

DWI Courts are no longer a promising experiment—THEY WORK!

April 25, 2014

Editor's Note: This Guest Editorial was written by Judge J. Michael Kavanaugh, Senior Director of the National Center for DWI Courts, as part of our [Special Series on Alcohol Awareness Month](#).

DWI Courts were among the earliest progeny of the drug court movement which began in Miami-Dade County, Florida in 1989, 25 years ago. Although the first stand-alone DWI Court launched in Las Cruces, New Mexico, in 1994, it wasn't until 1997 that the second program began accepting DWI repeat offenders in Albuquerque, New Mexico's Metropolitan Court. This DWI Court would serve as a model and mentor court for hundreds of DWI Courts to follow. Early on, however, court officials across the country were reluctant to embrace DWI Courts, fearing that, a.) It was an unproven experimental expansion of drug courts, and b.) The risk associated with the possibility that a DWI Court participant might drive drunk and kill innocent people, thereby jeopardizing their drug court, was too great a risk to bear.

For those courts which found the courage to implement a DWI Court, they would soon discover just how effective a strategy this new, treatment-based model, could be. Treating alcohol-dependent repeat offenders, using principles of behavior modification, with thorough clinical assessments providing the basis for sound treatment planning, resulted in the life-changing transformation rarely, if ever, seen in traditional criminal justice settings.

Treatment became the "magic ingredient" which, when coupled with the coercive power of the courts' strict requirements of attendance, sobriety, testing, and regular court status conferences, became the recipe for achieving success. Instead of incarcerating repeat DWI offenders, hoping that with ever-increasing levels of punishment, they would learn their lesson and stop drinking and driving, DWI Courts applied treatment interventions which were showing effective results in regular drug courts. DWI Courts accepted the premise that these individuals had a serious medical condition which needed treatment in order to achieve any real, long-lasting, recovery. However, the positive results being observed were

deemed to be “anecdotal” due to the lack of empirical evidence resulting from sound research studies.

Eventually, enough program evaluations were conducted which began to inform the field about practices which were both supportive of recovery and potentially harmful.¹ Training curricula were modified to reflect best-practices and potentially harmful practices were identified and improvements were made, producing a model which could be replicated and supported by evidence-based research. As of June 2013, there were a total of 651 DWI courts operating in the US.

The National Association of Drug Court Professionals established the National Center for DWI Courts to provide leadership to the field, as well as training, education and technical assistance. NADCP and NCDC will soon publish a report on research conducted on DWI Courts, which will provide an informative survey of the efficacy of this model. As of June 2013, there were a total of 651 DWI courts in the United States.

These courts have been proven to reduce recidivism, not only with DWI’s but also with other criminality. They are cost-effective as well, and given that recidivism is reduced, future costs to the criminal justice system, social services agencies, and taxpayers in general will be avoided. Most importantly, however, is that COUNTLESS LIVES WILL BE SAVED as fewer repeat offenders will be driving under the influence of alcohol and drugs.

For more information about DWI Courts, visit dwicourts.org, or NCDC.org.

-Judge J. Michael Kavanaugh

¹Selected Program Evaluations

Hiller, M., Saum, C., Taylor, L., et al. (2009). Waukesha Alcohol Treatment Court (WATC): Process and outcomes. Philadelphia: Temple University, Dept. of Criminal Justice.

Michigan State Court Administrative Office, & NPC, Research. (2007, October). Michigan DUI Courts outcome evaluation: Final Report. Portland, OR & Lansing, MI: Authors. Available at http://www.npcresearch.com/Files/MI_DUI_Outcome_Evaluation_FINAL.pdf.