

CCAPPOAP Conference

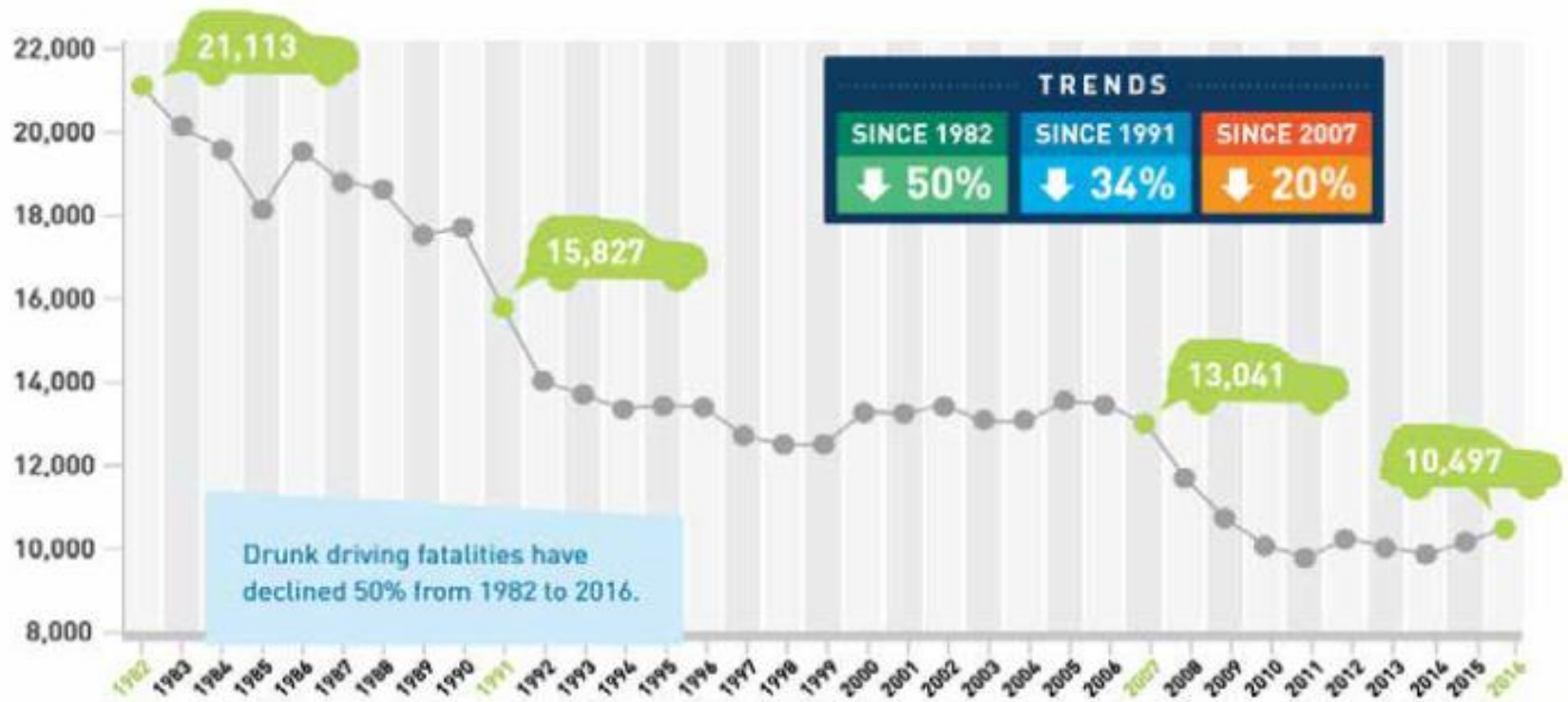
Accountability and Recovery for DUI Offenders

Topics to be Discussed

- Alcohol-Related Deaths
- Reform Initiatives
- The Challenge of High Risk/High Need Offenders
- Problem Solving Courts
- Pennsylvania DUI Court Review

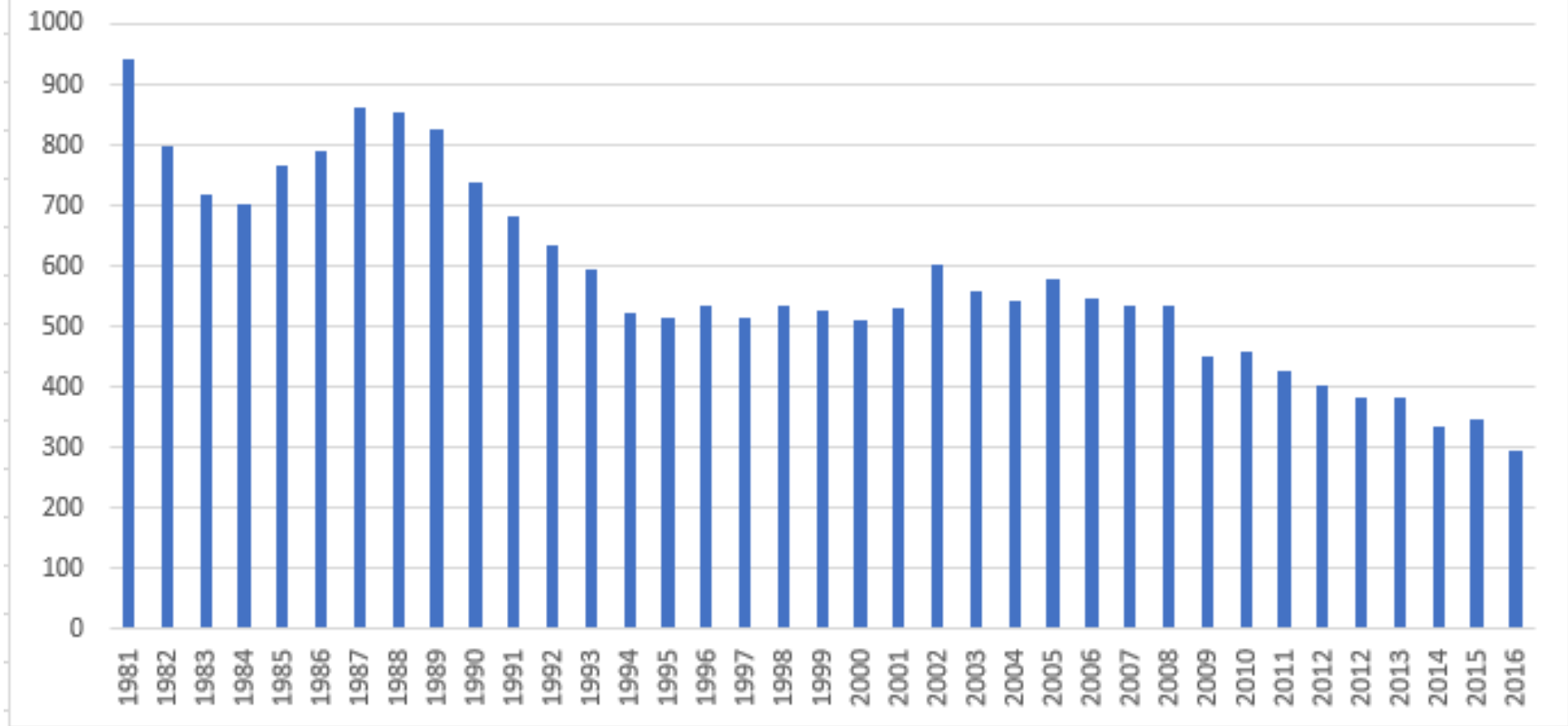
Alcohol-Related Fatalities 1982-2016

TOTAL ALCOHOL-IMPAIRED DRIVING FATALITIES



Source: NHTSA/FARS, 10/17

Pennsylvania Alcohol-Related Fatalities 1981-2016



▶ Why have we made progress?

- **Passage of laws to target multiple facets of the problem**
- **Sustained and high visibility enforcement efforts**
- **Identifying the countermeasures that work; evaluation and strengthening of programs**
- **Targeting high-risk offenders**
- **Assessment and treatment**
- **Public education and awareness**
- **Changing societal norms**

▶ Rate of reduction has declined

- No longer a question of lack of knowledge.
- One interpretation—knowledge-based campaigns have reduced the number of individuals for whom lack of knowledge or attitude was the primary contributor to DUI behavior.
- Lack of knowledge is not the driving force behind repeat offenses.

▶ Pennsylvania Reform Initiatives

- CCAPPOAP Evidence-Based Practices
 - ▣ Assessment tools
 - ▣ Regional training
- Problem Solving courts
 - ▣ NPC Research performance evaluation
- Pa. Commission on Sentencing Risk-Need-Responsivity

▶ Pennsylvania Reform Initiative

- PennDOT “Impaired Driving Reduction Task Force Strategic Plan”
- PennDOT Safe Highways Strategic Plan
- PennDOT Judicial Outreach Liaison (JOL) and Traffic Safety Resource Prosecutor (TSRP)

▶ Pennsylvania Reform Initiatives

- PennDOT/DDAP DUI Treatment Compliance Project
- PennDOT/DDAP DUI Court Review
- PennDOT/DDAP DUID study
- Pa. DUI Association revisions to CRN

The Challenge of High Risk/High Need Offenders

- High-risk/high-need persons who drive while impaired
- Defined as
 - ▣ BAC > 0.15 percent,
 - ▣ Prior conviction,
 - ▣ Or both.

▶ A deadly minority

- One in six adults (16%) account for 66% of all alcohol consumed in US.
- Chances an impaired driver will be caught and arrested 1 in 50, 1 in 88, or 1 in 200, depending on survey used.
- 2.1% of all drivers
- 8% of Pennsylvania drivers in alcohol/drug fatal crashes

▶ Pennsylvania Statistics

- 2015: 15,000 individuals convicted of a second or subsequent offense
- 57.3% of individuals convicted each year of DUI had a prior DUI
- The good news: 2/3 do not reoffend
- The bad news: 1/3 do

▶ DUID—an emerging trend

- PennDOT data
 - ▣ Convictions up 290% from 10 years ago
 - ▣ 2016 data: of 52,000 arrests, ½ alcohol alone, ¼ drugs alone, ¼ drugs and alcohol
- CRN data
 - ▣ 2014: 14.3% are drug-impaired drivers
 - ▣ 2016: 20.8% are drug-impaired drivers

▶ DUID-an emerging trend

Section	2012	2013	2014	2015	2016
3802a1	18%	20%	20%	20%	40%
3802a2	3%	3%	3%	3%	2%
3802b	19%	18%	18%	17%	11%
3802c	35%	32%	33%	30%	18%
3802d	16%	21%	23%	25%	24%
Other	9%	6%	3%	5%	5%

2013 NADCP Executive Summit Consensus Statement

- Individualized sentencing—
disposition in the criminal justice
system (other than determination of
guilt) should be based on the
characteristics of the person charged
with the offense in addition to the
characteristics of the offense.

2013 NADCP Executive Summit Consensus Statement

- Criminal justice professionals should be required to consider the person's rehabilitative needs and the likelihood of recidivism when imposing criminal sentences, ordering conditions of treatment and supervision, and responding to infractions or technical violations.

2013 NADCP Executive Summit Consensus Statement

- Criminal justice professionals should be required to consider whether a proposed sentence is likely to:
 - Reduce crime
 - Improve the psychosocial functioning of the person charged with a crime, and
 - Make optimum use of taxpayer dollars

2013 NADCP Executive Summit Consensus Statement

- Valid and reliable scientific evidence should guide the above considerations.

▶ Reforms are based on

- Risk-Need-Responsivity (RNR) theory developed by Andrews and Bonta (2010)
- Sequential Intercept Model developed by Munetz and Griffin (2006)

▶ Paradigm shift

- The RNR model has played a central role in discrediting the “nothing works” perspective, thereby revitalizing the rehabilitation movement.

▶ Risk Principle

- Match the level of services to the individual's risk to reoffend
- There is growing support in the research for reserving treatment resources for high-risk offenders.

Needs Principle

- Assess each person for known criminogenic needs and target treatment based on their most salient needs.
- 8 + 1
 - Eight recognized criminogenic needs
 - Suggestion to add trauma as a ninth

▶ Responsivity Principle

- Maximize the potential success of rehabilitative interventions by tailoring the intervention to the learning style, secondary needs, motivational level, and strengths of the individual

▶ Responsivity at Two Levels

- Individual
 - ▣ General approaches such as Cognitive Behavioral Interventions
- Systemic
 - ▣ An array of programs to address different risks and needs
 - ▣ Effective case management

▶ Problem Solving Courts

- “The most successful judicial innovation in American history”
- “The cornerstone of judicial reform”
- Hold people accountable and connect them with evidence-based treatment

▶ Problem Solving Courts

- Participants undergo rigorous treatment and develop new habits for successful living.
- The program combines evidence-based SUD treatment with strict behavioral accountability, and ultimately reduces the harmful effects of repeated and untreated SUD problems.

▶ Accountability

- “The quality or state of being accountable, especially an obligation or willingness to accept responsibility or to account for one’s actions”
 - ▣ Merriam-Webster Dictionary

▶ Accountability

- “The justice system can send the message that all criminal behavior, even low-level, quality-of-life crime, has an impact on community safety and has consequences.
- “By insisting on regular and rigorous compliance monitoring—and clear consequences for non-compliance—the justice system can improve the accountability of offenders.

▶ Accountability

- “It can also improve the accountability of service providers by requiring regular reports of their work with participants.”
 - ▀ Robert Wolf. “Principles of Problem-Solving Courts.” Center for Court Innovation. Best Practices Series. 2009.

▶ Recovery

- “Recovery from alcohol and drug problems is a process of change through which an individual achieves abstinence and improved health, wellness and quality of life.”
 - Center for Substance Abuse Treatment (CSAT)

▶ Recovery

- “Recovery from alcohol and other drug dependency is a highly individualized journey. This journey is a voluntarily maintained lifestyle that includes the pursuit of spiritual, emotional, mental and physical well-being which may be supported through medication that is appropriately prescribed and taken.”
 - ▣ DDAP State Plan 2016-2017



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Drug Court Practitioner Fact Sheet

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Building Recovery-Oriented Systems of Care for Drug Court Participants

By Pat Taylor, CEO of Faces & Voices of Recovery

Drug Courts make it possible for participants to begin a recovery journey that will hopefully last a lifetime. Their long-term recovery will benefit them, their families, and their communities. Over 23 million Americans are in recovery and each sustains his or her recovery in the communities where he or she lives and works (Rondo & Feliz, 2012). Professionals and recovery community members have been partnering to create a supportive environment that connects participants with a broader, community-based system of services and support, bridging the gap between the treatment and recovery communities.

What is Recovery?

While there is no single definition of recovery, each person who is in recovery knows what it means personally and its importance to his or her life. For policy makers, researchers, and service providers, reaching agreement on a definition of recovery has been challenging, as can be seen in the recent attempts described in Table 1. In each of the definitions and for purposes of describing the recovery journeys of Drug Court participants, recovery has some common principles:

- Recovery from alcohol and drug problems is a process of change, sometimes described as a journey.
- Recovery involves no longer using alcohol or other drugs.
- Recovery includes improved overall health, wellness, and civic engagement.

What this means for a person who has just completed treatment is the initiation of a recovery journey that will involve managing and sustaining his or her recovery for the long haul.

Recovery-Oriented Systems of Care

Recovery-oriented systems of care build on the strength and resilience of individuals, families, and communities to support responsibility for long-term recovery, health, and wellness. They create an environment of hope, connectedness, and potential. Because life keeps getting better as recovery progresses, how a person manages and plans his or her recovery often changes over time. Recovery exists on a continuum of improved health and wellness. Because it's not a linear process, recovery-oriented systems of care offer a variety of services and supports based on continual growth and improved functioning. They also



pennsylvania
DEPARTMENT OF DRUG AND
ALCOHOL PROGRAMS

▶ DUI Courts

- Traditionally target repeat offenders
 - High Risk/High Need
- Committed to fidelity in implementing:
 - “Guiding Principles of DWI Courts”
 - “10 Key Components of Drug Courts’

Alternative Tracks for DUI Courts

- Not all counties have the resources to implement DUI Courts limited to high risk/high need offenders

▶ Alternative Tracks for DUI Courts

- Not all repeat offenders are high-risk, high need offenders
 - ▣ San Joaquin study of repeat offenders
 - ▣ 31% high risk/high need
 - ▣ 48% high risk/low need
 - ▣ 17% low risk/low need
 - ▣ 4% low risk/high need

San Joaquin Program

- Traditional DUI Court Guidelines-
docket no larger than 125.
- San Joaquin Court takes all repeat
offenders—500
- Monitoring and accountability
- Consequences certain and immediate
- Positive reinforcements
- Accountability works!

▶ Multi-track model design

- All Repeat Offenders
- Track One: Monitoring Court
 - Everyone except high risk/high need offenders
- Track Two: DUI Court
 - High risk/high need
 - Monitor and treatment

▶ Multi-track model design

- Risk And Need Triage RANT
- Computerized Assessment and Referrals CARS
- Case manager monitors compliance
- Alcohol/drug monitoring
- Court reviews at one month, six months and one year

▶ Court monitoring track

- 81% of clients incur 29% of costs

Pennsylvania DUI Court Review

▶ DUI Court Review

- Objective: to identify and encourage implementation of programs/policies/processes in criminal justice and treatment systems that promote accountability and recovery as goals in managing correctional populations with substance use disorders.

▶ DUI Court Review

- DUI Courts are recognized as effective in reducing recidivism by using intensive supervision, effective clinical treatment, ongoing monitoring, and swift incentives and sanctions.
- Pennsylvania currently has 22 DUI or DUI/Hybrid Drug/DUI Courts, representing a cross-section of counties.

▶ DUI Court Review

- Can we distill the “active ingredients” or “essence” of the DUI Court framework?
- No “one-size-fits-all.” There is no single ideal or perfect archetype.
- Can we identify the essential managerial ingredients of the framework that can be applied under different circumstances.
- High performance courts integrate multiple innovations.

- Questions/Comments

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