced by non-alcohol related convictions being given to successful pre-conviction completion in lieu of a conviction of DUI.

ALTERNATIVE SENTENCING EVALUATION PROJECT

FINAL REPORT

APPENDIX B

PREPARED FOR:

ALTERNATIVE SENTENCING EVALUATION
COMMITTEE FOR DRIVING UNDER
THE INFLUENCE

HONORABLE C. BERNARD KAUFMAN, CHAIRMAN

JANUARY 1981

CAPITOL RESEARCH AND
CONSULTING CORPORATION

87149323

APPENDIX B
ALTERNATIVE SENTENCING EVALUATION PROJECT
REVIEW OF RELEVANT
LITERATURE

Prepared for:
Los Angeles County Municipal Courts
c/o Honorable C. Bernard Kaufman
Burbank Judicial District
300 East Olive Avenue
Burbank, CA 91503

May 1980
(Revised)

TABLE OF CONTENTS

<u>SECTION NUMBER</u>	<u>SECTION TITLE</u>	<u>PAGE</u>
1.0	BACKGROUND	1
2.0	OVERVIEW OF ABSTRACTS	1
3.0	USE OF ABSTRACTS AND CROSS REFERENCE LISTINGS	3
4.0	ABSTRACTS OF PUBLICATIONS RELEVANT TO THE "ALTERNATIVE SENTENCING EVALUATION PROJECT"	3
5.0	ABSTRACT REFERENCE LIST	46
6.0	ABSTRACTS CROSS REFERENCED BY KEY WORDS	49
7.0	ABSTRACTS CROSS REFERENCED BY AUTHOR	51

1.0 BACKGROUND

Assembled here are abstracts of publications relevant to the evaluation of alternative sentencing strategies for DUI offenders. A review of the abstracts will provide a broad overview of the current state-of-the-art of adjudicating DUI offenders. Included are reports focusing on the development of sentencing strategies, judicial standards and training, recidivism data and impact evaluations of various approaches. Finally, weaknesses identified in each report as well as their relevancy to the current project, "Alternative Sentencing Evaluation Project", are noted on each abstract. We would recommend acquiring the original publication should the reader desire more information than that in the Abstract.

Potential sources of such documents are:

- Author and address of performing organization listed on Abstract
- Sponsoring organization listed on Abstract
- Library system
- National Technical Information Service, Springfield, Virginia -- 22161

2.0 OVERVIEW OF ABSTRACTS

The Abstracts cover a diverse number of areas all relevant to the complex task of effectively adjudicating the first time or multiple drunk driving offender. Even though drunk driving has been a major target of all tiers of government during the past ten years a "silver bullet" has yet to emerge. Probably the most significant result to date is the identified need for a true integrated systems approach when attempting to develop a countermeasure for alcohol-related accident incidence. This essentially means the effective cooperation of law enforcement, judiciary, probation, alcohol abuse treatment service providers, public education and information service providers as well as a core of personnel totally dedicated to the integration and monitoring of these various system components.

When evaluating the effectiveness of various sentencing alternatives three levels of criteria are important: 1) traffic safety impact of the alternative; 2) impact of the alternative on the ability of the adjudication system to efficiently process the volume of cases; and 3) impact on the clients life style beyond their operation of a motor vehicle. If the sentencing alternative is to be considered at least part of an accident countermeasure program the order of the priority of the criteria is in accordance with the listing above. Essentially this means an alternative should be considered effective only when it evidences traffic safety impact without producing an inefficient court process or creating an undue impact on a client's activities outside the operation of a motor vehicle. As an example, long term jail sentences would evidence positive traffic safety impact (at least during the term of incarceration) but would be utterly devastating to judicial processing and a client's life style. Alternately, alcohol abuse treatment normally facilitates judicial processing, should result in an improvement in a client life style (has yet to be scientifically documented), but unfortunately has no positive impact upon traffic safety when subjected to a scientific evaluation. To date the only countermeasure component that has been documented as impacting traffic safety, at least for multiple offenders, has been the mandatory use of licensing actions (license suspension and revocation). The positive impact of such action on judicial processing and a client's life style is dubious, but unknown. These mixed results suggest the need of integrating various approaches to permit use of the positive elements of each. One such approach might be the integration of licensing actions such as an enforceable license restriction with alcohol abuse education and/or treatment. This would permit at least a facade of control on driving exposure while permitting the potential impact of alcohol abuse education/treatment to be effected.

The abstracts offered in Section 4.0 provide the reader with knowledge acquired to date, but the motivation and imagination to integrate these results into innovative formats will have to come from within. The reader must be cautioned that any new approach must be submitted to a scientific evaluation to determine its impact on the three criteria listed earlier. Too often a program becomes institutionalized on the basis of emotion rather than fact. This unfortunately results in long term maintenance of a program

that may be detrimental to the public safety or well being. Further, it limits or eliminates the motivation to explore other innovative accident countermeasure mixtures that may have positive impact on traffic safety, judicial processing and the client's life style outside the operation of a motor vehicle.

3.0 USE OF ABSTRACTS AND CROSS REFERENCE LISTS

A reading of all of the abstracts will provide a basic understanding or awareness of the current state-of-the-art in adjudicating the DUI offender. The listing in Sections 5 thru 7 are offered to facilitate review of specific author's work or subject areas. Finally the key word listing was developed upon knowledge of what was actually in the report, not necessarily what was offered in the abstract. Therefore, it would be necessary to acquire the source document should the reader not find a discussion of a certain key word in the abstract. As with most research conducted in the real world they often evidence design shortcomings or questionable ability to generalize to the Los Angeles County environment. We have eliminated from review any work we considered highly suspect in terms of design, data acquisition or statistical analysis. Further we have attempted to note any shortcomings in the research we did abstract and offer in the next section for the reader's use.

4.0 ABSTRACTS OF PUBLICATIONS RELEVANT TO THE "ALTERNATIVE SENTENCING EVALUATION PROJECT"

All abstracts are presented in their order of review. The Abstract listings, as well as the Author and Key word cross reference lists will permit ready access to specific information contained in the abstracts. These lists are offered in Sections 5.0, 6.0 and 7.0 of this document.

LITERATURE REVIEW FORM

Title and Subtitle: The Deterrent Effect of Penalties on Drink/Drivers ABSTRACT #1		Report Date: 1976
		Contract or Grant No: N/A
Author(s): Ross Homel New South Wales Bureau of Crime Statistics & Research Department of the Attorney General and of Justice		Type of Report: Conf. Proceedings
Publication Source: Presentation to Conference of Australia and New Zealand Association for the Advancement of Science, Hobart, Tasmania		Period Report Covered: N/A
Sponsoring Agency Name and Address: Australia Department of Motor Transport		Study Work Element Application: Work Element No. 1
Abstract: An analysis of reconviction rates for drivers having a drink/drive conviction demonstrated the effectiveness of fines and license disqualification. Severe fines and periods of 3 to 12 months of license disqualification were considered optimal. A positive correlation was found between the perceived severity of the penalty and subsequent reconviction rates for those offenders who had committed initial offenses of middle range severity but no correlation was found for those offenders whose initial offenses was judged most or least serious type. Jail terms, for even first offenders, were not demonstrated as a deterrent to reconviction. In fact offenders imprisoned six months or longer evidenced the highest reconviction rate of any of the offender samples.		
Potential Value/Application for Study: This report offers an experimentally well controlled study of the effects of fine, license controls and jail terms on reconviction rates of a variety of types of drunk driving offenders.		
Study Team Reviewer: Walter R. McDonald		Date of Review: 3-9-80

LITERATURE REVIEW FORM

Title and Subtitle: Alcohol and Highway Safety 1978: A Review of the State of Knowledge ABSTRACT #2	Report Date: January 1978
	Contract or Grant No: DOT-HS-803 714
Author(s): Ralph Jones & Kent Joscelyn	Type of Report: Final
	Period Report Covered:
Performing Organization Name and Address: Highway Safety Research Institute University of Michigan Huron Parkway & Baxter Road Ann Arbor, Michigan 48109	Study Work Element Application:
	Work Element No. 3
Sponsoring Agency Name and Address: US DOT, National Highway Traffic Safety Administration 400 Seventh Street, S.W. Washington, D.C. 20590	

Abstract:

This report provides the most recent overview and analysis of the state-of-the-art of alcohol-related traffic safety problem identification, program development and countermeasure design. Further it offers recommendations for future countermeasure responses. Specifically, the report suggests: (1) the proportional involvement of alcohol in accidents will remain the same over the next five years; (2) the targets of alcohol countermeasures should be expanded; (3) existing countermeasures should be evaluated to serve as guides for future efforts; (4) future programs should be evaluated before full scale implementation; (5) need for better customizing countermeasures to alcohol related target groups possessing true high risk; (6) need to explore the key elements of PI&E activities and their relationship to behavior modification; and (7) need to further develop technology to support countermeasure systems.

Potential Value/Application for Study:

An up-to-date overview of the state-of-the-art of alcohol-related traffic safety activities with well defined guidelines for future countermeasure efforts.

Study Team Reviewer: Walter R. McDonald	Date of Review: 3-9-80
---	----------------------------------

LITERATURE REVIEW FORM

Title and Subtitle: An Interim Evaluation of the New York State Drinking Driver Program ABSTRACT #3	Report Date: December 1978
	Contract or Grant No: N/A
Author(s): Division of Research and Development	Type of Report: Interim
	Period Report Covered: Three years
Performing Organization Name and Address: New York Department of Motor Vehicles Swan Street Building, South Mall Albany, New York	Study Work Element Application:
	Work Element No. 1
Sponsoring Agency Name and Address: Performing Organization	

Abstract:

A drinking driver program (DDP) was developed to offer both education and rehabilitation services to drivers convicted of alcohol-related traffic offenses. The 16-hour program is provided to drivers over a seven week time frame. In a majority of cases a conditional driver's license was offered to program participants. The license permitted driving to, from and during course of employment, to and from DDP sessions and for a specified 3 hour time block to attend to personal necessities. The Evaluation compared the accident and conviction rates eighteen months prior and following program participation to those evidenced by the general driving population who had at least one conviction during the first eighteen month period. The initial conviction rate of the DDP group (1.68) was reduced to .37 during the eighteen month period subsequent to program participation. This compared to a reduction in the conviction rate of the general driving subpopulation of 1.28 to a rate of .42 during the follow-up period. Similarly the accident rate for the DDP group was reduced from .66 to .28. A sample of the total driving population (not limited to those with one conviction) was reduced from .17 to .14 during the follow-up period.

NCJRS
 DEC 10 1982
ACQUISITIONS

Potential Value/Application for Study:

The results though alarming are highly suspect due to numerous deficiencies in the experimental design. The design was not scientific nor did it possess even the basic rudiments of a good quasi-experimental design. The results from the before-after comparative approach can easily be explained by the statistical phenomena of regression to the mean rather than a 1 program impact. The results do suggest the potential use of a new DUI countermeasure--the conditional or restricted license. We would recommend that this concept only be pursued if the restrictions can be made enforceable and if the State Department of Motor Vehicles is actively involved.

Study Team Reviewer: Walter R. McDonald	Date of Review: 3-9-80
---	----------------------------------

LITERATURE REVIEW FORM

Title and Subtitle: Driver Record Evaluation of a Drinking Driver Rehabilitation Program ABSTRACT #4	Report Date: September, 1976
	Contract or Grant No: FH-11-7547
Author(s): David F. Preusser, Robert G. Ulmer & James R. Adams Dunlop & Associates, Inc.	Type of Report: Journal Report
Publication Source: Journal of Safety Research 1976, 8 (3), 98-105	Period Report Covered: N/A
	Study Work Element Application: Work Element No. 1
Sponsoring Agency Name and Address: Nassau County Alcohol Safety Action Project-- National Highway Traffic Safety Administration	
Abstract: A scientific evaluation of the traffic safety impact of a rehabilitation countermeasure was conducted as part of the Nassau County Alcohol Safety Action project. The countermeasure involved at least 13 therapeutic group meetings, eleven of which involved group discussions of individual driving problems and alcohol /traffic safety related didactic topics (judging hazards, problem drinking, stress, etc.). Drivers participating in the rehabilitation countermeasure were able to avoid loss of their driving privilege. For the purposes of the Evaluation, drivers were randomly assigned to treatment (N=2,805) or to nontreatment (N=2,660) control groups. Drivers in the treatment group either participated or received the mandated suspension or revocation. Those in the nontreatment control group typically received a fine and a sixth day license suspension. No statistical difference between the two groups was evidenced for drunk driving recidivism. However, the treatment group did evidence increased accident involvement. The latter effect was attributed to increased driving exposure for the group of drivers participating in the rehabilitation countermeasure program as opposed to receiving a licensing action.	
Potential Value/Application for Study: This article illustrates the proper manner in which any countermeasure program should be evaluated. Through the cooperation of the courts and DMV it permitted a non treatment control, random assignment of participants and maintenance of the integrity of the experimental design (specifically the random assignment) by including program reports and non volunteers in the Final Analysis. In respect to its findings, it offered no evidence of the rehabilitation countermeasure's success in impacting traffic safety.	
Study Team Reviewer: Walter R. McDonald	Date of Review: 3-9-80

LITERATURE REVIEW FORM

Title and Subtitle: Law Science and Accidents: The British Road Safety Act of 1967 ABSTRACT #5	Report Date: 1973
	Contract or Grant No: N/A
Author(s): H. Laurence Ross, Professor of Sociology and Law University of Denver Denver, Colorado	Type of Report: Journal Article
Publication Source: Journal of Legal Studies, 1973, 2, 1-78	Period Report Covered: N/A
	Study Work Element Application: Work Element Nos. 1 and 2.
Sponsoring Agency Name and Address: Council on Law-Related Studies; American Bar Foundation, National Science Foundation	
Abstract: The British Road Act of 1967 created two drunk driving offenses: (1) driving or attempting to drive or (2) being in charge of a motor vehicle on a road or in a public place--with a BAL of .08 or greater. Failure to submit to a test resulted in a fine and the first offense resulted in an automatic license disqualification (from Road Traffic Act of 1962). An unsuccessful attempt was made to include the use of random road blocks in the 1967 Act. Law Enforcement's chemical test program was upgraded and a massive PI&E campaign conducted before the Act was officially effective. The principal objective of the legal change was to raise the motorist perception of the risk of being identified and convicted should they drive with a BAL of .08 or greater. A new quasi-experimental technique (time series analysis) was used to analyze a variety of different data. The legislation was found to have a statistically significant impact on traffic accidents. However, the impact of the Act was not permanent. Accident level returned as the driving public perception of risk changed. Law enforcement could not maintain a perceived high level of impaired driving nor did the courts evidence a high level of conviction (primarily due to the reduction of their discretion in processing such cases).	
Potential Value/Application for Study: A classic illustration of deterrence theory; the interaction of the legislative process and countermeasure development and the use of quasi-experimental techniques in countermeasure evaluations.	
Study Team Reviewer: Walter R. McDonald	Date of Review: 3-9-80

LITERATURE REVIEW FORM

Title and Subtitle: Comparative Analysis of Alcohol Highway Safety Judicial Standards and Existing Professional Standards Volume II: Analysis of Standards and Codes ABSTRACT #6	Report Date: December, 1978
	Contract or Grant No: DOT HS 804 129
Author(s): Donald M. McIntyre	Type of Report: Final Report
Performing Organization Name and Address: American Bar Association Chicago, Illinois 60637 and Institute for Research in Public Safety Bloomington, Indiana 47405	Period Report Covered: 5/77 - 12/78
	Study Work Element Application: Work Element Nos. 1, 2 & 3
Sponsoring Agency Name and Address: U.S. Department of Transportation National Highway Traffic Safety Administration Washington, D.C. 20590	
Abstract: The contract required an examination of all existing professional standards and model codes which in some way related to the processing of drinking-driving cases through the courts. The objective was to determine whether existing professional standards and codes adequately and appropriately respond to the realities of drinking-driving case processing and, if not, to recommend what might be done. A technical analysis and comparison of existing standards and codes was prepared by American Bar Foundation staff. A 13-member Study Team, consisting primarily of representatives of standards-producing national organizations, met several times throughout the course of the contract to monitor the creation of the technical analysis, assess the adequacy of existing standards in view of real-world needs, plan and conduct a Conference on National Standards for Drinking-Driving Cases (held in Chicago on October 13-14, 1978), and prepare recommendations for future activity in the area of development of standards and codes. In the technical analysis and comparison it was found that standards do not focus on particular crimes. Relevant uniform codes and model statutes do, however, offer substantive definition for specific crimes including drinking-driving offenses. To a large extent, the many standards on criminal justice, by their general application, do address the adjudication of drinking-driving cases. It is concluded in this review that standards concentrate on problems commonly arising in the adjudication of all crimes; they do not as a rule address drinking-driving specifically nor do they identify or deal with problems unique to that offense despite their general applicability. The special issue which differentiate a drinking-driving case are not dealt with anywhere. Existing standards and codes do not deal adequately and appropriately with judicial processing of drinking-driving cases.	
Potential Value/Application for Study: The Analysis examines existing professional standards and codes relating to the disposition of drinking-driving cases, including diversion, sentencing, and probation. The state-of-the-art in drinking-driving sanctions as reflected in National guidelines, although limited, is presented.	
Study Team Reviewer: James A. Palmer	Date of Review: March 14, 1980

LITERATURE REVIEW FORM

Title and Subtitle: Evaluation and System Description of ASAP Judicial Systems Volume I: Technical Report ABSTRACT #7	Report Date: July, 1977
	Contract or Grant No: DOT HS 803 468
Author(s): James A. Palmer, Raymond J. Ripberger, David T. Skelton, and Gary J. Scrimgeour	Type of Report: Final Report
Performing Organization Name and Address: Institute for Research in Public Safety Indiana University 400 East Seventh Street Bloomington, Indiana 47405	Period Report Covered: 6/74 - 7/77
	Study Work Element Application: Work Element No. 3
Sponsoring Agency Name and Address: U.S. Department of Transportation National Highway Traffic Safety Administration Washington, D.C. 20590	
Abstract: This study is a description and evaluation of the adjudicative-disposition systems in operation in 1975 in five states and communities with federally funded drinking-driver control programs called Alcohol Safety Action Projects (ASAP). The five sites selected had undergone significant change in the legal or judicial system or had developed innovative approaches for handling drinking-driving cases. Case studies were conducted for Puerto Rico; Phoenix, Arizona; Los Angeles County, California; Hennepin County, Minnesota; and Idaho. The final technical report consists of a summary and analysis of the case-study findings with final conclusions and policy recommendations. The study resulted in several observations regarding sanctioning practices in drinking-driving cases: 1. The full range of statutory penalties is applied so rarely as to make them irrelevant except in terms of general deterrence. 2. The factors which cause court systems to disregard statutory sanctions can be identified. They include judicial perception that sanctions are ineffective or too harsh. 3. A major determinant of court action is the availability of support resources. 4. Court procedures for sentencing can be routinized and standardized. 5. Court systems are ingenious in inventing methods for encouraging offenders to cooperate with requirements on their behavior. 6. License suspension or revocation is not routinely used where the perception is it will cause difficulties in achieving transportation to and from work. 7. Classification of offenders into drinker types can be done by almost anyone in the court system. 8. Inconsistency is an inherent and expectable characteristic of the court system. 9. The monitoring of referrals and follow-up to determine compliance with court dispositions are often major weaknesses of court referral systems.	
Potential Value/Application for Study: 1. The study provides insight into the dynamics of judicial decisionmaking in the disposition of drinking-driving cases. 2. A data collection and analysis procedure for development of a process description of a drinking-driver adjudication and referral system is provided.	
Study Team Reviewer: James A. Palmer	Date of Review: March 14, 1980

LITERATURE REVIEW FORM

Title and Subtitle: Evaluation and System Description of ASAP Judicial Systems		Report Date: July, 1977
Volume II: Puerto Rico Case Study ABSTRACT #8		Contract or Grant No: DOT HS 803 469
Author(s): James A. Palmer, Raymond J. Ripberger, David T. Skelton and Gary J. Scrimgeour		Type of Report: Final Report
Performing Organization Name and Address: Institute for Research in Public Safety Indiana University 400 East Seventh Street Bloomington, Indiana 47405		Period Report Covered: 6/74 - 7/77
Sponsoring Agency Name and Address: U.S. Department of Transportation National Highway Traffic Safety Administration Washington, D.C. 20590		Study Work Element Application: Work Element No. 3
Abstract: The overall study is a description and evaluation of the adjudicative-disposition systems in operation in 1975 in five states and communities with federally funded drinking-driver control programs called Alcohol Safety Action Projects (ASAP). The five sites selected had undergone significant change in the legal or judicial system or had developed innovative approaches for handling drinking-driving cases. Case studies were conducted for Puerto Rico; Phoenix, Arizona; Los Angeles County, California; Hennepin County, Minnesota; and Idaho. A final technical report consists of a summary and analysis of the case-study findings with final conclusions and policy recommendations. The primary objective of the Puerto Rico ASAP study was to assess the impact of (1) the statutory adoption of the National Highway Traffic Safety Administration's operational definition of a problem drinker as the <u>legal</u> definition for court disposition purposes and (2) a mandated presentence investigation and drinker-type classification of all convicted drinking-driving offenders. The study found that the Puerto Rico ASAP successfully created, implemented, and tested a viable system of drinking-driver control through legislative enactment in 1973, where no such system had previously existed. However, additional legislation in 1975, although theoretically desirable, will probably prove to be counter productive.		
Potential Value/Application for Study: 1. The study demonstrates the impact of a comprehensive statutorily prescribed drinking-driver sanctioning system. 2. A data collection and analysis procedure for development of a process description of a drinking-driver adjudication and referral system is provided.		
Study Team Reviewer: James A. Palmer		Date of Review: March 14, 1980

LITERATURE REVIEW FORM

Title and Subtitle: Evaluation and System Description of ASAP Judicial Systems		Report Date: July, 1977
Volume III: Idaho Case Study ABSTRACT #9		Contract or Grant No: DOT HS 803 470
Author(s): James A. Palmer, Raymond J. Ripberger, David T. Skelton and Gary J. Scrimgeour		Type of Report: Final Report
Performing Organization Name and Address: Institute for Research in Public Safety Indiana University 400 East Seventh Street Bloomington, Indiana 47405		Period Report Covered: 6/74 - 7/77
Sponsoring Agency Name and Address: U.S. Department of Transportation National Highway Traffic Safety Administration Washington, D.C. 20590		Study Work Element Application: Work Element No. 3
Abstract: The overall study is a description and evaluation of the adjudicative-disposition systems in operation in 1975 in five states and communities with federally funded drinking-driver control programs called Alcohol Safety Action Projects (ASAP). The five sites selected had undergone significant change in the legal or judicial system or had developed innovative approaches for handling drinking-driving cases. Case studies were conducted for Puerto Rico; Phoenix, Arizona; Los Angeles County, California; Hennepin County, Minnesota; and Idaho. A final technical report consists of a summary and analysis of the case-study findings with final conclusions and policy recommendations. The objective of the Idaho case study was to examine the operation of a state-wide ASAP system with a progressive judicial system structure (Idaho has a unified, state-wide court system and centrally administered pre-sentence investigation) and the impact of stringent drinking-driver control laws (i.e., .08% BAC presumptive limit and mandatory penalties) on that system. The study found that the magistrate courts continued to have widely varying practices in the handling of drinking-driving cases, despite court unification. Inadequate pre-sentence investigation resources were thinly spread over a large jurisdiction. This created management problems, and uneven results since many courts did not have access to the investigators. The widespread use of withheld judgments and inadequate records, as well as general reluctance to convict on a drinking-driving charge at BAC levels below .15%, all combined to thwart the intent of drinking-driving laws.		
Potential Value/Application for Study: 1. The study demonstrates the impact of mandatory DUI sanctions on judicial decision-making. 2. A data collection and analysis procedure for development of a process description of a drinking-driver adjudication and referral system is provided.		
Study Team Reviewer: James A. Palmer		Date of Review: March 14, 1980

LITERATURE REVIEW FORM

Title and Subtitle: Evaluation and System Description of ASAP Judicial Systems Volume IV: Hennepin County, Minnesota Case Study ABSTRACT #10		Report Date: July, 1977
Author(s): James A. Palmer, Raymond J. Ripberger, David T. Skelton and Gary J. Scrimgeour		Contract or Grant No: DOT HS 803 471
Performing Organization Name and Address: Institute for Research in Public Safety Indiana University 400 East Seventh Street Bloomington, Indiana 47405		Type of Report: Final Report
Sponsoring Agency Name and Address: U.S. Department of Transportation National Highway Traffic Safety Administration Washington, D.C. 20590		Period Report Covered: 6/74 - 7/77
Abstract:		Study Work Element Application: Work Element No. 3
<p>The overall study is a description and evaluation of the adjudicative-disposition systems in operation in 1975 in five states and communities with federally funded drinking-driver control programs called Alcohol Safety Action Projects (ASAP). The five sites selected had undergone significant change in the legal or judicial system or had developed innovative approaches for handling drinking-driving cases. Case studies were conducted for Puerto Rico; Phoenix, Arizona; Los Angeles County, California; Hennepin County, Minnesota; and Idaho. A final technical report consists of a summary and analysis of the case-study findings with final conclusions and policy recommendations.</p> <p>The study of the Hennepin County ASAP examines the impact of Minnesota's progressive DWI legislation (.10% BAC as a per se violation, prearrest breath testing and implied consent laws) on the adjudication and processing of DWI cases by the Hennepin County Municipal Court. The study concludes that this legislation has had little discernible impact on the adjudication of DWI cases.</p>		
Potential Value/Application for Study:		
<ol style="list-style-type: none"> 1. A data collection and analysis procedure for development of a process description of a drinking-driver adjudication and referral system is provided. 		
Study Team Reviewer: James A. Palmer	Date of Review: March 14, 1980	

LITERATURE REVIEW FORM

Title and Subtitle: Evaluation and System Description of ASAP Judicial Systems Volume V: Phoenix, Arizona Case Study ABSTRACT #11		Report Date: July, 1977
Author(s): James A. Palmer, Raymond J. Ripberger, David T. Skelton and Gary J. Scrimgeour		Contract or Grant No: DOT HS 803 472
Performing Organization Name and Address: Institute for Research in Public Safety Indiana University 400 East Seventh Street Bloomington, Indiana 47405		Type of Report: Final Report
Sponsoring Agency Name and Address: U.S. Department of Transportation National Highway Traffic Safety Administration Washington, D.C. 20590		Period Report Covered: 6/74 - 7/77
Abstract:		Study Work Element Application: Work Element No. 3
<p>The overall study is a description and evaluation of the adjudicative-disposition systems in operation in 1975 in five states and communities with federally funded drinking-driver control programs called Alcohol Safety Action Projects (ASAP). The five sites selected had undergone significant change in the legal or judicial system or had developed innovative approaches for handling drinking-driving cases. Case studies were conducted for Puerto Rico; Phoenix, Arizona; Los Angeles County, California; Hennepin County, Minnesota; and Idaho. A final technical report consists of a summary and analysis of the case-study findings with final conclusions and policy recommendations.</p> <p>The primary objective of the Phoenix case study was to document and assess the efforts of the Phoenix drinking-driver control system to manage an exceptionally large volume of drinking-driving cases and to provide an inducement for DWI offenders to participate in appropriate alcohol therapy. The study described and evaluated a special prosecution-based program called PACT. PACT is a comprehensive plea-bargaining program designed to provide an expedient, uniform, and fair method of classifying and diverting DWI offenders into a short-term alcohol rehabilitation program with the incentive of earning a plea bargain which avoided a mandatory jail sentence. The PACT concept was found to be effective and transferrable to any system requiring a routine, high-volume but discriminating referral mechanism.</p>		
Potential Value/Application for Study:		
<ol style="list-style-type: none"> 1. The study demonstrates an innovative prosecutorial and judicial response to mandatory sanctions by development of a diversion-like disposition procedure. 2. A data collection and analysis procedure for development of a process description of a drinking-driver adjudication and referral system is provided. 		
Study Team Reviewer: James A. Palmer	Date of Review: March 14, 1980	

LITERATURE REVIEW FORM

Title and Subtitle: Evaluation and System Description of ASAP Judicial Systems Volume VI: Los Angeles County, California Case Study ABSTRACT #12	Report Date: July, 1977 Contract or Grant No: DOT HS 803 473
Author(s): James A. Palmer, Raymond J. Ripberger, David T. Skelton and Gary J. Scrimgeour	Type of Report: Final Report
Performing Organization Name and Address: Institute for Research in Public Safety Indiana University 400 East Seventh Street Bloomington, Indiana 47405	Period Report Covered: 6/74 - 7/77
Sponsoring Agency Name and Address: U.S. Department of Transportation National Highway Traffic Safety Administration Washington, D.C. 20590	Study Work Element Application: Work Element No. 3
Abstract: The overall study is a description and evaluation of the adjudicative-disposition systems in operation in 1975 in five states and communities with federally funded drinking-driver control programs called Alcohol Safety Action Projects (ASAP). The five sites selected had undergone significant change in the legal or judicial system or had developed innovative approaches for handling drinking-driving cases. Case studies were conducted for Puerto Rico; Phoenix, Arizona; Los Angeles County, California; Hennepin County, Minnesota; and Idaho. A final technical report consists of a summary and analysis of the case-study findings with final conclusions and policy recommendations. The primary objective of this case study was to examine ASAP-funded investigation, referral, and monitoring systems in five courts in Los Angeles County. The comparative analysis found that the quick, inexpensive presentencing screening and referral procedure provided by public health investigation staff in the Los Angeles Downtown Traffic Court was superior to other methods, particularly in its efficiency. Services provided by the probation department, which involved extensive investigations, particularly in the Pomona Municipal Court, were inappropriate for DUI screening and referral, but provided effective long-term personal supervision and compliance monitoring. The Van Nuys Municipal Court received postsentencing investigation, referral and monitoring support from volunteer counselors with the local alcoholism council. The volunteer approach was found to be an efficient, inexpensive procedure despite a high staff turnover rate.	
Potential Value/Application for Study: 1. The study provides a historical perspective by describing and evaluating drinking-driver screening and referral programs in five Los Angeles County courts in 1975, including Citrus and Downtown Traffic. 2. A data collection and analysis procedure for development of a process description of a drinking-driver adjudication and referral system is provided.	
Study Team Reviewer: James A. Palmer	Date of Review: March 14, 1980

LITERATURE REVIEW FORM

Title and Subtitle: Comparative Analysis of Alcohol Highway Safety Judicial Standards and Existing Professional Standards Volume I: Technical Report ABSTRACT #13	Report Date: December, 1978 Contract or Grant No: DOT HS 804 128
Author(s): Gary J. Scrimgeour, James A. Palmer, H. Lynn Edwards, Stephen Goldspiel and A. B. Logan	Type of Report: Final Report
Performing Organization Name and Address: American Bar Association Chicago, Illinois 60637 and Institute for Research in Public Safety Bloomington, Indiana 47405	Period Report Covered: 5/77 - 12/78
Sponsoring Agency Name and Address: U.S. Department of Transportation National Highway Traffic Safety Administration Washington, D.C. 20590	Study Work Element Application: Work Element Nos. 1, 2 & 3
Abstract: The contract required an examination of all existing professional standards and model codes which in some way related to the processing of drinking-driving cases through the courts. The objective was to determine whether existing professional standards and codes adequately and appropriately respond to the realities of drinking-driving case processing and, if not, to recommend what might be done. A technical analysis and comparison of existing standards and codes was prepared by American Bar Foundation staff. A 13-member Study Team, consisting primarily of representatives of standards-producing national organizations, met several times throughout the course of the contract to monitor the creation of the technical analysis, assess the adequacy of existing standards in view of real-world needs, plan and conduct a Conference on National Standards for Drinking-Driving Cases (held in Chicago on October 13-14, 1978), and prepare recommendations for future activity in the area of development of standards and codes. The major recommendations of the contract Study Team were: (1) new or supplemental standards for drinking-driving cases should be developed where existing standards are silent, inadequate, inapplicable, or conflicting; (2) standards-producing organizations should examine and improve, if necessary, existing standards and codes in their area of responsibility; (3) there should be a new, comprehensive set of criminal justice standards specific to the offense of drinking-driving; (4) the American Bar Association should take the initiative in providing leadership in planning, carrying out and completing the standards-setting project; (5) the U.S. Department of Justice and U.S. Department of Health, Education, and Welfare should take primary responsibility for leadership in this effort; and (6) joint DOJ, DHEW and DOT funding should be provided for developing drinking-driving standards. The Study Team considered the creation of a model code or uniform act dealing specifically with drinking-driving case adjudication to be inappropriate at this time.	
Potential Value/Application for Study: The report affirms the need for research into the effectiveness of drinking-driving sanctions and provide a background perspective on the current state of professional standards and codes applicable to drinking-driving cases.	
Study Team Reviewer: James A. Palmer	Date of Review: March 14, 1980

LITERATURE REVIEW FORM

Title and Subtitle: Alcohol Countermeasures; solid rock and shifting sand ABSTRACT #14	Report Date: 1973
	Contract or Grant No: N/A
Author(s): Gerald J. Driessen and Joseph A. Bryk Research Department National Safety Council Performing Organization Name and Address: Journal of Safety Research September 1973, 5 (3), pp. 108-129	Type of Report: Journal article
	Period Report Covered: N/A
Sponsoring Agency Name and Address: N/A	Study Work Element Application: Work Element Nos. 1 and 2
Abstract: This article provides an extensive assessment of the alcohol traffic safety problem as it existed in the early seventies, an overview of activities of the eight alcohol safety action projects (ASAPs) that were in existence at the time the article was written, an analysis of the impact of the 1967 Road Safety Act in England, a methodology for evaluating the impact of an alcohol related public information campaign and a description of activities and results to date within the drunk driver countermeasure approaches of: law enforcement, public education and rehabilitation. Finally, it offers an exhaustive list (over 100) of alcohol-related traffic safety countermeasures.	
Potential Value/Application for Study: This article will quickly provide the reader an overview of the type of countermeasures that might be employed in a traffic safety program targeting the drinking driver. The statistical/analytical data is somewhat historical but the countermeasure descriptions are still valid and germane to current alcohol related traffic safety activities.	
Study Team Reviewer: Walter R. McDonald	Date of Review: 3-16-80

LITERATURE REVIEW FORM

Title and Subtitle: A Customized Approach to the Drinking Driver (Senate Concurrent Resolution #4--Harmer) ABSTRACT #15	Report Date: 1975
	Contract or Grant No: N/A
Author(s): William V. Epperson, Richard M. Harano & Raymond C. Peck	Type of Report: Final Report
	Period Report Covered:
Performing Organization Name and Address: Research & Development Section Department of Motor Vehicles 2415 1st Avenue Sacramento, Ca.	Study Work Element Application: Work Element No. 2
	Sponsoring Agency Name and Address: Same as Performing Organization
Abstract: This project analyzed the ability to accurately classify different types of drinking drivers for the purposes of tailoring rehabilitative treatment countermeasures. Included in the classifications strategies were blood alcohol content (BAC), frequency of prior DUI convictions and various test instruments (Michigan Alcoholism Screening Test, long and short versions of the Mortimer Filkins questionnaire). In addition to these analyses an exhaustive review of other studies pertinent to this area was conducted (i.e. analytical studies from the Alcohol Safety Action Projects and a predictive model developed by the University of Southern California). In general <u>no</u> scientifically valid evidence could be found to substantiate the use of the screening devices or the use of customized alcohol abuse treatment countermeasures. Other study results did support the traffic safety impact of using punitive sanctions like license suspension or revocation. Finally, the report recommended that the use of a Medical Advisory Board was inefficient and unnecessary.	
Potential Value/Application for Study: This study provides a comprehensive and valid overview of the lack of success in developing drinker-type screening devices and the traffic safety effectiveness of tailoring alcohol abuse treatment countermeasures to varied target groups.	
Study Team Reviewer Walter R. McDonald	Date of Review: March 16, 1980

LITERATURE REVIEW FORM

Title and Subtitle: The Effectiveness of License Suspension or Revocation for Drivers Convicted of Multiple Driving-Under-the-Influence Offenses (An interim report for the evaluation of SB 330--Gregorio) ABSTRACT #16	Report Date: Sept. 1977
	Contract or Grant No: OTS-057701
Author(s): Roger E. Hagen	Type of Report: Interim
Performing Organization Name and Address: Research and Development Section Department of Motor Vehicles 2415 1st Avenue Sacramento, Ca	Period Report Covered: N/A
	Study Work Element Application: Work Element Nos. 1 and 2
Sponsoring Agency Name and Address: Office of Traffic Safety 7000 Franklin Blvd., Suite 330 Sacramento, Ca.	
Abstract: Mandatory licensing actions in the form of a 12-month license suspension or a 36-month revocation plus fines and/or jail sentences were found to be more effective traffic safety countermeasures than use of only fines and/or jail sentences. The frequencies of accident and convictions during the follow-up period were at a minimum 30% greater for the multiple DUI offenders not receiving the licensing action. The positive impact of licensing action was found to exist for 48 months on accident involvement and 42 months on subsequent DUI reconviction. The report suggests the licensing actions had differential effects on varied age groups. The report recommended exploring other countermeasures for DUI convicted drivers. It suggested the use of alcohol abuse treatment, discretionary license suspension/revocation, license restrictions, other health approaches or combinations thereof.	
Potential Value/Application for Study: The project utilized a quasi-experimental design and analysis of covariance statistical techniques. The researchers were cognizant of potential biases in their design and were extraordinarily careful to account for such. Finally, they were careful <u>not</u> to generalize beyond their existing data. The value of the report is that it provides some clear insight into the effectiveness of license suspension/revocation actions for drivers convicted of DUI offenses.	
Study Team Reviewer: Walter R. McDonald	Date of Review: 3-16-80

LITERATURE REVIEW FORM

Title and Subtitle: An Evaluation of Alcohol Abuse Treatment As An Alternative to Drivers License Suspension or Revocation (Final Report to the Legislature in Accord with SB 38--Gregorio) ABSTRACT #17	Report Date: December 1978
	Contract or Grant No: OTS-057701
Author(s): Roger E. Hagen, Ricky L. Williams, Edward J. McConnell, and Charles W. Fleming	Type of Report: Final Report
Performing Organization Name and Address: Research & Development Section Department of Alcohol and Department of Motor Vehicles Drug Programs 2415 1st Avenue 111 Capitol Mall Sacramento, Ca. Sacramento, Ca.	Period Report Covered: N/A
	Study Work Element Application: Work Element Nos. 1 and 2
Sponsoring Agency Name and Address: Above and Office of Traffic Safety 7000 Franklin Blvd, Suite 330 Sacramento, Ca.	
Abstract: The traffic safety countermeasure strategy of offering a driver convicted of multiple DUI offenses an opportunity to participate in a 12-month alcohol abuse treatment program was found to be no more effective than the simple imposition of the mandated license suspension or revocation. The treatment/licensing action was tested in four comparison counties. The legislation did not permit a scientific evaluation involving hands-off control groups or random assignment. A quasi-experimental approach using time series analysis, analysis of covariance techniques, survival rate analysis, and the employment of license controls in four comparison counties was adapted. The comparison county drivers, receiving licensing action, evidenced approximately 50% fewer accidents and convictions than those drivers involved in alcohol abuse treatment. The impact on traffic safety was <u>only</u> analyzed while the drivers were in the treatment program or under licensing actions. The reduced driving exposure of these drivers and/or licensing action was felt to be the principal component of the positive impact on traffic safety. Additional analyses were conducted to determine the impact of the two countermeasures on indices of lifestyle change. <u>No</u> differential impact was found between the treatment participant and license control groups after a 8-month follow-up. The report made numerous program recommendations and discussed the implications of the report on first offender program efforts.	
Potential Value/Application for Study: Though quasi-experimental the evaluation continued to support the use of license controls as opposed to other countermeasures when seeking impact on a multiple DUI offender's subsequent driving record. The amount one can generalize these results to rural settings or the new DDP programs is open to question. The reports offer numerous meaningful program recommendations, including revisions and alternatives. This effort again stresses the need to conduct a controlled scientific evaluation (randomized treatment assignment and a no-treatment control group) before any definitive statements can be made about the validity of using alcohol abuse treatment as an alcohol-related traffic safety countermeasure.	
Study Team Reviewer: Walter R. McDonald	Date of Review: March 16, 1980

LITERATURE REVIEW FORM

Title and Subtitle: Epidemiological Aspects of Alcohol in Driver Crashes and Citations ABSTRACT #18	Report Date: 1973
	Contract or Grant No: N/A
Author(s): Paul M. Hurst Institute for Research State College, Pennsylvania	Type of Report: Journal article
Performing Organization Name and Address: Journal of Safety Research September 1973, 5 (3), pp. 130=148	Period Report Covered:
	Study Work Element Application: Work Element Nos. 1, 2 and 4
Sponsoring Agency Name and Address: National Institute of Mental Health and Office of Naval Research	
Abstract: Using a Bayesian statistical approach, the author analyzed existing data bases to assess the relationship of BAC level and other alcohol abuse/accident predictors and the effectiveness of various BAC levels as prediction tools given a perfect or complete level of enforcement. The study provides indices of the relative probability of types of accident involvement (accidents, responsible accidents, accident by drinker type) for specific BAC levels. The author recommends that an absolute (illegal per se) rather than a presumptive BAC level be specified to facilitate enforcement of the DUI statutes. Further he states the level should be .10% rather than the level of .08 currently being sought in some states. He feels the potential increment of impact on accidents (3%) is not sufficient to offset the expense of lowering the levels. Activities directed to lowering the BAC level could be more effectively spent developing tools to increase the current level of enforcing the .10% laws (illegal per se, pre-arrest breath testing or even random road blocks). Attention toward educating the general driving public as to the relationship of consumption rates and BAC levels was also recommended. Finally, he recommends the use of countermeasures for drivers convicted of DUI.	
Potential Value/Application for Study: An indepth reading of this publication is essential should the development of a pre-sentence or pre-screening device be planned for use by a component of the adjudication system. It provides a comprehensive picture of the relationship of BAC and other predictors of alcohol abuse. Further it provides concrete valid evidence of the futility of lowering the presumptive or illegal per se BAC level of .10 to something lower.	
Study Team Reviewer: Walter R. McDonald	Date of Review: 3-16-80

LITERATURE REVIEW FORM

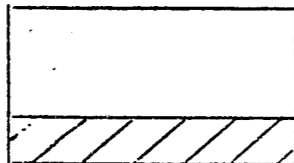
Title and Subtitle: An Analysis of Court School Programs Located in Los Angeles County: 1975 ABSTRACT #19	Report Date: April 1976
	Contract or Grant No: N/A
Author(s): Nabila N. Beshai	Type of Report: N/A
Performing Organization Name and Address: Alcohol Safety Action Project County of Los Angeles Los Angeles, Ca.	Period Report Covered: N/A
	Study Work Element Application: Work Element Nos. 1 and 3
Sponsoring Agency Name and Address: National Highway Traffic Administration U.S. Department of Transportation Washington, D.C. 20590	
Abstract: The effectiveness of eight Los Angeles County court schools for convicted drunk drivers was analyzed by determining the incidence of DUI rearrest and changes of knowledge about drinking and driving after attending court schools. A profile of court school students, an assessment of attitude/life style change and a comparison between Level I and Level II school attendees were also offered. In general the principal results of the study (see cautions of validity and usefulness noted below) are as follows: (1) statistical evidence showing reduced DUI recidivism for class I & II attendees; (2) limited evidence of knowledge improvement after school attendance; (3) a student profile of a White married male functioning as an unskilled/skilled worker with a high school education; (4) a rearrest rate of 6.3% and an accident rate of 4.8% during a nine-month follow-up period; (5) existence of a positive attitude toward the course and an increased awareness of alcohol abuse problems; (6) existence of positive life style impacts one year after school completion; (7) court school students had significantly more prior offenses [6 year record] than comparison school [identified from a different time frame but did not receive treatment] while evidencing a lower DUI recidivism level during the 9-month follow up period; (8) existence of differences between level I and II students; (9) variation in recidivism rates varied across schools. In addition to this descriptive and statistical detail the report offered a number of significant recommendations which in many cases go well beyond the analyzed data: (1) new forms of behavior modification approaches should be studied for potential application in the court school settings; (2) need to identify or broaden the number of treatment modalities available for referral after court school attendance; (3) need for ongoing program evaluation; (4) need for an ongoing training program for court personnel to improve their ability to accurately screen DUI offenders for proper class I or II school placement; (5) need to develop standards for court schools; and (6) continue to update student profiles and modify course content should major deviations be noted.	
Potential Value/Application for Study: Numerous deficiencies existed in the experimental design. All evidence of program effectiveness should be considered highly suspect while the descriptive data is of more use with the program recommendation being worthy of consideration--even today. The report itself listed the following deficiencies in its text but did not bring up the issues elsewhere in the report: (1) potentially improper comparison group since it was identified in a different time frame [difference in prior offense history reinforces this and it is doubtful the statistical technique employed would adequately account for group differences]; (2) limited information on students; (3) very small sample sizes [could easily produce spurious results]; (4) short follow-up time period; and (5) lack of quality and high rates of missing data in completing the pre- post-questionnaires. A final deficiency in the experimental design, unnoted by the author, is that he failed to include program drop outs in the court school groups	
Study Team Reviewer: Walter R. McDonald	Date of Review: (over) March 21, 1980

when comparing their recidivism rates to those of the comparison group. As an illustration they purport to compare Groups A and B in the illustration, however, when they do the analysis they remove the shaded portion of Group B while leaving drivers like those in Group A. Unfortunately these are drivers with the potentially more aberrant behavior pattern and their removal from one group and not the other highly biases the recidivist analyses in favor of the group subjected to the removal process--Group B in the illustration below.

Group A
Comparison Group



Group B
Court School Group



LITERATURE REVIEW FORM

Title and Subtitle: Survey of Drunk Driver Diversion Programs in Los Angeles County		Report Date: May 1977
ABSTRACT #20		Contract or Grant No: N/A
Author(s): Nabila N. Beshai and John R. McGuire		Type of Report: Final
Performing Organization Name and Address: Office of Alcohol Abuse and Alcoholism Department of Health Services County of Los Angeles Los Angeles, California		Period Report Covered: N/A
Sponsoring Agency Name and Address:		Study Work Element Application: Work Element Nos. 1 and 3
<p>Abstract: The report described characteristics of 27 DUI diversion programs in Los Angeles County. These programs deferred sentencing for one year to permit involvement in alcohol abuse treatment. In addition to providing an overview of these programs the survey attempted to relate existing program format, content and resources to those required by SB 330 (Legislation creating a 12-month alcohol abuse treatment program for drivers convicted of multiple DUI offenses). Principal characteristics detected in the survey were as follows: (1) monthly program intake ranged between 1-50 with about half of the programs processing between 10-19 clients per month; (2) overall the programs reported 12.4% of their clients were terminated prior to completion with 2.4% evidencing subsequent DUI arrests; (3) all but one of the programs offered an educational component (range of 12-182 hours); (4) all but one program offered small groups (86% of programs met SB 330 requirements by offering between 15-118 hours of small group sessions); (5) 92% of the programs required a 30 minute bi-weekly interview consistent with SB 330; (6) only 4 of the 27 programs were profit making; (7) less than 23 of the programs reported that <u>all</u> of their clients received a presentence investigation; (8) 20 of the programs used a test (half used the MAST) to determine severity of the alcohol problem; (9) all but 10 of the programs required an explicit contract with their clients; (10) about half of the programs planned a follow-up of their successful clients--six of these were going to follow up their non-successes as well; (11) a majority of the programs used both full and part time staff; and (12) for 25 of the programs charging a fee the maximum was found to vary between \$350 and \$825--most programs used a sliding scale.</p> <p>Major conclusions of the report were that: (1) the majority of the diversion programs did or could meet SB 330 requirements; (2) rates of termination or DUI subsequent arrest at the time of the survey were premature to establish program effectiveness--such is necessary later; (3) the focus of the programs varied from the client's drinking problem to stopping drinking and driving; (4) little policy existed for handling excused/unexcused program absence, program participation while under the influence or non-compliance with program policy; and (5) programs seldom focus on alcoholism and drug abuse</p>		
Potential Value/Application for Study:		(over)
<p>The report provides a historic descriptive overview of the drunk driver diversion programs existing prior to drunk driver programs now regulated by the Department of Alcohol and Drug Problems (SB 330, 38, 1458 and AB 272). The reader will find the descriptive information of value but is cautioned in using the program termination or DUI re-arrest rates offered in the report.</p>		
Study Team Reviewer: Walter R. McDonald		Date of Review: 3-21-80

problems at the same time. Finally, the report provides numerous recommendations for adapting the existing approach to the requirements of SB 330.

LITERATURE REVIEW FORM

Title and Subtitle: A Comparison of Demographic and Psychosocial Characteristics of DWI Drivers, Control Drivers, and Alcoholics ABSTRACT #21		Report Date: June 1979
Author(s): Herbert Moskowitz, Judy Walker and Christopher Gomberg		Contract or Grant No.: OA-0256-7-A1
Performing Organization Name and Address: Alcohol Research Center University of California, Los Angeles Suite 414, 10995 Le Conte Avenue Los Angeles, CA.		Type of Report: Final
Sponsoring Agency Name and Address: Department of Alcohol and Drug Programs 111 Capital Mall Sacramento, CA.		Period Report Covered: N/A
		Study Work Element Application: Work Element Nos. 3 and 4
<p>Abstract: This report identifies social and personal demographic characteristics of drivers convicted of DUI. Their characteristics are related to those evidenced by a randomly selected group of drivers from the total population and those of alcoholics. The data was obtained from an exhaustive literature review. In general the DUI driver was found to be an alcohol abuser with behavioral trends toward that of the alcoholic. Specifically the DUI driver was found: (1) to be divorced, separated or widowed more often than the average driver but less often than an alcoholic; (2) to evidence an unemployment rate between 9 to 18%; (3) to have lower level occupations than average drivers but higher than alcoholics; (4) to have a lower annual salary than average drivers but one similar to that of the alcoholic; (5) to have a BAC between .18-.28 at the time of arrest; (6) to drink more frequently and in greater quantities than the average driver but in smaller quantities than the alcoholic; (7) to drink principally to reduce tension as opposed to social relaxation being reported as a reason for the average driver; (8) to evidence more financial, marital, and health problems than average driver but fewer than alcoholic; (9) to evidence more prior contact with alcohol abuse treatment services than average driver but less contact than alcoholic; (10) to evidence a MAST (Michigan Alcoholism Screening Test) score higher than the average driver (4.22/4.77 to 2.46/2.01 respectively) but lower than the alcoholic (6.54/6.73); (11) drove more often after drinking than the average driver; (12) to possess more prior arrests than the average driver (alcohol and nonalcohol); (13) to possess a proven driving record than either the average driver or the alcoholic; (14) to have an age between 30 to 45 years; and (15) to be over-represented by members of varied minority groups.</p> <p>A major conclusion of the report is that the DUI driver is only a small component of the total population of drivers who drink and then drive. The probability of being identified as a DUI the first time a driver operated a motor vehicle after drinking was judged extremely low. Finally, programs targeting only the DUI driver (over</p>		
<p>Potential Value/Application for Study: The report offers an extensive overview of DUI driver characteristics appropriate for developing countermeasures directed toward DUI drivers. The authors make an important point that these characteristics may not represent the overall drinking driver population and may not be appropriate for use in countermeasure development activities directed toward the total drinking driver problem.</p>		
Study Team Reviewer: Walter R. McDonald		Date of Review: 3-21-80

were given little chance of meaningfully impacting the overall problem of drinking and driving. The authors recommended the development of a much broader program targeting the total population (drinking drivers) rather than the DUI subgroup. It is possible the characteristics listed above for DUI drivers are not representative of those of the drinking driver population. This possibility must be taken into account if a more broad based program would be developed. Alternate target group characteristics may not be available for such an effort.

LITERATURE REVIEW FORM

Title and Subtitle: Implementation of Power Motivation Training as a Rehabilitation Countermeasure for DWIs.		Report Date: February, 1976
ABSTRACT #22		Contract or Grant No: DOT-HS-350-3-707
Author(s): Boyatzis, R.E.		Type of Report: Final
Performing Organization Name and Address: McBer and Company 137 Newbury Street Boston, Mass. 02116		Period Report Covered: June, 1973-Dec., 1975
Sponsoring Agency Name and Address: U.S. Department of Transportation National Highway Traffic Safety Administration Washington, D.C. 20590		Study Work Element Application: Work Element No. 1
Abstract: <p>The objectives of the project were: (a) to generate the interest and commitment of ASAPs and treatment agencies in utilizing Power Motivation Training (PMT) with DWIs; (b) to train counselors and staff from the ASAP and treatment agencies to conduct PMT with DWIs; (c) to assist in the design and implementation of a research design to evaluate the impact of PMT with DWIs; and (d) to provide on-going technical assistance to staff trained in PMT.</p> <p>During the first year of the project five ASAPs were involved. Organizational problems led to four of the ASAPs not using PMT with DWIs following training of staff. None of the ASAPs implemented an evaluation design.</p> <p>During the second year of the project, efforts were made to establish organizational commitment of ASAPs and treatment agencies involved in the project to the use of PMT with DWIs, and to help these agencies plan for its implementation. Eight ASAP sites were involved in the training and all are currently utilizing PMT with DWIs. An evaluation design was established and implemented in all of the ASAPs as a part of the Short-Term Rehabilitation Evaluation Project.</p>		
Potential Value/Application for Study: <p>The study which includes a brief description and rationale for PMT as well as documenting its implementation in the STR study is relevant for two reasons. First PMT represents an attempt to develop a treatment modality specifically for DWIs which was based on sound learning principals. Second, despite being one of the most scientifically based DWI treatment modalities ever implemented, PMT failed to decrease recidivism rates in the STR study evaluation. In fact, PMT appeared to result in an increased recidivism rate with respect to control groups. A modified version of PMT has been implemented in the Sacramento County Comprehensive DUI Project and is currently being evaluated. The results of that evaluation may provide additional useful information.</p>		
Study Team Reviewer: David Struckman-Johnson		Date of Review: March 22, 1980

LITERATURE REVIEW FORM

Title and Subtitle: The Short Term Rehabilitation Study - Volume III: Site Specific Analyses of Effectiveness ABSTRACT #23		Report Date: November, 1978
Author(s): Struckman-Johnson, D.L. and Ellingstad, V.S.		Contract or Grant No: DOT-HS-6-01366
Performing Organization Name and Address: Human Factors Laboratory, University of South Dakota, Vermillion, SD 57069		Type of Report: Final
Sponsoring Agency Name and Address: U.S. Department of Transportation National Highway Traffic Safety Administration Washington, D.C. 20509		Period Report Covered: 7/76 - 11/78
Abstract: This report is Volume III of a four volume report covering the National Highway Traffic Safety Administration (NHTSA) Short Term Rehabilitation (STR) Study. This volume of the report deals with analyses specific to each of the 11 sites participating in the STR Study. Two types of analyses were applied to fourteen experimental designs configured within the eleven sites. The first set of analyses was designed to assess the effectiveness of various short term rehabilitation modalities for court referred problem drinkers. The second set of analyses was designed to assess the interaction of various client characteristics and treatment effect. Analyses of treatment effect generally did not provide a great deal of evidence for positive treatment impact. A notable exception to this generalization was treatment employed at the New Orleans, Louisiana site for serious problem drinkers. Analyses revealed both positive traffic safety and life status impacts. While the life status impact seemed to diminish across the follow-up period, traffic safety impact appeared to continue for the entire 18 month follow-up period. Analyses of interaction between client characteristics did not yield information which was of use in drawing firm conclusions. There was some evidence to suggest that treatment effectiveness was a function of drinking problem severity for one modality (Power Motivation Training) employed by a number of the STR sites.		Study Work Element Application: Work Element Nos. 1, 2 and 3
Potential Value/Application for Study: Many of the sites conducted treatment programs of much shorter duration than those in California for populations who were dissimilar to those in the California programs. It is noteworthy, however, that the program which was most similar to those available in California was the only program to show a positive effect. The New Orleans Serious Problem Drinker Design was the longest of the programs evaluated and dealt with a multiple offender group. It showed a positive impact with respect to traffic safety measures for the entire 18 month follow-up period. In addition to its success, the New Orleans Serious Problem Drinker program was set apart from other STR treatment programs by the inclusion of disulfiram as part of treatment for six months.		
Study Team Reviewer: David Struckman-Johnson		Date of Review: March 24, 1980

LITERATURE REVIEW FORM

Title and Subtitle: The Short Term Rehabilitation Study - Volume IV: Program Level Analyses of Effectiveness ABSTRACT #24		Report Date: November, 1978
Author(s): Struckman-Johnson, D.L. and Ellingstad, V.S.		Contract or Grant No: DOT-HS-6-01366
Performing Organization Name and Address: Human Factors Laboratory, University of South Dakota, Vermillion, SD 57069		Type of Report: Final
Sponsoring Agency Name and Address: U.S. Department of Transportation National Highway Traffic Safety Administration Washington, D.C. 20590		Period Report Covered: 7/76 - 11/78
Abstract: This report is Volume IV of a four volume report covering the National Highway Traffic Safety Administration (NHTSA) Short Term Rehabilitation (STR) study. This volume of the report deals specifically with analyses on the program (across site) level. Eight quasi-experimental designs were developed which combined data from the 11 sites participating in the STR study. Within these eight quasi-experimental designs, two types of analyses were conducted. The first set of analyses were designed to assess the effectiveness of several types of short term rehabilitation for court referred drinking drivers. The second set of analyses were designed to assess the interaction of client characteristics and treatment effect. Analyses of treatment effectiveness did not produce any strong evidence of treatment impact. There was some evidence of positive treatment effect for alcohol safety schools (short educational modalities) and some evidence of negative treatment effect for Power Motivation Training (group therapy treatment specifically for the STR study). There was also minimal evidence of positive treatment effect for single modality treatment assignments (a variety of group therapies). Analyses assessing the interaction of treatment effectiveness and client characteristics identified a number of interactions but no clear patterns which would allow for a description of either a person likely to benefit from rehabilitation or a person likely to be harmed by rehabilitation. In general, however, significant client type by treatment effect interactions tended to identify types of persons for whom treatment produced negative consequences.		Study Work Element Application: Work Element No. 1
Potential Value/Application for Study: The study dealt primarily with treatment programs of shorter duration than those being evaluated in the Alternative Sentencing Evaluation Project. The population studied was not entirely comparable to those individuals eligible for SB 38 type programs in California--not all were second offenders. There appears to be several relevant findings, however, despite the differences in programs and populations. The strongest evidence for treatment effect presented in the study is for a negative one. Power Motivation Training (a group therapy developed specifically for the STR study) tended to increase recidivism rates for those who participated compared to a control group. This finding tends to contradict the theory that treatment cannot hurt anyone. The finding of differential effect as a function of client's characteristics may suggest that tailoring treatment programs is important.		
Study Team Reviewer: David Struckman-Johnson		Date of Review: March 24, 1980

LITERATURE REVIEW FORM

Title and Subtitle: One model for the evaluation of ASAP rehabilitation effort ABSTRACT #25	Report Date: October, 1974
	Contract or Grant No: DOT/NHTSA Internal
Author(s): Nichols, J. L. and Reis, R. E.	Type of Report: NHTSA technical report
	Period Report Covered: N/A
Performing Organization Name and Address: U.S. Department of Transportation, NHTSA, Office of Driver and Pedestrian Programs, Washington, D.C. and University of South Dakota, Human Factors Laboratory, South Dakota	Study Work Element Application: Work Element Nos. 1 and 3
	Sponsoring Agency Name and Address: U.S. Department of Transportation National Highway Traffic Safety Administration Washington, D.C. 20590
Abstract: The relative effectiveness of ASAP modalities was inferred from recidivism defined as re-arrest for DWI after entry into a rehabilitation modality. The first phase of this investigation employed a principal components analysis to examine the organizational characteristics of 44 alcohol safety schools and 32 group therapies employed by 27 ASAP sites. Alcohol safety schools were then grouped, through hierarchical clustering analysis, into organizationally homogeneous types of schools. In the second phase of the study, recidivism rates for various drinker and school types were examined.	
Potential Value/Application for Study: There were consistent trends reported in the study indicating that persons classified as problem drinkers who were placed in large class size alcohol safety school with didactic orientation had a higher recidivism rate than problem drinkers placed in smaller more interaction oriented schools. Although recidivism rates were significantly different at one follow-up point, the authors caution against any firm conclusions for several reasons: the significant difference was absent at the end of follow-up, there was no control group data available, and drinker classification was not well defined. Nevertheless, in the absence of any evidence for positive effect for large didactic group treatments, it might be reasonable to consider other available alternatives.	
Study Team Reviewer: David Struckman-Johnson	Date of Review: March 28, 1980

LITERATURE REVIEW FORM

Title and Subtitle: Short term rehabilitation for persons convicted of driving while intoxicated ABSTRACT #26	Report Date: October, 1976
	Contract or Grant No: DOT-HS-5-01253
Author(s): Boyatzis, R.E.	Type of Report: Final
	Period Report Covered: 7/75 - 4/76
Performing Organization Name and Address: McBer and Company 137 Newbury Street Boston, Massachusetts 02116	Study Work Element Application: Work Element Nos. 1 and 3
	Sponsoring Agency Name and Address: U.S. Department of Transportation National Highway Traffic Safety Administration Washington, D.C. 20590
Abstract: The objectives of the project were to develop a classification system for assessing persons convicted of driving while intoxicated, identify short-term rehabilitation (STR) objectives for these people, review available treatment programs, and make recommendations of programs which can be used to help DWIs reach STR objectives. A classification system was designed which included assessment of the client's adaptability to inner conflict/stress, assessment of the forces affecting the client regarding drinking from his sociocultural environment, and the severity of the client's problem with alcohol. Using the classification system, a set of STR objectives are identified for a client. These objectives represent desirable changes in the client's behavior and the impact of his sociocultural environment. STR programs are recommended which should help a DWI to reach these objectives. These programs include some elements of treatment modalities which have been shown to be effective and appear relevant for use with DWIs. Research, development, and evaluation needs for continued work in this area are described.	
Potential Value/Application for Study: The classification system and rehabilitation goal setting described in this report requires too much time (over one hour) to be of use to the courts directly. Such a procedure could well be a mandated part of rehabilitation subsequent to referral to a program, however. The procedures described in the report are the most objective known to the reviewer. They had not, at the time of the report, however, been completely field tested. Unfortunately, the reviewer is not aware of the current status of the procedures. The review of available rehabilitation programs stresses behaviorally oriented therapies. It is unfortunately too general and brief to be of major use.	
Study Team Reviewer: David Struckman-Johnson	Date of Review: March 29, 1980

LITERATURE REVIEW FORM

Title and Subtitle: SB 330 Demonstration Project Evaluation -- Life Style Analysis ABSTRACT #27	Report Date: January 1979
	Contract or Grant No: OA-038-6
Author(s): Walter R. McDonald, John R. McIntire, David Struckman-Johnson, Vernon S. Ellingstad, and Shirley T. Hagen	Type of Report: Final Report
Performing Organization Name and Address: Mott-McDonald Associates, Inc. P.O. Box 834 Carmichael, CA 95608	Period Report Covered: N/A
	Study Work Element Application Work Element Nos. 1, 3 and 4
Sponsoring Agency Name and Address: Department of Alcohol and Drug Programs 111 Capital Mall Sacramento, CA	
Abstract: For this study, changes in a driver's life style were assessed using the Life Activities Battery (LAI). The LAI was previously developed for the U.S. Department of Transportation and employed in a national study of short term rehabilitation for drunk drivers. The LAI consists of both self-administered questionnaires and a structured interview. The LAI was administered to DUIs in four demonstration counties selected by ADP through a competitive bid process (Kern, Ventura, Yuba and Santa Clara) and to suspended or revoked drivers in comparison counties within three weeks of their DUI conviction. A follow-up interview using the same instrumentation was conducted eight months later. Covariance analytical procedures were employed to statistically control for prior between-group differences. Briefly, the results indicated the following: (1) there was overall improvement for both the demonstration and comparison counties especially in the areas of quantity/frequency of drinking, physical health problems, current drinking problems, current drinking and driving problems, anxiety, depression, and tension factors and (2) only one factor (emotional control) was significantly different ($p < .05$) between change scores of the demonstration and comparison counties. The factor score for the demonstration counties decreased (indicating decreased emotional control) by 16 points from initial to eight-month follow-up; the comparison group score on this factor increased by 19 points. In respect to the former finding, the authors indicate that it must be viewed with caution as it may well be due to the test-retest phenomena whereby an initial exposure to a test tends to facilitate the second taking. In respect to the latter finding, the authors point out that while, on initial inspection, it would appear that treatment had a negative effect on emotional control, it too, could be the result of other explanations. Taken at face value, however, the results of the analyses were not encouraging with respect to the apparent capacity of SB 330 treatment programs to affect the behavior of DUI clients referred by the courts.	
Potential Value/Application for Study: This study, while inconclusive in terms of judging the full and complete impact of treatment program participation on license suspension/revocation or a driver's life style, does suggest that long term treatment programs are no less effective than traditional sentences (including license suspension) in changing behaviors associated with drinking and driving. It also clearly demonstrates that further scientific evaluation is needed before definitive statements can be made about the validity of using alcohol abuse treatment as an alcohol-related traffic safety countermeasure.	
Study Team Reviewer: Walter R. McDonald	Date of Review: March 31, 1980

LITERATURE REVIEW FORM

Title and Subtitle: Interim analysis of STR performance and effectiveness ABSTRACT #28	Report Date: June, 1977
	Contract or Grant No: DOT-HS-6-01366
Author(s): Ellingstad, V.S. and Struckman-Johnson, D.L.	Type of Report: Interim
Performing Organization Name and Address: Human Factors Laboratory, Department of Psychology University of South Dakota Vermillion, South Dakota 57069	Period Report Covered: 7/76 - 6/77
	Study Work Element Application: Work Element No. 1
Sponsoring Agency Name and Address: U.S. Department of Transportation National Highway Traffic Safety Administration Washington, D.C. 20590	
Abstract: The present report describes the status of the NHTSA Short Term Rehabilitation Study (STR) as of May, 1977, and summarizes the progress of data collection efforts by the eleven participating ASAP projects. The development of criterion measures employed in analyses of the effectiveness of STR alcohol rehabilitation modalities are documented and include measures of: direct traffic safety outcome criteria, measures of client drinking behavior comparable to criteria employed in previous evaluations of NIAAA treatment programs, and a set of factor analytically derived scales of client behavior designed to assess adjustment in a number of life adjustment dimensions. The report also provides a summary of alternative STR rehabilitation countermeasure programs, and presents demographic profiles of clients referred to alternative treatment and no-treatment conditions at the eleven STR sites. The results of interim assessments of STR treatment effectiveness within seven separate program level designs are also presented. Preliminary results indicate evidence of treatment effectiveness only for alcohol safety schools. These results cover only the first six-month follow-up period, however, and more definitive effectiveness analyses must await 12 and 18 month follow-up data collection.	
Potential Value/Application for Study: The results presented in this report are effectively superceded by those presented in the interim report at 12 months of follow-up and the four volume final report of the STR Study referenced elsewhere in this review. The primary relevance of this study is to show that the effect of rehabilitation cannot be measured adequately with only six months of follow-up. While the positive effect identified for alcohol safety schools persisted after six months, it diminished later in the follow-up period. The negative effect for Power Motivation Training which is reported in subsequent reports was not identified in this report.	
Study Team Reviewer: David Struckman-Johnson	Date of Review: April 1, 1980

LITERATURE REVIEW FORM

Title and Subtitle: Interim analysis of STR effectiveness ABSTRACT #29	Report Date: January 1978
	Contract or Grant No: DOT-HS-6-01366
Author(s): Struckman-Johnson, D.L. and Ellingstad, V.S.	Type of Report: Interim
Performing Organization Name and Address: Human Factors Laboratory University of South Dakota Vermillion, South Dakota 57069	Period Report Covered: 7/76 - 12/77
	Study Work Element Application: Work Element Nos. 1 and 4
Sponsoring Agency Name and Address: U.S. Department of Transportation National Highway Traffic Safety Administration Washington, D.C. 20590	
Abstract: The report describes the status of the NHTSA Short Term Rehabilitation (STR) Study as of December, 1977. At this point in time, initial data collection, six month follow-up data collection and twelve month follow-up data collection had been completed. The report summarizes the progress of data collection at the eleven participating ASAP projects and includes analyses of treatment effect after twelve months. Outcome measures considered as indicative of treatment program effects include: (1) indices of accident and arrest recidivism reflective of the accomplishment of direct traffic safety objectives; (2) direct measures of drinking/alcohol ingestion comparable to criteria employed in NIAAA assessments of treatment programs, and (3) two sets of factor analytically derived scales designed to assess client status in a number of life adjustment dimensions. Site reported characteristics of STR treatment programs are used to configure a number of quasi-experimental program level designs which pool data from the several STR sites. Designs permitting assessment of the effects of alcohol safety schools, PMT, and a variety of structural treatment variations are reported. The results of interim STR effectiveness analyses within eight separate program level designs show no consistent evidence of treatment effect for any of the treatment groupings considered.	
Potential Value/Application for Study: Although no consistent treatment effects were found, there were both positive and negative treatment effects reported. A positive effect (or at least <u>some</u> evidence for one) was found for the shortest modality evaluated--Alcohol Safety Schools. Some evidence for a negative treatment effect was found for the longest modality evaluated--the 32 hour Power Motivation Therapy program. This result could suggest that short term schools were an effective and efficient method for rehabilitation. All analyses in this report were based on data pooled from the 11 STR sites, however. The analysis of individual site data provides a somewhat different picture of treatment effectiveness. (See the short term rehabilitation study - Volume III: site specific analyses of treatment effect.)	
Study Team Reviewer: David Struckman-Johnson	Date of Review: April 1, 1980

LITERATURE REVIEW FORM

Title and Subtitle: Summary of ASAP Results for Application to State and Local Programs--Volume I-- ASAP Findings; Volume II--ASAP Costs ABSTRACT #30	Report Date: 1976
	Contract or Grant No: DOT-HS-5-01150
Author(s): Thomas E. Hawkins, Gary J. Scrimgeour, Richard F. Krenek & Charles B. Dreyer	Type of Report: Final
Performing Organization Name and Address: South West Research Institute San Antonio, Texas	Period Report Covered: 1970-1975
	Study Work Element Application: Work Element Nos. 1, 2 and 3
Sponsoring Agency Name and Address: National Highway Traffic Safety Administration U.S. Department of Transportation 400 Seventh Street, S.W. Washington, D.C. 20590	
Abstract: These documents overview the federally sponsored ASAPs (Alcohol Safety Action Projects) that were implemented in 35 sites throughout the United States in the early seventies. The principal countermeasures included in each ASAP system were: program management, law enforcement, judicial, probation, rehabilitation and public information and education. The reports documented the numerous "positives" acquired from the ASAP effort even though its ultimate goal of reducing the number of alcohol-related fatalities was <u>not</u> realized. In general there was a tremendous increase in knowledge of what works or does not work when operating a system of accident countermeasures targeting the drinking driver. Some of the most significant knowledge advancements include: 1) identification of the need for a separate organizational entity to be responsible for the day-to-day operation of the countermeasure system; 2) the arrest rate of the drinking driver can be accelerated by improving law enforcement training, identification technology and motivation to make an arrest; 3) the active involvement and support of the judiciary is critical to the success of the countermeasure system; 4) the nature of the pre-sentencing/probation subsystem shall dictate the structure of the rehabilitation component of the countermeasure system; 5) public education can change knowledge and attitudes toward drinking and driving; 6) public information and education does <u>not</u> result in meaningful behavioral change of the drinking driver; and 7) a self sustaining accident countermeasure system targeting the drinking driver can be developed and implemented.	
Potential Value/Application for Study: A review of these technical reports will expedite the design of a potentially successful countermeasure to avoid many of the pitfalls encountered by the early ASAP system designers. This report can be of value in finalizing the organizational structure and program design of the Los Angeles County Drinking Driver Program (DDP).	
Study Team Reviewer: Walter R. McDonald	Date of Review: May 4, 1980

LITERATURE REVIEW FORM

Title and Subtitle: Guidelines for Planning and Developing Post-Conviction Drinking Driver Programs (DDP) ABSTRACT #31	Report Date: November 1977
	Contract or Grant No.: OA-038-6
Author(s): Walter R. McDonald	Type of Report: Final
	Period Report Covered: N/A
Performing Organization Name and Address: Mott-McDonald Associates, Inc. P.O. Box 834 Carmichael, CA 95608	Study Work Element Application:
	Work Element Nos. 1, 2 and 3
Sponsoring Agency Name and Address: Department of Alcohol and Drug Abuse Programs 111 Capitol Mall Sacramento, CA	
Abstract: This report provides an extensive overview of various procedures and alternatives available to the design, implementation and monitoring of alcohol abuse treatment for the multiple DUI offender. Statutory requirements for such programs are outlined for each component of the service delivery system (DADP, DMV, County, Courts, and DDP). Task by task descriptions are documented for conducting a community needs assessment, DDP system design, resource planning allocation, and the development of an implementation plan. Procedures for both county and state level review of DDP format and fiscal controls are described. Finally numerous philosophical issues not having a "optimal" standardized solution are overviewed (e.g. state versus local control, required start up costs, fee schedule, estimation of client volumes, modes of client fee collection, staff acquisition, staff training, contingencies for program fiscal failure, conflict of interest, ethics, client rights, model of presentence investigation).	
Potential Value/Application for Study: This document should be considered essential to any planner charged with the design of an alcohol abuse program for DUI offenders. It is tailored to respond to the unique needs of California. Finally, it is general enough to be useful in the design of any alcohol abuse service delivery system, not just those based upon SB 330 or SB 38 legislation or program procedure.	
Study Team Reviewer: Walter R. McDonald	Date of Review: May 4, 1980

LITERATURE REVIEW FORM

Title and Subtitle: Evaluation of the SB 38 Drinking Driver Program ABSTRACT #32	Report Date: September 1978
	Contract or Grant No.: N/A
Author(s): Santa Clara County, County Executive's Office of Management and Budget/Walter R. McDonald	Type of Report: Final
	Period Report Covered: 1978
Performing Organization Name and Address: County Executive's Office of Management & Budget Santa Clara County Santa Clara, CA	Study Work Element Application
	Work Element Nos. 1 and 3
Sponsoring Agency Name and Address: County Executive's Office of Management & Budget Santa Clara County Santa Clara, CA	
Abstract: This report overviews the results of an administrative evaluation of the Santa Clara SB 330 program. The results were used to assess the efficacy of continuing the County's contract with its original SB 330 service provider, Administration 330, Inc. Principal strengths of the Santa Clara program were identified as: 1) their ability to timely implement the program; 2) establishment of a system capable of efficiently expediting the necessary client flow; and 3) implementation of a functional sliding fee program. Weaknesses in the program's organization included: 1) overlap and duplication of effort in screening and conducting client intake because of 4 potential program intake routes; 2) insufficient program monitoring following implementation; 3) lack of adequate fiscal controls/monitoring to protect against excess profits of profit making organization operating the DDP (Administration 330, Inc.); and 4) questionable financial practices of Administration 330, Inc. resulted in excessive financial costs. Client surveys suggested a need for more DDP locations to better serve the population in need, a desire for more vocational and individual counseling and a general satisfaction with the sliding fee structure, class scheduling practices and availability of Spanish translation. The Santa Clara program was found in general compliance with all legislative mandates and DDP program guidelines. The only major exception was the apparent excessive profit margin for Administration 330, Inc. The report recommended non renewal of the County's contract with Administration 330, Inc. and offered two alternatives for providing DDP services.	
Potential Value/Application for Study: Provides a good example of an administrative evaluation of a California based DDP program. It is the type of effort that should be conducted periodically by a County of their DDP service delivery system since it can result in meaningful programmatic recommendations and policy guidelines. This particular study also documents a number of pitfalls in DDP development and monitoring.	
Study Team Reviewer: Walter R. McDonald	Date of Review: May 4, 1980

LITERATURE REVIEW FORM

Title and Subtitle: DUI Client Characteristics and Interim Analysis of the Random Assignment Process ABSTRACT #33	Report Date: December 1979 Contract or Grant No: DOT-HS-6-01414
Author(s): Raymond E. Reis, Jr.	Type of Report: Interim Period Report Covered: 9/77 - 7/79
Performing Organization Name and Address: CDUI Project Office of Alcoholism County of Sacramento Health Department Sacramento, CA 95814	Study Work Element Application: Work Element Nos. 1, 2 and 4
Sponsoring Agency Name and Address: NHTSA U.S. Department of Transportation 400 Seventh St., SW Washington, D.C. 20590	
Abstract: This is the first report on the Comprehensive Driving Under the Influence (CDUI) project being conducted in Sacramento County. The project is easily the most significant current evaluation effort of alternatives of alcohol abuse treatment/education countermeasures for the drinking driver. Finally it will provide a <u>scientific</u> evaluation of the traffic safety and life style impact of each of the countermeasures. The interim results addressed in this report provide an administrative evaluation of the first and multiple offender profiles and an assessment of the random assignment strategy necessary to the conduct of the scientific evaluation to be reported upon later. The profile of the first offender population was as follows: <ul style="list-style-type: none"> • Young, median age 28 years, 37 percent between 18 and 24 years of age. • Mostly Caucasian males, 20 percent female. • Usually unmarried (never married, divorced, or separated). 31 percent currently married. • 39 percent received education beyond high school. • 67 percent had "blue collar" occupations. • Median family income was \$709.71 per month. • More than one person lived off the family income in 47 percent of the cases. • 27 percent were unemployed when they volunteered. • 78 percent represented themselves in Court. • Median BAC was .18. • 20.5 percent were diagnosed social drinkers, 61.0 percent excessive drinkers, and 15.6 percent severe problem drinkers. (over) 	
Potential Value/Application for Study: This report provides essential information to the development, implementation, conduct and funding for judicial training in adjudicating all alcohol-related offenses.	
Study Team Reviewer: Walter R. McDonald	Date of Review: May 4, 1980

In contrast, the profile of the multiple offender population evidenced the following characteristics:

- Young but slightly older than first offenders, median age 33 years, 22 percent under 25 years of age.
- Mostly Caucasian males, 10 percent female.
- Usually unmarried (never married, divorced, or separated). 34 percent currently married.
- 37 percent received education beyond high school.
- 72 percent had "blue collar" occupations.
- Median family income was \$848.09 per month.
- More than one person lived off the family income in 52 percent of the cases.
- 25 percent were unemployed when they volunteered.
- 41 percent represented themselves in court.
- Median BAC was .20.
- 9 percent were diagnosed as social drinkers. 61.6 percent excessive drinkers, and 37.5 percent severe problem drinkers.

No bias was detected in the random assignment of first offenders. Similar results were found for groups within the two multiple offender samples--those processed through SB 38 methodology and those processed under a post-conviction pre-sentencing procedure. However, a difference was detected between the two procedures which may preclude the combination of the two samples when conducting the scientific evaluation.

LITERATURE REVIEW FORM

Title and Subtitle: Sentencing Alcohol-related Cases: Options Via Judicial Education ABSTRACT #34	Report Date: 1974
	Contract or Grant No: N/A
Author(s): Gary J. Scrimgeour	Type of Report: Final
Performing Organization and Address: Author P.O. Box 464 Bloomington, Indiana 47401	Period Report Covered: N/A
	Study Work Element Application: Work Element Nos. 1 and 2
Sponsoring Agency Name and Address: National Center for Alcohol Education National Institute on Alcohol Abuse and Alcoholism	
Abstract: This report does not limit itself to the drinking driver, but addresses the overall problem faced by the judiciary in adjudicating all alcohol-related offenses. Recognizing the traditional lack of communication between members of the alcohol abuse treatment community and the judiciary the author addresses methods of judicial education/training and organizations who may fund such activities. Specifically, the report overviews the structure of varied judicial formats and the potential relationship with referral mechanisms to alcohol-abuse treatment. Further it describes existing programs for judicial education and identifies techniques for developing subject matter for judicial training and the interaction between such training and varied audiences. Finally, it outlines modes of acquiring funding for judicial training as well as identifying over 75 sources for potential funding.	
Potential Value/Application for Study: This report provides essential information to the development, implementation, conduct and funding for judicial training in adjudicating all alcohol-related offenses.	
Study Team Reviewer: Walter R. McDonald	Date of Review: May 4, 1980

LITERATURE REVIEW FORM

Title and Subtitle: Review of ASAP Diagnosis, Referral and Rehabilitation Efforts: 1972-1976 ABSTRACT #35	Report Date: October, 1978
	Contract or Grant No: DOT-HS-6-01366
Author(s): Mushill, E.F., Olshan, M.D., Struckman-Johnson, D.L.	Type of Report: Final
Performing Organization Name and Address: Human Factors Laboratory University of South Dakota Vermillion, SD	Period Report Covered: 1972-1976
	Study Work Element Application: Work Element Nos. 2 and 3
Sponsoring Agency Name and Address: Office of Driver and Pedestrian Programs, NHTSA U.S. Dept. of Transportation	
Abstract: This volume focuses on the diagnosis, referral and rehabilitation systems of the NHTSA Alcohol Safety Action Projects (ASAPs) during the 1972-76 period. Included in the report are: 1) a description of each of the three subsystems as they operated at the 35 ASAPs; 2) client flow data for each of the sites; 3) a review of the project level evaluation of these systems; 4) profiles of clients in drinker diagnosis categories by site (where data were available) and across sites; 5) program level analyses assessing the validity of standard diagnostic instruments, diagnostic mechanisms, and diagnostic screening procedures; and 6) an evaluation of rehabilitation effectiveness conducted at the program level for non-problem drinkers, mid-range problem drinkers and problem drinkers. Included in the profiles that are presented are demographic, pre-sentence investigation, and arrest history data. Also, presented are recommendations for the implementation of an objective diagnostic screening procedure.	
Potential Value/Application for Study: This is perhaps the most definitive account of the diagnostic and referral functions of the 35 ASAPs which is available. The relevance to the Alternative Sentencing Evaluation Project is to provide a comparative context for the operation of court supervised diagnostic and referral functions within a variety of socio-legal settings.	
Study Team Reviewer: Vernon Ellingstad	Date of Review: 5-5-80

LITERATURE REVIEW FORM

Title and Subtitle: Program Level Evaluation of ASAP Diagnosis, Referral and Rehabilitation Efforts: Volume I, Description of ASAP Diagnosis, Referral and Rehabilitation Functions ABSTRACT #36		Report Date: September 1976
Author(s): Timothy J. Springer		Contract or Grant No: DOT-HS-191-3-759
Performing Organization Name and Address: Human Factors Laboratory Department of Psychology University of South Dakota Vermillion, South Dakota 57069		Type of Report: Final
Sponsoring Agency Name and Address: Office of Driver and Pedestrian Programs U.S. Department of Transportation, NHTSA 400 Seventh Street, S.W., Washington, D.C. 20590		Period Report Covered: July 1973 - June 1976
Abstract:		Study Work Element Application: Work Element Nos. 1 and 2
<p>This study describes the organization and operational characteristics of the Federally sponsored Alcohol Safety Action Projects (ASAPs) that were implemented in 35 sites throughout the United States in the early seventies. The characteristics of the diagnosis/referral/rehabilitation activities at each site were summarized using four categories: judicial mechanisms, diagnostic procedures, rehabilitation referral procedures, and rehabilitation modalities.</p> <p>The project descriptions for each site were formulated after careful review of the information available from each of them. This included project applications to NHTSA, project status reports and descriptive materials, formal evaluation results, and NHTSA on-site trip reports.</p>		
Potential Value/Application for Study: This is another reference document which describes alternative diagnosis/referral and rehabilitative systems configured to accommodate to varying socio-legal systems at the 35 ASAPs.		
Study Team Reviewer: Vernon Ellingstad	Date of Review: 5-5-80	

LITERATURE REVIEW FORM

Title and Subtitle: Program Level Evaluation of ASAP Diagnosis, Referral and Rehabilitation Efforts: Volume II, Analyses of ASAP Diagnosis and Referral Activity ABSTRACT #37		Report Date: September 1976
Author(s): David L. Struckman-Johnson and Edward F. Mushill		Contract or Grant No: DOT-HS-191-3-759
Performing Organization Name and Address: Human Factors Laboratory Department of Psychology University of South Dakota Vermillion, South Dakota 57069		Type of Report: Final Report
Sponsoring Agency Name and Address: Office of Driver and Pedestrian Programs U.S. Department of Transportation, NHTSA 400 Seventh Street, S.W., Washington, D.C. 20590		Period Report Covered: July 1973 - June 1976
Abstract:		Study Work Element Application: Work Element Nos. 2 and 3
<p>This is another study that focuses on the diagnosis referral and rehabilitation systems of the NHTSA Alcohol Safety Action Projects. In addition to including a description of the subsystems as they operated at the 35 ASAPs, the study includes key site-specific client flow data.</p> <p>Profiles of clients in drinker diagnosis and rehabilitation modality categories are presented for demographic and arrest history variables; along with analyses designed to assess the validity of several types of diagnostic systems employed by the ASAPs. Results of the latter analyses indicate that the criteria recommended by NHTSA for drinker diagnosis is the most valid of the systems analyzed.</p> <p>Other analyses concerned the validity of standardized diagnostic tests utilized in the ASAP diagnostic procedures. The results of the analyses support only the use of the Mortimer-Filkins Questionnaire and Interview together. The Mortimer-Filkins Questionnaire alone was found to have less predictive validity than when administered in conjunction with the Interview.</p>		
Potential Value/Application for Study: Not directly applicable to specifics of the Alternative Sentencing Evaluation Project since its emphasis is on diagnosis.		
Study Team Reviewer: Vernon S. Ellingstad	Date of Review: 5-5-80	

LITERATURE REVIEW FORM

Title and Subtitle: Program Level Evaluation of ASAP Diagnosis, Referral and Rehabilitation Efforts: Volume III. Evaluation of Rehabilitation Effectiveness ABSTRACT #38	Report Date: September, 1976
	Contract or Grant No: DOT-HS-191-3-759
Author(s): Vernon S. Ellingstad & Timothy J. Springer	Type of Report: Final
Performing Organization Name and Address: Human Factors Laboratory Department of Psychology University of South Dakota Vermillion, South Dakota 57069	Period Report Covered: July 1973 - June 1976
	Study Work Element Application: Work Element No. 5
Sponsoring Agency Name and Address: Office of Driver and Pedestrian Programs U.S. Department of Transportation, NHTSA 400 Seventh Street, S.W., Washington, D.C. 20590	
Abstract: <p>This report provides the results of various analyses which were conducted in respect to the rehabilitation components of the 35 NHTSA funded Alcohol Safety Action Projects. The period of the analysis is the 1972-74 period of operations. Included in the report are summarized project initiated analyses of treatment program effectiveness and program level (across project) analyses of total treatment system and individual treatment modality effectiveness based upon rearrest recidivism (for alcohol related offenses) data reported by the projects.</p> <p>During the 1972-74 period addressed by this report, a total of 140,540 court referred clients were exposed to a variety of ASAP supported or coordinated rehabilitation programs, at a cost to the ASAPs of \$5,346,502. The most extensively used treatment alternatives were ASAP initiated alcohol safety schools, although substantial use was also made of community alcohol rehabilitation resources.</p> <p>Evaluation of ASAP rehabilitation system effectiveness was hampered, at both program and project levels, by a lack of adequate experimental designs which provided no-treatment groups whose performance could be compared to that of treatment groups. Some indications of program effectiveness were found, particularly for problem drinkers.</p>	
Potential Value/Application for Study: Good overview of ASAP quasi-experimental treatment effectiveness results. Also includes critical summaries of project initiated effectiveness evaluations.	
Study Team Reviewer: Vernon S. Ellingstad	Date of Review: 5-5-80

LITERATURE REVIEW FORM

Title and Subtitle: Program Level Evaluation of ASAP Diagnosis, Referral and Rehabilitation Efforts: Volume IV, Development of the Short Term Rehabilitation (STR) Study ABSTRACT #39	Report Date: September 1976
	Contract or Grant No: DOT-HS-191-3-759
Author(s): Vernon S. Ellingstad	Type of Report: Final
Performing Organization Name and Address: Human Factors Laboratory Department of Psychology University of South Dakota	Period Report Covered:
	Study Work Element Application: Work Element No. 2
Sponsoring Agency Name and Address: Office of Driver and Pedestrian Programs U.S. Department of Transportation, NHTSA 400 Seventh Street, S.W., Washington, D.C. 20590	
Abstract: <p>This study discusses the development, implementation and final status of the Short Term Rehabilitation (STR) Study initiated by the NHTSA in 1974. Experimental designs employed by each of the 11 ASAP/STR sites for the assignment of mid-range problem drinker drivers to STR treatment or control groups are described. Also discussed are: the results of preliminary efforts to consolidate the individual site designs into a set of program level design; the STR data system which incorporates initial client intake data as well as 6, 12 and 18 month client follow-up interview and record check data; and the status of preliminary analyses which were designed to provide a set of life change criteria for use in assessing the effectiveness of STR rehabilitation modalities.</p> <p>These latter analyses were applied to the Life Activities Interview (LAI) to yield five status factors including: Alcohol Use, Income/Employment, Socialization/Social Activity, Family/Marital Status, and Physical Health Factors. Similar scales are also presented for the Current Status Questionnaire (CSQ) and the Personality Assessment Survey (PAS) instruments.</p>	
Potential Value/Application for Study: This study provides one of the more comprehensive discussions of drinking driver classification/diagnosis strategies and presents an effective set of instrumentation which can be utilized in evaluating treatment modality impact on the life status of DUIs.	
Study Team Reviewer: Walter R. McDonald	Date of Review: 5-5-80

LITERATURE REVIEW FORM

Title and Subtitle: Interim Analysis of STR Performance and Effectiveness ABSTRACT #40	Report Date: September 1977
	Contract or Grant No: DOT-HS-6-01366
Author(s): Ellingstad, V.S. and Struckman-Johnson, D.L.	Type of Report: Interim
Performing Organization Name and Address: Human Factors Laboratory University of South Dakota Vermillion, SD 57069	Period Report Covered: 7/76 - 6/77
	Study Work Element Application: Work Element No. 2
Sponsoring Agency Name and Address: Office of Driver and Pedestrian Programs U.S. Department of Transportation, NHTSA 400 Seventh Street, S.W., Washington, D.C. 20590	
Abstract: This report describes the status of the NHTSA Short Term Rehabilitation Study as of May, 1977 and summarizes the progress of data collection efforts by the eleven participating ASAP projects. The development of criterion measures employed in analyses of the effectiveness of STR alcohol rehabilitation modalities are documented and include measures of: direct traffic safety outcome criteria, measures of client drinking behavior comparable to criteria employed in previous evaluations of NIAAA treatment programs, and a set of factor analytically derived scales of client behavior designed to assess adjustment in a number of life adjustment dimensions. The report also provides a summary of alternative STR rehabilitation countermeasure programs, and presents demographic profiles of clients referred to alternative treatment and no-treatment conditions. Additionally, the results of interim assessments of STR treatment effectiveness within seven separate program level designs are presented. The findings associated with these preliminary results indicate evidence of treatment effectiveness only for alcohol safety schools. The results, however, cover only the first six-month follow-up period.	
Potential Value/Application for Study: The coverage of outcome criteria in this report is extensive, as is the description of treatment countermeasures. The final reports of this study (this was an early interim report) provide more definitive results of treatment effectiveness analyses.	
Study Team Reviewer: Vernon Ellingstad	Date of Review: 5-5-80

LITERATURE REVIEW FORM

Title and Subtitle: South Dakota: ASAP Analytic Study No. 5/6 - 1977 An Analysis of Alcohol Rehabilitation Efforts ABSTRACT #41	Report Date:
	Contract or Grant No: DOT-HS-6-01416
Author(s): Krause, P.B. and Olshan, M.D.	Type of Report: Final
Performing Organization Name and Address: Human Factors Laboratory University of South Dakota Vermillion, SD 57069	Period Report Covered: 7/76 - 9/77
	Study Work Element Application: Work Element Nos. 1 and 2
Sponsoring Agency Name and Address: Office of Driver and Pedestrian Programs U.S. Dept. of Transportation, NHTSA 400 Seventh Street, S.W., Washington, D.C. 20590	
Abstract: This study examines the efficacy of problem drinker driver rehabilitation as a viable addition, or alternative, to traditional court punitive sanctions for driving while intoxicated. Two groups of clients were analyzed in a control group versus treatment group experimental design. The first group were regular, South Dakota ASAP clients who were randomly assigned to treatment or control after January, 1974. The second group was a subset of South Dakota ASAP clients who became part of the NHTSA Short Term Rehabilitation Study. The treatment outcome measures were the traditional DWI recidivism, analyzed with a survival rate methodology, and the recently developed questionnaire/interview scale scores measuring certain aspects of life activity (LAI/CSQ/PSA). The recidivism comparisons were based on cohorts of clients formed quarterly with a follow-up period of 15 quarters. No evidence was found to suggest that rehabilitation made any difference in post-treatment drunk driving behavior. An evaluation of the questionnaire/interview scale scores found that most of the scales were not good discriminators of drinking status and therefore not likely to reflect change in post-treatment behavior. Follow-up comparisons between treatment and control groups showed no differences.	
Potential Value/Application for Study: This is a carefully conducted treatment effectiveness study which examined a limited set of rehabilitation modalities used in South Dakota.	
Study Team Reviewer: Vernon Ellingstad	Date of Review: 5-5-80

LITERATURE REVIEW FORM

Title and Subtitle: Alcohol Safety Action Projects 1977 Interim Assessments of Drinker Diagnosis, Referral and Rehabilitation - Analytic Study Number 5/6 <p style="text-align: center;">ABSTRACT #42</p>	Report Date: July 1978
	Contract or Grant No: DOT-HS-6-01366
Author(s): Spiegel, D.K. and Struckman-Johnson, D.L.	Type of Report: Interim Report
	Period Report Covered:
Performing Organization Name and Address: Human Factors Laboratory Department of Psychology University of South Dakota Vermillion, South Dakota 57069	Study Work Element Application:
	Work Element No. 4
Sponsoring Agency Name and Address: Department of Transportation National Highway Traffic Safety Administration Office of Driver and Pedestrian Programs, Washington, D.C.	
Abstract: This report contains individual summaries and critiques of Analytic Studies Number 5/6, "An Analysis of Drinker Diagnosis, Referral, and Rehabilitation Activity" submitted to the National Highway Traffic Safety Administration by each of ten Alcohol Safety Action Projects (ASAPs). An Analytic Study 5 and 6 or 5/6 has been submitted by each ASAP annually since 1972. The studies critiqued in this report are the final 5/6 studies which were submitted prior to termination of federal funding for the ASAPs. The studies critiqued all report on activity during 1976 and most of the studies include information on activity during the four years prior to 1976. Major topics addressed in the studies included a description of the local ASAP system, results of drinker diagnosis, drinker type profiles, results of referral to rehabilitation, referral group profiles, analysis of drinker diagnosis reliability and validity, analysis of diagnosis and referral efficiency, analysis of rehabilitation effectiveness, recidivist/non-recidivist profiles, rehabilitation completion/dropout profiles, and cost. Also contained in this report is an across project summary of the data and analyses presented in the ten individual studies critiqued. There is a summary section corresponding to each of the major topic areas in the individual analytic studies.	
Potential Value/Application for Study: Critical summaries of ASAP analytic studies. Useful as much for the methodological criticisms as the summary of results.	
Study Team Reviewer: Vernon Ellingstad	Date of Review: 5-5-80

5.0 ABSTRACT REFERENCE LIST

The name, author and date of publication are listed for each of the abstracts in Section 4.0.

Abstract #1 -- The Deterrent Effect of Penalties on Drink/Drivers.
Hemel, R., 1976.

Abstract #2 -- Alcohol and Highway Safety 1978: A Review of the State of Knowledge. Jones, R. and Joscelyn, K., 1978.

Abstract #3 -- An Interim Evaluation of the New York State Drinking Driver Program, New York Department of Motor Vehicles. 1978.

Abstract #4 -- Driver Record Evaluation of a Drinking Driver Rehabilitation Program. Preusser, D., Ulmer, R. and Adams, J. R., 1976.

Abstract #5 -- Law Science and Accidents: The British Road Safety Act of 1967. Ross, H. L., 1973.

Abstract #6 -- Comparative Analysis of Alcohol Highway Safety Judicial Standards and Existing Professional Standards. McIntyre, D., 1978.

Abstract #7 -- Evaluation and System Description of ASAP Judicial Systems--Volume I: Technical Report. Palmer, J., Ripberger, R., Skelton, D. and Scrimgeour, G., 1977.

Abstract #8 -- Evaluation and System Description of ASAP Judicial Systems--Volume II: Puerto Rico Case Study. Palmer, J., Ripberger, R., Skelton, D. and Scrimgeour, G., 1977.

Abstract #9 -- Evaluation and System Description of ASAP Judicial Systems--Volume III: Idaho Case Study. Palmer, J., Ripberger, R., Skelton, D. and Scrimgeour, G., 1977.

Abstract #10 -- Evaluation and System Description of ASAP Judicial Systems--Volume IV: Hennepin County, Minnesota Case Study. Palmer, J., Ripberger, R., Skelton, D. and Scrimgeour, G., 1977.

Abstract #11 -- Evaluation and System Description of ASAP Judicial Systems--Volume V: Phoenix, Arizona Case Study. Palmer, J., Ripberger, R., Skelton, D. and Scrimgeour, G., 1977.

Abstract #12 -- Evaluation and System Description of ASAP Judicial Systems--Volume VI: Los Angeles County, California Case Study. Palmer, J., Ripberger, R., Skelton, D. and Scrimgeour, G., 1977.

Abstract #13 -- Comparative Analysis of Alcohol Safety Judicial Standards and Existing Professional Standards--Volume I: Technical Report. Scrimgeour, G., Palmer, J., Edwards, H. L., Goldspiel, S. and Logan, A. B., 1978.

- Abstract #14 -- Alcohol Countermeasures: Solid Rock and Shifting Sands. Driessen, G. and Bryk, J., 1973.
- Abstract #15 -- A Customized Approach to the Drinking Driver (Senate Concurrent Resolution 44--Harmer). Epperson, W., Harano, R. and Peck, R., 1975.
- Abstract #16 -- The Effectiveness of License Suspension or Revocation for Drivers Convicted of Multiple Driving-Under-the-Influence Offenses (An interim report for the evaluation of SB 330--Gregorio). Hagen, R., 1977.
- Abstract #17 -- An Evaluation of Alcohol Abuse Treatment as an Alternative to Drivers License Suspension or Revocation (Final report to the Legislature in accord with SB 38--Gregorio). Hagen, R., Williams, R., McConnell, E. and Fleming, C., 1978.
- Abstract #18 -- Epidemiological Aspects of Alcohol in Driver Crashes and Citations. Hurst, P., 1973.
- Abstract #19 -- An Analysis of Court School Programs Located in Los Angeles County: 1975. Beshai, N., 1976.
- Abstract #20 -- Survey of Drunk Driver Diversion Programs in Los Angeles County. Beshai, N. and McGuire, J., 1977.
- Abstract #21 -- A Comparison of Demographic and Psychosocial Characteristics of DWI Drivers, Control Drivers and Alcoholics. Moskowitz, H., Walker, J. and Gomberg, C., 1979.
- Abstract #22 -- Implementation of Power Motivation Training as a Rehabilitation Countermeasure for DWIs. Boyatzis, R. E., 1976.
- Abstract #23 -- The Short Term Rehabilitation Study--Volume III: Site Specific Analyses of Effectiveness. Struckman-Johnson, D. and Ellingstad, V., 1978.
- Abstract #24 -- The Short Term Rehabilitation Study--Volume IV: Program Level Analyses of Effectiveness. Struckman-Johnson, D. and Ellingstad, V., 1978.
- Abstract #25 -- One Model for the Evaluation of ASAP Rehabilitation Effort. Nichols, J. and Reis, R., 1974.
- Abstract #26 -- Short Term Rehabilitation for Persons Convicted of Driving While Intoxicated. Boyatzis, R., 1976.
- Abstract #27 -- SB 330 Demonstration Project Evaluation--Life Style Analysis. McDonald, W., McIntire, J., Struckman-Johnson, D., Ellingstad, V. and Hagen, S., 1979.
- Abstract #28 -- Interim Analysis of STR Performance and Effectiveness. Ellingstad, V. and Struckman-Johnson, D., 1977.

- Abstract #29 -- Interim Analysis of STR Effectiveness. Struckman-Johnson, D. and Ellingstad, V., 1978.
- Abstract #30 -- Summary of ASAP Results for Application to State and Local Programs--Volume I: ASAP Findings; Volume II: ASAP Costs. Hawkins, T., Scrimgeour, G., Krenek, R. and Dreyer, C., 1976.
- Abstract #31 -- Guidelines for Planning and Developing Post-Conviction Drinking Driver Programs (DDP). McDonald, W., 1977.
- Abstract #32 -- Evaluation of the SB 38 Drinking Driver Program. Santa Clara County/County Executive's Office of Mgmt & Budget/McDonald, W., 1978.
- Abstract #33 -- DUI Client Characteristics. An Interim Analysis of the Random Assignment Process. Reis, R., 1979.
- Abstract #34 -- Sentencing Alcohol Related Cases: Options via Judicial Education. Scrimgeour, G., 1974.
- Abstract #35 -- Review of ASAP Diagnosis, Referral and Rehabilitation Efforts: 1972-1976. Mushill, E. G., Olshan, M. D. and Struckman-Johnson, D. L., 1978.
- Abstract #36 -- Program Level Evaluation of ASAP Diagnosis, Referral and Rehabilitation Efforts: Volume I, Description of ASAP Diagnosis, Referral and Rehabilitation Functions. Springer, Timothy J., 1976.
- Abstract #37 -- Program Level Evaluation of ASAP Diagnosis, Referral and Rehabilitation Efforts: Volume II, Analyses of ASAP Diagnosis and Referral Activity. Struckman-Johnson, D. L. and Mushill, E. F., 1976.
- Abstract #38 -- Program Level Evaluation of ASAP Diagnosis, Referral and Rehabilitation Efforts: Volume III, Evaluation of Rehabilitation Effectiveness. Ellingstad, V. S. and Springer, T. J., 1976.
- Abstract #39 -- Program Level Evaluation of ASAP Diagnosis, Referral and Rehabilitation Efforts: Volume IV, Development of the Short Term Rehabilitation (STR) Study. Ellingstad, V. S., 1976.
- Abstract #40 -- Interim Analysis of STR Performance and Effectiveness. Ellingstad, V. S. and Struckman-Johnson, D. L., 1977.
- Abstract #41 -- SD:ASAP Analytic Study No. 5/6-1977. An Analysis of Alcohol Rehabilitation Efforts. Krause, P. B. and Olshan, M. D., 1977.
- Abstract #42 -- Alcohol Safety Action Projects 1977 Interim Assessments of Drinker Diagnosis, Referral and Rehabilitation--Analytic Study Number 5/6. Spiegel, D. K. and Struckman-Johnson, D. L., 1978.

6.0 ABSTRACTS CROSS REFERENCED BY KEY WORDS

Listed below are key words to the evaluation of alternative sentencing of DUI offenders. For each word we have listed the number of germane abstracts in Section 4.0. As noted earlier the final determination of what documents to associate with each key word was based upon our knowledge of what was in the actual report, not necessarily what was included in the brief abstract.

Administrative Evaluation:

#2, 3, 7, 9, 10, 11, 12, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 28, 29, 30, 31, 32, 35, 36, 37, 40, 41, 42

Alcohol Abuse Treatment:

#2, 3, 4, 15, 17, 19, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42

Alcohol Safety Action Project (ASAP):

#2, 4, 7, 8, 9, 10, 11, 12, 14, 15, 22, 23, 24, 25, 26, 28, 29, 30, 34, 35, 36, 37, 38, 39, 41, 42

BAC Level:

#15, 18, 21

Countermeasure Design:

#1, 2, 4, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 22, 23, 24, 25, 26, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42

Countermeasure Evaluation:

#2, 4, 5, 15, 16, 17, 18, 23, 24, 25, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42

Drinking Driver Program (DDP):

#16, 17, 19, 27, 31, 32, 33

DUI Driver Characteristics:

#2, 18, 19, 21, 24, 26, 33, 35, 40, 41

Fines:

#1, 7, 9, 11, 14, 15, 16, 33

First Offenders:

#2, 3, 14, 17, 21, 23, 24, 25, 28, 29, 33, 35, 36, 37, 38, 41, 42

Jail Sentences:

#1, 7, 9, 11, 14, 15, 16, 33

Judicial Decision Making:

#6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 21, 22, 23, 24, 26, 28, 29, 30, 34, 35, 38, 39, 40

Judicial Standards:

#6, 7, 8, 9, 10, 11, 12, 13, 34

Judicial Training:

#13, 34

License Restrictions:

#3, 14, 17

License Suspension/Revocation:

#1, 4, 5, 7, 9, 11, 14, 15, 16, 17, 27, 33, 41

Life Style Analysis:

#15, 17, 19, 21, 23, 24, 26, 27, 28, 29, 35, 36, 37, 38, 39, 40, 42

Multiple Offender:

#1, 2, 3, 4, 8, 14, 15, 16, 17, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 35, 36, 37, 38, 39, 40, 41, 42

Power Motivation Training (PMT):

#22, 23, 24, 28, 29, 38, 39, 40, 42

Pre-Sentencing Investigations:

#2, 7, 8, 9, 10, 11, 12, 15, 17, 18, 20, 30, 31, 34, 37

Quasi-Experimental Designs:

#1, 2, 3, 5, 14, 15, 16, 17, 18, 23, 24, 25, 27, 28, 29, 32, 35, 37, 38, 39, 40, 41, 42

Recidivism:

#1, 2, 3, 4, 11, 12, 15, 16, 17, 18, 19, 21, 25, 33, 35, 36, 38, 40, 41, 42

Scientific Evaluation:

#2, 4, 5, 15, 31, 33

Senate Bill 330:

#16, 17, 20, 27, 31, 32, 33

Short Term Rehabilitation (STR):

#2, 15, 17, 23, 24, 26, 28, 29, 40

7.0 ABSTRACTS CROSS REFERENCED BY AUTHOR

Listed below are all of the authors of the abstracts presented in Section 4.0. For each author we have listed the number of the appropriate abstract(s).

Adams, James R.: #4
Beshai, Nabila: #19, 20
Boyatzis, R. E.: #22, 26
Bryk, Joseph A.: #14
Dreyer, Charles B.: #30
Driessen, Gerald J.: #14
Dunlop & Associates, Inc.: #4
Edwards, H. Lynn: #13
Ellingstad, Vernon S.: #23, 24, 27, 28, 29, 38, 39, 40
Epperson, William V.: #15
Fleming, Charles W.: #17
Goldspiel, Stephen: #13
Gomberg, Christopher: #21
Hagen, Roger E.: #16, 17
Hagen, Shirley T.: #27
Harano, Richard M.: #15
Hawkins, Thomas E.: #30
Homel, Ross: #1
Hurst, Paul M.: #18
Jones, Ralph: #2
Joscelyn, Kent: #2
Krause, P. B.: #41
Krenek, Richard F.: #30
Logan, A. B.: #13
McConnell, Edward J.: #17
McDonald, Walter R.: #27, 31, 32
McGuire, John R.: #20
McIntire, John R.: #27
McIntyre, Donald M.: #6
Moskowitz, Herbert: #21
Mushill, E. F.: #35, 37

New York Department of Motor Vehicles: #3
Nichols, J. L.: #25
Olshan, M. D.: #35, 41
Palmer, James A.: #7, 8, 9, 10, 11, 12, 13
Peck, Raymond C.: #15
Preusser, David F.: #4
Reis, R. E.: #25, 33
Ripberger, Raymond J.: #7, 8, 9, 10, 11, 12
Ross, H. Laurence: #5
Santa Clara County, County Executive's Office of
Management and Budget: #32
Scrimgeour, Gary J.: #7, 8, 9, 10, 11, 12, 13, 30, 34
Skelton, David T.: #7, 8, 9, 10, 11, 12
Spiegel, D. K.: #42
Springer, Timothy J.: #36, 38
Struckman-Johnson, David: #23, 24, 27, 28, 29, 35, 37, 40, 42
Ulmer, Robert G.: #4
Walker, Judy: #21
Williams, Ricky L.: #17

END