

REPEAT DRUNK DRIVERS

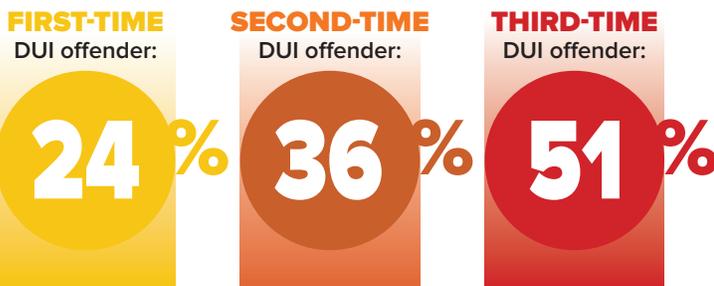
POLICY BRIEF

Alcohol is a major factor in motor vehicle crashes on our nation's roads. Drunk-driving crashes account for about one-third of all traffic fatalities. The National Highway Traffic Safety Administration (NHTSA) indicates that in 2015 alcohol was involved in 10,265 traffic fatalities, up 3.2% from 2014.

Impact of Repeat Drunk Drivers

NHTSA estimates that approximately one-third of the 1.5 million drunk driving arrests each year involve repeat offenders. Repeat DUI offenders are a serious public safety concern as they are overrepresented in fatal traffic crashes. In fact, the risk of being involved in an alcohol-related traffic crash increases by approximately 20% with each additional prior DUI. A study of more than 100 million driver records from 1973 to 2004¹ found that the odds of a repeat DUI offense increase substantially with each additional DUI arrest or crash.

Chance of a Repeat DUI Arrest or Alcohol-Involved Crash



Despite these risks, repeat offenders have proven especially difficult for jurisdictions to address and supervise as they are often undeterred by consequences like fines, traditional probation, and jail time.

Common Administrative Penalties: Ignition Interlock and License Suspension

The two most common penalties for DUI offenders are administrative license suspension and the required installation of an ignition interlock devices (IID).

The lack of a license, however, does not stop all drivers from getting behind the wheel and can actually impede an offender's ability to get their life back on track. Research has consistently found that having a driver's license is often critical to an individual's ability to maintain employment, pursue their education, and/or care for their family.² Traffic safety experts estimate that 75% of drivers with a suspended license continue to drive.³

Likewise, research shows interlocks reduce the rate of re-arrest for DUI while they are installed, but once removed, DUI re-arrest rates return to pre-interlock rates. Additionally, it is estimated that only 10% of DUI offenders ordered to install an interlock actually do so.⁴

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¹ Rauch, W. J., et al. "Risk of alcohol-impaired driving recidivism among first offenders and multiple offenders." *American Journal of Public Health* (2010).

² U.S. Department of Justice. "Letter to Colleague." (Mar. 14, 2016).

³ Eger, Robert. "Enhanced Analyses of Suspended/Revoked Drivers Related to Crashes." American Association of Motor Vehicle Administrators (2013).

⁴ Government Accountability Office. "Alcohol Ignition Interlocks Are Effective While Installed; Less Is Known about How to Increase Installation Rates." (2014).

Achieving Behavior Change in Repeat DUI Offenders

Research shows that the use of transdermal Continuous Alcohol Monitoring (CAM) for a minimum of 90 days significantly reduces the probability of recidivism among high-risk DUI offenders:



A National Center for State Courts study found recidivism rates for repeat DUI offenders supervised with CAM for at least 90 days were **50% less** than those who were alternatively sentenced.

98% of the offenders did not commit a new offense while wearing a CAM bracelet.⁵

A NHSTA study showed that 90 days on Continuous Alcohol Monitoring delayed the risk of recidivism **up to 43%**.⁶

These results demonstrate the deterrent power of Continuous Alcohol Monitoring and its strong influence on the extrinsic motivation that is critical to keep DUI offenders from drinking.

Most repeat DUI offenders do not have the internal motivation to stay sober, even when court-ordered to do so. Because it tests for alcohol consumption every 30 minutes, 24 hours a day, 7 days a week, Continuous Alcohol Monitoring is a strong and consistent deterrent against repeat DUI offenses and can support long-term sobriety and behavior change.

With CAM, offenders know if they drink they will be caught. That certainty of detection is a powerful deterrent and motivator to stay sober. As a direct result, public safety can be improved, the orders of the court can be effectively enforced, and the individual's likelihood of long-term recovery is increased.

CAM Policy Recommendations and Best Practices

Require persons arrested for operating a vehicle under the influence of an intoxicant to abstain from alcohol consumption for a minimum of 90 consecutive days and be monitored by a continuous alcohol monitoring device as a condition of bail and/or as a condition of sentence.

Offense	Recommended Period of Monitored Sobriety
2nd DUI	90+ days
3rd DUI arrest	120+ days
4th+ DUI arrest	180+ days

⁵ Flango V.E. and F.L. Cheesman. "Effectiveness of the SCRAM Alcohol Monitoring Device: A Preliminary Test." *Drug Court Review* (2009).

⁶ Tison, J., et al. *Comparative study and evaluation of SCRAM use, recidivism rates, and characteristics*. Report No. DOT HS 812 143, (April 2015).



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