Recent increases in alcohol-related fatalities across the United States have resulted in a renewed focus on impaired driving.

Research has identified the hard-core repeat offender as a priority, and legislators have taken note of this research. A wealth of new legislation has been developed, debated and packaged to ensure the implementation of effective programs, policies and penalties.

These efforts are critical to ensure the public is protected and offenders are subjected to the programs that will change problem behavior.

However, the presence of these measures in the DWI system is a necessary, but not sufficient, condition for success. There must be a high level of certainty that hard-core offenders will be apprehended, prosecuted, sanctioned and effectively supervised—certainly that the sanctions and programs that protect the public and, in the long run, alter behavior will be applied.

For that to occur, policymakers and legislators must be mindful of the interdependent nature of the system segments to ensure a fluid and seamless process is maintained. Front-line professionals must be able to incorporate new programs and policies in a way compatible with existing practices that do not create unintended disruptions in other parts of the system.

Unfortunately, there is some evidence that essential connections between various segments have been compromised, in part, because of the complexity of the current system. Savvy repeat offenders have gained a familiarity that allows them to manipulate and exploit loopholes and inconsistencies in legislation and evade the very system that makes roads safer. A renewed effort is required by criminal justice professionals, legislators and policymakers to ensure gaps are filled and the system is streamlined to guarantee efficient processing.

The Traffic Injury Research Foundation (TIRF) completed a multi-year comprehensive study, supported by a charitable contribution from Anheuser-Busch Companies, to identify practical ways to improve the DWI system for dealing efficiency and effectively with hard-core repeat offenders. This research clearly demonstrates that repeat offenders are undermining this system at all levels and suggests practical ways to make improvements.
Priority problems were identified in enforcement, prosecution, sanctioning and monitoring.

National surveys based on responses from 2,700 police officers in 16 states, 390 prosecutors in 34 states, 900 judges in 44 states and 890 probation officers in 41 states formed the basis of four major reports that address each phase of the system. State-specific results from national surveys identify what changes are most strongly supported by professionals, where changes are most needed, and how different jurisdictions compare to the national perspective.

The key findings from these reports were synthesized in a brief summary that highlights priority recommendations supported by police, prosecutors, judges and probation officers. These recommendations are organized according to six priority areas: communication and cooperation, training and education, technology, records, legislation, and resources.

Perhaps one of the most startling conclusions from this report is the high level of consensus among justice professionals, despite their diverse responsibilities, practices and goals. Professionals are engaged in ways to improve the efficiency and effectiveness of the system, and it is imperative that policymakers recognize the opportunity to capitalize on this unprecedented consensus.

To galvanize the participation of practitioners, TIRF, with assistance from the Highway Safety Committee of the International Association of Chiefs of Police, facilitated the creation of a “Working Group on DWI System Improvements,” in cooperation with the American Judges Association, the American Probation and Parole Association and the National Traffic Law Center of the American Prosecutors Research Institute. This coalition of 14 criminal justice organizations representing police, prosecutors, judges and supervision/treatment professionals—selected for their expertise in a range of areas—is working to identify priority initiatives for improving the effectiveness and efficiency of the DWI system, develop an action plan for implementing these initiatives, and encourage appropriate agencies to initiate and lead the needed action.

A 2004 inaugural meeting of the Working Group was the first time professionals had been brought together to focus on DWI. This group has generated a set of priority initiatives, as well as guiding principles and issues for their implementation, that acknowledge contextual differences between jurisdictions and agencies; concrete examples of “model” programs, policies and innovative practices that have been implemented in jurisdictions and are reflective of the priority recommendations; and, the creation of an electronic inventory of promising initiatives.

The Working Group also is making members’ collective expertise available to states. The group can provide insight into the DWI system and the demands professionals face to ensure solutions do not unintentionally create new loopholes and that legislation is developed in an integrated fashion that will mesh with existing practices.

The inclusion of probation and parole in ongoing initiatives is critical. Historically, probation has been an afterthought within the criminal justice system. However, without probation and parole, there is no way to guarantee offenders will participate in programs known to protect the public, change behavior and reduce recidivism.

Initiatives are not uniformly implemented and resources are not uniformly available across jurisdictions. Relationships successfully fostered between and among national organizations and natural alliances need to be replicated at the state level. States must continue to streamline and simplify existing systems to improve efficiency and effectiveness. Continued vigilance is required to ensure new initiatives, programs and policies are sensitive to not only the availability of resources for program implementation but also the impact of these programs.

The Working Group also appears to fill a gap that has perhaps previously limited our ability to achieve continued success in reducing impaired driving. This dynamic and influential group has fostered relationships between organizations, encouraging a much more inclusive approach to strategic planning and evaluation—a truly systems-based approach where communication and cooperation can become a hallmark of the system.

Moreover, the Working Group has brought greater balance to perspectives on impaired driving. The trend toward more and harsher penalties cannot be effective if there are no measures that ensure offenders will be subjected to them.

Accordingly, the Working Group will continue to identify practical strategies to improve the efficiency and effectiveness of the DWI system for dealing with hard-core repeat offenders, and to make their expertise and resources available where needed.

—Robyn Robertson is the Traffic Injury Research Foundation’s vice president for operations. Herb Simpson is president and CEO at the Traffic Injury Research Foundation.