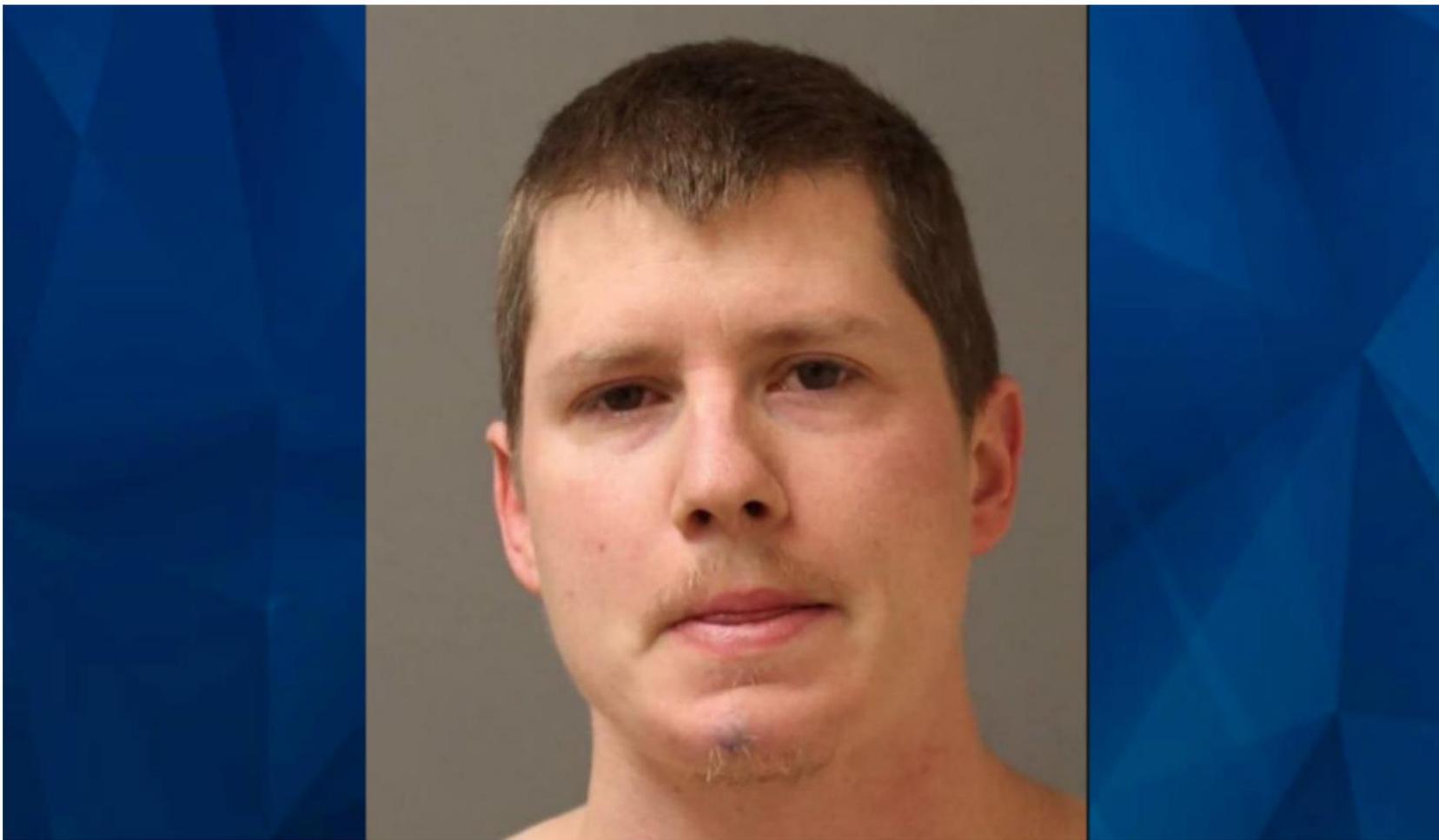


Problems with DUI Treatment and Data in Pennsylvania





Man with FIVE prior DUI convictions kills a mother, gravely injures her husband during 6th DUI weekend crash: Police



The Numbers:

Studies indicate that 40% of all DUI fatalities are caused by repeat DUI offenders (Lapham, Skipper, Hunt, & Chang, 2000; White & Gasperin, 2007)

In 2016, there were 10,456 DUI Convictions in PA associated with repeat DUI offenses Source: PennDOT

14% -20% of all intoxicated drivers in fatal crashes have a current suspended or revoked license. SOURCES: NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION/AAA

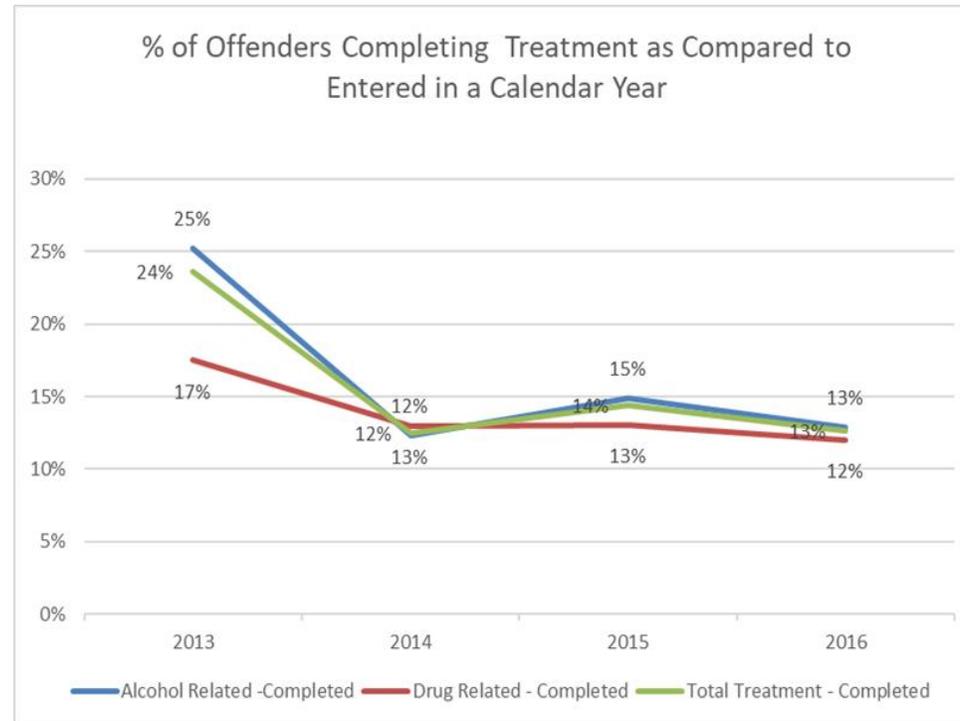
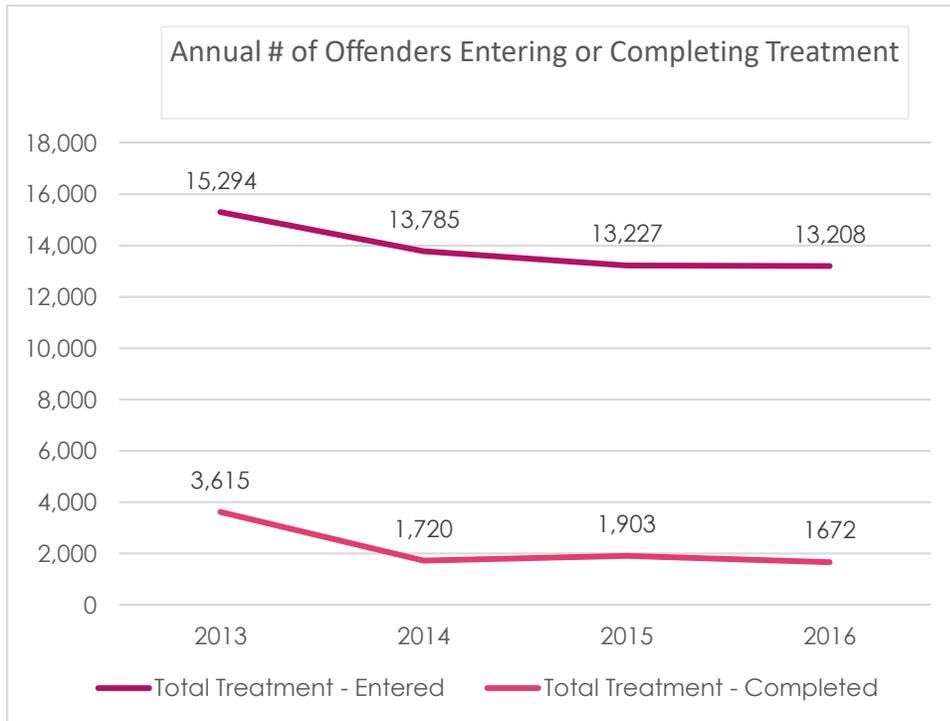
50 to 75% of convicted drunk drivers continue to drive on a suspended license. (Peck, R.C., Wilson, R. J., and Sutton, L. 1995. "Driver license strategies for controlling the persistent DUI offender, Strategies for Dealing with the intent Drinking Driver." Transportation Research Board, Transportation Research Circular No. 437. Washington, D.C. National Research Council: 48-49 and Beck, KH, et al. "Effects of Ignition Interlock License Restrictions on Drivers with Multiple Alcohol Offenses: A Randomized Trial in Maryland." American Journal of Public Health, 89 vol. 11 (1999): 1696-1700.)

Existing PA DUI Laws and Treatment

- ▶ **Mandatory treatment for alcohol and/or drug addiction can be required as a part of sentencing for DUI offenses, under Title 75, Chapter 38, Sections 3814 and 3815.**
- ▶ **Treatment is provided by independent drug and alcohol addiction programs licensed by the Department of Health.**
- ▶ **Section 3817 also requires annual state reporting on treatment outcome to various state legislative committees and departments.**
- ▶ **Treatment providers are not required to provide aggregate data on treatment outcome for state purposes. No ability to analyze success rate of individual providers.**



Existing PA Data on DUI Mandated Treatment



Source: PennDOT



Problems with PA Data on DUI Mandated Treatment

- ▶ Data shows very low completion rate for treatment at approximately 13% for most recent reported year.
- ▶ There have been questions about reliability of data, however source of reported data is PennDOT per requirement under existing law. From discussions with PennDOT, individual counties are responsible for reporting data to PennDOT.
- ▶ Given that treatment plays a critical role in efforts to reduce recidivism of the highest risk repeat DUI offenders, there is clearly inadequate data surrounding this critical component as well as insufficient analysis to determine best ways to improve success/lowering recidivism/prevent additional deaths.
- ▶ Take your pick, either treatment is failing in its role to reduce recidivism or there is a lack of reliable information to measure success/effectiveness of treatment. Either option is unacceptable. In the meantime, too many people continue to die due to repeat offenders who had been required to obtain treatment.



Example of Inadequate Oversight

The Inquirer
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Pending Legislation Involving Treatment – SB501

- ▶ **SB 501 – Justice Reinvestment Initiative (JR12) Legislation – This legislation would move sentencing away from state to county punishment and would rely more on treatment in lieu of incarceration.**
- ▶ **This bill’s memo states that it “streamlines the process for paroling people who receive a short sentence to prison. This bill would also revise sentencing laws and the direction that the General Assembly gives to the Pennsylvania Commission on Sentencing; improving our system of sentencing”.**
- ▶ **Our concern is that the State would be moving forward with the assumption that treatment works, when the State has real deficiencies related to treatment associated with DUI and drugs as well as unreliable data. How can the State move forward with “treatment solution” for DUI and DUID offenders when existing treatment results are unacceptable?**



What Can be Done to Improve Treatment/Lower Risk of Recidivism?

- ▶ Take steps available to legislators and state departments to Improve data from counties related to court-mandated treatment.
- ▶ Require independent treatment providers to report aggregate data on outcome of court-mandated treatment for DUI offenders.
- ▶ Expand use of DUI and Drug Treatment Courts across the state.
- ▶ Improve recidivism data from government related entities.



Why We Need More DUI Treatment Courts in PA

DUI court participants are 19 times less likely to reoffend. DUI courts are changing the criminal justice system's approach to impaired driving:

- ▶ Provide intense supervision
- ▶ Provide individualized, long-term treatment
- ▶ Change participants' thinking and behavior
- ▶ Demand accountability
- ▶ Save taxpayers' money
- ▶ Improve public safety



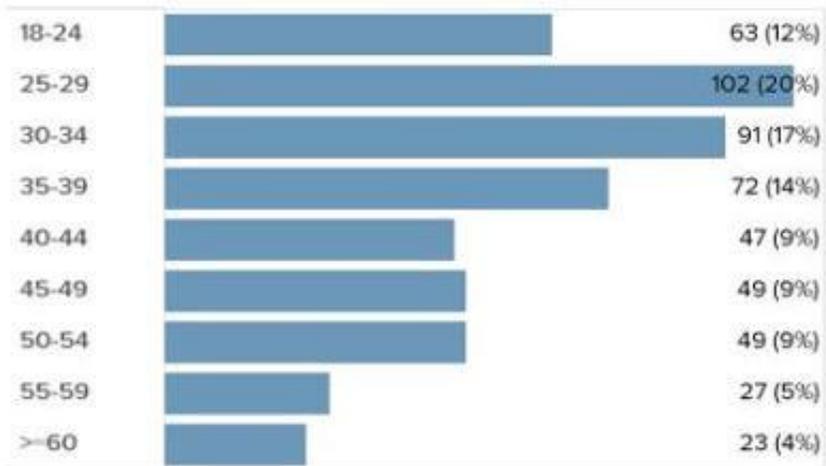
What PA DUI Treatment Courts Accomplished in 2017

2017

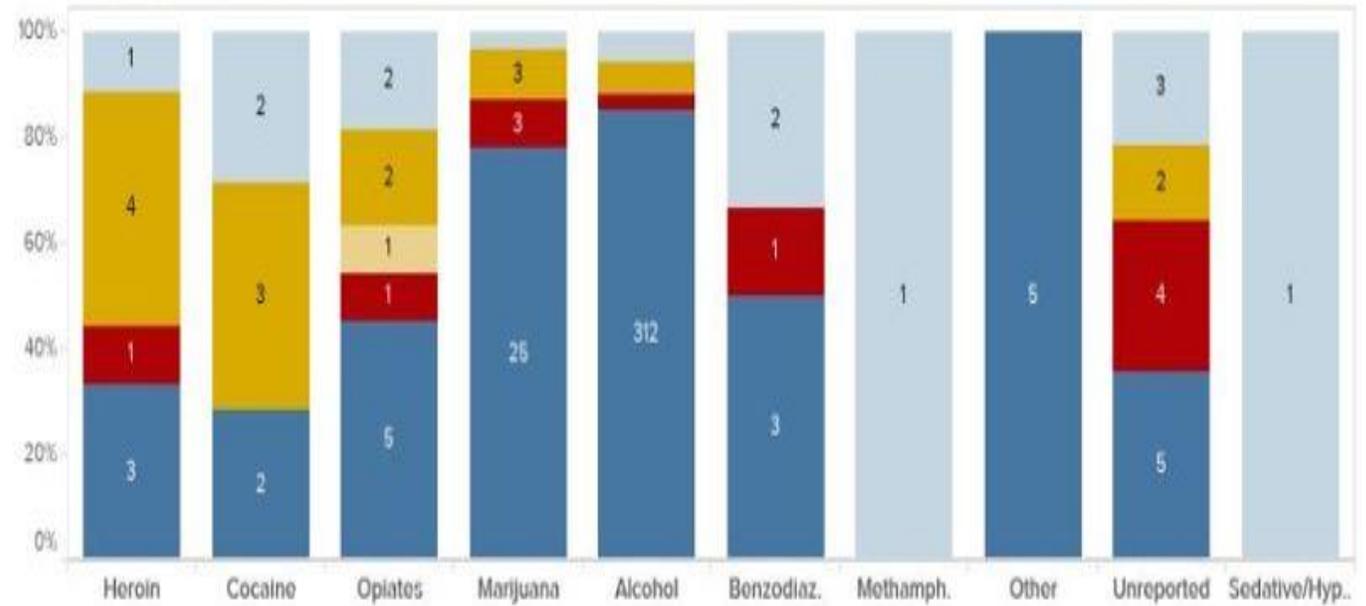
There were **523 admissions**.

76% of admissions were male.

Average age at screening was **38**.



Discharge Type by Drug of Choice



Discharge Type

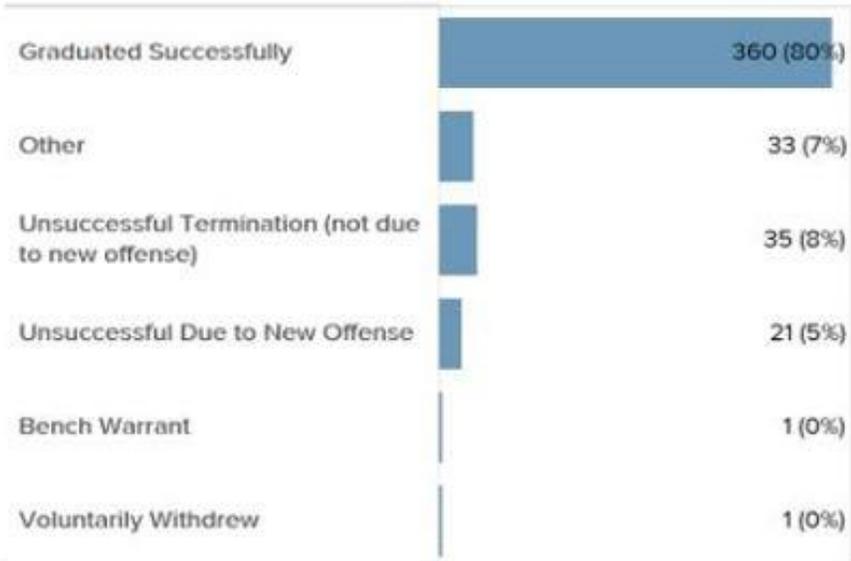


What PA DUI Treatment Courts Accomplished in 2017

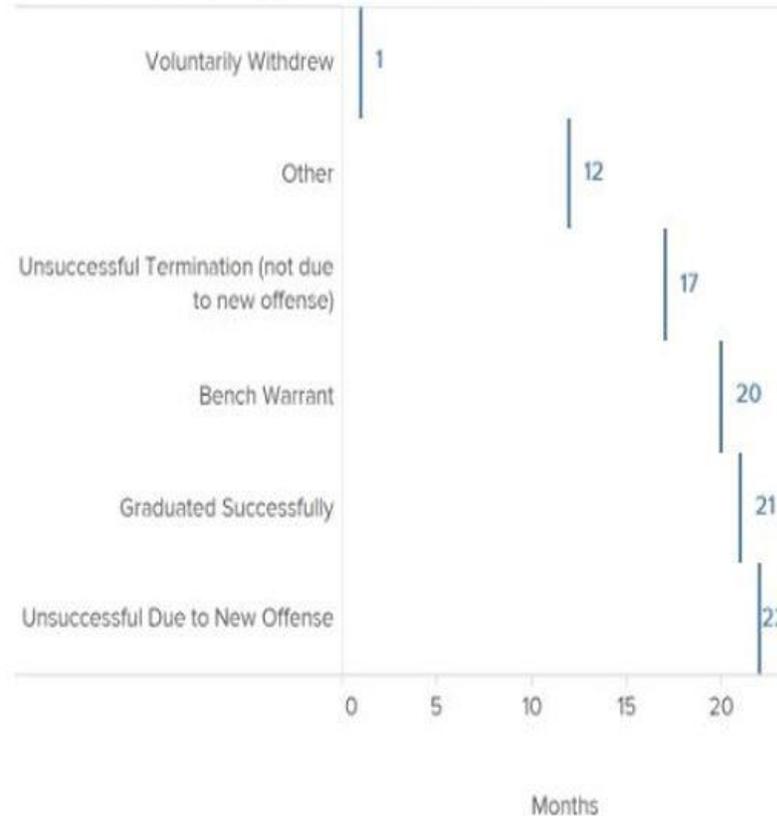
State Total

There were **451** total discharges.

80% of all discharges graduated successfully.



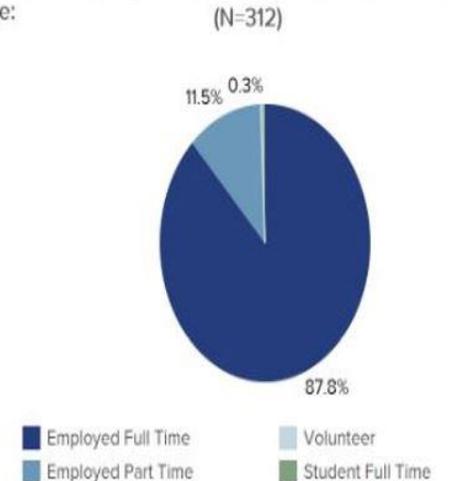
Median Months in Program by Discharge Type



Among successful graduates, there was a 22% increase in employment.



88% of the employed successful graduates were employed full time:



Our Summary Recommendations

- ▶ **Address inadequate reporting/oversight of treatment providers**
- ▶ **Improve data collection/sharing to measure recidivism**
- ▶ **Expand DUI and Drug Treatment Courts across Pennsylvania**
- ▶ **Expand the use of monitoring bracelet as part of sentence/parole /treatment for DUI offenders.**
- ▶ **If SB501 is moving forward to passage, make sure that treatment will be measured with accountability for the offender and treatment provider.**



Improving DUI Laws in the State of Pennsylvania

Pennsylvania Parents Against Impaired Driving (PAPAID) is a grass-roots organization of parents across Pennsylvania who have lost children to impaired drivers. Our members' children have all paid the ultimate price of ineffective DUI/DUID laws in our state and our goal is to prevent additional senseless deaths and injuries by improving Pennsylvania's ineffective DUI and DUID laws.

Since its founding in 2016, PAPAID has been on the forefront of advocacy for improving PA DUI laws and was integral to the passage of recent DUI laws including SB961/Act 153 of 2018 and SB290/Act 33 of 2016. It continues to focus on the complex issues of DUI, including treatment and enforcement.

