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# Survey of DWI Courts

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15. Supplementary Notes Alan Block is a Research Psychologist in the NHTSA Office of Behavioral Safety Research.			
16. Abstract <p>DWI Courts are a relatively new approach to combatting alcohol-impaired driving that borrows from the Drug Court Model and is directed at repeat DWI offenders and offenders having high blood alcohol concentrations at time of arrest. They attack the source of the problem by taking a comprehensive approach to changing behavior that includes accountability and long-term treatment. NHTSA conducted a web-based survey of DWI Courts and DWI/Drug Courts (court programs that handle both DWI and drug offenders) in April/May 2015 in order to obtain detailed information on how DWI Courts were operating. NHTSA conducted the survey in collaboration with the National Center for DWI Courts, who alerted State Drug Court Coordinators to the survey, supported NHTSA webinars that described the survey, and provided NHTSA with contact information for the court programs. In addition, NHTSA contracted with Avar Consulting, Inc., to develop, test, and manage the data collection website. A total of 156 courts responded to the survey from a contact list of 473. Two indicated that they did not operate a DWI Court, and 21 did not meet the minimum number of DWI cases (5) for survey eligibility. Another 28 began the survey but stopped after completing a small number of questions. This left 105 that filled out the questionnaire from beginning to end.</p> <p>With some exceptions, most participants in the responding court programs were non-Hispanic, White, and English-speaking. Two-thirds of the responding programs indicated that half or more of their DWI participants in 2014 were employed full time. The reported number of DWI participants currently active in the programs ranged from fewer than 10 to more than 200. More than half the responding programs reported fewer than 30 DWI participants; the median number was 25. Most programs said that they had the capacity to serve all convicted DWI offenders eligible to participate in their programs, although one-third reported that was not the case. Where the number eligible exceeded capacity, 56 percent of the programs indicated that the difference was 15 or fewer slots while one-in-six said the difference was more than 75 slots. The vast majority of responding court programs said that treatment and supervision of program participants changes as the participant proceeds through the program, with programs having a minimum of three phases. The median reported amount of time that participants spent in the program before graduating was 17 months. The programs had a DWI Court team involved in decisions regarding the program for DWI participants and in monitoring their progress. Staffing meetings to discuss the participants were held weekly or else every other week. For treatment services, most responding programs referred DWI participants to treatment providers operating independently from the court. Available treatment services usually included counseling, support group services, relapse prevention, and intensive outpatient. Programs tended to integrate mental health and substance abuse treatment for DWI participants having co-occurring disorders. The programs typically drug/alcohol tested the participants multiple times a week during the initial phase of the program. Participants were likely to receive sanctions for positive drug tests and other forms of program non-compliance. The vast majority of programs also handed out rewards for achievements.</p>			
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# Background and Objectives

Alcohol-impaired driving is a leading contributor to the motor vehicle crash fatality problem. Data show the vast majority of these fatalities involve drivers who drank to blood alcohol concentrations (BACs) of .08 grams per deciliter (g/dL) and above. Many are problem drinkers whose drinking is enmeshed with other personal problems and issues. Changing the behavior of these high risk drivers will be an important component in making future improvements in the alcohol crash fatality problem. Yet the depth to which drinking and associated problems are ingrained within these individuals makes it unlikely that such change will occur unless a targeted strategy is applied that is designed to overcome drinking problems that are complex in nature.

DWI Courts are a relatively new approach that borrows from the Drug Court Model and is directed at repeat DWI offenders and offenders having high BACs at time of arrest. These problem solving courts attack the source of the problem by taking a comprehensive approach to changing behavior that includes accountability and long-term treatment. According to the National Center for DWI Courts (NCDC):

*A DWI Court is an accountability court dedicated to changing the behavior of the hardcore offenders arrested for DWI. The goal of DWI Court or DWI/Drug Court is to protect public safety by using the highly successful Drug Court model that uses accountability and long-term treatment to address the root cause of impaired driving: alcohol and other substance abuse.<sup>1</sup>*

Whereas there is a substantial body of research demonstrating the effectiveness of Drug Courts, the same depth of research is lacking for DWI Courts. Research thus far suggests that DWI Courts have a positive impact, but many questions regarding the effectiveness of DWI Courts have not been fully answered. These include basic questions such as what are the characteristics of those people most likely to benefit from placement in a DWI Court program, what system components enhance effectiveness, and what is the interaction between individual characteristics and system components?

NHTSA plans to develop an evaluation program in order to address a number of these key questions about the operation of DWI Courts, and to obtain information that DWI Courts will be able to use in determining how they can best apply their resources and maximize their efforts. However, before designing such an evaluation program, researchers at NHTSA concluded that they first needed to have detailed information on how DWI Courts across the country are operating in order to select appropriate program characteristics to evaluate. This survey of DWI Courts, and DWI/Drug Courts that handle both DWI and drug offenders, was designed to obtain that information.

## Methods

NHTSA conducted the Survey of DWI Courts in collaboration with NCDC. NCDC alerted State Drug Court Coordinators to the survey, supported NHTSA webinars to State Drug Court Coordinators and to DWI Courts that described the survey, and provided NHTSA with contact information for several hundred DWI and DWI/Drug Court programs.

NHTSA, through its survey contractor Avar Consulting, administered the survey from April through May 2015. The agency sent postal and email requests to DWI Court Coordinators provided on the contact list received from NCDC. For survey eligibility, the DWI and DWI/Drug Court programs were required to have a minimum of 5 DWI cases in the past year. This was because NHTSA needs to base decisions on the structure of the research design on more than a few cases. In addition, NHTSA did not want there to be so few DWI cases that the submitted questionnaire more closely resembled case information rather than program information. However, during the course of the field period, NHTSA decided that it would be useful to record how many programs had fewer than 5 DWI cases. Therefore, programs with fewer than 5 DWI cases could answer the first two questions in the survey, which would be the entirety of their participation. Because this decision was made after the field period started, an unknown number of court programs did not have the opportunity to provide this information. In addition, individuals that coordinate more than one DWI Court program were asked not to merge the different programs into a single questionnaire but to use a

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<sup>1</sup> National Center for DWI Courts. (n.d.). *What is a DWI Court?* (Web page). Alexandria, VA: Author. Retrieved from [www.dwicourts.org/learn/about-dwi-court/what-dwi-court](http://www.dwicourts.org/learn/about-dwi-court/what-dwi-court)

separate questionnaire for each program. In order not to impose a significant burden on those Coordinators, NHTSA asked them to answer for only as many programs as they felt comfortable.

This was an online survey. NHTSA contracted with Avar Consulting to develop and test the data collection website, and to manage its operation during the survey field period. The courts received a URL address to access the website, a case identifier, and a PIN generated by Avar Consulting. NHTSA adapted the questionnaire based on the instrument used previously by the National Institute of Justice as an early step in NIJ's multi-site Drug Court study. NHTSA considered it likely that the breadth of information requested by the questionnaire wouldn't necessarily reside with a single person at the DWI Courts but might require multiple DWI Court staff contributing to the survey. Therefore, the data collection website divided the questionnaire into separate sections that the Program Coordinator could forward individually to others involved in the DWI Court program to answer. The survey sections, which covered a number of topics, were:

- General Information (such as offender case flow and client characteristics);
- Program Structure (program phases, program length, eligibility criteria, screening mechanisms);
- Program Operations (records management, staffing, case management, transportation issues);
- Treatment and Drug Testing (treatment services, substances tested, testing procedures);
- Courtroom Practices (frequency of appearances, sanctions, rewards); and
- Miscellaneous Other (evaluations of DWI Court program, funding sources, sustainability plan).

The Website allowed respondents to pause, leave, and return to the survey. They also could review and revise their responses. Upon completion, the DWI Courts submitted the questionnaire electronically to NHTSA's survey Contractor.

## **Response**

NHTSA received contact information for 473 DWI Courts or DWI/Drug Courts. There were 156 DWI and DWI/Drug Court programs that responded to the survey. Their disposition is detailed on page 4. Several dozen courts either notified NHTSA that they did not operate a DWI or DWI/Drug Court program, or did not meet the 5 DWI case threshold, or terminated the survey early. This left 105 DWI Court programs that completed the questionnaire from beginning to end, with Question 78 being the final item in the survey.

The Figures and Tables in the ensuing Chapters present the responses of all DWI Courts that answered each questionnaire item, including DWI Courts that dropped out at a later point in the survey. Once a DWI Court dropped out, the number of responding DWI Courts shown for all ensuing questions was lowered to the number that responded from that point forward.

The DWI Courts could elect to skip questions and resume the survey following the skip point. When this occurred, it is recorded as a No Response in the results for the question skipped.

A small amount of editing was performed on the submitted data. This involved decisions regarding "other" responses volunteered by the responding DWI Courts. Many items on the NHTSA questionnaire listed response categories that the respondents checked off when applicable. The respondents could also enter some "other" response when the listed response categories did not cover everything that the responding program would like to enter to answer the question. In some cases, the "other" response repeated a listed response category, while perhaps offering additional detail or explanation. In those instances, the set response category was checked (in many cases it already had been checked) and the repeated response was subtracted from the total number of programs answering "other." A subtraction from the number of programs answering "other" also occurred when the response was essentially a non-response, for example, saying "none" when asked about other sources of grant funding or saying there were no terminations when asked the leading reasons why participants were terminated. Lastly, when some of the "other" responses could easily be grouped into simple categories, this was done in some of the Tables. However, the open-ended nature of the responses deterred performing a large amount of such coding as the varying descriptions made it difficult to match responses in order to generate numbers. Instead, a general sense of the "other" responses was provided in text

## Response to NHTSA Survey Request

156 Courts identified to NHTSA as running DWI or DWI/Drug Courts responded:

	Remaining Number
• 2 replied that they did not operate a DWI or DWI/Drug Court	154
• 21 did not meet the 5 DWI case threshold per Q2	133
• 1 terminated after Q2 despite reporting having 5+ DWI cases	132
• 7 terminated after Q5	125
• 1 terminated after Q6	124
• 1 terminated after Q7	123
• 1 terminated after Q15	122
• 2 terminated after Q18	120
• 1 terminated after Q19	119
• 13 terminated after Q21 (end of Section 1)	106
• 1 terminated after Q27	105

Total Number of Court Programs That Completed the Survey = 105

**Chapter 1.**  
**General Information**  
**Questions 1-21**

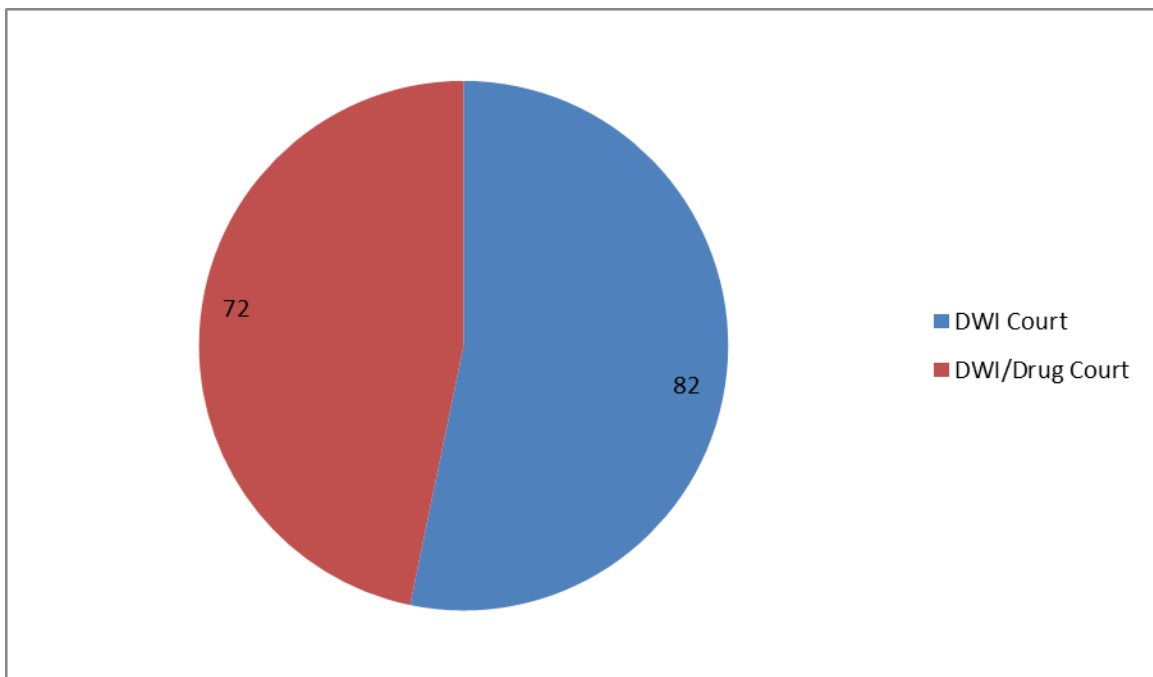


# Section 1

## General Information

The initial response was nearly evenly split between DWI Courts and DWI/Drug Court programs. Two contacted courts alerted NHTSA that they did not currently operate a DWI Court program or DWI/Drug Court program, leaving 154 that responded to the question.

**Figure 1.1**  
**DWI Court or DWI/Drug Court**

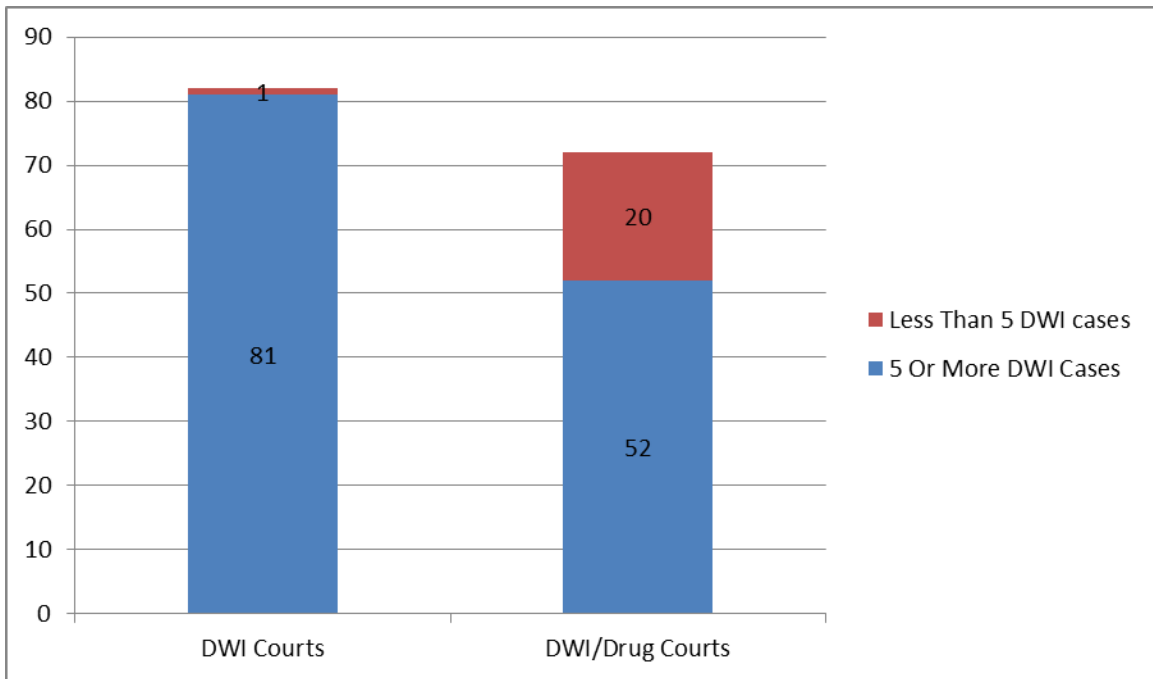


Q1. Is the Problem Solving Court you are operating to treat repeat DWI offenders and/or high BAC DWI offenders a DWI Court, or is it a Hybrid DWI Court that handles both DWI cases and drug cases?

Number of responding court programs = 154.

A substantial percentage of the DWI/Drug Courts reported having few DWI cases. The 21 court programs not having 5 or more DWI cases ended the survey following Q2, and 1 DWI/Drug Court having 5 or more DWI cases also terminated after Q2, leaving 132 responding court programs.

**Figure 1.2**  
**Court Programs With 5 or More DWI Cases**



Q2. Does your Court have 5 or more DWI cases currently active in your DWI Court Program or Hybrid DWI Court Program?

Number of responding court programs = 154.

Among the responding DWI Courts, more than 80 percent began program operations within the 10 years preceding the survey. Responding DWI/Drug Courts were more likely than the DWI Courts to have started in earlier years.

**Table 1.1  
Year That DWI Court Began Operations**

	All Responding Courts		DWI Courts		DWI/Drug Courts	
	Number	%	Number	%	Number	%
<b>Pre-2000</b>	13	10%	5	6%	8	16%
<b>2000-2004</b>	25	19%	11	14%	14	27%
<b>2005-2009</b>	54	41%	37	46%	17	33%
<b>2010-2014</b>	40	30%	28	35%	12	24%

Q3. What year did this Problem Solving Court start operating as a DWI Court?  
 Number of responding court programs = 132 (81 DWI Courts and 51 DWI/Drug Courts).

The survey asked respondents to identify the types of geographic areas served by the DWI Court program. Because the court’s jurisdiction could extend across multiple geographic areas, respondents could select more than one category out of four listed (urban, suburban, rural, and tribal territory). The responding court programs most frequently reported serving rural areas.

**Table 1.2  
Areas Served By Court Program**

	<b>All Responding Courts</b>		<b>DWI Courts</b>		<b>DWI/Drug Courts</b>	
	Number	%	Number	%	Number	%
<b>Urban</b>	49	37%	36	44%	13	25%
<b>Suburban</b>	39	30%	26	32%	13	25%
<b>Rural</b>	73	55%	40	49%	33	65%
<b>Tribal Territory</b>	6	5%	2	2%	4	8%

Q4. What types of geographic areas are served by your Problem Solving Court program? Please check all that apply.  
 Number of responding court programs = 132 (81 DWI Courts and 51 DWI/Drug Courts).

After asking the types of geographic areas served by the DWI Court program, the survey asked if the geographic area served by the program was “primarily” urban, suburban, rural, or a tribal territory. Respondents could only select one of the four categories. Among the responding programs, DWI/Drug Courts were most likely to say that the area served by their court program was primarily rural. The DWI Courts were about evenly split between primarily serving urban and rural areas.

**Table 1.3**  
**Area Served By Court Program Is Primarily:**

	All Responding Courts		DWI Courts		DWI/Drug Courts	
	Number	%	Number	%	Number	%
<b>Urban</b>	44	33%	32	40%	12	24%
<b>Suburban</b>	29	22%	18	22%	11	22%
<b>Rural</b>	58	44%	31	38%	27	53%
<b>Tribal Territory</b>	1	1%	0	0%	1	2%

Q5. Would you consider the geographic area served by your Problem Solving Court to be primarily urban, suburban, rural, or Tribal Territory?  
 Number of responding court programs = 132 (81 DWI Courts and 51 DWI/Drug Courts).

Ninety of the responding DWI and DWI/Drug Courts indicated that they did not have any male DWI participants under the age of 21, and 104 courts indicated that they did not have any female DWI participants under that age. The remainder of those who responded said that fewer than 25% of their DWI participants were males younger than 21, and fewer than 25% were females younger than 21.

Twenty four of the courts indicated that between 50 and 74 percent of their DWI participants were males ages 30-49, and another 70 courts indicated that between 25 and 49 percent of the participants were males in that age range. Twenty of the courts indicated that between 25 and 49 percent of their DWI participants were females ages 30-49.

**Table 1.4  
Program Participants' Age and Sex**

Age >	Under Age 21	Ages 21-29	Ages 30-49	Ages 50+
Percentage of program participants:				
<b>Males</b>				
0%	90	9	2	12
1-24%	34	81	24	90
25-49%	0	31	70	20
50-74%	0	2	24	2
75%+	0	1	4	0
No Response	1	1	1	1
<b>Females</b>				
0%	104	31	11	40
1-24%	20	87	90	79
25-49%	0	5	20	5
50-74%	0	1	3	0
75%+	0	0	0	0
No Response	1	1	1	1
<p>Q6. In calendar year 2014, approximately what percentage of DWI participants in your DWI Court program were.....?</p> <p>Number of responding court programs = 125.</p>				

Most responding court programs had few or no Hispanic/Latino participants, although the survey included a small number of programs having a majority of participants that were Hispanic/Latino.

**Table 1.5  
Percentage of Program Participants That Are Hispanic or Latino**

	All Responding Courts		DWI Courts		DWI/Drug Courts	
	Number	%	Number	%	Number	%
0%	46	37%	28	36%	18	38%
1%-9%	40	32%	23	30%	17	36%
10%-19%	19	15%	13	17%	6	13%
20%-29%	5	4%	4	5%	1	2%
30%-49%	6	5%	4	5%	2	4%
50%-74%	1	1%	1	1%	0	0%
75%-100%	7	6%	4	5%	3	6%

Q7. In calendar year 2014, approximately what percentage of DWI participants in your DWI Court program were Hispanic or Latino?

Number of responding court programs = 124 (77 DWI Courts and 47 DWI/Drug Courts).

There were some exceptions among the responding court programs, but program participants were predominantly White, English speaking, and employed full time.

**Table 1.6**  
**Percentage of Program Participants: American Indian or Alaska Native**

	All Responding Courts		DWI Courts		DWI/Drug Courts	
	Number	%	Number	%	Number	%
0%	78	63%	48	62%	30	65%
1%-9%	23	19%	17	22%	6	13%
10%-19%	7	6%	3	4%	4	9%
20%-29%	5	4%	3	4%	2	4%
30%-49%	3	2%	2	3%	1	2%
50%-74%	3	2%	1	1%	2	4%
No Response	4	3%	3	4%	1	2%

Q8. In calendar year 2014, approximately what percentage of DWI participants in your DWI Court program were American Indian or Alaska Native?

Number of responding court programs = 123 (77 DWI Courts and 46 DWI/Drug Courts).

**Table 1.7**  
**Percentage of Program Participants: Asian**

	All Responding Courts		DWI Courts		DWI/Drug Courts	
	Number	%	Number	%	Number	%
0%	93	76%	56	73%	37	80%
1%-9%	25	20%	18	23%	7	15%
10%-19%	1	1%	1	1%	0	0%
No Response	4	3%	2	3%	2	4%

Q8. In calendar year 2014, approximately what percentage of DWI participants in your DWI Court program were Asian?

Number of responding court programs = 123 (77 DWI Courts and 46 DWI/Drug Courts).



**Table 1.8**  
**Percentage of Program Participants: Black or African American**

	All Responding Courts		DWI Courts		DWI/Drug Courts	
	Number	%	Number	%	Number	%
0%	47	38%	28	36%	19	41%
1%-9%	35	28%	22	29%	13	28%
10%-19%	15	12%	7	9%	8	17%
20%-29%	13	11%	11	14%	2	4%
30%-49%	8	7%	5	6%	3	7%
50%-74%	3	2%	3	4%	0	0%
75%-100%	1	1%	1	1%	0	0%
No Response	1	1%	0	0%	1	2%

Q8. In calendar year 2014, approximately what percentage of DWI participants in your DWI Court program were Black or African American?

Number of responding court programs = 123 (77 DWI Courts and 46 DWI/Drug Courts).

**Table 1.9**  
**Percentage of Program Participants: Native Hawaiian or Other Pacific Islander**

	All Responding Courts		DWI Courts		DWI/Drug Courts	
	Number	%	Number	%	Number	%
0%	108	88%	71	92%	37	80%
1%-9%	11	9%	5	6%	6	13%
No Response	4	3%	1	1%	3	7%

Q8. In calendar year 2014, approximately what percentage of DWI participants in your DWI Court program were Native Hawaiian or Other Pacific Islander?

Number of responding court programs = 123 (77 DWI Courts and 46 DWI/Drug Courts).

**Table 1.10**  
**Percentage of Program Participants: White**

	All Responding Courts		DWI Courts		DWI/Drug Courts	
	Number	%	Number	%	Number	%
0%	1	1%	0	0%	1	2%
1%-9%	2	2%	2	3%	0	0%
10%-19%	2	2%	1	1%	1	2%
20%-29%	1	1%	1	1%	0	0%
30%-49%	4	3%	4	5%	0	0%
50%-74%	24	20%	16	21%	8	17%
75%-100%	87	71%	52	68%	35	76%
No Response	2	2%	1	1%	1	2%

Q8. In calendar year 2014, approximately what percentage of DWI participants in your DWI Court program were White?

Number of responding court programs = 123 (77 DWI Courts and 46 DWI/Drug Courts).

**Table 1.11**  
**Percentage of Program Participants: English Is Not Primary Language**

	All Responding Courts		DWI Courts		DWI/Drug Courts	
	Number	%	Number	%	Number	%
0%	80	65%	42	55%	38	83%
1%-9%	29	24%	23	30%	6	13%
10%-19%	5	4%	4	5%	1	2%
20%-29%	5	4%	4	5%	1	2%
30%-49%	1	1%	1	1%	0	0%
50%-74%	0	0%	0	0%	0	0%
75%-100%	3	2%	3	4%	0	0%

Q9. In calendar year 2014, approximately what percentage of DWI participants in your DWI Court program did not have English as their primary language?

Number of responding court programs = 123 (77 DWI Courts and 46 DWI/Drug Courts).

**Table 1.12**  
**Percentage of Program Participants: Employed Full Time**

	All Responding Courts		DWI Courts		DWI/Drug Courts	
	Number	%	Number	%	Number	%
0%	2	2%	1	1%	1	2%
1%-9%	2	2%	2	3%	0	0%
10%-19%	1	1%	0	0%	1	2%
20%-29%	6	5%	2	3%	4	9%
30%-49%	22	18%	15	19%	7	15%
50%-74%	43	35%	25	32%	18	39%
75%-100%	40	33%	27	35%	13	28%
No Response	7	6%	5	6%	2	4%

Q10. In calendar year 2014, approximately what percentage of DWI participants in your DWI Court program were employed full time, employed part time, or unemployed?

Number of responding court programs = 123 (77 DWI Courts and 46 DWI/Drug Courts).

**Table 1.13**  
**Percentage of Program Participants: Employed Part Time**

	All Responding Courts		DWI Courts		DWI/Drug Courts	
	Number	%	Number	%	Number	%
0%	9	7%	5	6%	4	9%
1%-9%	15	12%	12	16%	3	7%
10%-19%	31	25%	20	26%	11	24%
20%-29%	35	28%	19	25%	16	35%
30%-49%	22	18%	15	19%	7	15%
50%-74%	2	2%	0	0%	2	4%
75%-100%	2	2%	1	1%	1	2%
No Response	7	6%	5	6%	2	4%

Q10. In calendar year 2014, approximately what percentage of DWI participants in your DWI Court program were employed full time, employed part time, or unemployed?

Number of responding court programs = 123 (77 DWI Courts and 46 DWI/Drug Courts).

**Table 1.14  
Percentage of Program Participants: Unemployed**

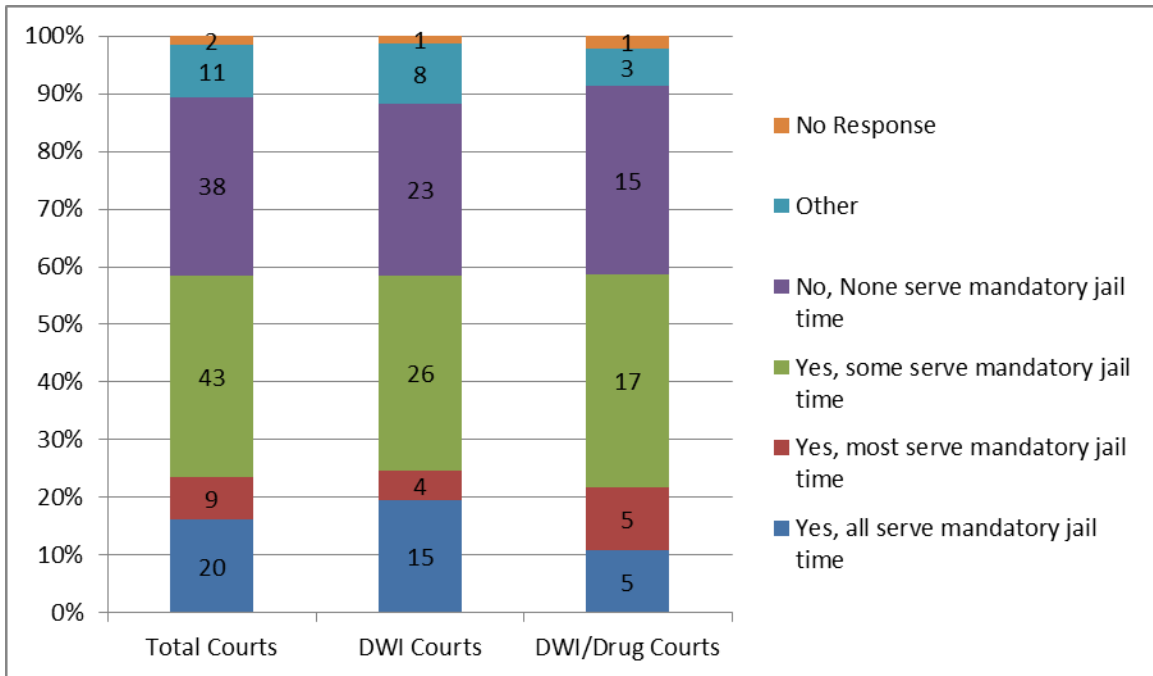
	All Responding Courts		DWI Courts		DWI/Drug Courts	
	Number	%	Number	%	Number	%
0%	13	11%	8	10%	5	11%
1%-9%	35	28%	25	32%	10	22%
10%-19%	25	20%	14	18%	11	24%
20%-29%	14	11%	10	13%	4	9%
30%-49%	22	18%	11	14%	11	24%
50%-74%	5	4%	2	3%	3	7%
75%-100%	2	2%	2	3%	0	0%
No Response	7	6%	5	6%	2	4%

Q10. In calendar year 2014, approximately what percentage of DWI participants in your DWI Court program were employed full time, employed part time, or unemployed?

Number of responding court programs = 123 (77 DWI Courts and 46 DWI/Drug Courts).

The responding court programs varied in whether their participants served jail time before entering the program. “Other” responses were too varied in terms of what was being described in order to create any grouping for them.

**Figure 1.3**  
**Do Participants Serve Jail Time Before Entering The Court Program?**

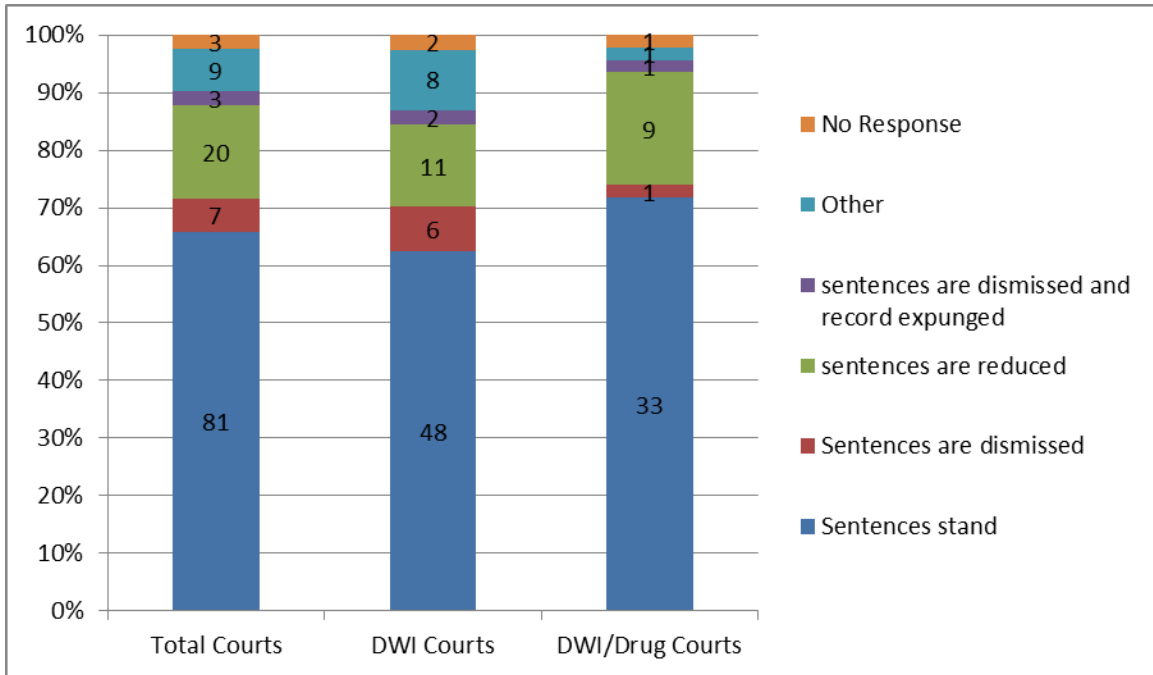


Q11. Do the DWI participants in your Court program serve jail time before entering the DWI Court program?

Number of responding court programs = 123 (77 DWI Courts and 46 DWI/Drug Courts).

After graduation, sentences typically stand (i.e., remain unchanged after graduation) for most program participants. “Other” responses tended to indicate that it depended on the circumstances.

**Figure 1.4**  
**Sentence Disposition for Most DWI Participants After Graduation**



Q12. After graduation from the DWI Court program, what is the sentence disposition for the majority of your DWI participants in the Court program?

Number of responding court programs = 123 (77 DWI Courts and 46 DWI/Drug Courts).

In presenting the programs' total numbers of participants, Table 1.15 does not show a column for the DWI Courts and DWI/Drug Courts combined but instead reports results for them separately in order to juxtapose for DWI/Drug Courts the total number of all program participants (i.e. including drug offenders whose offense may not relate at all to driving) against the number of DWI participants. The median reported number of DWI participants was 29 for the DWI Courts and 18 for the DWI/Drug Courts. For DWI Courts and DWI/Drug Courts combined, the median reported number of DWI participants was 25.

**Table 1.15  
Number of Program Participants Active In Program**

	DWI Courts		DWI/Drug Courts All Clients <sup>2</sup>		DWI/Drug Courts DWI Clients <sup>3</sup>	
	Number	%	Number	%	Number	%
Number of program participants active in program						
Less Than 10	9	12%	2	4%	10	22%
10-19	19	25%	7	15%	14	30%
20-29	11	14%	7	15%	7	15%
30-39	10	13%	12	26%	3	7%
40-49	5	6%	3	7%	3	7%
50-59	7	9%	4	9%	4	9%
60-74	5	6%	2	4%	1	2%
75-99	5	6%	3	7%	1	2%
100-124	0	0%	4	9%	2	4%
125-149	4	5%	2	4%	0	0%
150-199	0	0%	0	0%	0	0%
200+	2	3%	0	0%	0	0%
No Response					1 <sup>4</sup>	2%

Q13. How many participants are currently active in your DWI Court program? [If a Drug/DWI Court] Please include both your DWI and Drug cases.

Q13a. [If a DWI/Drug Court] How many of these active participants were in your program for a DWI offense, how many were in your program for a drug offense, and how many were there for both DWI and drug offenses?

Number of responding court programs = 77 DWI Courts and 46 DWI/Drug Courts.

<sup>2</sup> This is the total of participants in the program for a DWI offense, a drug offense, and both DWI and drug offenses.

<sup>3</sup> This is the total of participants in the program for a DWI offense, or both DWI and drug offenses.

<sup>4</sup> One DWI/Drug Court provided total number of cases, but did not break out DWI cases from non-DWI.

The median capacity of the program reported by the responding courts was 40 participants.

**Table 1.16  
Maximum Capacity of Program**

	All Responding Courts		DWI Courts		DWI/Drug Courts	
	Number	%	Number	%	Number	%
Maximum capacity (number of participants):						
10-19	11	9%	7	9%	4	9%
20-29	26	21%	21	27%	5	11%
30-39	20	16%	12	16%	8	17%
40-49	11	9%	4	5%	7	15%
50-59	10	8%	5	6%	5	11%
60-74	13	11%	10	13%	3	7%
75-99	5	4%	2	3%	3	7%
100-124	15	12%	8	10%	7	15%
125-149	2	2%	2	3%	0	0%
150-199	4	3%	2	3%	2	4%
200+	5	4%	4	5%	1	2%
No Response	1	1%	0	0%	1	2%

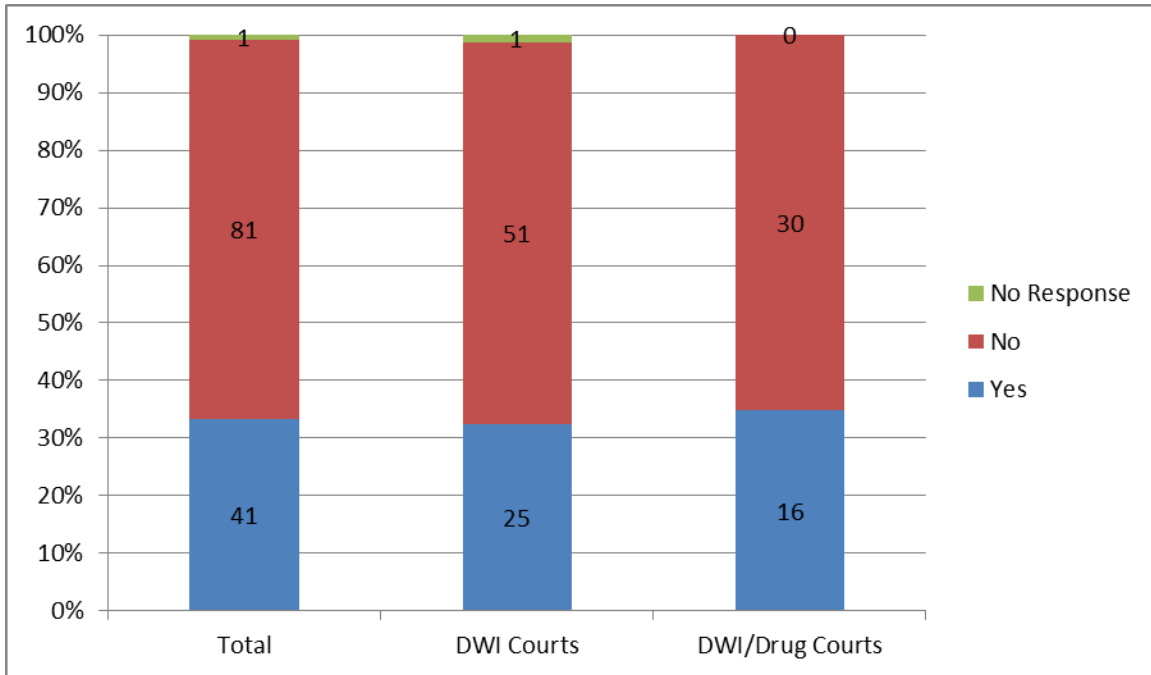
Q14. Given currently available resources, approximately what is the maximum capacity of your DWI Court program? [If a Drug/DWI Court] Please include both your DWI and Drug cases.

Number of responding court programs = 123 (77 DWI Courts and 46 DWI/Drug Courts).



Most of the responding court programs said that they had the capacity to serve all convicted DWI offenders eligible to participate in the program (i.e., there were not more eligible offenders than can participate), although a substantial percentage reported that was not the case.

**Figure 1.5**  
**More Convicted DWI Offenders Eligible Than Can Participate?**



Q15. Are more convicted DWI offenders eligible for the Court program than can participate given Court resource limitations?

Number of responding court programs = 123 (77 DWI Courts and 46 DWI/Drug Courts).

Among the court programs having more eligible offenders than placement slots, about one-half indicated that the difference was 15 or fewer slots. However, some of the programs reported far greater need than what the program could serve.

**Table 1.17**  
**Number of Eligible DWI Offenders Exceeding Capacity**

	All Responding Courts		DWI Courts		DWI/Drug Courts	
	Number	%	Number	%	Number	%
Number exceeding capacity						
<5	7	17%	5	20%	2	13%
5-10	8	20%	6	24%	2	13%
11-15	8	20%	3	12%	5	31%
16-20	0	0%	0	0%	0	0%
21-25	3	7%	2	8%	1	6%
26-50	5	12%	3	12%	2	13%
51-75	2	5%	1	4%	1	6%
76-100	1	2%	0	0%	1	6%
100>	6	15%	5	20%	1	6%
No Response	1	2%	0	0%	1	6%

Q15a. In calendar year 2014, how many more convicted DWI offenders were eligible for the Court program than could participate because of Court resource limitations?

Number of responding court programs = 41 (25 DWI Courts and 16 DWI/Drug Courts).

The 41 courts that said in Q15 that there are more convicted DWI offenders eligible for the program than can participate received this question.

The percentages are based on the number that received the question.

For those programs where the number of eligible offenders exceeded the number of slots, NHTSA asked how they made the slot selections. In doing so, NHTSA listed two of the most likely approaches, which the respondent could check if either applied. The questionnaire also gave respondents the opportunity to enter any additional approaches they used. Those volunteered responses tended to involve willingness to participate in the program, referrals, or some type of diagnosis.

**Table 1.18**

**Method of Selecting DWI Offender To Enter Available Slots When Eligibility Exceeded Capacity**

	<b>All Responding Courts</b>		<b>DWI Courts</b>		<b>DWI/Drug Courts</b>	
	Number	%	Number	%	Number	%
<b>Order of processing in justice system.</b>	21	51%	14	56%	7	44%
<b>Clinical assessment.</b>	19	46%	10	40%	9	56%
<b>Other (Volunteered)</b>	11	27%	7	28%	4	25%
<p>Q15b. How did you select which DWI offenders to enter the DWI Court program when there were not enough slots for all who were eligible? Please check all that apply.</p> <p>Number of responding court programs = 41 (25 DWI Courts and 16 DWI/Drug Courts).</p> <p>The 41 courts that said in Q15 that there are more convicted DWI offenders eligible for the program than can participate received this question.</p> <p>The percentages are based on the number that received the question.</p>						

There was wide variation in the number of 2014 entrants to the program across the responding DWI Courts.

**Table 1.19**  
**Number of Participants Who Entered The DWI Court Program in 2014**

	All Responding Courts		DWI Courts		DWI/Drug Courts <sup>5</sup>	
	Number	%	Number	%	Number	%
Number of Entrants						
0-9	24	20%	20	26%	4	9%
10-19	23	19%	17	22%	6	13%
20-29	23	19%	9	12%	14	31%
30-39	10	8%	8	10%	2	4%
40-49	11	9%	4	5%	7	16%
50-59	3	2%	3	4%	0	0%
60-74	10	8%	6	8%	4	9%
75-99	7	6%	3	4%	4	9%
100-124	4	3%	3	4%	1	2%
125-149	2	2%	1	1%	1	2%
150-199	3	2%	2	3%	1	2%
No Response	2	2%	1	1%	1	2%

Q16. In calendar year 2014, how many people entered the DWI Court program? [If a DWI/Drug Court] Please include both your DWI and Drug cases.

Number of responding court programs = 122 (77 DWI Courts and 45 DWI/Drug Courts).

<sup>5</sup> The numbers include both DWI and Drug cases.

Almost two-thirds of the responding DWI Courts and three-quarters of the responding DWI/Drug Courts graduated fewer than 20 DWI program participants in 2014. Among the DWI/Drug Courts, 25 had more DWI offenders graduate than drug offenders, 13 had more drug offenders graduate than DWI offenders, 5 had equal numbers graduate, and 2 did not fully respond to the question.

**Table 1.20  
Number of Participants Who Graduated The DWI Court Program in 2014**

	DWI Courts		DWI/Drug Courts DWI Cases Only		DWI/Drug Courts Both DWI and Drug Cases	
	Number	%	Number	%	Number	%
Number of Graduates						
0	6	8%	2	4%	1	2%
1-9	20	26%	23	51%	14	31%
10-19	23	30%	9	20%	13	29%
20-29	5	6%	5	11%	5	11%
30-39	6	8%	0	0%	1	2%
40-49	5	6%	2	4%	6	13%
50-59	2	3%	2	4%	2	4%
60-74	3	4%	0	0%	1	2%
75-99	2	3%	0	0%	1	2%
100-124	2	3%	0	0%	0	0%
125-149	1	1%	0	0%	0	0%
No Response	2	3%	2	4%	1	2%

Q17. In calendar year 2014, how many people graduated from the DWI Court program? [If a DWI/Drug Court] Please include both your DWI and Drug cases.

Q17a. [If a DWI/Drug Court] In calendar year 2014, how many DWI participants graduated from the DWI Court program?

Number of responding court programs = 77 DWI Courts and 45 DWI/Drug Courts.

The responding DWI Courts were less likely than the responding DWI/Drug Courts to have participants drop out or be removed from the program in 2014.

**Table 1.21  
Number of Participants That Dropped Out or Were Removed From Program in 2014**

	All Responding Courts		DWI Courts		DWI/Drug Courts <sup>6</sup>	
	Number	%	Number	%	Number	%
Number Dropped Out or Removed/Terminated						
0	13	11%	12	16%	1	2%
1-5	56	47%	39	51%	17	39%
6-10	21	18%	9	12%	12	27%
11-15	10	8%	4	5%	6	14%
16-20	8	7%	6	8%	2	5%
21-25	4	3%	1	1%	3	7%
26-50	3	3%	2	3%	1	2%
51-74	2	2%	1	1%	1	2%
75+	1	1%	0	0%	1	2%
No Response	2	2%	2	3%	0	0%

Q19. In calendar year 2014, how many participants dropped out or were removed/terminated from the DWI Court program before completing all of their program requirements? [If a DWI/Drug Court] Please include both your DWI and Drug cases.

Number of responding court programs = 120 (76 DWI Courts and 44 DWI/Drug Courts).

<sup>6</sup> The numbers include both DWI and Drug cases.

The difference between the Drug Courts and the DWI/Drug Courts in the previous Table appears to stem from the drug cases. When looking strictly at the DWI cases, the vast majority of the responding DWI/Drug Courts either did not have anyone drop out or be removed or had 5 or fewer with that outcome.

**Table 1.22**  
**Number of Participants That Dropped Out or Were Removed From DWI/Drug Program in 2014: DWI and Drug Compared To DWI Only**

	DWI/Drug Courts DWI and Drug Cases Combined		DWI/Drug Courts DWI Cases Only	
	Number	%	Number	%
Number Dropped Out or Removed/Terminated				
0	1	2%	9	20%
1-5	17	39%	25	57%
6-10	12	27%	6	14%
11-15	6	14%	1	2%
16-20	2	5%	2	5%
21-25	3	7%	0	0%
26-50	1	2%	0	0%
51-74	1	2%	0	0%
75+	1	2%	0	0%
No Response	0	0%	1	2%

Q19. In calendar year 2014, how many participants dropped out or were removed/terminated from the DWI Court program before completing all of their program requirements? Please include both your DWI and Drug cases.

Q19a. In calendar year 2014, how many DWI participants dropped out or were removed/terminated from the DWI Court program before completing all of their program requirements?

Number of responding court programs = 44 DWI/Drug Courts.

Other than through graduation, program participants that departed the program were more likely to be removed or terminated by the program rather than to drop out.

**Table 1.23  
Number of DWI Participants That Dropped Out Of Program in 2014 Compared To Number That Were Removed/Terminated From Program**

	All Responding Courts		DWI Courts		DWI/Drug Courts	
	Number	%	Number	%	Number	%
Number Dropped Out						
0	87	73%	53	70%	34	79%
1	13	11%	9	12%	4	9%
2	7	6%	4	5%	3	7%
3	2	2%	2	3%	0	0%
4	4	3%	3	4%	1	2%
5	1	1%	1	1%	0	0%
6	2	2%	1	1%	1	2%
9	1	1%	1	1%	0	0%
No Response	2	2%	2	3%	0	0%
Number Removed/Terminated						
0	24	20%	15	20%	9	21%
1	17	14%	10	13%	7	16%
2	18	15%	10	13%	8	19%
3	15	13%	10	13%	5	12%
4	9	8%	5	7%	4	9%
5	4	3%	1	1%	3	7%
6	2	2%	2	3%	0	0%
7	3	3%	3	4%	0	0%
8-9	9	8%	6	8%	3	7%
10-11	4	3%	3	4%	1	2%
12-15	2	2%	1	1%	1	2%
16-19	2	2%	0	0%	2	5%
20 or more	8	7%	8	11%	0	0%
No Response	2	2%	2	3%	0	0%

Q20. Of the participants who dropped out or were removed/terminated from the program in calendar year 2014, how many dropped out and how many were removed/terminated? [If DWI/Drug Court] Please base your answers on the DWI cases only.

Number of responding court programs = 119 (76 DWI Courts and 43 DWI/Drug Courts). This includes the courts that said in Q19 that there were 0 participants that dropped out or were removed/terminated.



**Table 1.24**  
**Leading Reasons Why Participants Dropped Out or Were  
Removed/Terminated From The Program**

**The vast majority of reasons that the responding DWI Courts gave for program departures fell into four general categories:**

- **Non-Compliance;**
- **New charges/violations/offenses/arrests;**
- **Continued alcohol/substance use; and**
- **Absconded.**

**Less frequent mentions included dishonesty, lack of progress, and not wanting to participate in the program any longer.**

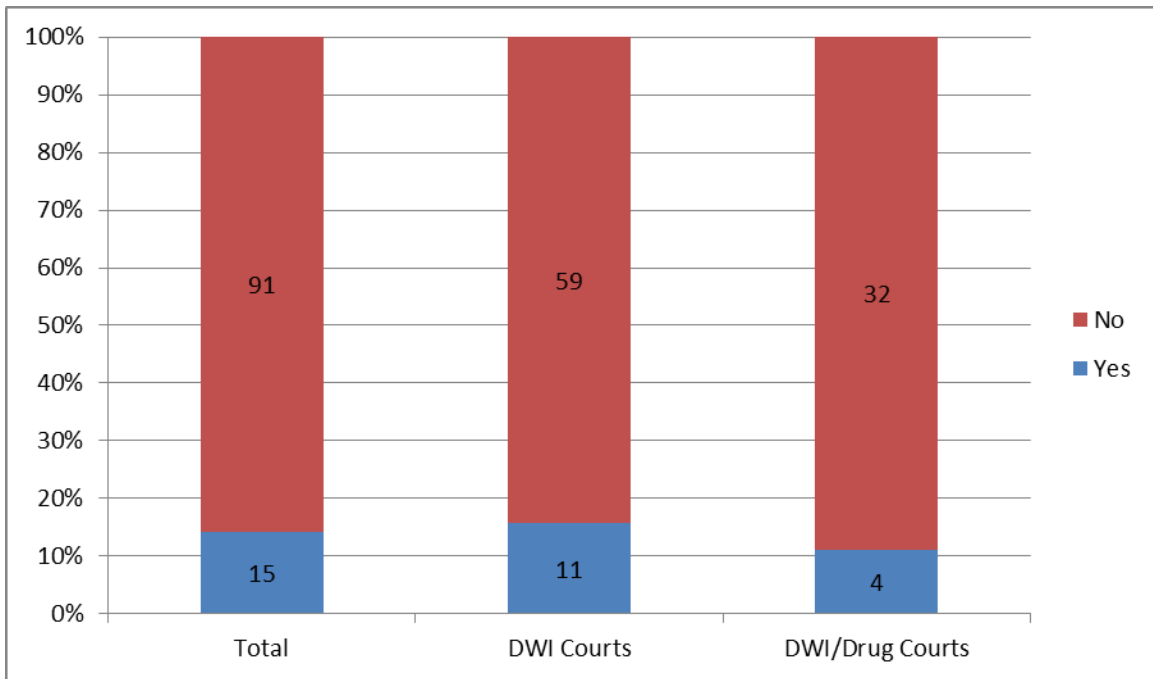
Q21. What were the leading reasons why participants dropped out or were removed/terminated from the DWI Court program in calendar year 2014? Please list the top three reasons in calendar year 2014. [If DWI/Drug Court] Please base your answers on the DWI cases only.

Number of responding court programs = 119 (76 DWI Courts and 43 DWI/Drug Courts).

**Chapter 2.**  
**Program Structure**  
**Questions 22-33b**

The DWI Court assignment did not rotate among the judges in the vast majority of responding court programs.

**Figure 2.1**  
**Assignment Rotates Among the Judges in the Jurisdiction**



Q22. Does the DWI Court assignment rotate among the judges in the jurisdiction?

Number of responding court programs = 106 (70 DWI Courts and 36 DWI/Drug Courts).

Those court programs that said the DWI Court assignment rotates among judges tended to report stability in the participation of judges in the program, i.e., no change occurring until the existing court judge decides to step down or the judge being assigned to the DWI Court for two years. The three “other” responses talked of participation of two judges in the program, with one of them referring to three month rotations.

**Table 2.1**  
**Rotation of Judges Assigned To DWI Court**

	Number
<b>Until the existing court judge steps down.</b>	8
<b>Two years.</b>	4
<b>Other (Volunteered)</b>	3

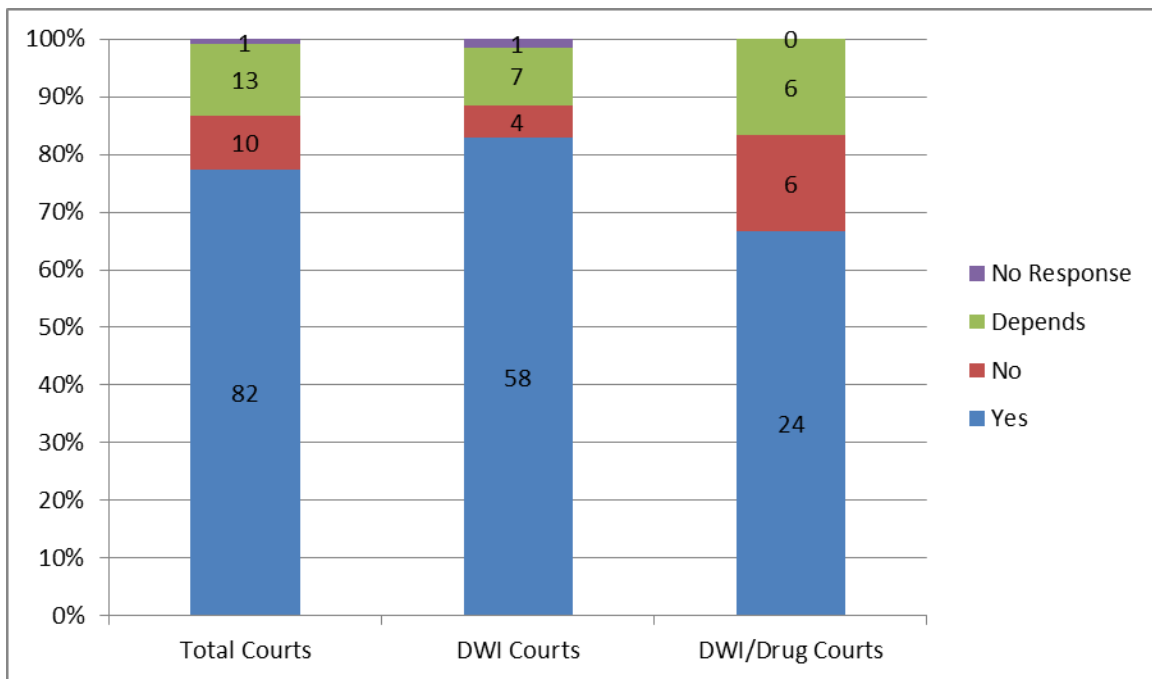
Q22a. How long are judges typically assigned to your DWI Court?

Number of responding court programs = 15.

The 15 court programs that said in Q22 that the court assignment rotates among judges received this question.

The vast majority of responding DWI Court programs said that treatment and supervision of the DWI participant changes as the participant proceeds through the program. In those instances where the answer was that it “depends,” it was usually reported as being dependent on the progress of the participant or a determination of the treatment needs of the participant.

**Figure 2.2**  
**Does Treatment/Supervision Change as the DWI Participant Progresses to the End of the Program?**



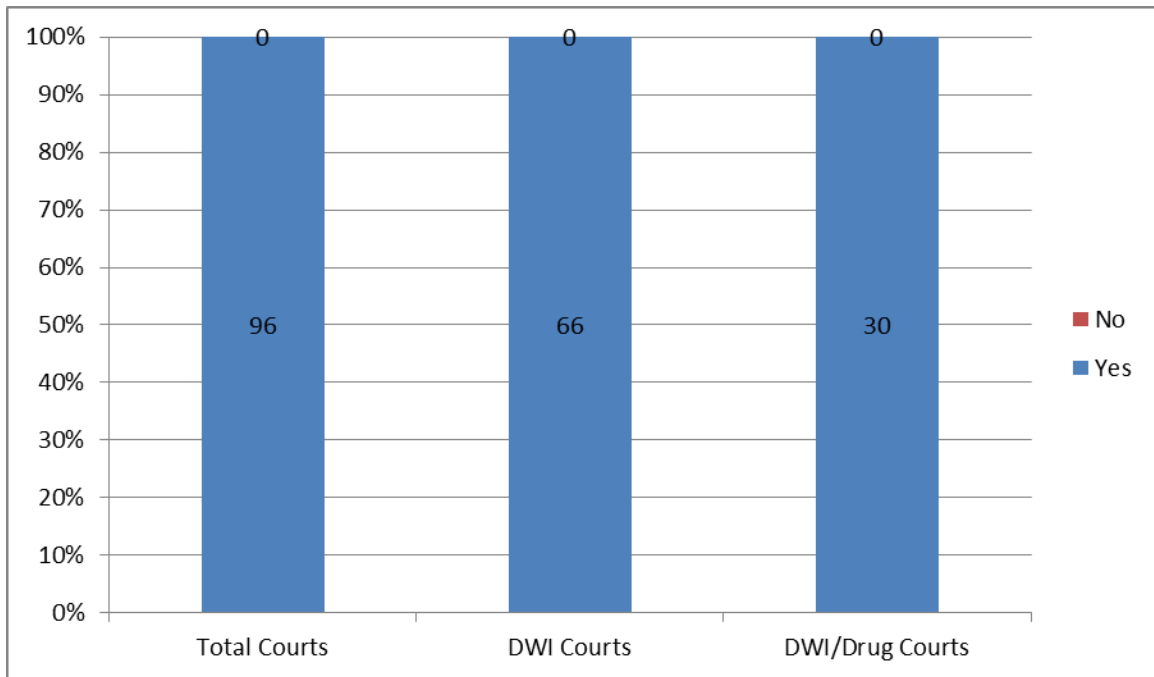
Q23. Does the treatment and supervision that the DWI participant receives at the beginning of the program change as the DWI participant continues to the end of the program?

Q23a. What does it depend on?

Number of responding court programs = 106 (70 DWI Courts and 36 DWI/Drug Courts).

The DWI Court programs that said that treatment and supervision of DWI participants changed as the participant continued in the program were all structured in phases.

**Figure 2.3**  
**Program Is Structured in Phases Through Which All Participants Are Expected To Progress**



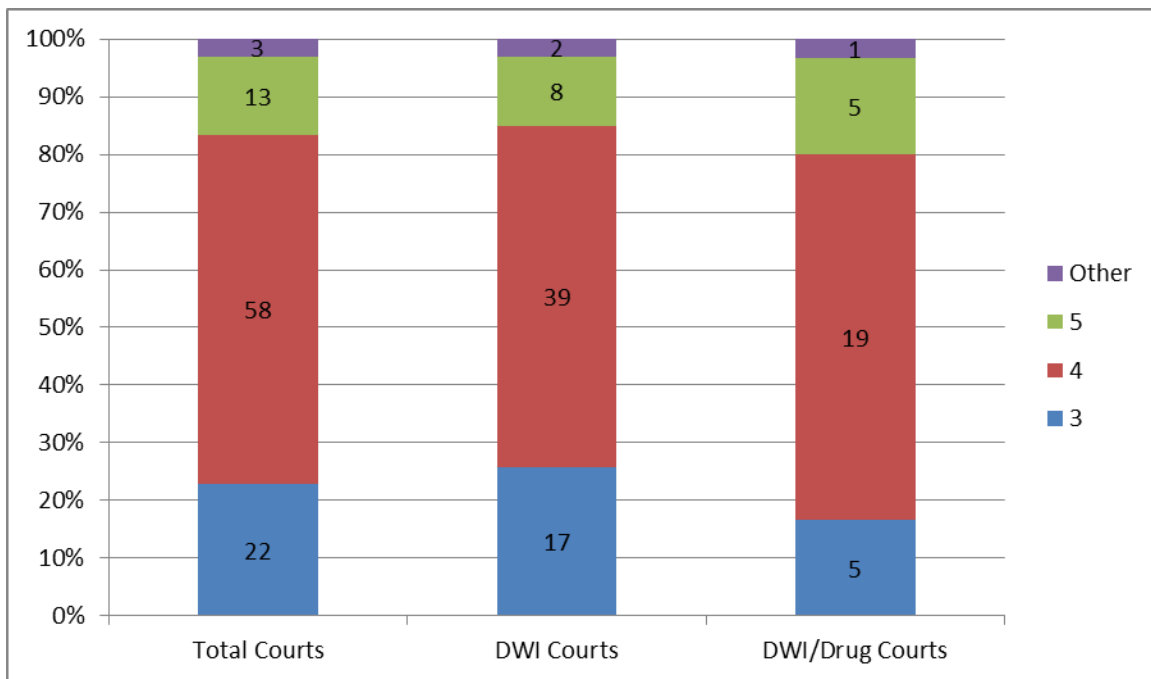
Q23b. Is the DWI Court program structured in Phases through which all DWI participants in the program are expected to progress?

Number of responding court programs = 96 (66 DWI Courts and 30 DWI/Drug Courts).

The 96 court programs that answered Yes, Depends, or gave no response to Q23, which asked if the program changes as the participant continues in the program, received this question.

Phased programs had a minimum of three phases. Most programs had 4 phases. The responses listed as “other” were 6 phases, 12 phases, and a No Response.

**Figure 2.4**  
**Number of Program Phases That Participant Is Expected To Progress Through.**



Q23b1. How many Phases are DWI participants in the program expected to progress through?

Number of responding court programs = 96 (66 DWI Courts and 30 DWI/Drug Courts).

The 96 court programs that said in Q23b that the program has phases responded to this question.

The minimum time needed to graduate the program tended to be from 12 to 18 months.

**Table 2.2**  
**Minimum Time DWI Participants Must Be Enrolled In Program To Graduate**

	All Responding Courts		DWI Courts		DWI/Drug Courts	
	Number	%	Number	%	Number	%
Number of Months:						
No Minimum	2	2%	1	1%	1	3%
1-5	2	2%	1	1%	1	3%
6-11	4	4%	3	4%	1	3%
12	47	44%	31	44%	16	44%
13-17	21	20%	12	17%	9	25%
18	24	23%	17	24%	7	19%
19-24	2	2%	1	1%	1	3%
25-29	0	0%	0	0%	0	0%
30-36	2	2%	2	3%	0	0%
No Response	2	2%	2	3%	0	0%

Q24. What is the minimum period of time DWI participants are required to be enrolled in the DWI Court program in order to graduate? If there is no minimum please enter a "0".

Number of responding court programs = 106 (70 DWI Courts and 36 DWI/Drug Courts).



When asked the actual amount of time that DWI participants on average spend in the program before graduating, the median amount of time reported across the responding DWI Courts was 17 months.

**Table 2.3**  
**In Practice, Average Amount of Time DWI Participants Are Enrolled Before Graduating**

	All Responding Courts		DWI Courts		DWI/Drug Courts	
	Number	%	Number	%	Number	%
Number of Months:						
6-11	2	2%	1	1%	1	3%
12	14	13%	9	13%	5	14%
13-15	30	28%	21	30%	9	25%
16-17	9	8%	5	7%	4	11%
18	18	17%	10	14%	8	22%
19-24	26	25%	18	26%	8	22%
25-29	2	2%	1	1%	1	3%
36	2	2%	2	3%	0	0%
40	1	1%	1	1%	0	0%
No Response	2	2%	2	3%	0	0%

Q25. In practice, what is the average period of time DWI participants are enrolled in the DWI Court program before graduating?

Number of responding court programs = 106 (70 DWI Courts and 36 DWI/Drug Courts).

Among choices presented on the questionnaire, variation in the expected length of DWI Court participation most often depended on probation violator status/level and on clinical assessment. Volunteered “other” responses most commonly cited compliance, progress, the type of charge, or relapse. However, about one-half of the responding courts said that the expected length of DWI Court participation did not vary.

**Table 2.4**  
**Expected Length of DWI Court Participation Varies Depending On .....**

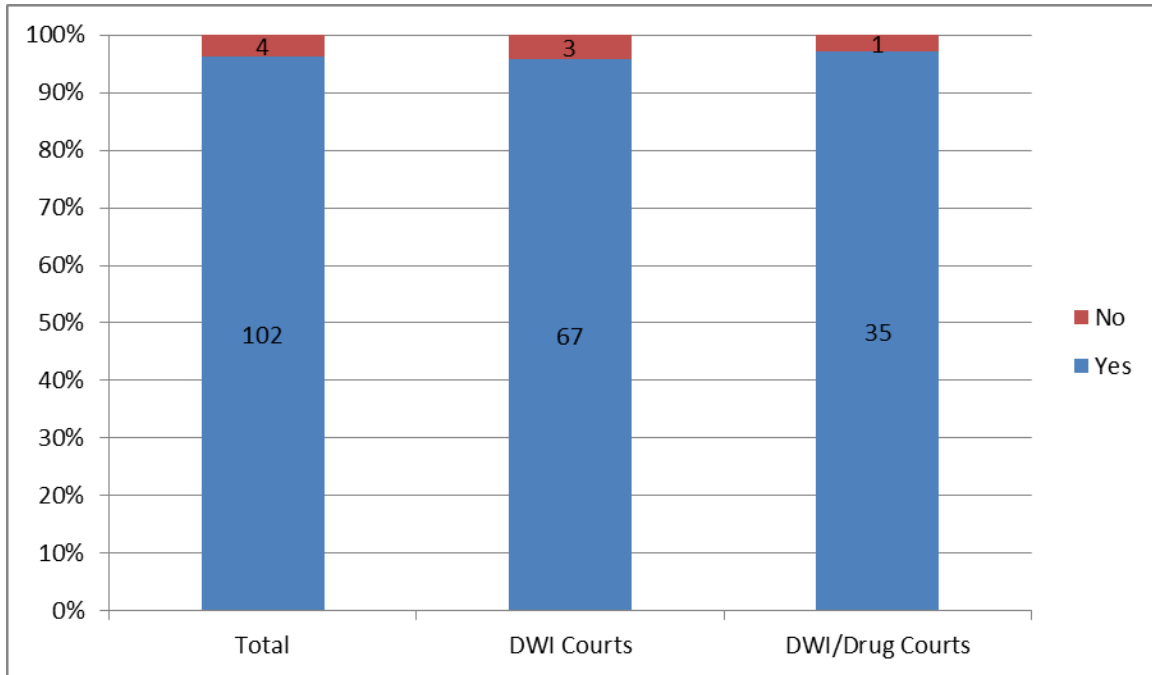
	Number That Answered “Yes”	%
Probation violator status/level.	18	17%
Clinical assessment.	14	13%
Initial drug test results.	9	8%
The type of drug used by the participant.	6	6%
Length of alternative sentence.	5	5%
Criminal history.	4	4%
The length does not vary.	52	49%
Other (volunteered)	34	32%

Q26. Does the expected length of DWI Court participation vary depending on .....? Please check all that apply.

Number of responding court programs = 106.

Almost all of the court programs had restrictions on who could enter the program based on the client's criminal history.

**Figure 2.5**  
**Restrictions on Who Can Enter the Court Program Based on Criminal History**



Q27. Does your DWI Court have restrictions on who can enter the Court program based on the DWI offender's criminal history?

Number of responding court programs = 106 (70 DWI Courts and 36 DWI/Drug Courts).

The majority of responding DWI Courts indicated that the most serious type of prior conviction a DWI participant in the program is allowed to have is a non-violent offense felony.

**Table 2.5**  
**Most Serious Type of Prior Conviction DWI Participant in Program Can Have**

	<b>All Responding Courts</b>		<b>DWI Courts</b>		<b>DWI/Drug Courts</b>	
	Number	%	Number	%	Number	%
Non-violent offense misdemeanors	4	4%	4	6%	0	0%
Non-violent offense felonies	58	57%	33	49%	25	71%
Violent offense misdemeanors	19	19%	13	19%	6	17%
Violent offense felonies	19	19%	15	22%	4	11%
No Response	1	1%	1	1%	0	0%
None	1	1%	1	1%	0	0%

Q27a. What is the most serious type of prior conviction DWI participants in the Court program are allowed to have?

Number of responding court programs = 102 (67 DWI Courts and 35 DWI/Drug Courts).

The 102 court programs that said in Q27 that there are restrictions based on criminal history on who can enter the program received this question.

Almost three-quarters of the responding courts said that there was no maximum limit on the number of prior DWI convictions that DWI participants in the court program could have and still remain eligible.

**Table 2.6**  
**Maximum Number of Prior DWI Convictions That DWI Participants in Program Are Allowed to Have**

	All Responding Courts		DWI Courts		DWI/Drug Courts	
	Number	%	Number	%	Number	%
Number Prior Convictions						
1	4	4%	3	4%	1	3%
2	5	5%	4	6%	1	3%
3	6	6%	3	4%	3	9%
4	4	4%	3	4%	1	3%
5 or more	10	10%	6	9%	4	11%
No limit	72	71%	47	70%	25	71%
No Response	1	1%	1	1%	0	0%

Q27b. What is the maximum number of prior DWI convictions DWI participants in the Court program are allowed to have?

Number of responding court programs = 102 (67 DWI Courts and 35 DWI/Drug Courts)

The 102 court programs that said in Q27 that there are restrictions based on criminal history on who can enter the program received this question.

Minimum criteria for program eligibility were usually multiple DWI convictions, and to a lesser extent a high BAC. “Other” volunteered responses included alcohol or chemical dependency and the type of offense.

**Table 2.7**  
**Minimum Criteria For a DWI Offender to Be Eligible For The DWI Court Program**

	All Responding Courts		DWI Courts		DWI/Drug Courts	
	Number	%	Number	%	Number	%
Multiple DWI convictions/offenses	93	89%	64	93%	29	81%
High BAC	45	43%	28	41%	17	47%
Other (volunteered)	27	26%	16	23%	11	31%

Q28. What are the minimum criteria for a DWI offender to be eligible for the DWI Court program? Please check all that apply.

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

A substantial number of the responding courts said that other criteria used to exclude DWI offenders from the program included the presence of a severe mental disorder. Few indicated that previous treatment failure was used as a criterion. Many volunteered other exclusionary criteria. The majority of these involved jurisdiction issues (residency or conviction in the jurisdiction covered by the court), violent offenses, sex offenses, or drug distribution offenses.

**Table 2.8**  
**Other Criteria Used To Exclude DWI Offenders From Admission To The Court Program**

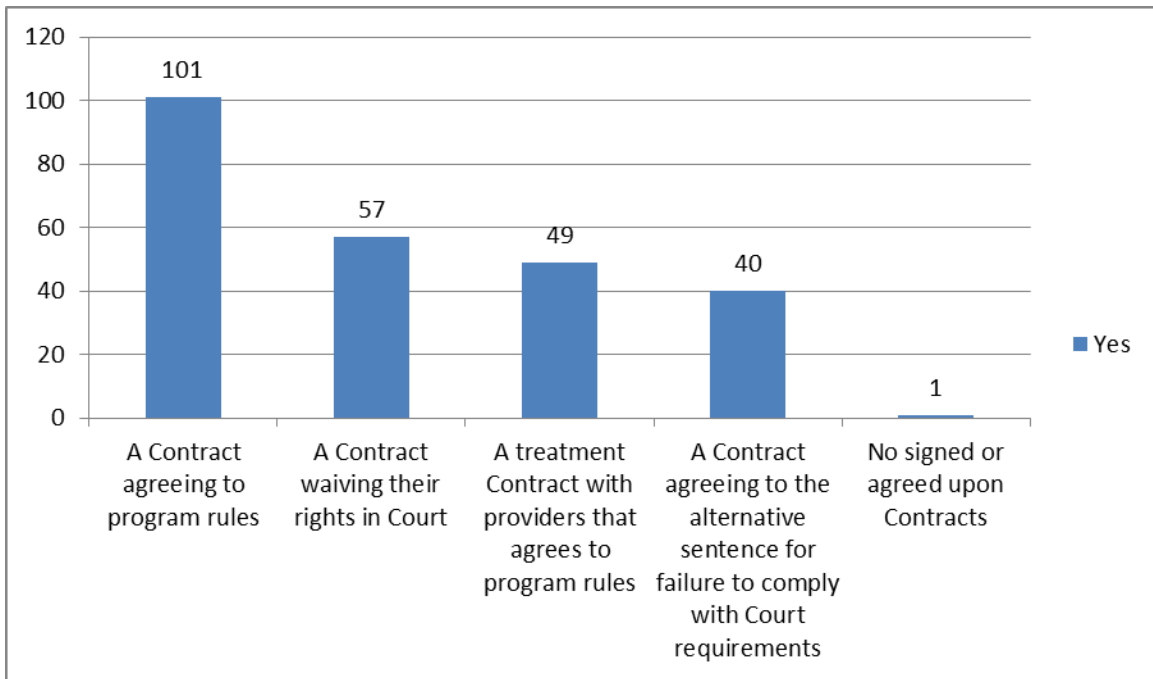
	<b>All Responding Courts</b>		<b>DWI Courts</b>		<b>DWI/Drug Courts</b>	
	Number	%	Number	%	Number	%
Previous treatment failure	6	6%	4	6%	2	6%
Presence of a severe mental disorder	62	59%	41	59%	21	58%
Other (volunteered)	50	48%	37	54%	13	36%
None	22	21%	12	17%	10	28%

Q29. What other criteria are used to exclude DWI offenders from admission in the DWI Court program? Please check all that apply.

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

Nearly all responding programs said that DWI offenders were required to sign or agree to a contract stating that they would abide by program rules.

**Figure 2.6**  
**DWI Offenders Required or Agree To Sign Contract**



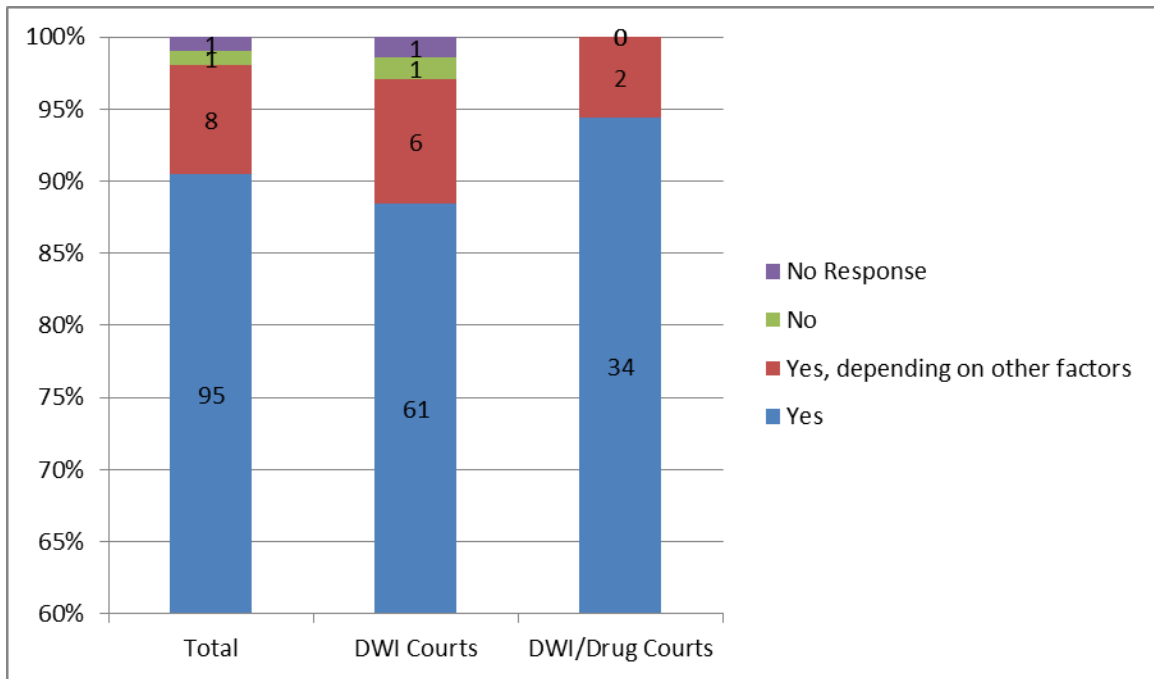
Q30. Are DWI offenders required to sign or agree to a Contract in order to begin participating in the DWI Court program? Please check all that apply.

Number of responding court programs = 105



Almost all of the responding programs said that a DWI participant could remain in treatment after a positive drug or alcohol test; although some said it depended on the number of positive tests, with the remainder saying it depended on other factors. The y-axis in Figure 2.7 has been abbreviated in order to show the smallest values.

**Figure 2.7**  
**Program Allows DWI Participants To Remain In Treatment After Positive Drug or Alcohol Test**



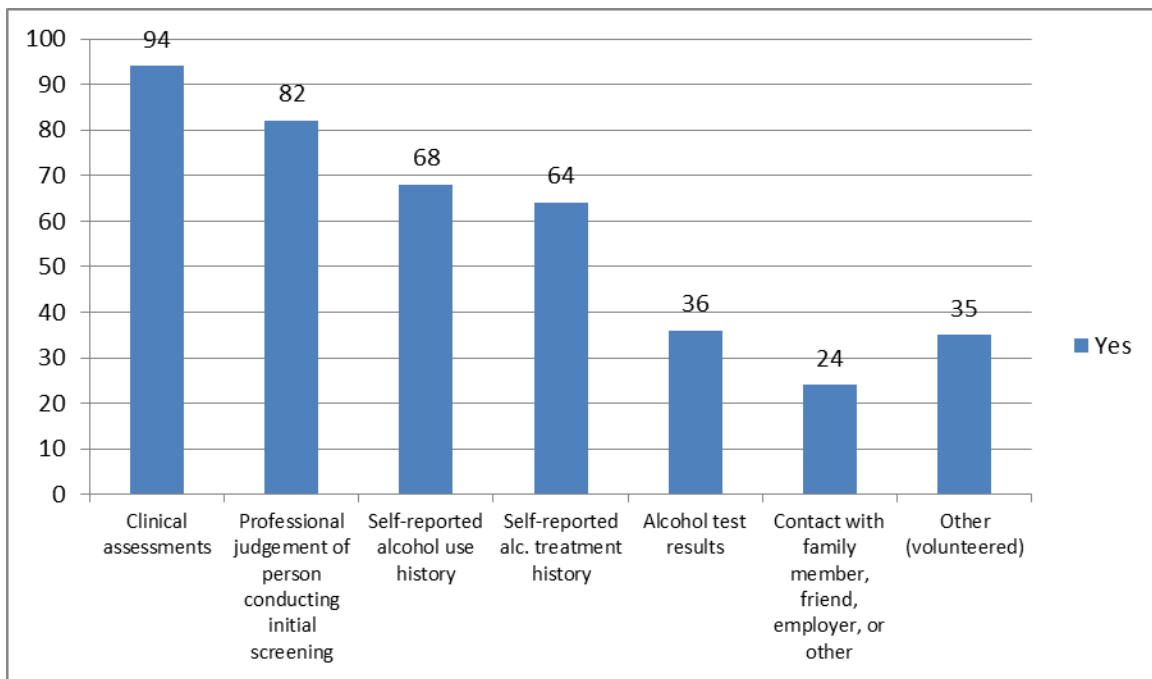
Q31. Does your DWI Court program allow DWI participants to remain in treatment after a positive drug or alcohol test?

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

Respondents could check any of six sources of information used by their programs to determine if DWI offenders were eligible for their programs, as well as add “other” sources of information not listed. The vast majority of programs identified clinical assessment and the professional judgement of the person conducting the screening as sources they used. Other frequent responses included self-reported alcohol use history and self-reported alcohol treatment history.

The most frequently volunteered source of information not listed on the NHTSA questionnaire was criminal history/prior record/ past alcohol or DWI offenses. Fifteen of the programs that provided “other” responses included this in their answer. Some of the programs also referred to court or team decisions.

**Figure 2.8**  
**Sources of Information That Determine Whether DWI Offenders Are Eligible For The DWI Court Program**

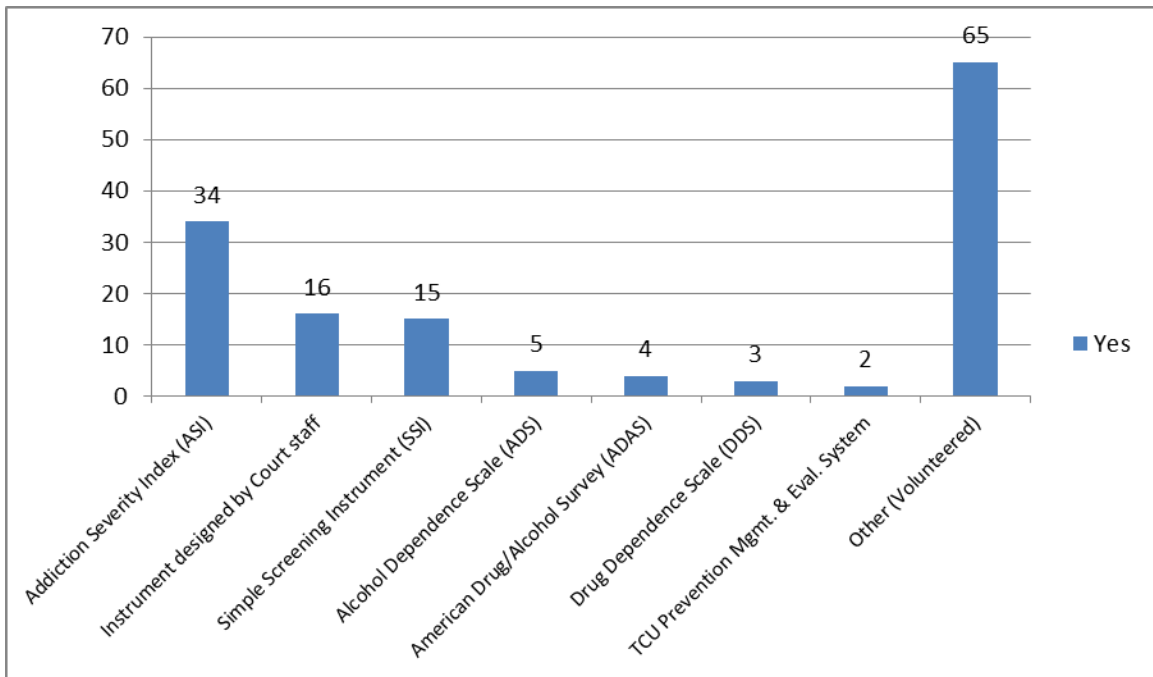


Q32. Which of the following sources of information determine whether DWI offenders are eligible for the Court program? Please check all that apply.

Number of responding programs = 105.

NHTSA found substantial diversity in the assessment instruments used by programs to determine clinical eligibility, with many not listed on the NHTSA questionnaire. “Other” instruments cited by 5 or more of the programs were the Michigan Alcohol Screening Test (MAST) (8), NEEDS (8), the Level of Service Inventory (LSI, LSI-R) (8), the Driver Risk Inventory (DRI, DRI II) (6), the Substance Abuse Subtle Screening Inventory (SASSI) (6), and the Minnesota Rule 25 Assessment Tool (5). Approximately 40 of the programs indicated that they used more than one instrument.

**Figure 2.9**  
**Instrument Used To Assess Clinical Eligibility**



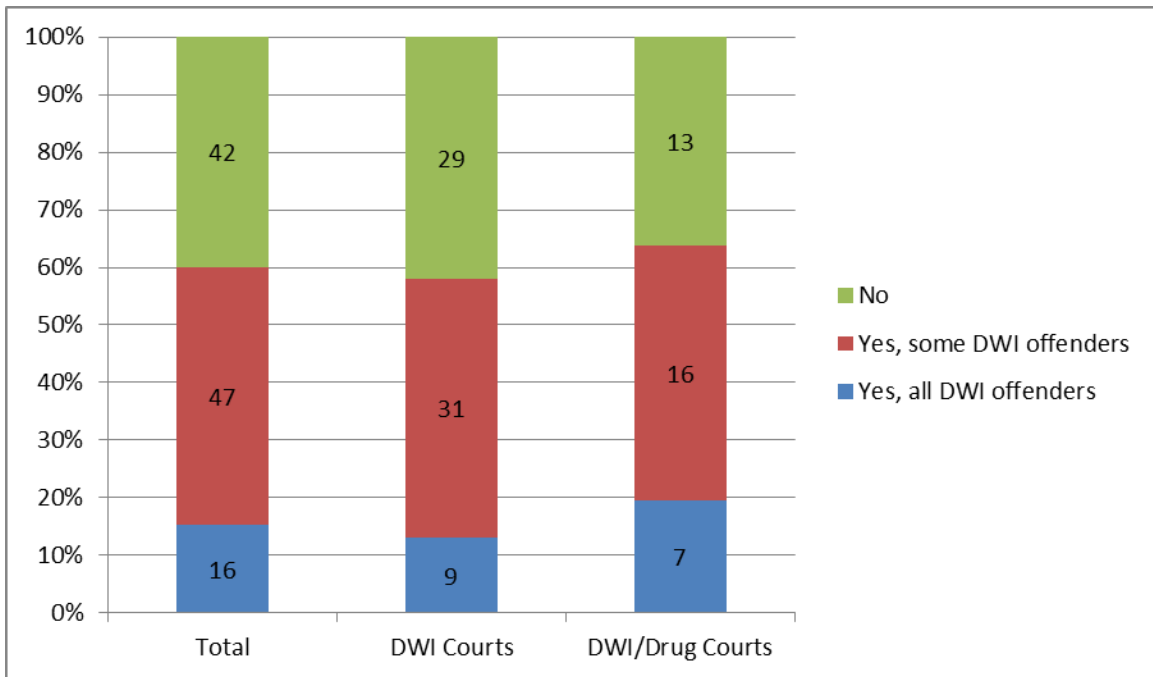
Q32a. What instrument is used to assess clinical eligibility? Please check all that apply.

Number of responding court programs = 91.

The 91 courts that said in Q32 that clinical assessments are a source of information used to determine program eligibility received this question. Two additional programs, those recoded as clinical assessment as described on the previous page, were added to “other” because they listed a specific assessment instrument in Q32 that could be entered into Q32a. The third program that was recoded as clinical assessment did not list their instrument in Q32 and therefore have no response for Q32a.

Relatively few of the responding programs conducted mental health assessments of all DWI offenders. But a plurality conducted such assessments for some DWI offenders. The 47 programs that conducted mental health assessments for some DWI offenders were then asked to identify the criteria for conducting the assessments. Responses tended to refer to offender symptoms/behavior, results of initial screening, self-reporting of mental health issues, a history of mental health issues, past evaluations or diagnoses, or treatment team recommendations.

**Figure 2.10**  
**Court Conducts Formal Mental Health Assessment of DWI Offenders**



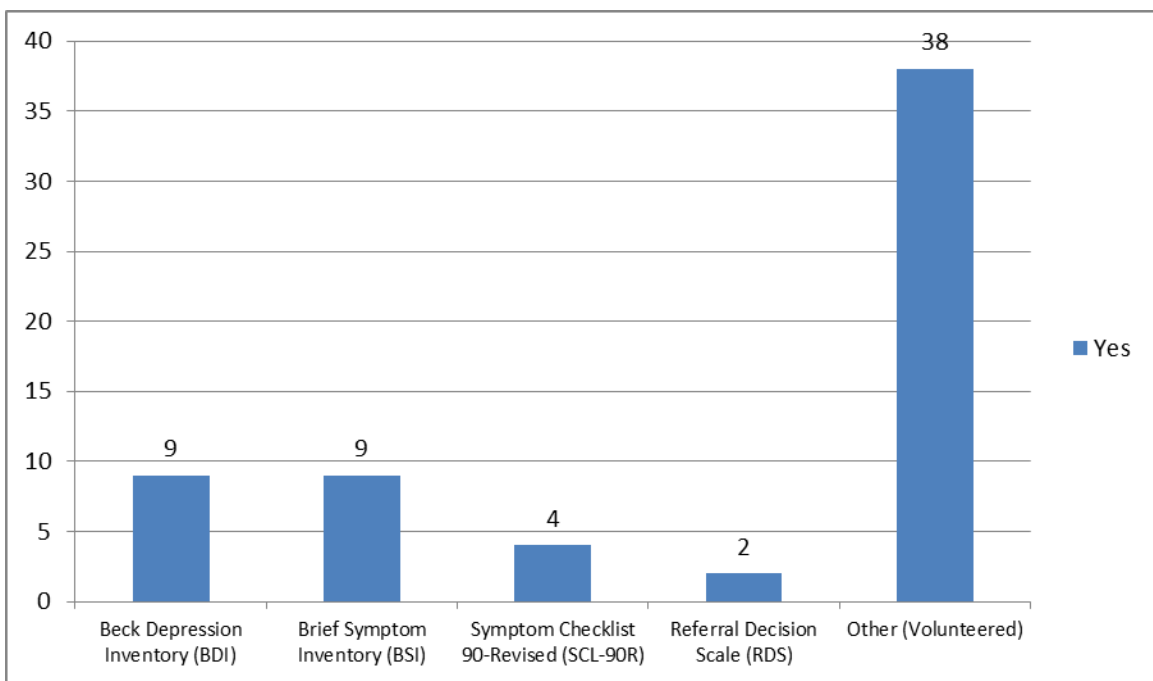
Q33. Does the DWI Court conduct a formal mental health assessment of DWI offenders?

Q33a. What are the criteria for conducting a formal mental health assessment of DWI offenders?

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

When asked what instruments they used to conduct the mental health screening, only a handful of the respondents checked off any of the instruments listed on the NHTSA questionnaire. Most entered something into the “Other” category. In 5 cases, the respondent reported being unsure of what the instrument was. A few others were likely expressing the same as they referred to the assessment being done by others. Some referred to the assessment in general terms, such as biopsychosocial assessment or psychosocial assessment. Specific instruments listed as “other” were sufficiently diverse to preclude grouping them; none were listed by more than 2 or 3 respondents.

**Figure 2.11**  
**Instrument Typically Used For Mental Health Screening**



Q33b. What instruments are typically used for the mental health screening? Please check all that apply.

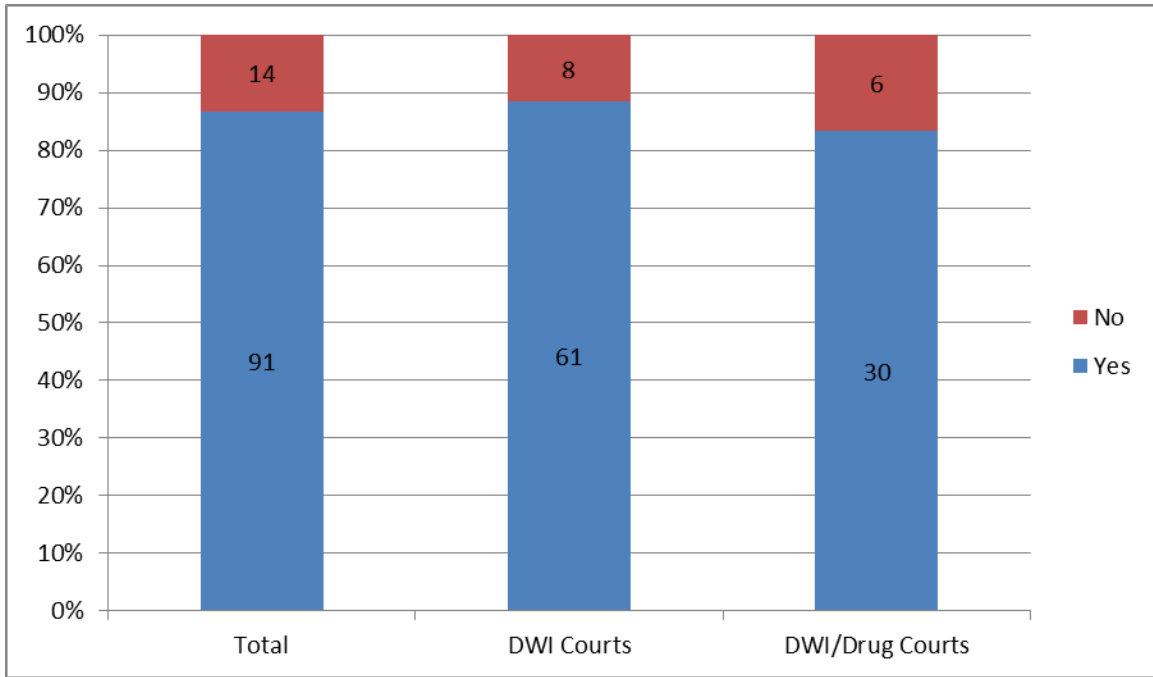
Number of responding court programs = 63.

The 63 courts that said in Q33 that a formal mental health assessment is conducted for all or some DWI offenders received the question.

**Chapter 3.**  
**Program Operations**  
**Questions 34-44**

The vast majority of responding programs had a computerized system that tracked participant progress.

**Figure 3.1**  
**DWI Court Has Computerized Data System That Tracks Client Progress**

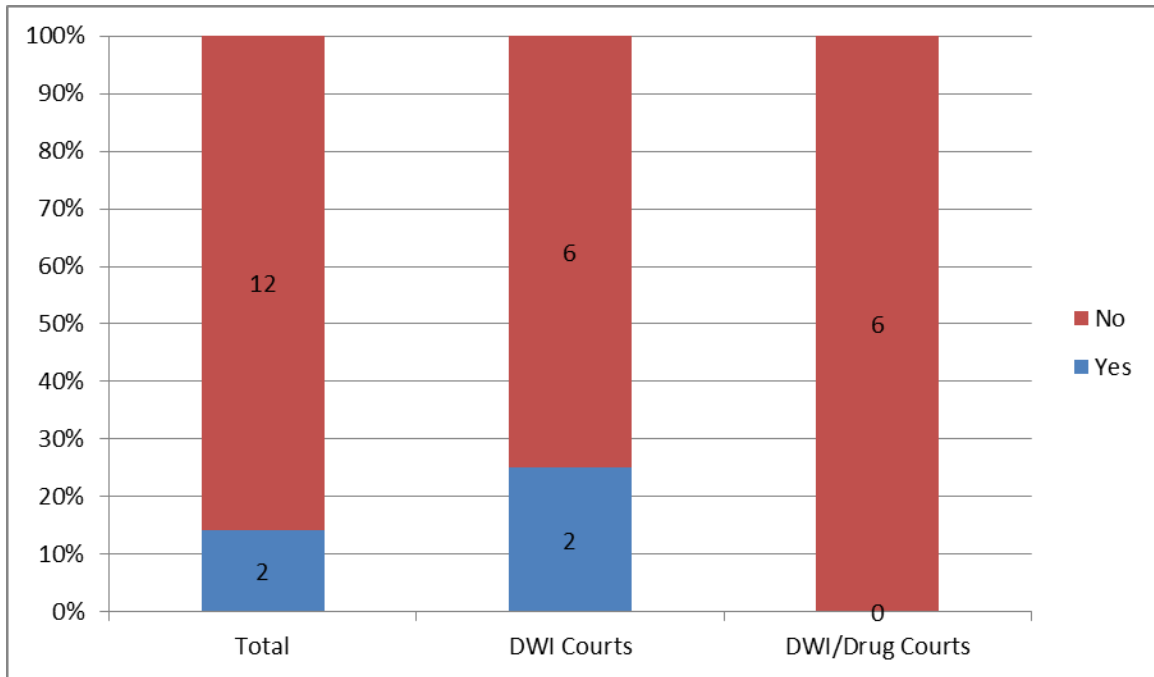


Q34. Does the DWI Court have a computerized data system that tracks client progress including both criminal justice and treatment measures?

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

NHTSA wanted to know if those programs not having an electronic tracking system were aware of the Treatment Research Institute Court Evaluation Program (TRI-CEP). TRI-CEP is a web-based reporting system that collects data useful for program evaluation and client monitoring. Only a few programs received the question as most already had an electronic tracking system, but almost none were aware of TRI-CEP.

**Figure 3.2**  
**Aware of The TRI-CEP DWI Court Module**



Q34a. Are you aware of the Treatment Research Institute Court Evaluation Program (TRI-CEP) DWI Court Module?

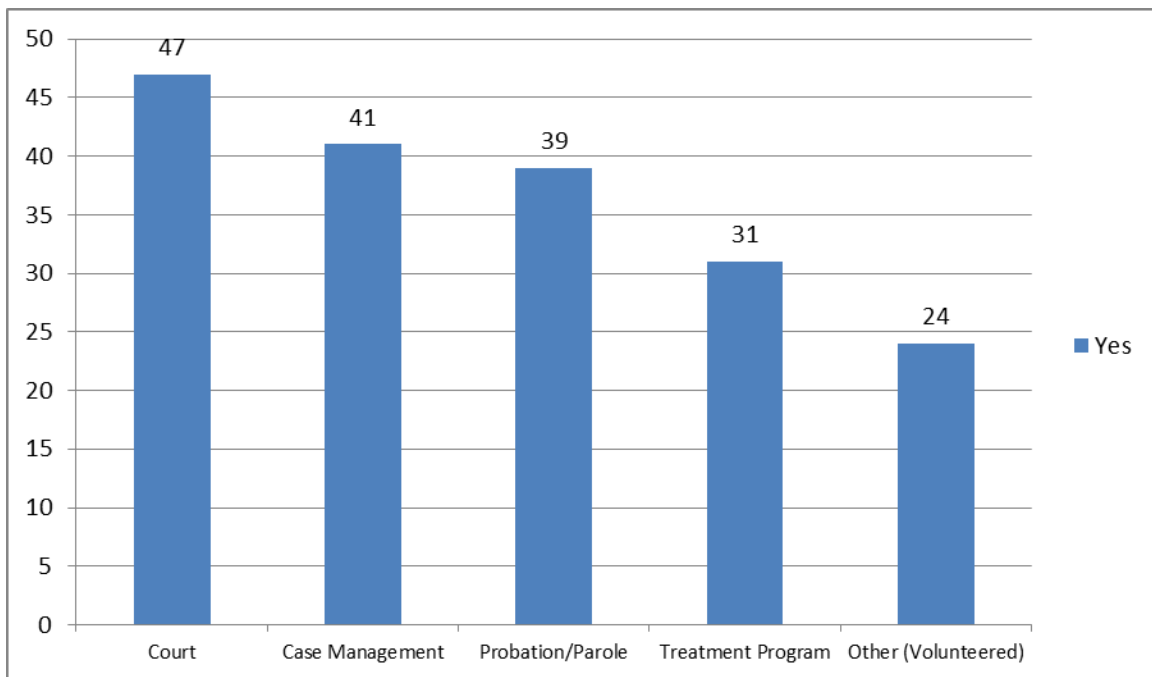
Number of responding programs = 14.

The 14 courts that said in Q34 that they do not have a computerized system received this question.



The responding programs identified various members of the court program who entered data into the computerized tracking system. Most (13) of those that volunteered some “other” response identified the Court or Program Coordinator as an individual having data entry responsibilities. A few others entered job titles that may have corresponded to the same type of position (e.g., Treatment Court Administrator; Drug Court Administrator; DUI Court Specialist).

**Figure 3.3**  
**Who Enters Data Into Computerized Data System?**



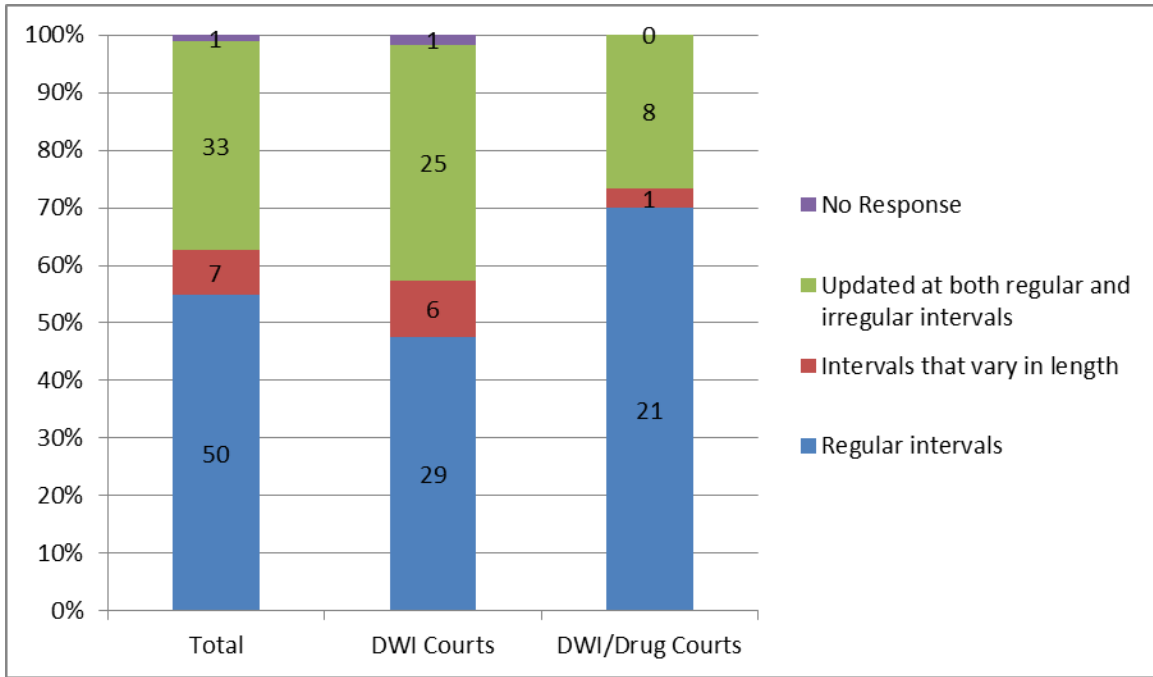
Q34b. Who enters data into the computerized data system? Please check all that apply.

Number of responding court programs = 91.

The 91 courts that said in Q34 that they have a computerized data system received the question.

Almost all of the responding programs that had computerized data systems indicated some degree of regularity in updating participant records.

**Figure 3.4**  
**Regularity of Updating Records**



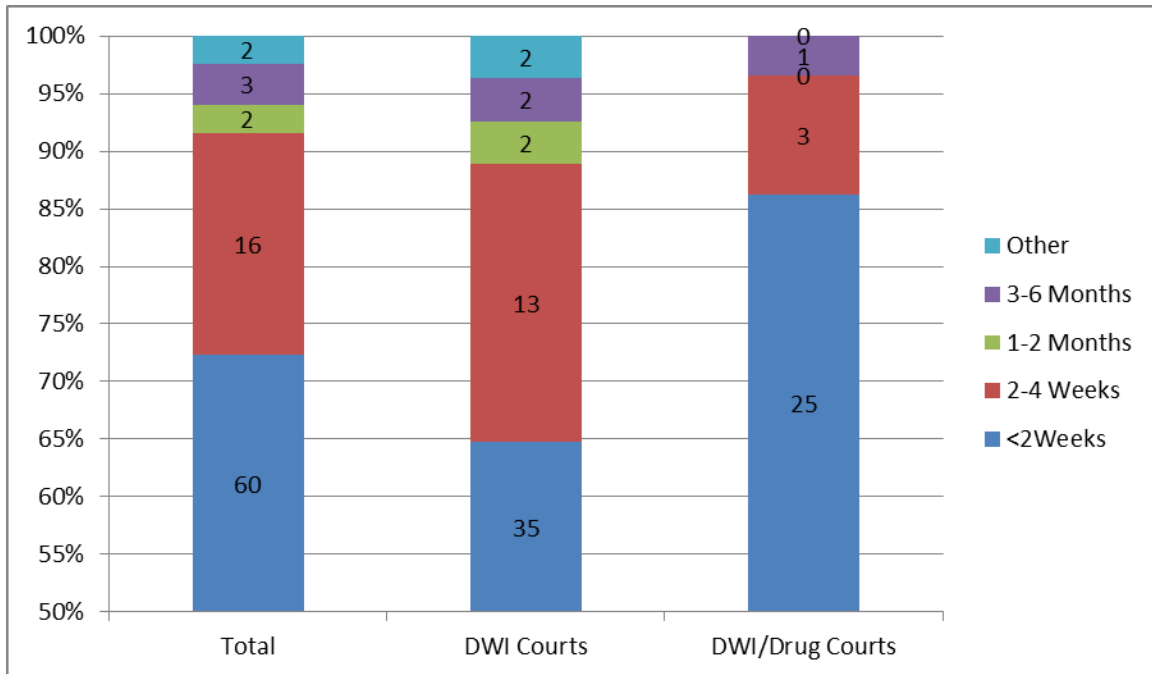
Q34c. Are client records updated at regular intervals, or are they updated at intervals that vary in length?

Number of responding court programs = 91 (61 DWI Courts and 30 DWI/Drug Courts).

The 91 courts that said in Q34 that they have a computerized data system received the question.

The responding programs tended to update records within the computerized system in intervals of two weeks or less (some of the programs volunteered that they did so daily). Few waited more than a month to do so. Two programs indicated that records were updated based on court appearances. The y-axis in Figure 3.5 has been abbreviated in order to show the smallest values.

**Figure 3.5**  
**On Average, the Frequency That Records Are Updated In The Computerized System**



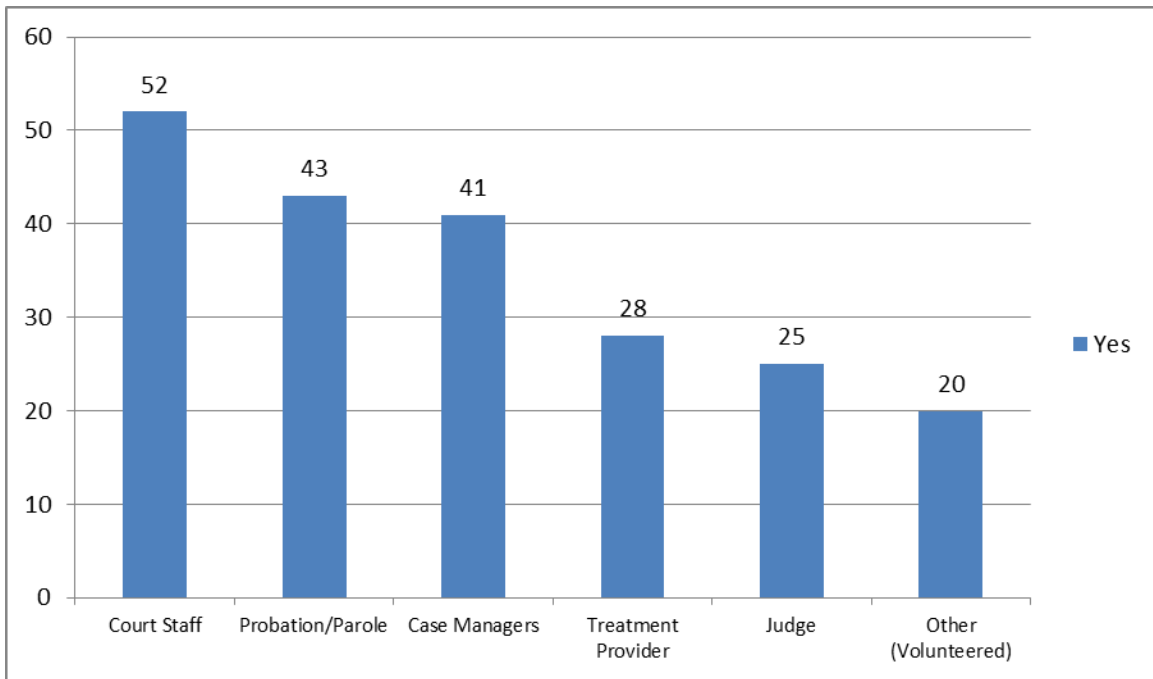
Q34c1. On average, how often are client records updated in the computerized data system?

Number of responding court programs = 83 (54 DWI Courts and 29 DWI/Drug Courts).

The 83 courts that said in Q34c that client records are updated regularly, or regularly and irregularly, received the question.

Members of the court program having access to the computerized system largely mirrored the response given for those who entered data into the system (Q34b), with the exception that the judge was added as a category. Similarly, “other” responses most often involved the Drug Court or Program Coordinator.

**Figure 3.6**  
**Who Accesses The Computerized System For Monitoring Purposes?**



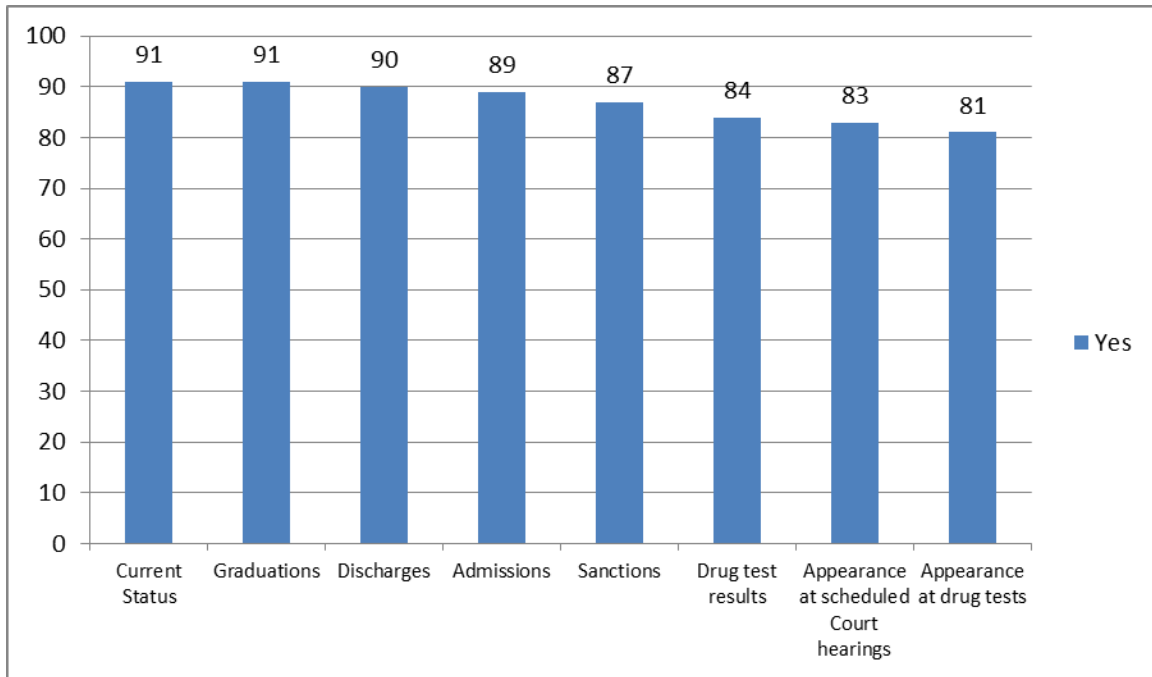
Q34d. Who accesses the computerized system for monitoring purposes? Please check all that apply.

Number of responding court programs = 91.

The 91 courts that said in Q34 that they have a computerized data system received the question.

All responding court programs that had a computerized data system indicated that they tracked client overall status and graduations. Nearly all also collected additional case flow information, information concerning compliance with program requirements, and information on client progress. All of the categories were listed on the questionnaire, with respondents checking those that applied.

**Figure 3.7**  
**Information Maintained In Computerized Records**



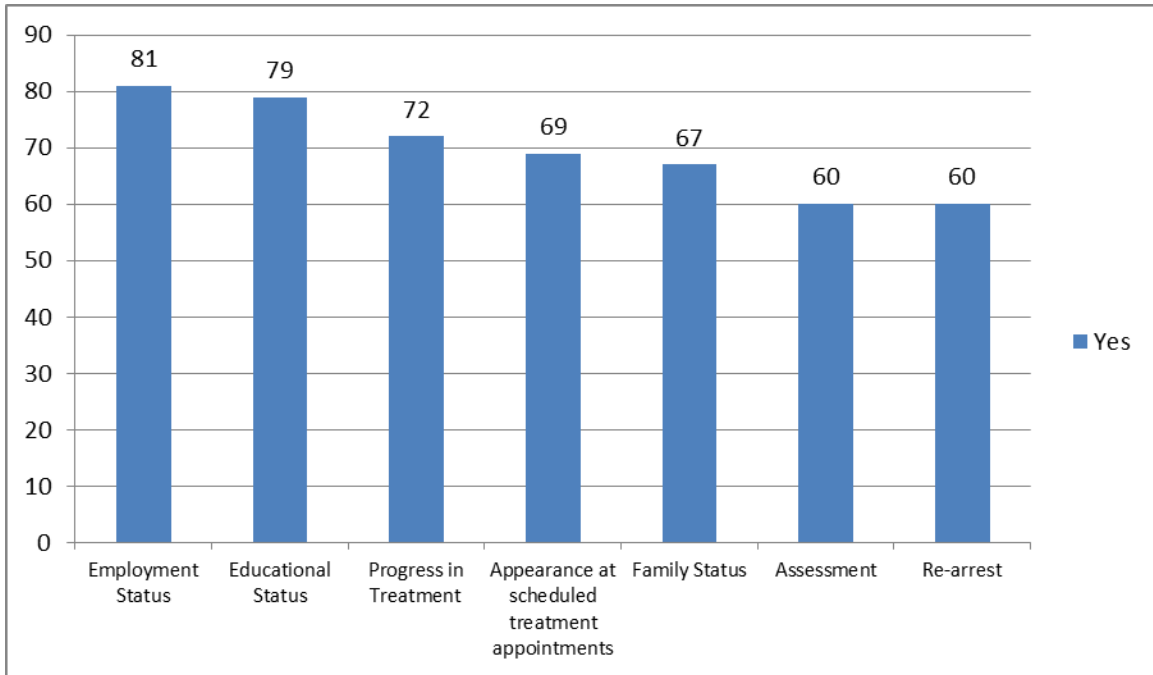
Q34e. Do you maintain computerized records of the following for DWI participants in the DWI Court program?

Number of responding court programs = 91.

The 91 courts that said in Q34 that they have a computerized data system received the question.

Respondents could select more than one listed information item.

**Figure 3.7**  
**Information Maintained In Computerized Records (Continued)**



Q34e. Do you maintain computerized records of the following for DWI participants in the DWI Court program?

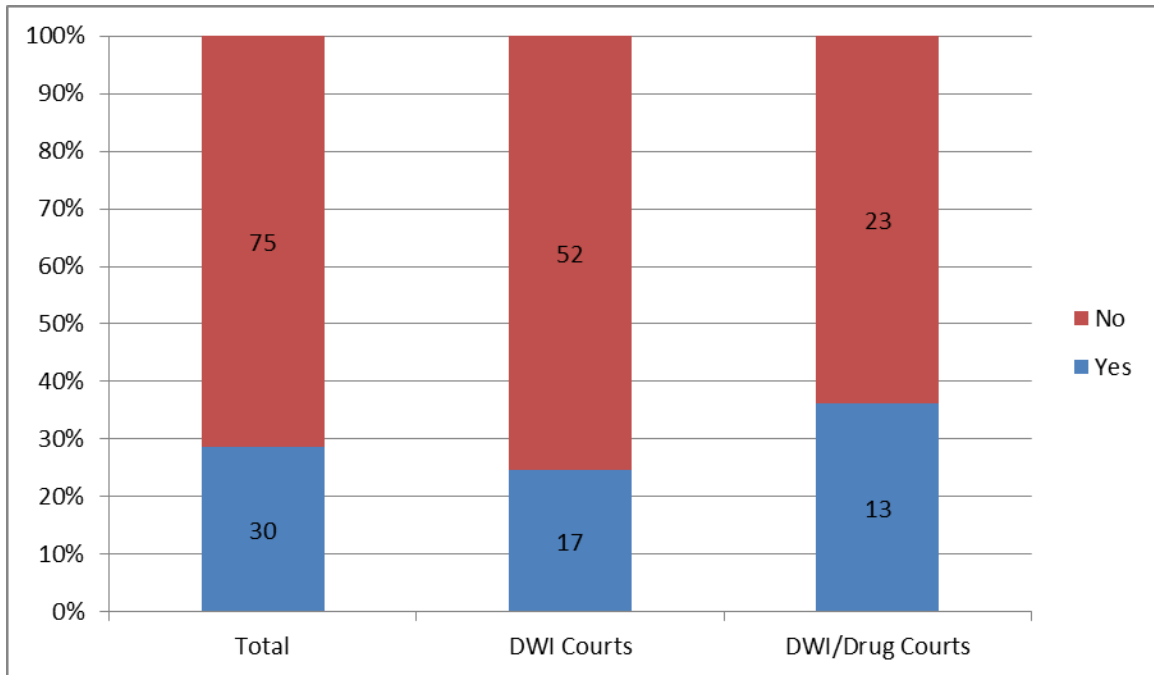
Number of responding court programs = 91.

The 91 courts that said in Q34 that they have a computerized data system received the question.

Respondents could select more than one listed information item.

Only 29 of the responding programs said that they had a computerized data system that tracked operating costs for the DWI Court program.

**Figure 3.8**  
**Have a Computerized Data System That Tracks Costs of Operating The DWI Court Program.**

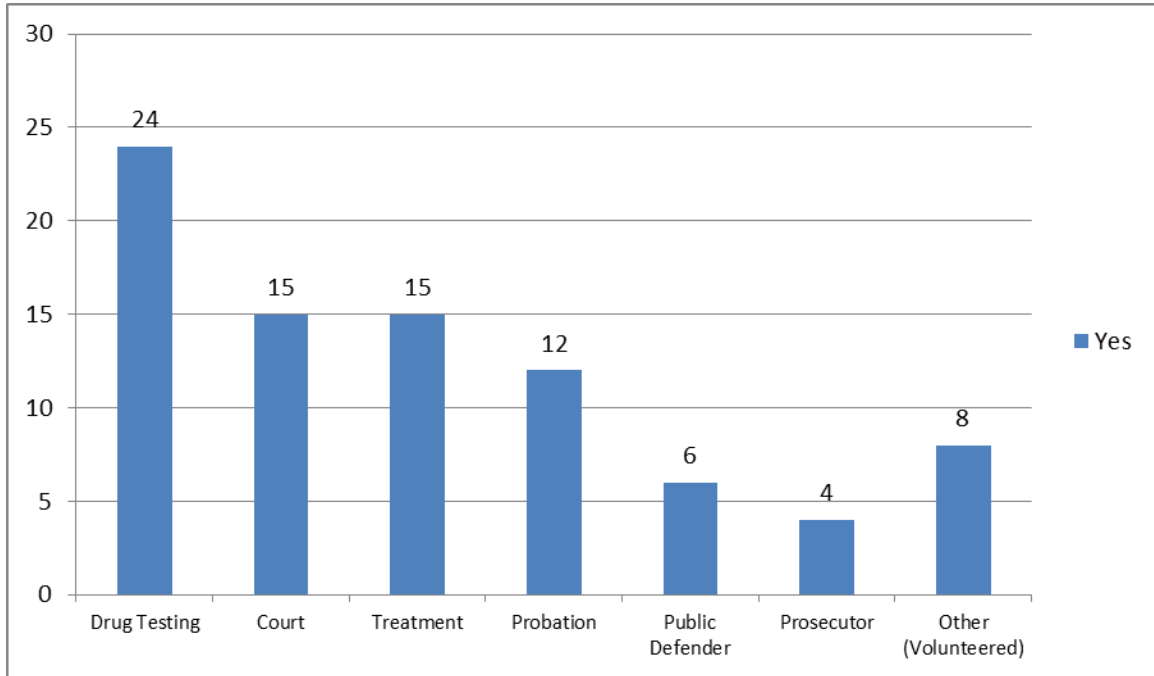


Q35. Does the DWI Court have a computerized data system that tracks costs of operating the DWI Court program?

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

Of the 30 programs that tracked costs electronically, drug testing was the cost most commonly monitored by the computerized system. About one-half as many programs said they tracked court, treatment, or probation costs. “Other” costs tracked besides those categories listed on the NHTSA questionnaire included incentives and program fees.

**Figure 3.9**  
**Cost Categories Tracked By the Electronic System**



Q35a. What are the cost categories tracked by the computerized system?

Number of responding court programs = 30.

The 30 courts that said in Q35 that they have a computerized data system that tracks costs received the question.

Respondents could select more than one listed cost category.



The median duration among the responding court programs between initial arraignment in court and a DWI offender's entry into the program was between 31 and 45 days.

**Table 3.1**  
**Average Duration Between Initial Arraignment in Court and DWI Offender's Entry Into Program**

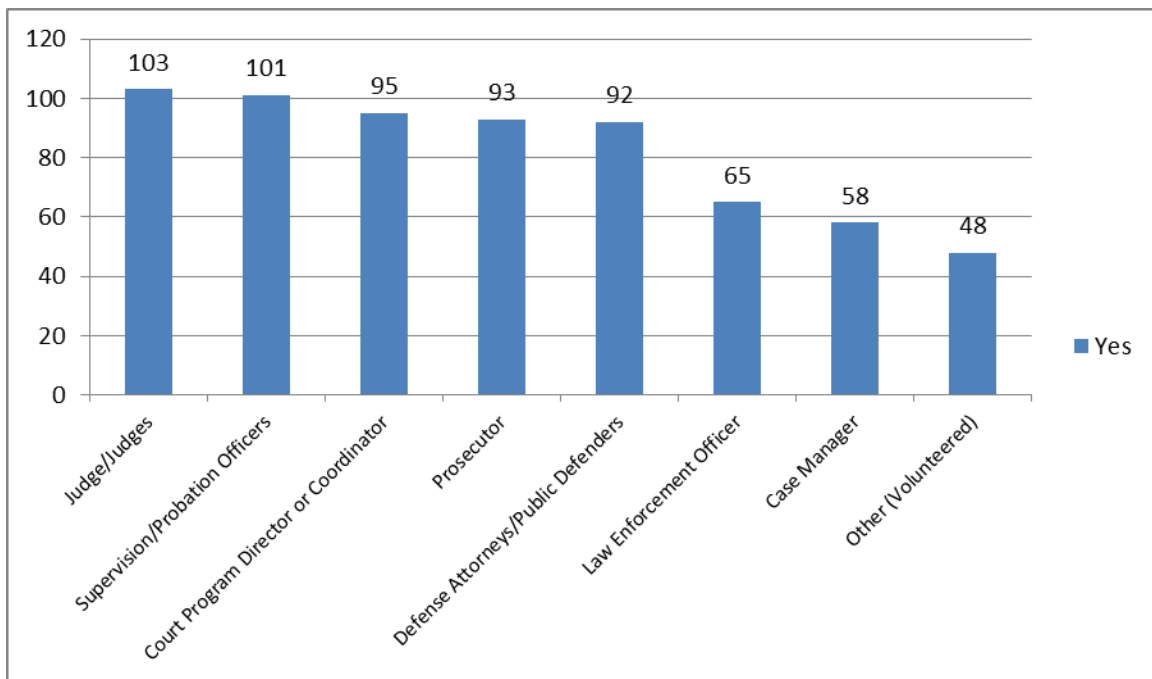
	All Responding Courts		DWI Courts		DWI/Drug Courts	
	Number	%	Number	%	Number	%
Number of Days						
<6 Days	2	2%	0	0%	2	6%
6-10 Days	8	8%	5	7%	3	8%
11-20 Days	12	11%	8	12%	4	11%
21-30 Days	20	19%	12	17%	8	22%
31-45 Days	15	14%	10	14%	5	14%
46-60 Days	12	11%	7	10%	5	14%
61-75 Days	11	10%	7	10%	4	11%
76-90 Days	3	3%	3	4%	0	0%
90 Days >	22	21%	17	25%	5	14%

Q36. On average, how many days elapse between initial arraignment in Court and the DWI offender's entry into your Court program? Initial arraignment refers to the offender's first appearance in Court for the DWI offense that most recently preceded the offender's entry into your Court program. [If DWI/Drug Court] Please base your answers on the DWI cases only.

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

The DWI Court team typically included the judge, supervision or probation officers, the Court Coordinator, and the attorneys associated with the case (prosecutor and defense attorneys/public defender). Law enforcement officers and case managers were identified less frequently. The volunteered “other” team members were predominantly treatment providers.

**Figure 3.10**  
**Members of DWI Court Team Involved in Program Decisions For Participants and Monitoring Their Progress**

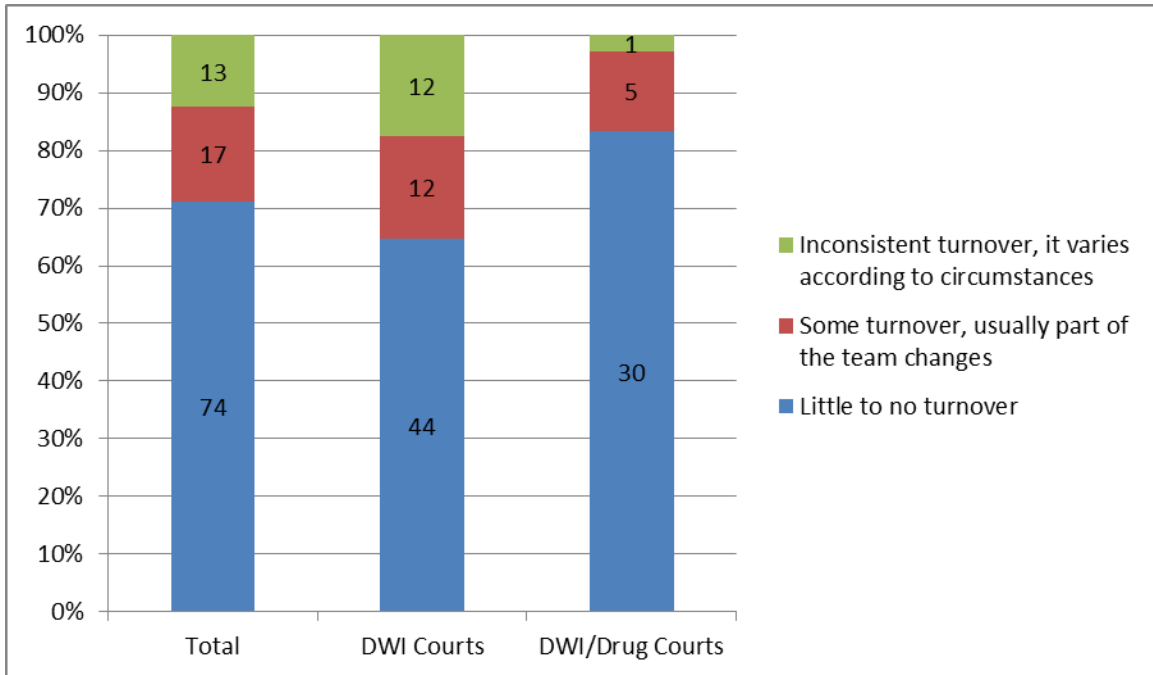


Q37. Who are the members of the DWI Court team involved in decisions regarding the program for DWI participants and in monitoring their progress? Please check all that apply.

Number of responding court programs = 105.

The DWI Court teams were reported by a large majority of the responding programs to be very stable.

**Figure 3.11**  
**Typical Amount of Turnover among Team Members**



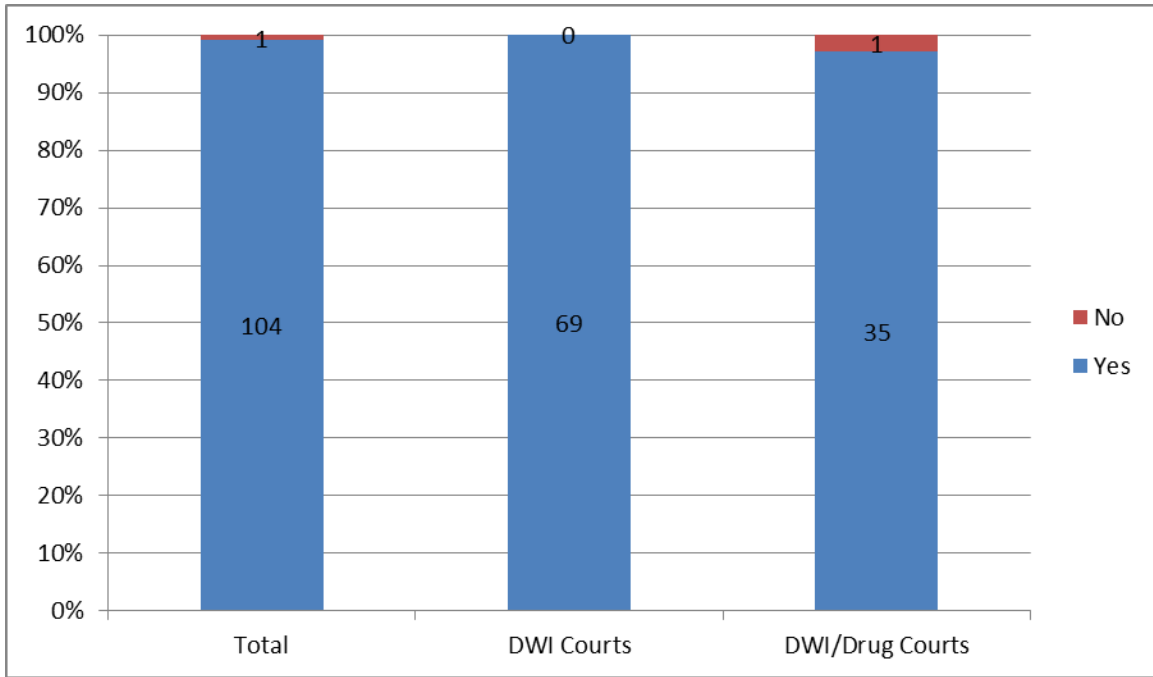
Q38. What is the typical amount of turnover among members of the DWI Court team during the course of a DWI offender's participation in the Court program?

Number of responding court programs = 104 (69 DWI Courts and 36 DWI/Drug Courts).

The 104 courts that said in Q37 that there was a court team received the question.

With only one exception, the responding court programs said that they held staffing meetings to discuss the program participants.

**Figure 3.12**  
**Program Has Staffing Meetings to Discuss Participants in the Program**

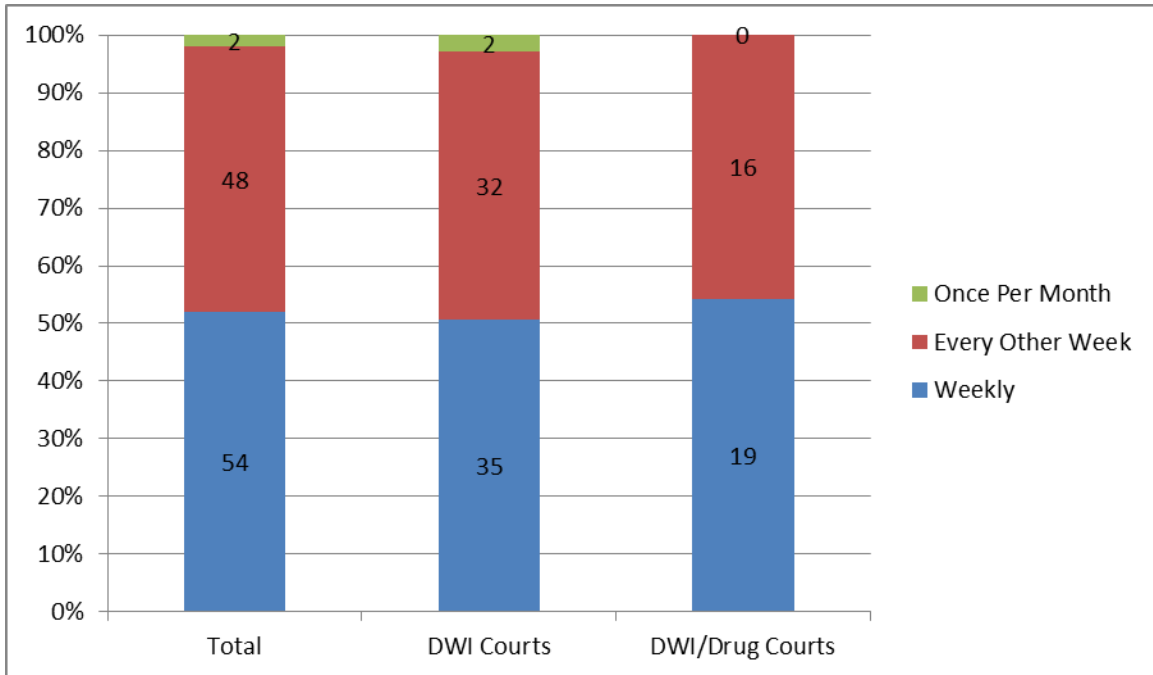


Q39. Does the DWI Court program have staffing meetings to discuss DWI offenders participating in the Court program?

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

The staffing meetings were typically held weekly or else every other week.

**Figure 3.13**  
**Frequency of Staffing Meetings**



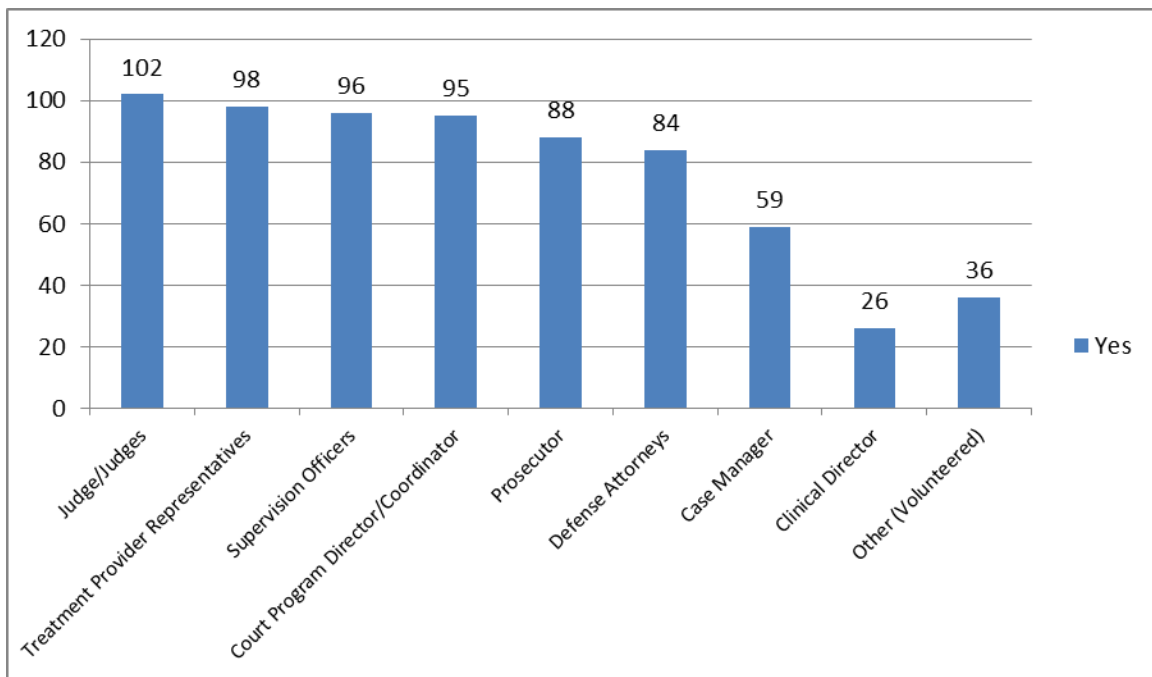
Q39a. How often are the staffing meetings?

Number of responding court programs = 104 (69 DWI Courts and 35 DWI/Drug Courts).

The 104 courts that said in Q39 that there are staffing meetings received the question.

Attendees at the staffing meetings commonly included the judge, someone representing treatment, supervision officers, the Coordinator, and the attorneys associated with the case (prosecutor and defense attorneys/public defender). Case managers and clinical directors were acknowledged less frequently. More than one-half of the respondents that volunteered attendees beyond the categories listed on the NHTSA questionnaire reported that law enforcement participated in the meetings. “Other” attendees mentioned by a few programs included victim advocates, compliance officers, court clerks, and community members.

**Figure 3.14**  
**Attendees at the Staffing Meetings**



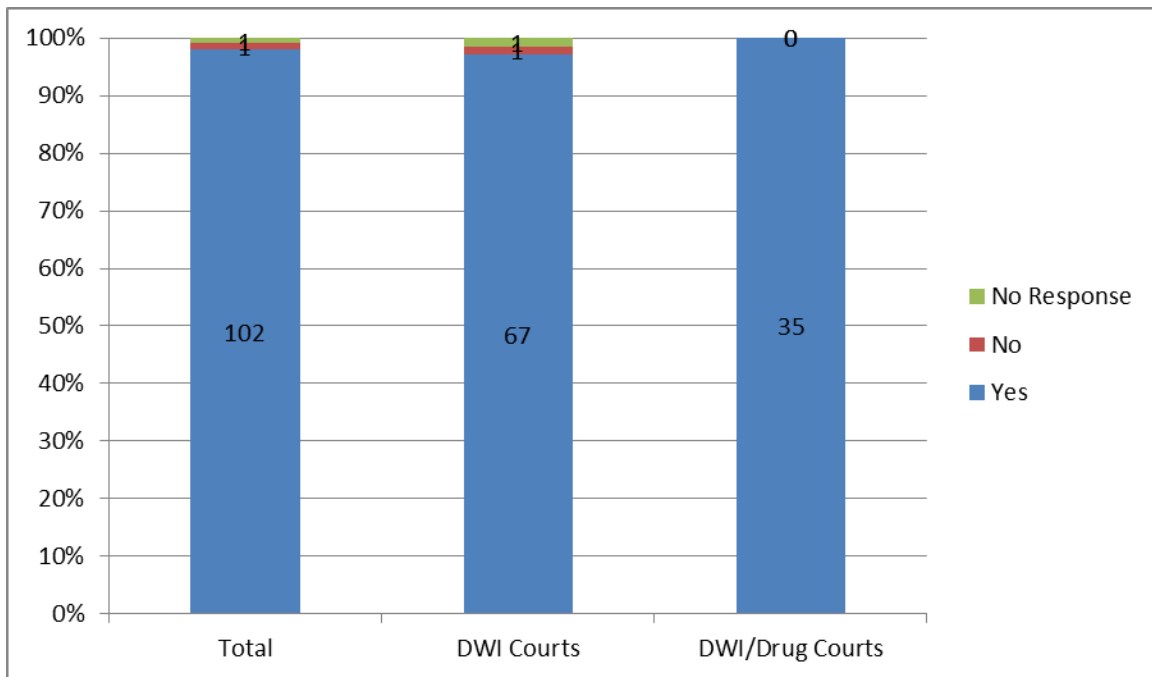
Q39b. Who regularly attends the staffing meetings? Please check all that apply.

Number of responding court programs = 104.

The 104 courts that said in Q39 that there are staffing meetings received the question.

Almost all of the responding programs said that recommendations are made during the staffing meetings about what will happen to a program participant in court.

**Figure 3.15**  
**Recommendations are Made at Staffing Meetings About What Will Happen to a Program Participant in Court**



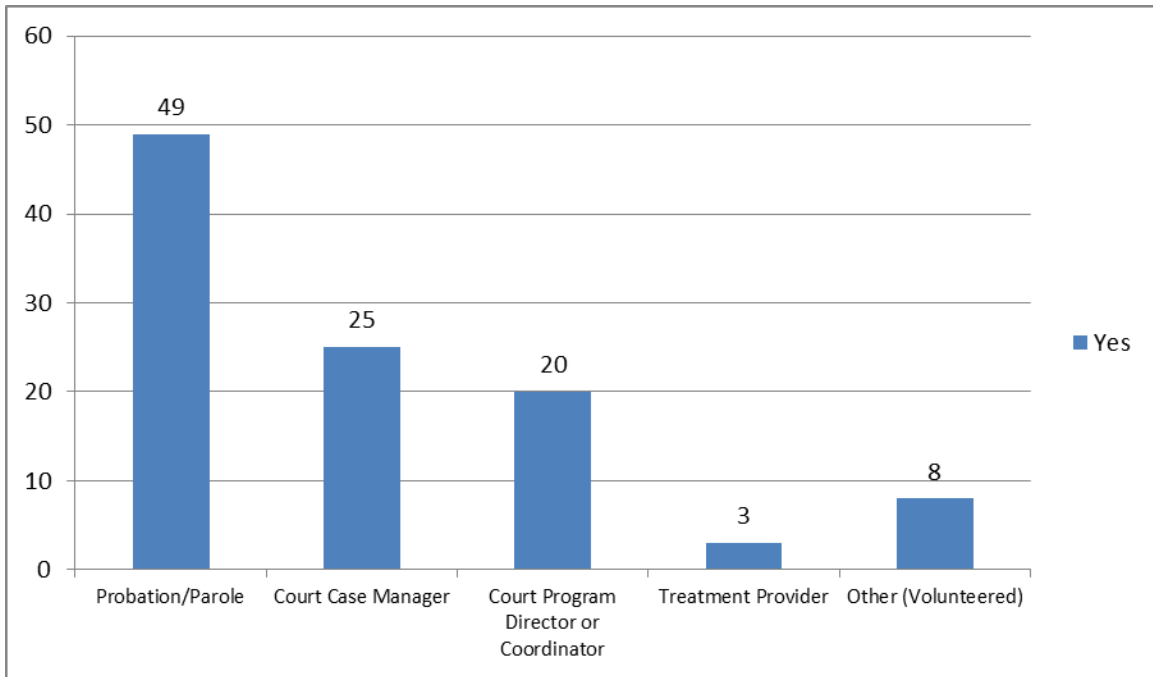
Q39c. Are recommendations made during the staffing meetings about what will happen to a DWI program participant in Court?

Number of responding court programs = 104 (69 DWI Courts and 35 DWI/Drug Courts).

The 104 courts that said in Q39 that there are staffing meetings received the question.

Primary responsibility for managing the DWI participant’s case tended to reside with probation/parole. When some “other” response was volunteered beyond the categories listed on the NHTSA questionnaire, it most often pointed to this being a shared responsibility rather than one that could be attributed to one primary individual.

**Figure 3.16**  
**Primary Individual Responsible for Managing the DWI Participant’s Case**



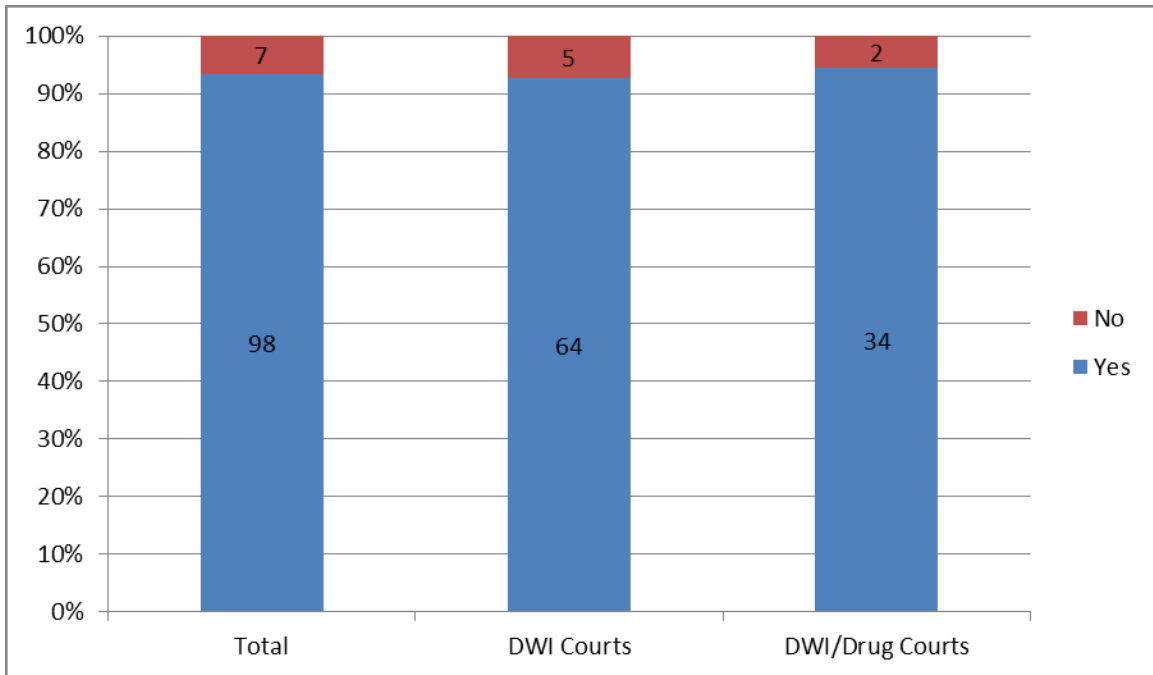
Q40. Who in the Court program is the primary individual responsible for managing the DWI participant’s case?

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).



The vast majority of responding programs indicated that the frequency of meetings between participants and case managers changes over time.

**Figure 3.17**  
**Frequency of Meetings That DWI Participants Have With Case Managers Varies With Phase of Program**

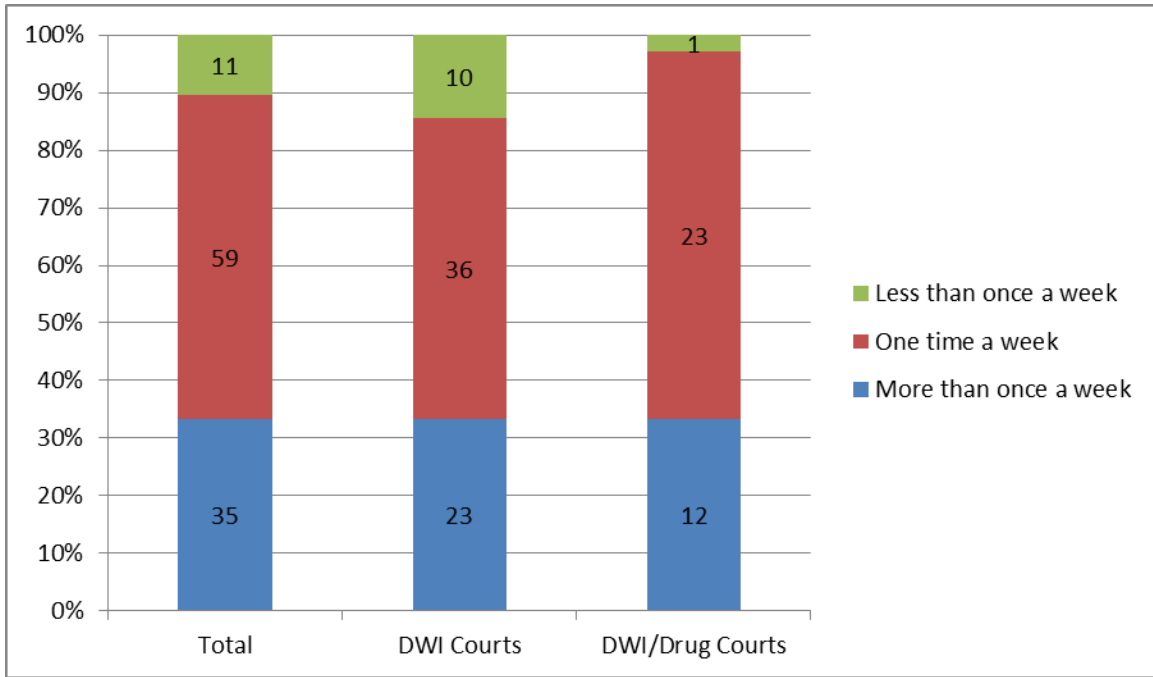


Q41. Does the frequency of meetings that DWI participants in the Court program have with case managers vary with the phase of the program?

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

At the onset of program participation, about 90 percent of the responding programs had DWI participants meet with their case managers one or more times a week.

**Figure 3.18**  
**Phase 1 Meeting Frequency**

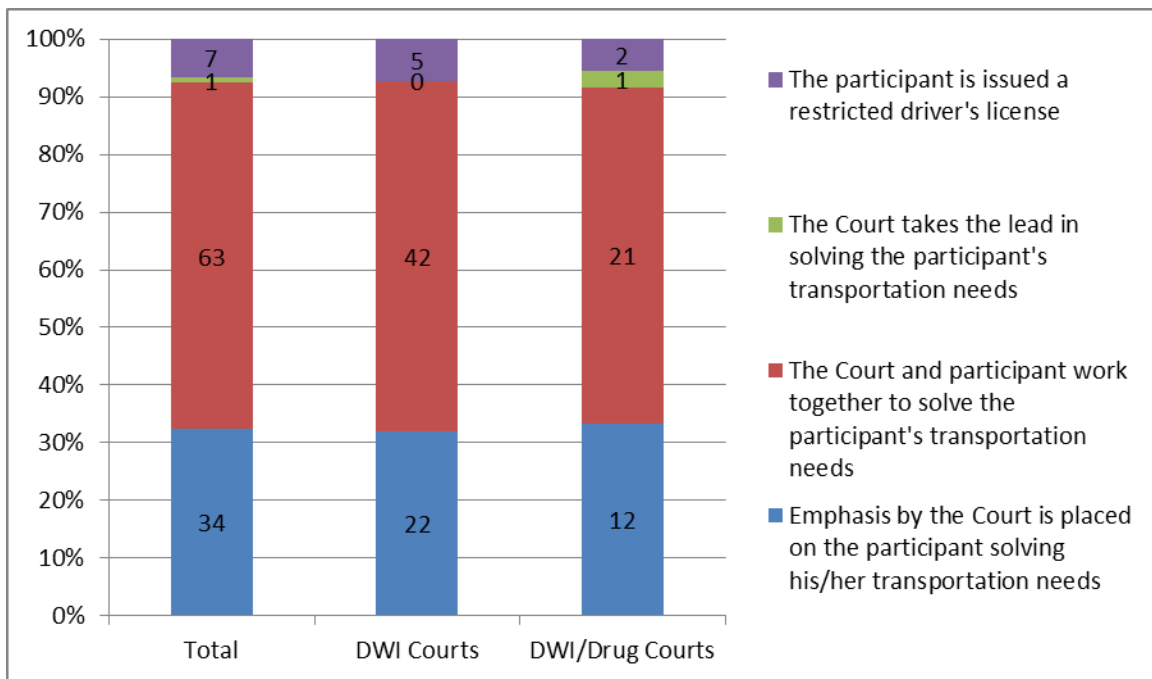


Q42. In Phase 1, how often do DWI participants in the Court program see their case manager? If the program does not have Phases, then answer about the first two months of the program.

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

While about one-third of the responding court programs expected the onus of solving transportation needs to be placed on the DWI participant, almost twice as many expected the participant and the court to work together to solve transportation needs.

**Figure 3.19**  
**How Transportation Needs Are Handled**

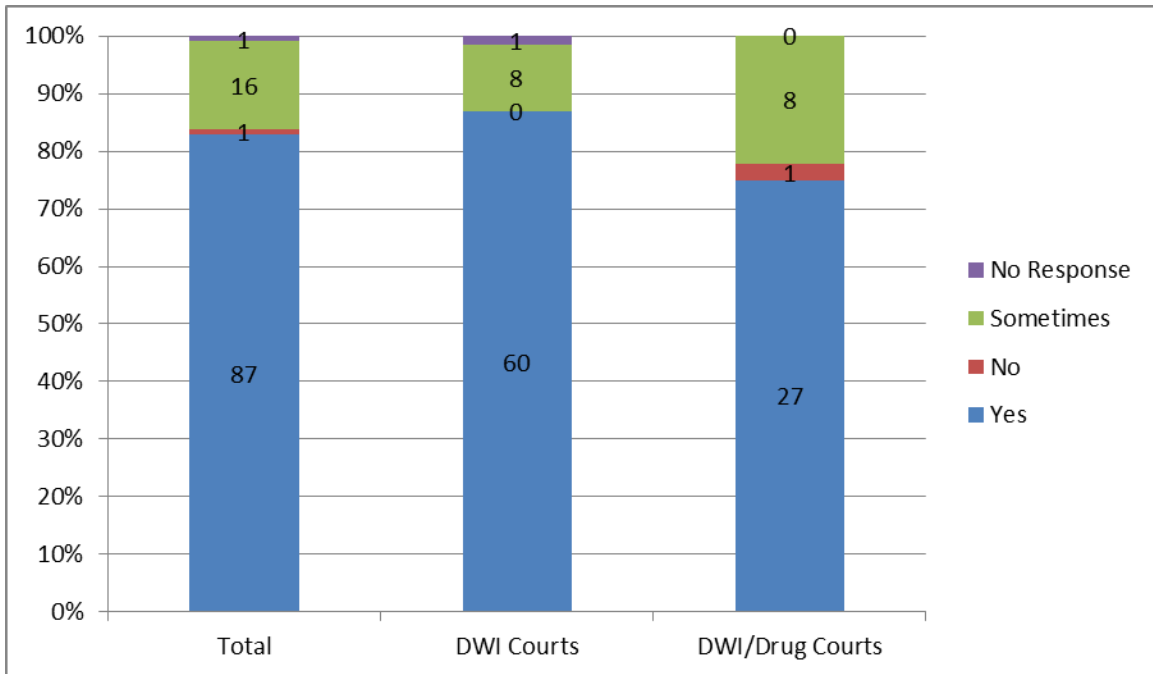


Q43. Which of the following statements best describes how the transportation needs of DWI Court participants with a suspended or revoked driver's license are typically solved (getting to treatment meetings, Court appearances, medical appointments, work, etc.)?

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

Almost all of the responding programs said that they monitor the compliance of DWI participants to any requirements they have concerning a suspended or revoked license, although some said it doesn't happen all the time.

**Figure 3.20**  
**Court Monitors Compliance To Requirements Concerning Suspended or Revoked Driving License**



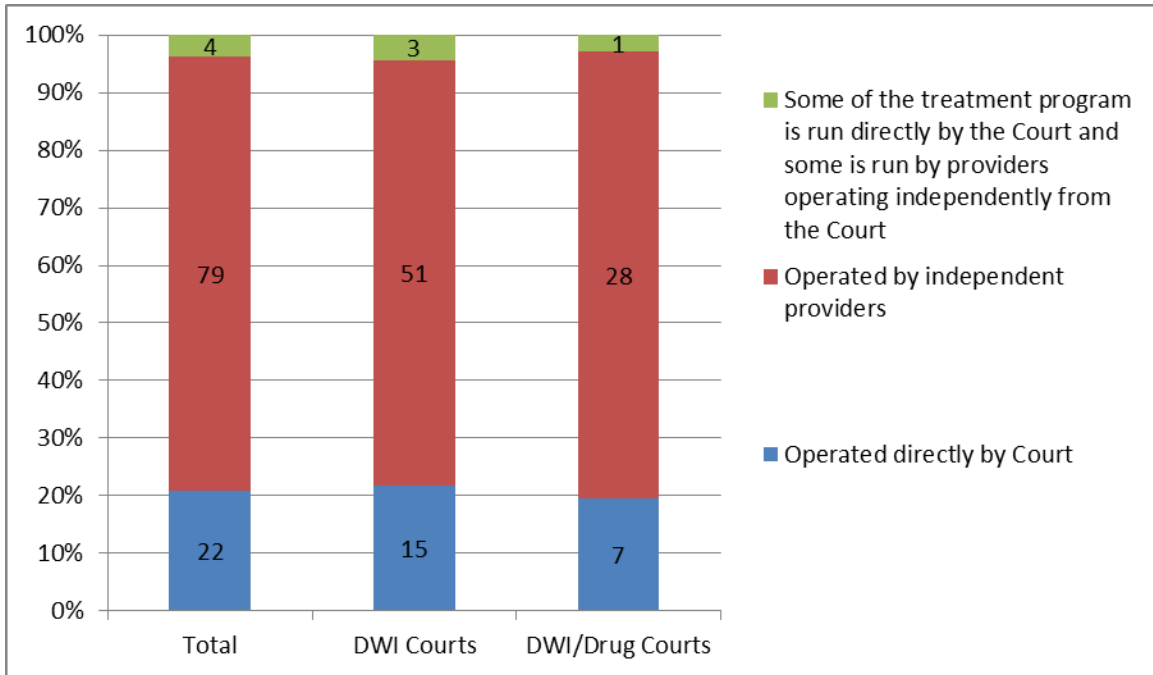
Q44. Does the Court monitor the compliance of DWI Court participants to any requirements that they have concerning a suspended or revoked driving license?

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

**Chapter 4.**  
**Treatment/Drug Testing**  
**Questions 45-60**

For treatment services, a large majority of the responding programs indicated that they referred DWI participants to treatment providers operating independently from the court.

**Figure 4.1**  
**How Substance Treatment Program Is Operated**



Q45. Is the substance treatment program for the DWI participants in the Court program operated through the Court (i.e., treatment providers are hired directly by the Court to carry out services defined by the Court), or are DWI participants in the program referred to treatment providers operating independently from the Court?

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

Almost one-half of the responding programs said they used either one or two treatment providers to provide services. Another one-third said they used between three and five.

**Table 4.1**  
**Number of Substance Abuse Treatment Providers Providing Services to The Court Program**

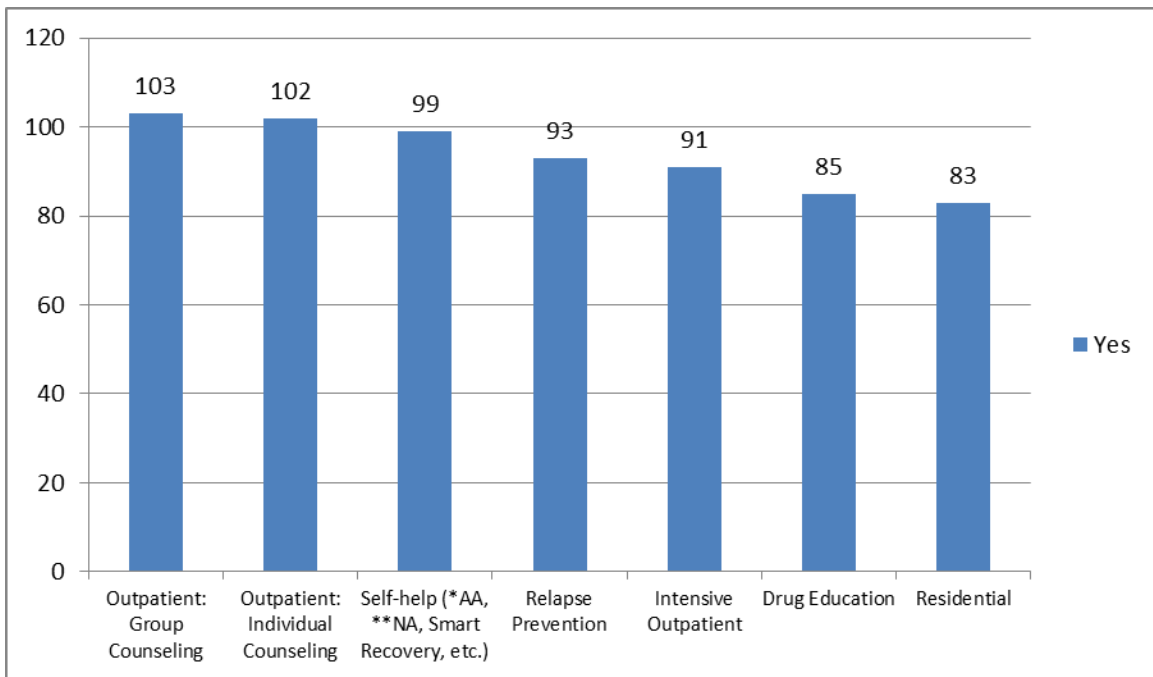
	All Responding Courts		DWI Courts		DWI/Drug Courts	
	Number	%	Number	%	Number	%
Number of Providers						
1	27	26%	20	29%	7	19%
2	22	21%	16	23%	6	17%
3-5	34	32%	23	33%	11	31%
6-10	16	15%	6	9%	10	28%
11-20	5	5%	3	4%	2	6%
21-50	1	1%	1	1%	0	0%

Q46. How many substance abuse treatment providers (alcohol and other drugs) provide services for your Court program?

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

Almost all of the responding programs reported that counseling and support group services were available to their DWI participants. Most also indicated that relapse prevention, intensive outpatient, drug education, residential, and detoxification services were available. Fewer reported services involving administration of drugs. The volunteered “other” responses included a few that were removed because they duplicated responses given for the fixed categories. The remaining “other” responses involved cognitive behavioral therapy, mental health services, or virtual treatment.

**Figure 4.2  
Treatment Services Currently Available To Program Participants Through  
DWI Treatment Providers**



Q47. What treatment services or community groups are currently available to DWI participants in your Court program through DWI treatment providers? Please check all that apply.

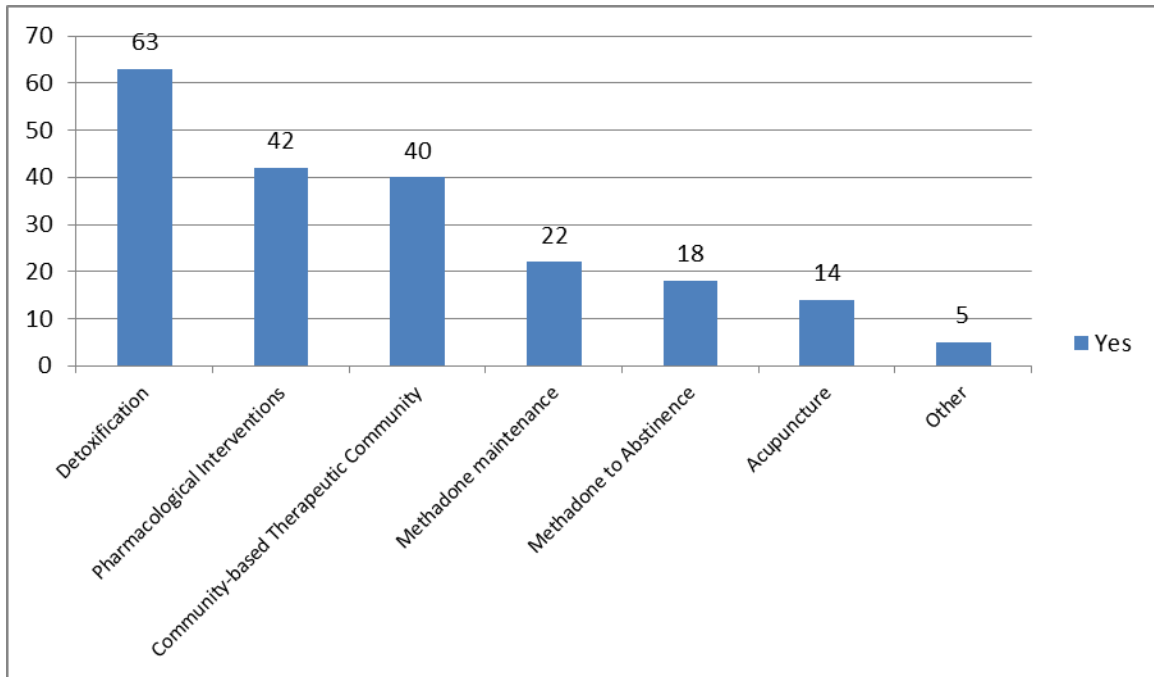
Number of responding court programs = 105.

\* AA refers to Alcoholics Anonymous.

\*\* NA refers to Narcotics Anonymous.



**Figure 4.2  
Treatment Services Currently Available To Program Participants Through  
DWI Treatment Providers (Continued)**

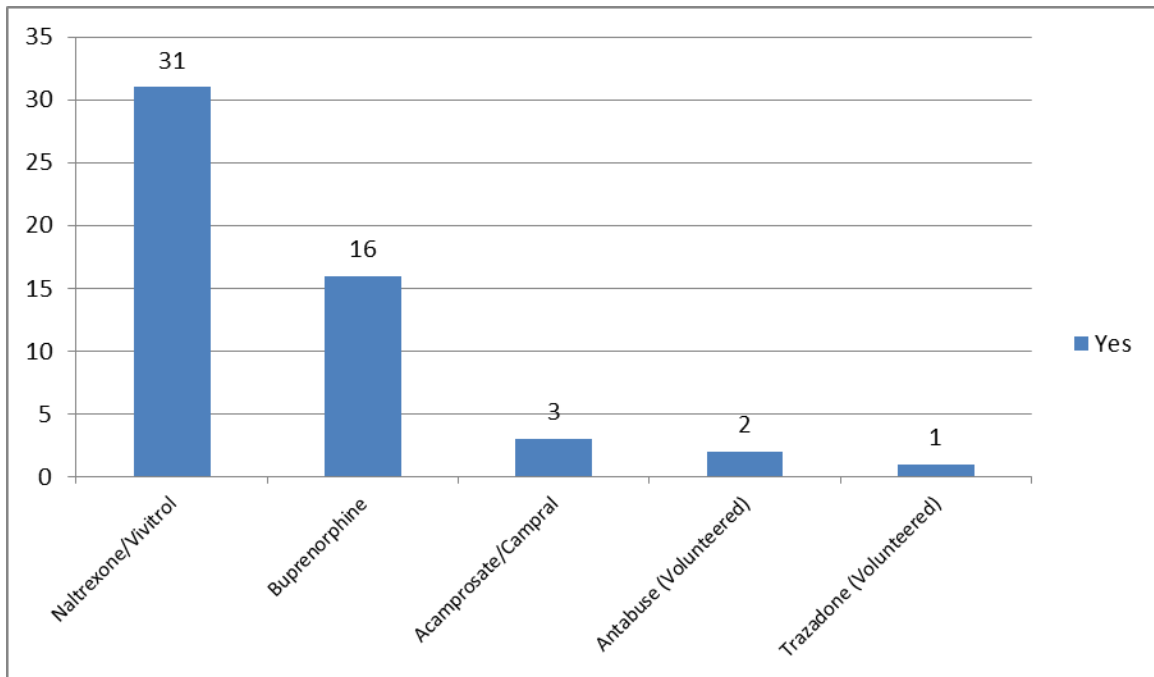


Q47. What treatment services or community groups are currently available to DWI participants in your Court program through DWI treatment providers? Please check all that apply.

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts)

The most common drug used by the programs that provide pharmacological services was naltrexone. A few respondents volunteered that they used Vivitrol. Because Vivitrol is injectable naltrexone, responses of Vivitrol have been merged with naltrexone responses into a single category presented in Figure 4.3. Similarly, a volunteered response of Campral was merged with the response category acamprosate as Campral is a brand name for acamprosate.

**Figure 4.3**  
**Drugs Currently Used in Court Program For Treatment Services To DWI Participants**



Q48. Please check which of the following drugs are currently being used in your Court program for treatment services to DWI participants. Please check all that apply.

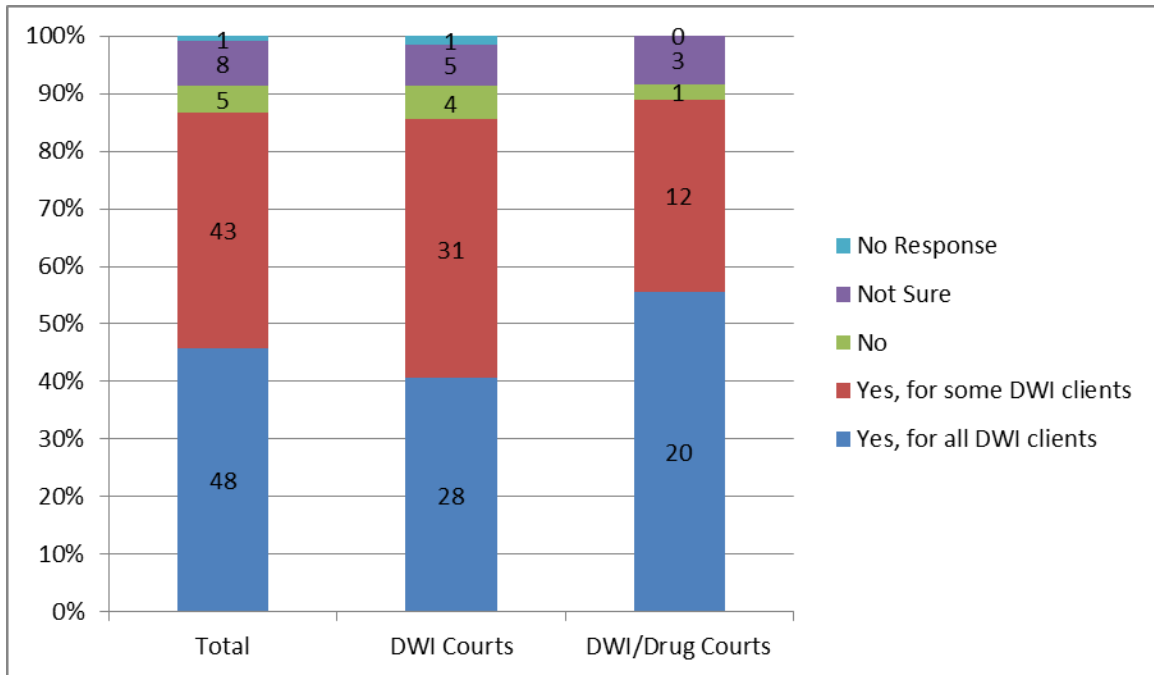
Number of responding court programs = 42.

The 42 courts that said in Q47 that pharmacological interventions are currently available to participants in the program received the question.

Vivitrol was a volunteered response that was merged into the naltrexone category. Campral was a volunteered response that was merged into the acamprosate category.

The vast majority of responding programs indicated that they provided cognitive behavioral therapy treatment to at least some of their DWI participants.

**Figure 4.4**  
**Inclusion of Cognitive Behavioral Therapy (CBT) in Treatment For DWI Participants**

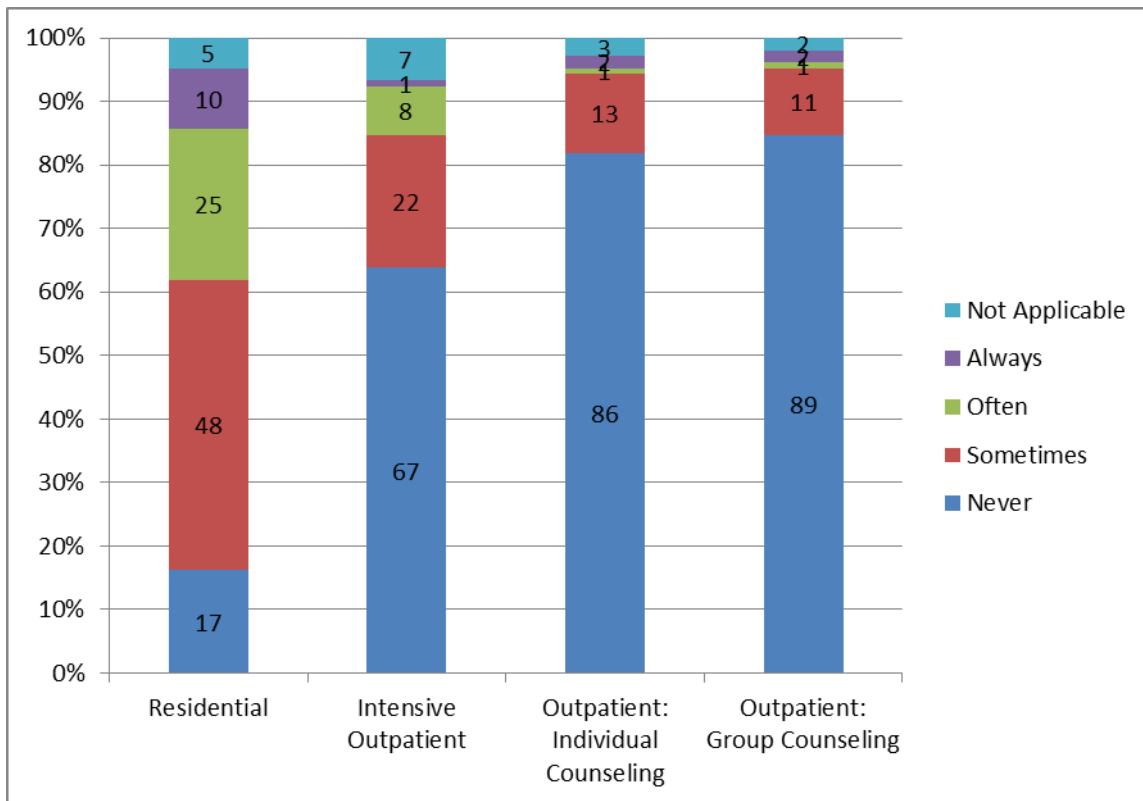


Q49. Does treatment for DWI participants include cognitive behavioral therapy (CBT)?

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

More than 80 percent of the responding programs reported never having difficulties finding available slots for counseling. Greater difficulty in finding available slots was indicated for intensive outpatient services, and particularly for residential services.

**Figure 4.5**  
**Difficulty in Finding Available Slots in Treatment Programs**

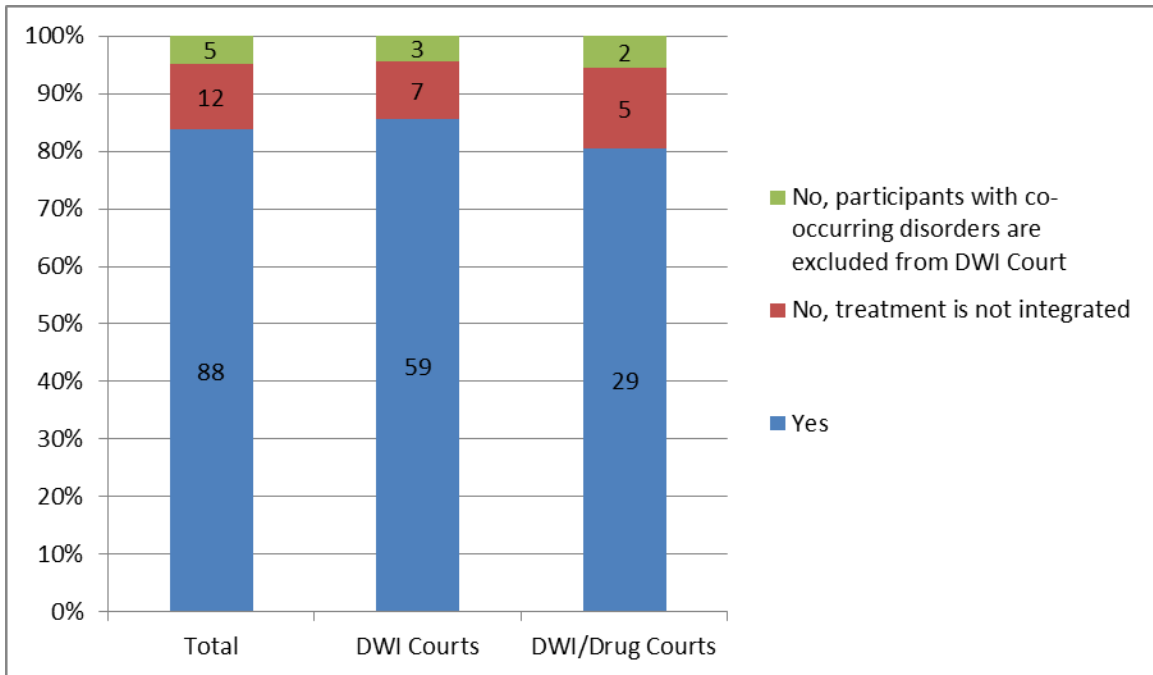


Q50. How often does your DWI Court have trouble finding available slots in the following treatment programs for the DWI offenders participating in the Court program?

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

The responding programs tended to integrate mental health and substance abuse treatment for DWI participants having co-occurring disorders.

**Figure 4.6**  
**Court Program Integrates Mental Health and Substance Abuse Treatment For Participants With Co-occurring Disorders**

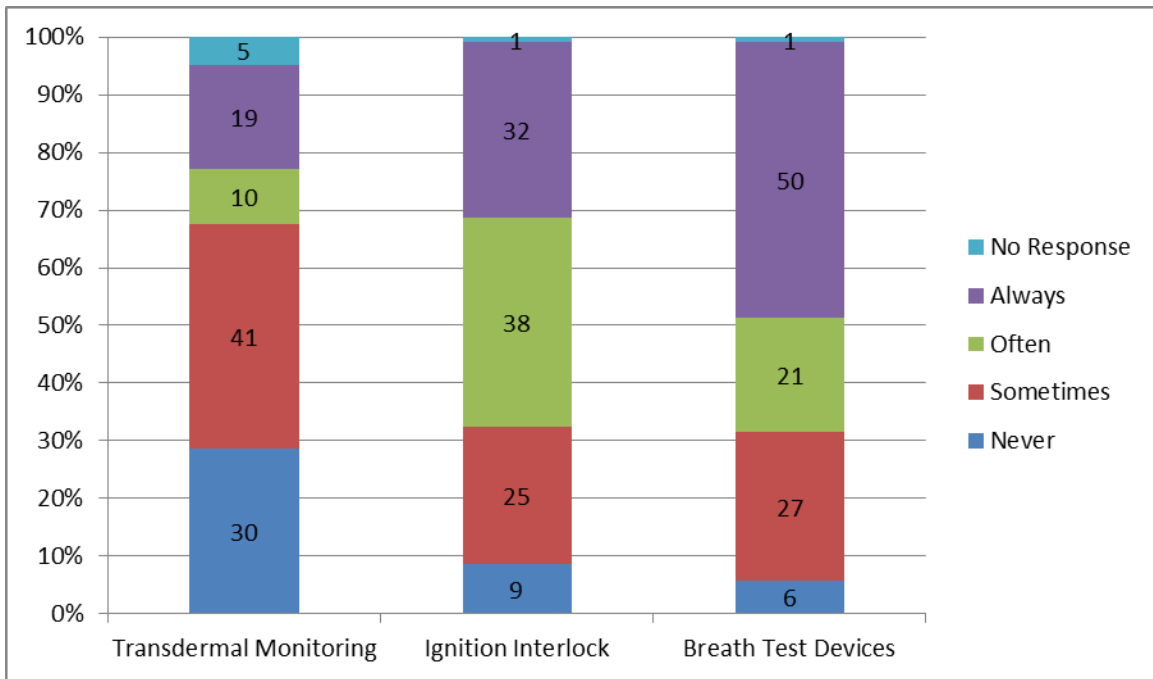


Q51. Does your DWI Court program integrate mental health and substance abuse treatment for those DWI participants with co-occurring disorders?

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

Two-thirds of the responding programs applied ignition interlocks either often or always to their DWI participants. About the same percentage always or often used breath test devices with DWI participants. Transdermal monitoring was less likely to be used by the programs.

**Figure 4.7**  
**Required Technology For DWI Participants**



Q52. Does your DWI Court program require that the following technology be used by, or applied to, DWI participants?

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

The responding programs typically collected alcohol samples through urine and/or breath.

**Table 4.2  
Methods For Alcohol Testing**

Methods	All Responding Courts		DWI Courts		DWI/Drug Courts	
	Number	%	Number	%	Number	%
Urine	96	91%	63	91%	33	92%
Breath	92	88%	60	87%	32	89%
Saliva	25	24%	14	20%	11	31%
Blood	4	4%	3	4%	1	3%
Patch	3	3%	3	4%	0	0%
Other (Volunteered)						
Transdermal	11	10%	7	10%	4	11%
Eye	1	1%	1	1%	0	0%
Hair	1	1%	1	1%	0	0%
Panel	1	1%	0	0%	1	3%

Q53. When drug/alcohol testing DWI participants in the Court program, how is the sample collected?  
Please check all that apply.

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

All of the responding programs collected samples for drugs other than alcohol through urine. About one-third also used saliva (oral fluid).

**Table 4.3  
Methods For Drug Testing**

Methods	All Responding Courts		DWI Courts		DWI/Drug Courts	
	Number	%	Number	%	Number	%
Urine	105	100%	69	100%	36	100%
Breath	10	10%	7	10%	3	8%
Saliva	37	35%	19	28%	18	50%
Blood	4	4%	2	3%	2	6%
Patch	15	14%	12	17%	3	8%
Other (Volunteered)						
Eye	1	1%	1	1%	0	0%
Hair	4	4%	3	4%	1	3%

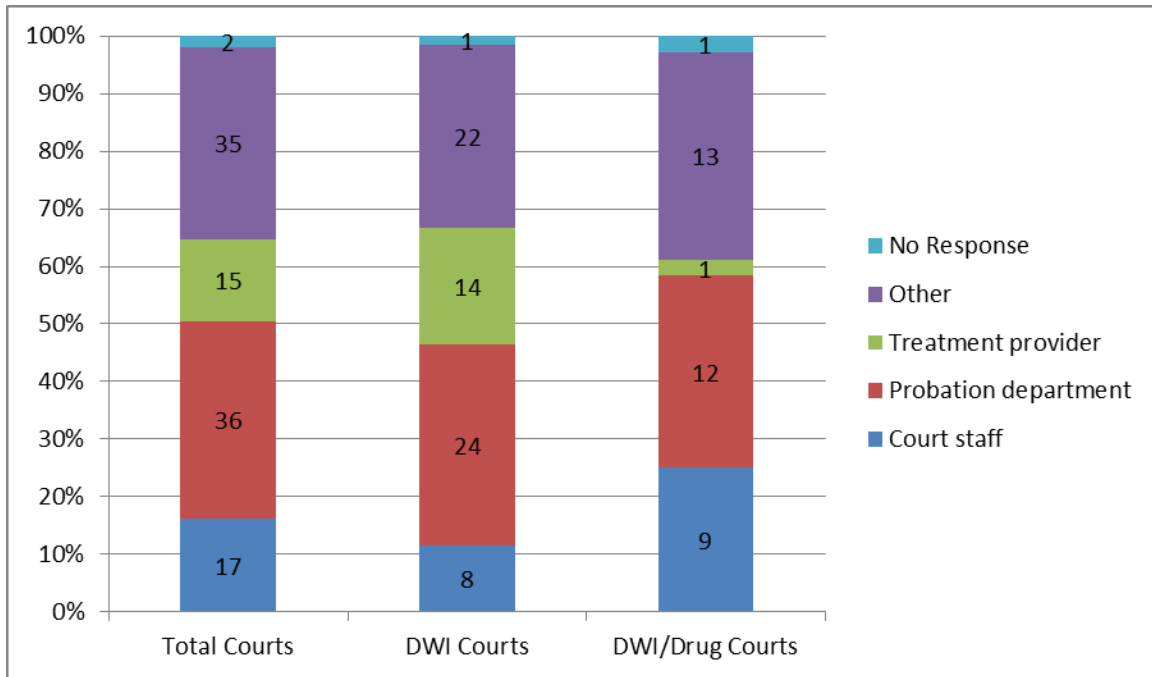
Q53. When drug/alcohol testing DWI participants in the Court program, how is the sample collected?  
Please check all that apply.

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).



The survey asked whether the primary collector of drug/alcohol tests samples in the program was court staff, the probation department, the treatment provider, or someone else. While the probation department was the category most frequently selected, about two-thirds of those who said it was someone else referred to some contracted testing agency or facility.

**Figure 4.8**  
**Primary Collector of Drug/Alcohol Test Samples**

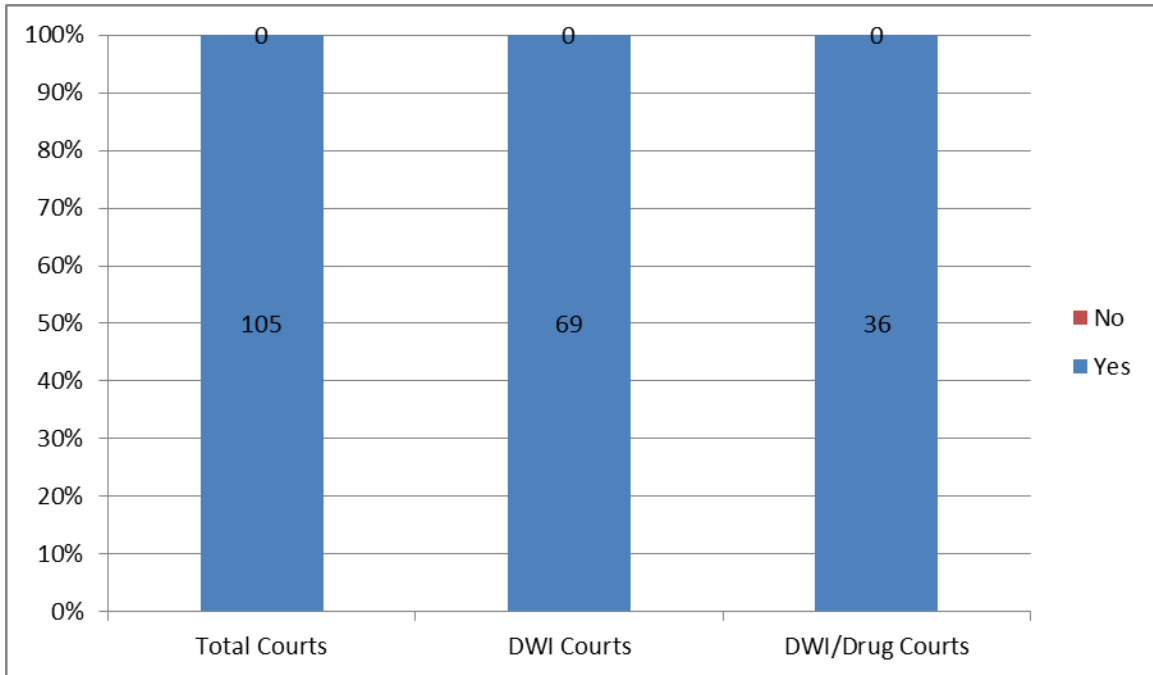


Q54. Who is the primary collector of drug/alcohol test samples from DWI participants in the Court program?

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

All of the programs supervised or observed the collection of drug/alcohol test specimens.

**Figure 4.9**  
**Collection of Alcohol/Drug Sample is Supervised or Observed**



Q55 Is collection of drug/alcohol test specimens supervised or observed?

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

Virtually all of the responding programs indicated that they tested for marijuana, crack/cocaine, methamphetamines, heroin/opiates, benzodiazepines, and alcohol. Besides the drugs listed on the questionnaire that respondents could check, a number of the programs volunteered other drugs for which they tested, with synthetic marijuana leading the list. Drugs that were mentioned by fewer than 5 programs that are not listed in the Table are barbiturates, bath salts, ETG, kratom, MDMA, propoxyphene, oxycodone, ecstasy, fentanyl, and ketamine. A few respondents said that a drug may be tested for according to a participant's history or if there was a reason.

**Table 4.4  
Drugs That Are Tested For**

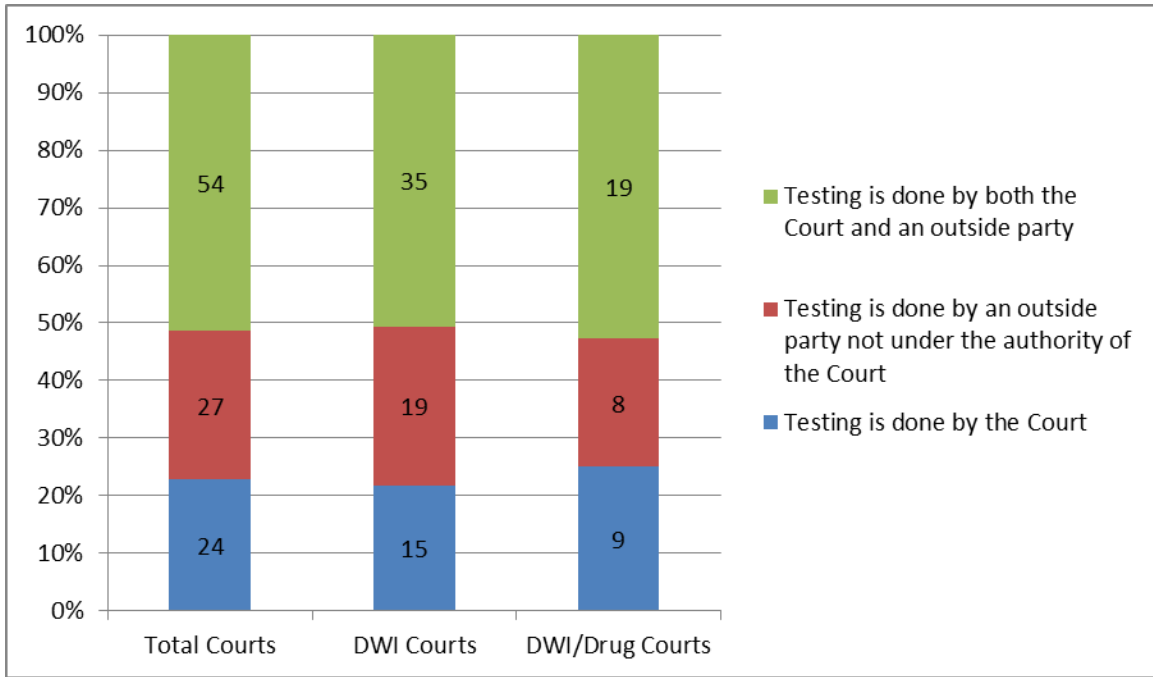
Methods	All Responding Courts		DWI Courts		DWI/Drug Courts	
	Number	%	Number	%	Number	%
Marijuana	105	100%	69	100%	36	100%
Crack/cocaine	105	100%	69	100%	36	100%
Methamphetamines	105	100%	69	100%	36	100%
Heroin/opiates	104	99%	69	100%	35	97%
Benzodiazepines	104	99%	69	100%	35	97%
Alcohol	103	98%	69	100%	34	94%
Stimulants	80	76%	52	75%	28	78%
PCP	54	51%	31	45%	23	64%
LSD	27	26%	20	29%	7	19%
Other (Volunteered)	40	38%	23	33%	17	47%
Synthetics, synthetic marijuana, K2, Spice	23	22%	15	22%	8	22%
Methadone	11	10%	6	9%	5	14%
Suboxone	7	7%	1	1%	6	17%
Buprenorphine	6	6%	2	3%	4	11%
Tramadol	6	6%	3	4%	3	8%

Q56. What drugs are tested for? Please check all that apply.

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts)

About three-quarters of the responding programs had an outside party involved in conducting the substance testing.

**Figure 4.10**  
**Who Conducts The Alcohol/Drug Testing?**



Q57 Does the DWI Court conduct its own testing, or is the testing conducted by an outside party not under the authority of the Court?

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

Slightly more than one-half of the responding programs said that test results are available to the court within 24 hours. Almost all the others said they would have the results within a week.

**Table 4.5**  
**Amount of Time It Takes For Testing Results To Become Available**

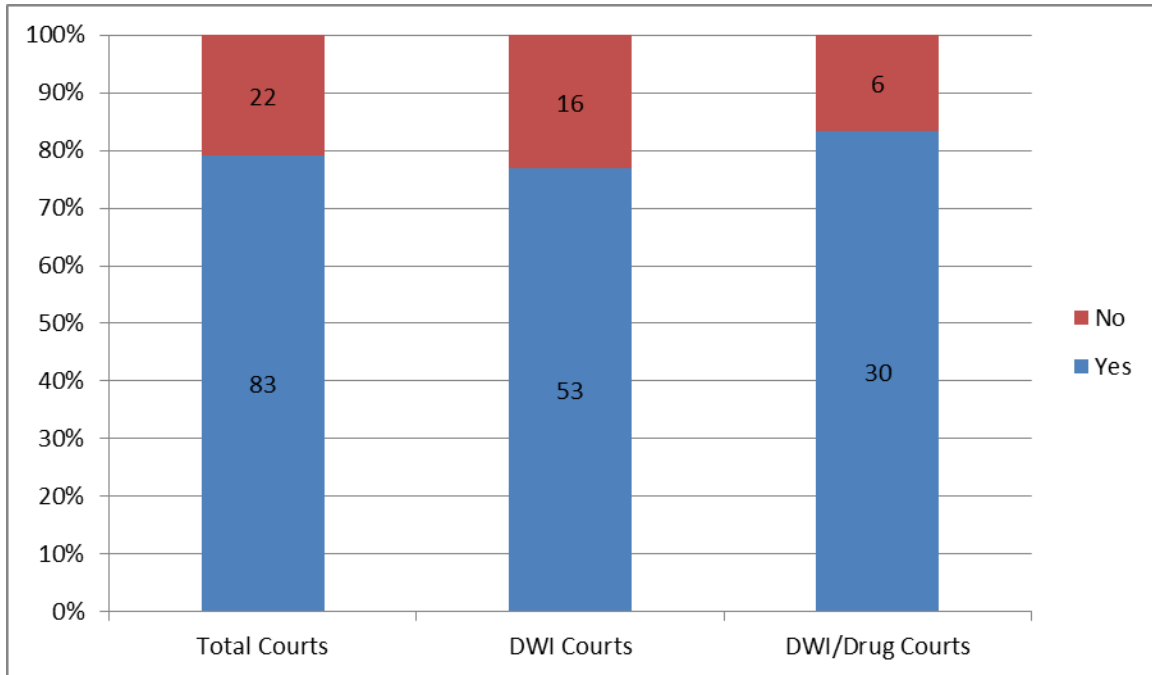
	All Responding Courts		DWI Courts		DWI/Drug Courts	
	Number	%	Number	%	Number	%
Length of Time						
Immediately (within an hour)	36	34%	21	30%	15	42%
1-2 hours	4	4%	3	4%	1	3%
More than 2 hours, but no later than 24 hours	19	18%	12	17%	7	19%
More than 24 hours, but no later than 1 week	44	42%	31	45%	13	36%
More than 1 week	2	2%	2	3%	0	0%

Q58. How soon after testing are results available to the Court or Court staff?

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

For most programs, the frequency of drug/alcohol testing varied with the phase of the program.

**Figure 4.11**  
**Frequency of Alcohol/Drug Testing Varies With the Phase of the Program**

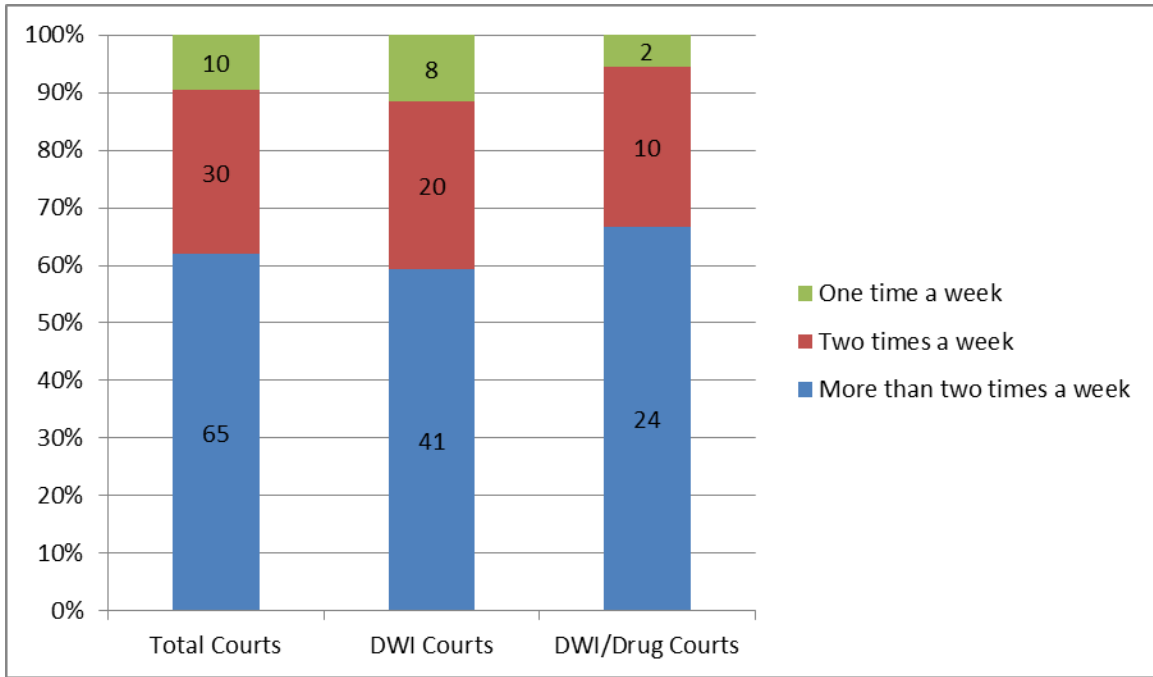


Q59 Does the frequency of drug/alcohol testing DWI participants in the Court program vary with the phase of the program?

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

The responding programs typically tested DWI participants multiple times a week during the initial phase of the program.

**Figure 4.12**  
**Frequency of Testing DWI Participants in the Initial Phase of the Program**



Q60 How often are DWI participants in the Court program drug/alcohol tested in the initial Phase of the program? If the program does not have Phases, then answer about the first two months of the program.

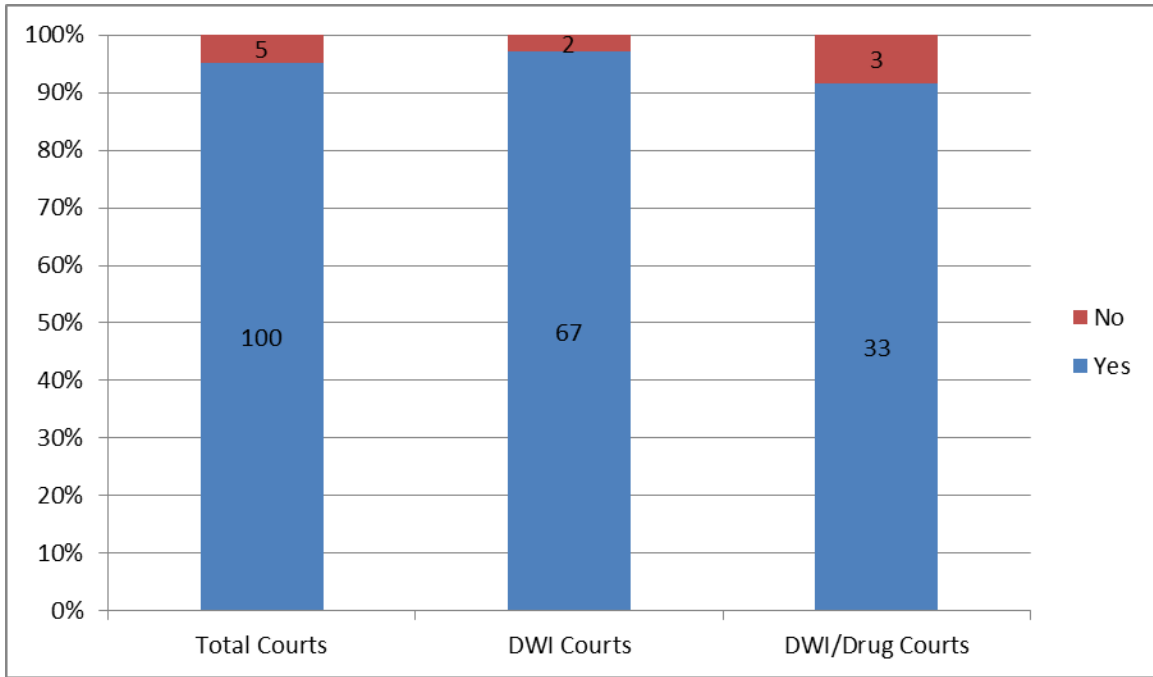
Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

**Chapter 5.**  
**Courtroom Processes**  
**Questions 61-74**



The frequency of a DWI participant's appearance in DWI Court tended to vary with the phase of the program.

**Figure 5.1**  
**Frequency of Court Appearances Varies With Program Phase**



Q61 Does the frequency of a DWI participant's appearance in DWI Court vary with the phase of the program the DWI participant is in?

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

The general pattern of frequency of court appearances by DWI participants was weekly or biweekly appearances during the first phase of the program, biweekly or monthly appearances during the second phase, and monthly appearances or no appearances during later phases.

**Table 5.1  
Frequency That DWI Participant Appears in Court By Program Phase**

	Phase 1		Phase 2		Phase 3		Phase 4	
	Number	%	Number	%	Number	%	Number	%
More than once a week	2	2%	1	1%	0	0%	0	0%
One time a week	41	39%	4	4%	1	1%	0	0%
One time every other week	58	55%	81	77%	28	27%	5	5%
Once a month	3	3%	14	13%	68	65%	63	60%
Not at all	0	0%	0	0%	2	2%	7	7%
Not applicable	1	1%	5	5%	6	6%	30	29%

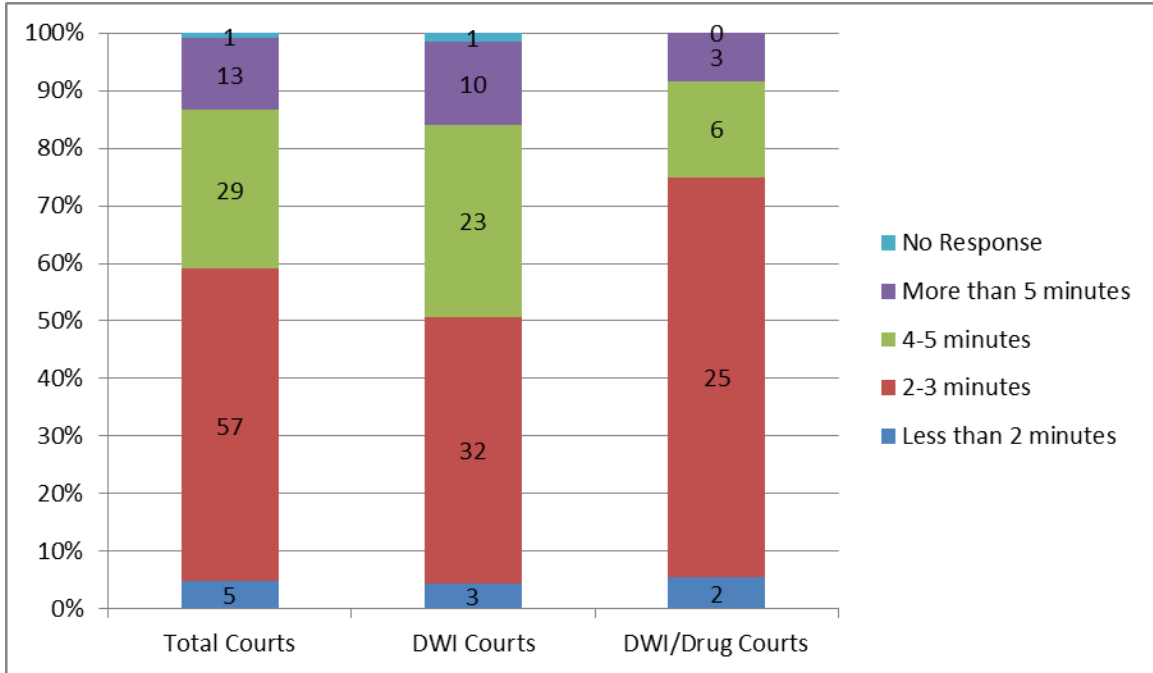
Q62. [If responded in Q61 that frequency of Court appearances does not vary with program phase] How often does a DWI participant in the Court program typically appear in DWI Court? If the program does not have phases but the frequency varies, then answer about the first two months of the program.

Q62a [If responded in Q61 that frequency of Court appearances varies with program phase] How often does the DWI participant in the Court program appear in DWI Court during Phase 1, Phase 2, Phase 3, Phase 4.

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

All of the programs that responded said that the Judge typically spent some time talking with each DWI participant during a court session, generally 2-5 minutes.

**Figure 5.2**  
**Amount of Time That Judge Typically Spends Talking With DWI Participant During a Court Session**

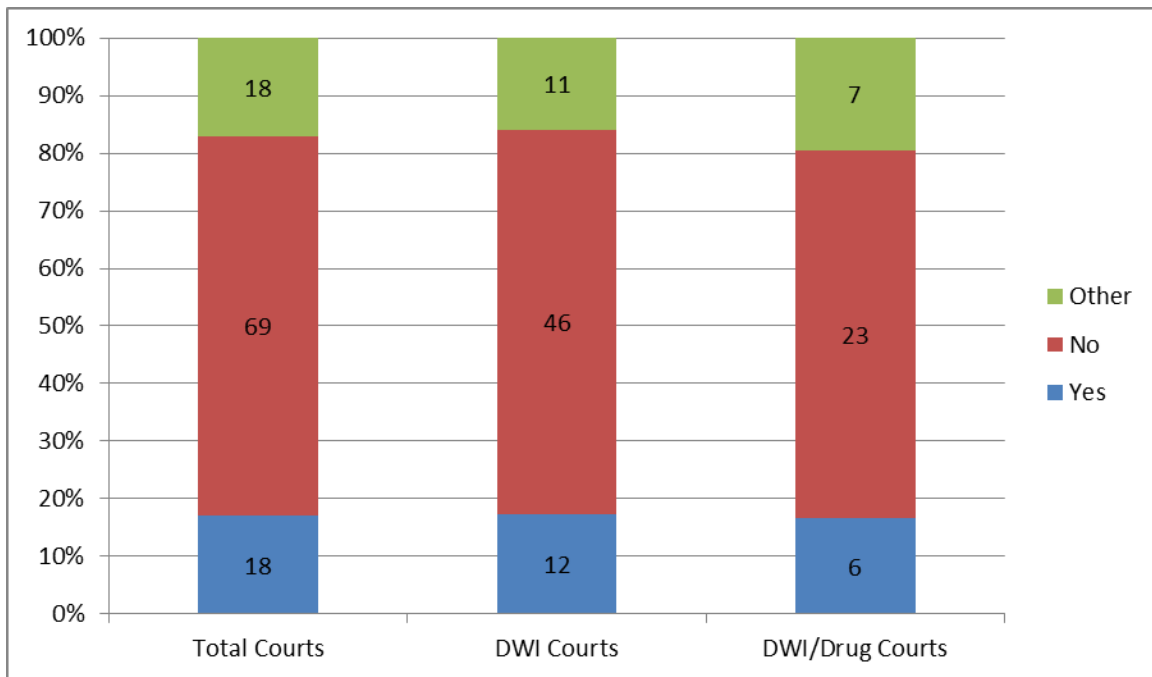


Q63. How long does the judge typically spend talking with each DWI participant during a Court session?

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

Most of the responding programs reported that a DWI participant could not leave the courtroom after his/her case had been addressed but must wait to the end of the court session. The “other” responses in Figure 5.3 were qualified “Yes” responses indicating that the participant could leave under certain circumstances. Most often, this involved the participant’s standing or phase within the program, a need to get to work or deal with child care, or the participant receiving an incentive or reward.

**Figure 5.3**  
**During a Court Session, The DWI Participant Is Allowed To Leave The Courtroom Once His/Her Case Has Been Addressed**



Q64. During a DWI Court session, is a DWI participant in the Court program allowed to leave the Courtroom once his/her case has been addressed?

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

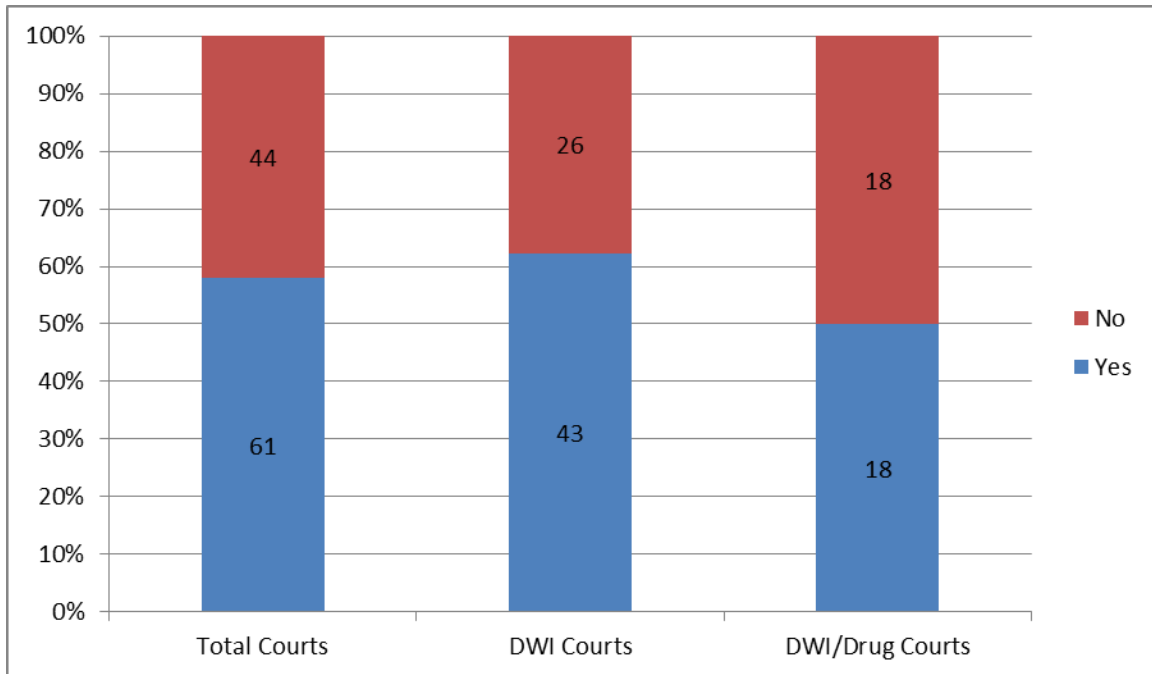
The NHTSA questionnaire asked the likelihood of a DWI participant receiving a sanction for any of three specified infractions: a positive drug test; failure to appear for a hearing; and a missed treatment session. The programs generally reported a high likelihood of sanction for each infraction, especially for a positive drug test and failure to appear in court. The programs were also given the opportunity to identify other infractions for which participants could receive sanctions. Other sanctioned infractions included missed drug tests, missed appointments with probation officers, missed case management meetings, driving infractions such as driving without a valid license or an interlock, failure to attend support meetings (includes forged documents or lack of verification of attendance), and curfew violations.

**Table 5.2  
Infractions That Result in Sanctions**

	All Responding Courts		DWI Courts		DWI/Drug Courts	
	Number	%	Number	%	Number	%
Positive Drug Test						
Always	91	87%	61	88%	30	83%
Usually	8	8%	6	9%	2	6%
Sometimes	6	6%	2	3%	4	11%
Never	0	0%	0	0%	0	0%
Failure To Appear For Hearing						
Always	79	75%	52	75%	27	75%
Usually	19	18%	11	16%	8	22%
Sometimes	6	6%	5	7%	1	3%
Never	1	1%	1	1%	0	0%
Missed Treatment Session						
Always	61	58%	44	64%	17	47%
Usually	27	26%	16	23%	11	31%
Sometimes	16	15%	8	12%	8	22%
Never	1	1%	1	1%	0	0%
Q65. Which infractions of the DWI Court program result in sanctions applied to the DWI participant in the program?						
Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).						

While a majority of the responding DWI Court programs said they had a written policy defining which sanctions accompany given infractions, a substantial minority did not. Among the DWI/Drug programs, an equal number had a written policy as did not have one.

**Figure 5.4**  
**Court Program Has Written Policy Defining Which Sanctions Accompany Given Infractions**

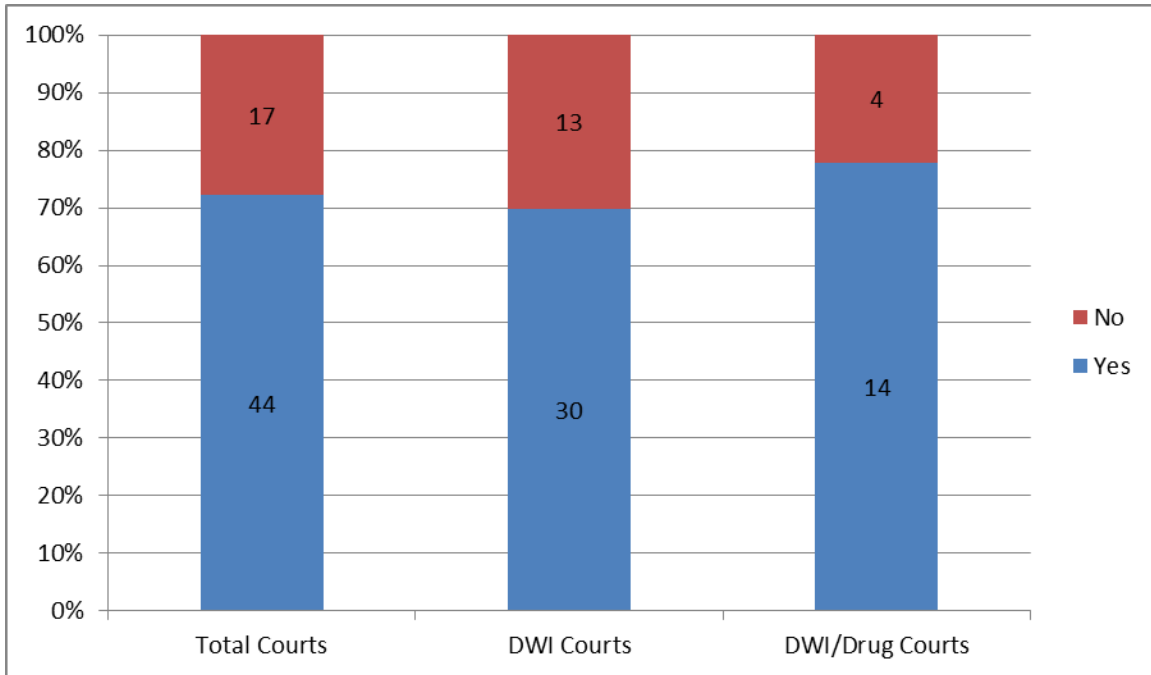


Q66. Does the DWI Court program have a written policy defining which sanctions accompany given infractions?

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

Of those programs that had written policies defining the sanctions that accompany given infractions, about 70 percent reported that the DWI participant receives a copy of the written policy.

**Figure 5.5**  
**DWI Participant Receives Copy of the Policy**



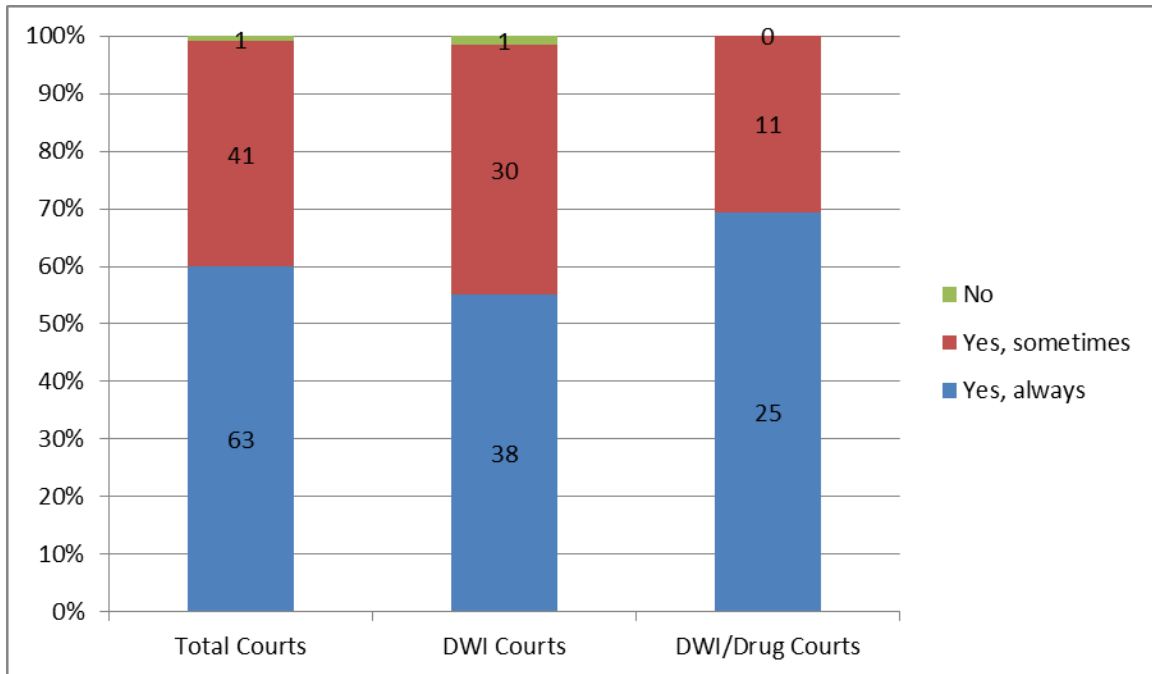
Q66a. Does the DWI participant in the Court program receive a copy of the policy so s/he is informed as to what sanctions accompany given infractions?

Number of responding court programs = 61 (43 DWI Courts and 18 DWI/Drug Courts).

The 61 court programs that said in question 66 that they have a written policy defining which sanctions accompany given infractions received this question.

Only one of the responding programs indicated that sanctions never progressively increase in magnitude or intensity with repeated drug test infractions. For most, the sanctions always progressively increased.

**Figure 5.6**  
**Sanctions Progressively Increase in Magnitude or Intensity with Repeated Drug Test Infractions**



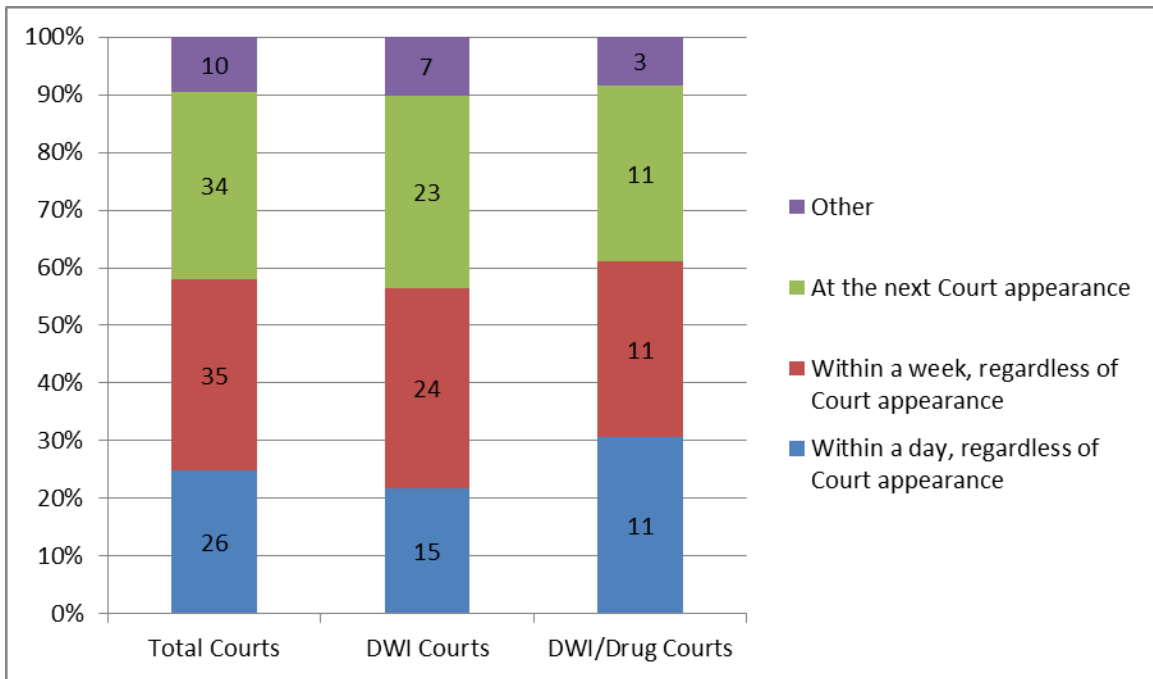
Q67. With repeated drug test infractions, do the sanctions progressively increase in magnitude or intensity to produce greater consequences to the DWI participant?

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).



The responding programs split across response categories as to how quickly sanctions were imposed for positive drug tests. The “other” responses either described the process, said that it depends/varies, or said that it occurs as soon as possible.

**Figure 5.7**  
**How Soon Sanction is Imposed for Positive Drug Test**

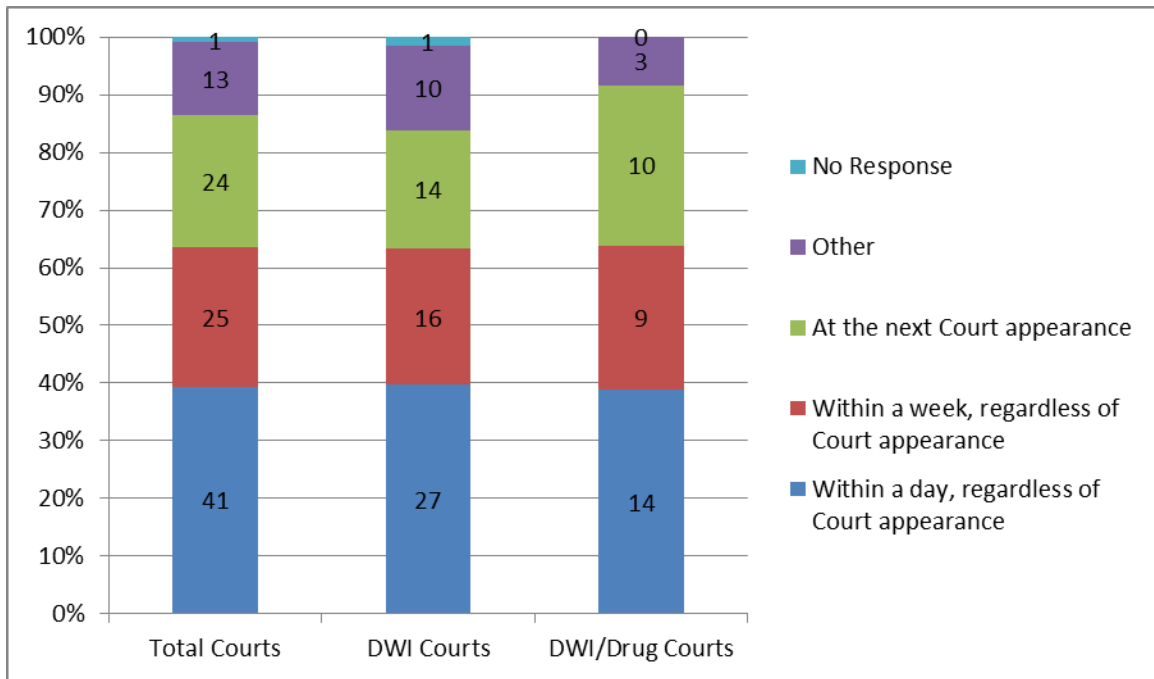


Q68. How soon is a sanction imposed for a positive drug test?

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

About 40 percent of the responding programs said that they imposed sanctions for failure to appear for a hearing within a day. About one-quarter occur within a week and another one-quarter occur at the next court appearance. “Other” responses most often referred to the issuance of a bench warrant, with the remainder saying it occurs as soon as they make contact with the program participant.

**Figure 5.8**  
**How Soon Sanction is Imposed for Other Infractions:**  
**Failure To Appear For Hearing**



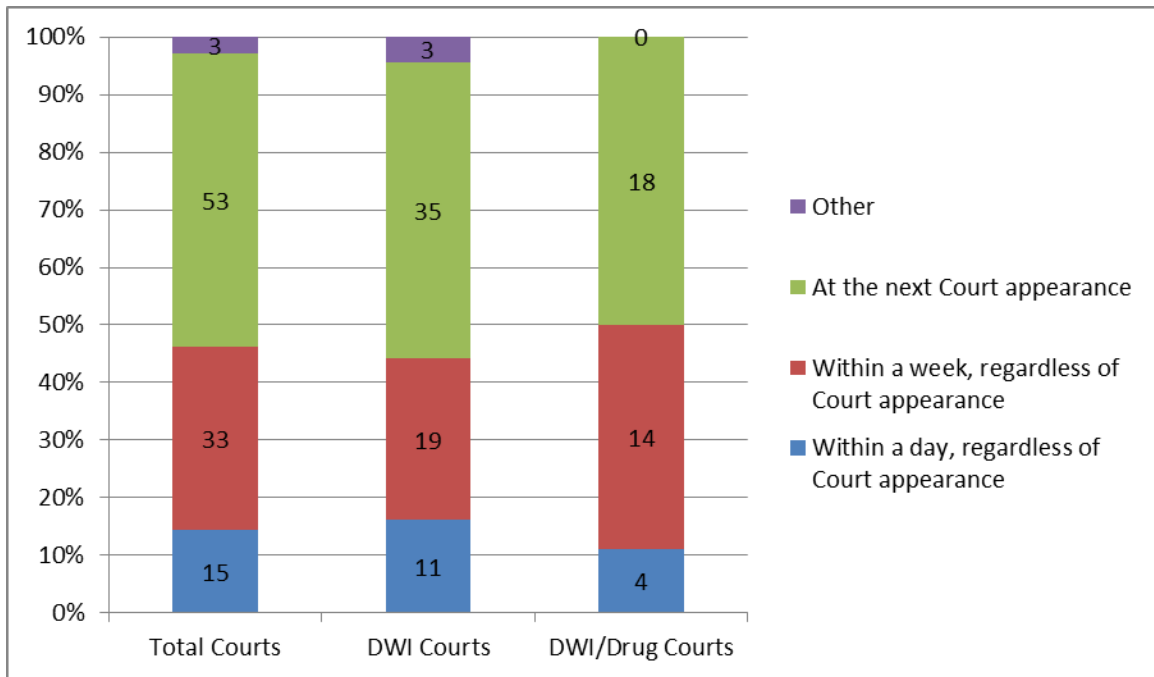
Q69. How soon is a sanction imposed for infractions other than positive drug tests? Failure to Appear For Hearing.

Number of responding court programs = 104 (68 DWI Courts and 36 DWI/Drug Courts).

The 104 court programs that said in question 65 they apply sanctions to other infractions received this question.

Nearly one-third of the responding programs imposed sanctions within a week, regardless of court appearance, for failure to keep a probation appointment. About one-half imposed sanctions at the next court appearance for a missed probation appointment.

**Figure 5.9**  
**How Soon Sanction is Imposed for Other Infractions:**  
**Failure To Keep Probation Appointment**



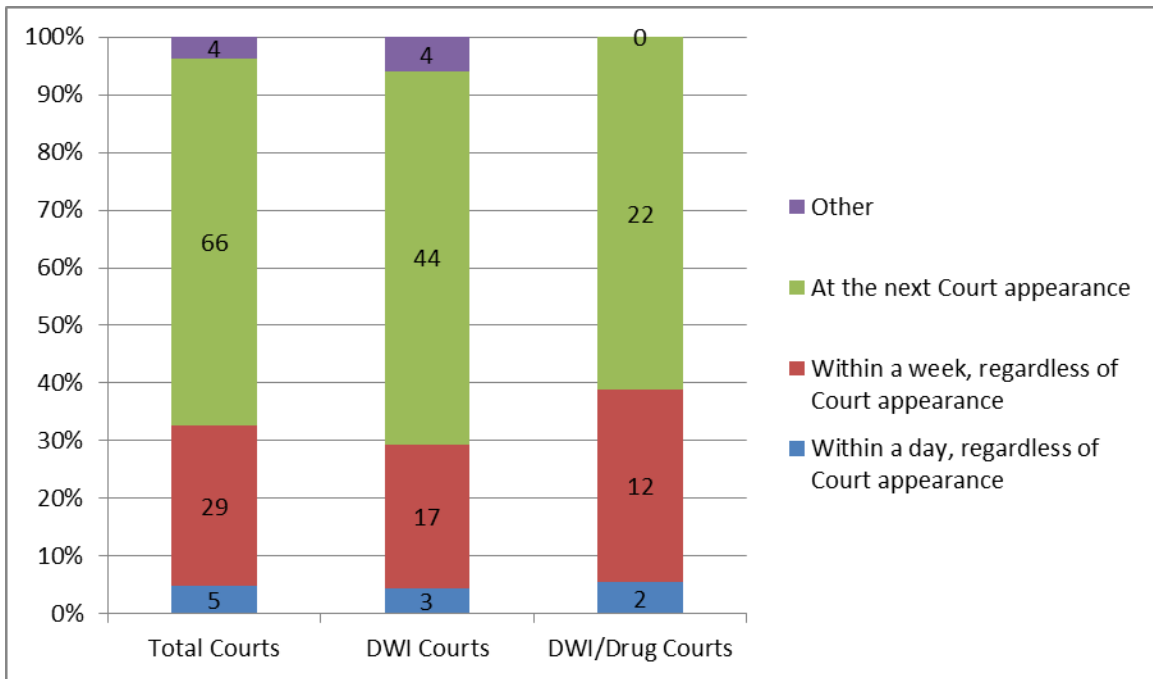
Q69. How soon is a sanction imposed for infractions other than positive drug tests? Failure to Keep Probation Appointment.

Number of responding court programs = 104 (68 DWI Courts and 36 DWI/Drug Courts).

The 104 court programs that said in question 65 they apply sanctions to other infractions received this question.

About one-quarter of the responding programs indicated that sanctions for failure to keep a treatment appointment were dispensed within a week, regardless of court appearance. Nearly two-thirds said that sanctions for a missed treatment appointment were dispensed at the next court appearance.

**Figure 5.10**  
**How Soon Sanction is Imposed for Other Infractions:**  
**Failure To Keep Treatment Appointment**



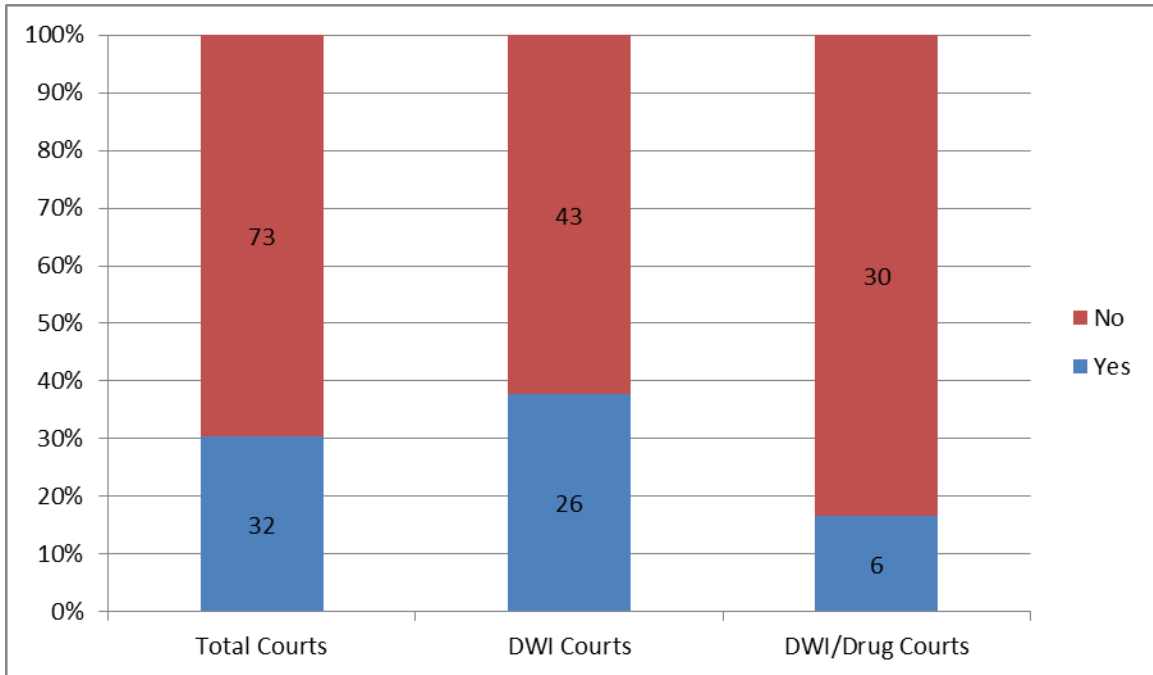
Q69. How soon is a sanction imposed for infractions other than positive drug tests? Failure to Keep Treatment Appointment.

Number of responding court programs = 104 (68 DWI Courts and 36 DWI/Drug Courts).

The 104 court programs that said in question 65 they apply sanctions to other infractions received this question.

In most responding programs, only the judge/magistrate could impose sanctions.

**Figure 5.11**  
**Someone Other Than The Judge/Magistrate Can Impose The Sanction**



Q70. Is anyone other than the judge/magistrate allowed to impose the sanction?

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

If someone other than the judge/magistrate could impose a sanction, that individual usually came from the probation/parole sector.

**Table 5.3  
Person Other Than The Judge/Magistrate That Is Allowed To Impose The  
Sanction**

	Number
<b>Probation/Parole</b>	31
<b>DWI Court Case Manager</b>	7
<b>Treatment Provider</b>	4
<b>Court/Program Coordinator</b>	2
<b>Team Members</b>	2

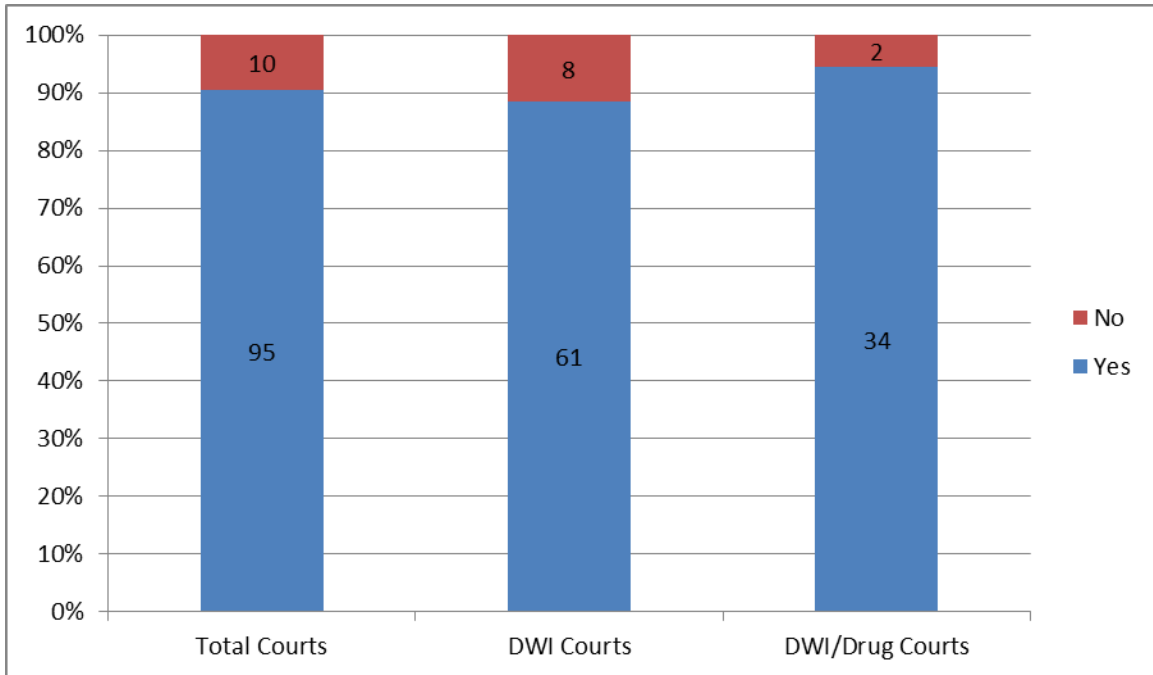
Q70a. Who Is allowed to impose the sanction? Please check all that apply.

Number of responding court programs = 32.

The 32 court programs that indicated in Q70 that someone other than the Judge/Magistrate can impose the sanction received this question.

Rewards for achievements were available in the vast majority of responding programs.

**Figure 5.12**  
**Court Program Gives Formal Rewards For Achievements**



Q71. Does your DWI Court program have formal rewards for achievements?

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

The achievements most typically rewarded were completion of a program phase or completion of treatment program requirements. Many programs also rewarded participants for staying clean and sober for 90 days, obtaining employment, completing school or a vocational program, or staying clean and sober for 30 days. Besides the achievements listed on the NHTSA questionnaire that respondents checked if applicable, others volunteered by the responding programs included staying clean and sober for longer periods of time than those listed on the questionnaire, general program compliance, meeting requirements, keeping appointments, obtaining a driver's license, and the birth of a drug free baby.

**Table 5.4**  
**Achievements Typically Rewarded**

Achievements	All Responding Courts		DWI Courts		DWI/Drug Courts	
	Number	%	Number	%	Number	%
Completed a program phase	87	83%	57	83%	30	83%
Completed requirements of treatment program	76	72%	49	71%	27	75%
90 days clean and sober	57	54%	40	58%	17	47%
Obtained employment	56	53%	37	54%	19	53%
Completed school or vocational program	51	49%	33	48%	18	50%
30 days clean and sober	47	45%	32	46%	15	42%
Entered school or vocational program	39	37%	27	39%	12	33%
Maintained employment	23	22%	15	22%	8	22%
Other	25	24%	16	23%	9	25%

Q71a. Below is a list of achievements. Which ones are typically rewarded? Please check all that apply.

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

Percentages are based on all court programs that responded to the previous question, including the 10 that said they did not have formal rewards for achievements.



Rewards often took the form of verbal acknowledgement, a small gift or prize, or some symbolic token. “Other” reported rewards often appeared to overlap with those general categories (e.g., applause; certificates; tokens that could be exchanged for something tangible;). Slightly fewer than one-half of respondents indicated that some reduction in sanctions was among the rewards allocated by their programs. Some of the volunteered “other” responses appeared to overlap with this category as well (e.g., credits or rebates on fines).

**Table 5.5**  
**Types of Rewards**

	All Responding Courts		DWI Courts		DWI/Drug Courts	
	Number	%	Number	%	Number	%
Rewards						
Verbal acknowledgement	95	90%	61	88%	34	94%
Gifts or prizes	79	75%	50	72%	29	81%
Symbolic tokens	70	67%	47	68%	23	64%
Removal of sanctions (such as a decrease in the frequency of court appearances or drug tests)	49	47%	32	46%	17	47%
Other	21	20%	15	22%	6	17%

Q71b. Do rewards include.....? Please check all that apply.

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

Percentages are based on all court programs that responded to question 71, including the 10 that said they did not have formal rewards for achievements.

The most common minimum amount of time among the responding programs that participants were required to be clean and sober in order to graduate was 6 months (38 percent). About one-third of the programs reported a minimum of fewer than 6 months, or no minimum at all.

**Table 5.6**  
**Graduation Requirements of The DWI Court Program For DWI**  
**Participants: Minimum Time Clean and Sober in Months**

Months	All Responding Courts		DWI Courts		DWI/Drug Courts	
	Number	%	Number	%	Number	%
No Minimum	8	8%	4	6%	4	11%
1	0	0%	0	0%	0	0%
2	2	2%	2	3%	0	0%
3	16	15%	12	17%	4	11%
4	10	10%	8	12%	2	6%
5	0	0%	0	0%	0	0%
6	40	38%	26	38%	14	39%
7-11	5	5%	2	3%	3	8%
12	6	6%	3	4%	3	8%
More than 12	18	17%	12	17%	6	17%

Q72. What are the graduation requirements of the DWI Court program for DWI participants?

Q72a. Minimum time clean and sober. If there is no minimum, please enter a "0."

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

One-third of the responding programs had no requirement regarding a minimum amount of time the participant must be sanction-less in order to graduate. Almost as many had a minimum of one, two, or three months.

**Table 5.7**  
**Graduation Requirements of The DWI Court Program For DWI**  
**Participants: Minimum Time Sanction-less in Months**

	All Responding Courts		DWI Courts		DWI/Drug Courts	
	Number	%	Number	%	Number	%
Months						
No Minimum	35	33%	23	33%	12	33%
1	14	13%	10	14%	4	11%
2	3	3%	2	3%	1	3%
3	16	15%	9	13%	7	19%
4	6	6%	5	7%	1	3%
5	0	0%	0	0%	0	0%
6	19	18%	12	17%	7	19%
7-11	0	0%	0	0%	0	0%
12	0	0%	0	0%	0	0%
More than 12	11	10%	7	10%	4	11%
No Response	1	1%	1	1%	0	0%

Q72. What are the graduation requirements of the DWI Court program for DWI participants?

Q72b. Minimum time sanction-less. If there is no minimum, please enter a "0."

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

Virtually all responding programs stated that the completion of treatment program requirements was a graduation requirement. Many also said that participants must pay court costs or other fees, have an aftercare plan, complete community service, or write an essay about their experience in the program in order to graduate. “Other” graduation requirements volunteered by respondents included processing requirements such as applying for graduation or undergoing a review/interview, being employed, having a sponsor, paying fees not listed on the NHTSA questionnaire, no new offenses, and requirements involving a Victim Impact Panel.

**Table 5.8  
Other Graduation Requirements of The DWI Court Program For DWI  
Participants**

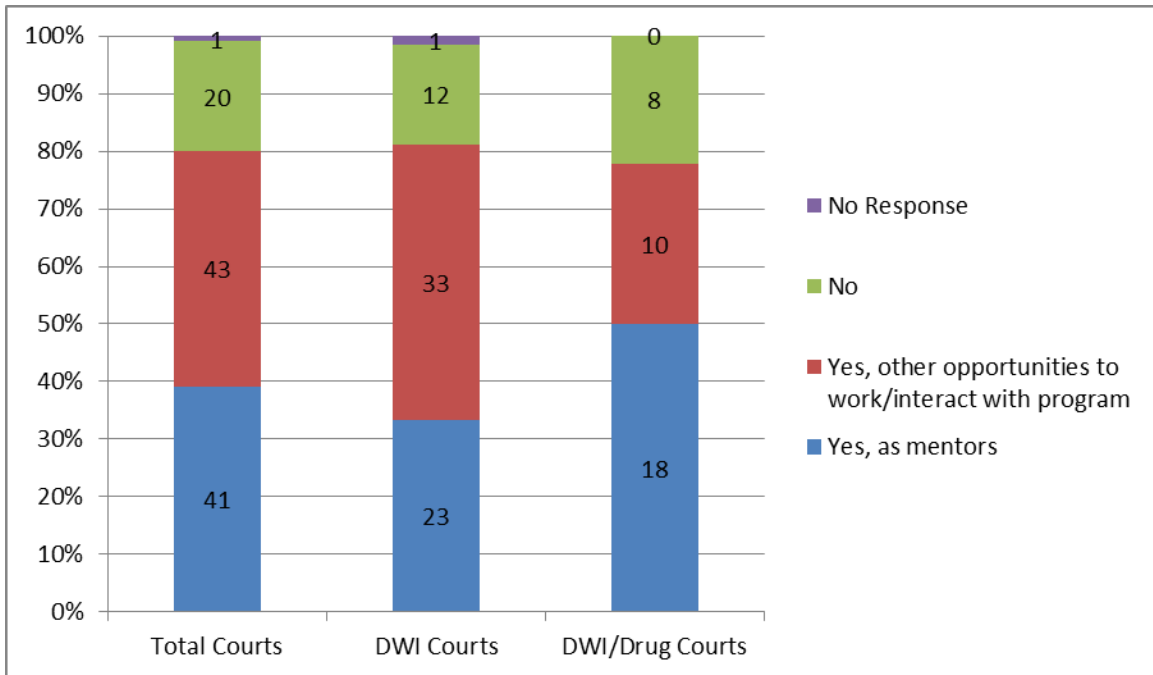
	All Responding Courts		DWI Courts		DWI/Drug Courts	
	Number	%	Number	%	Number	%
Completed treatment program requirements	104	99%	69	100%	35	97%
Pay court costs	82	78%	50	72%	32	89%
Aftercare plan	76	72%	55	80%	21	58%
Community service	73	70%	46	67%	27	75%
Pay restitution fees	67	64%	39	57%	28	78%
Pay drug/alcohol testing fees	66	63%	42	61%	24	67%
Essay about program experience/value	48	46%	31	45%	17	47%
Other (Volunteered)	28	27%	24	35%	4	11%

Q73. What are other graduation requirements of the DWI Court program for DWI participants? Please check all that apply.

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

About 80 percent of the responding programs provided opportunities for participants to continue to interact with the program post-graduation.

**Figure 5.13**  
**Opportunities For DWI Participants To Work With or Interact With The Program After Graduation**



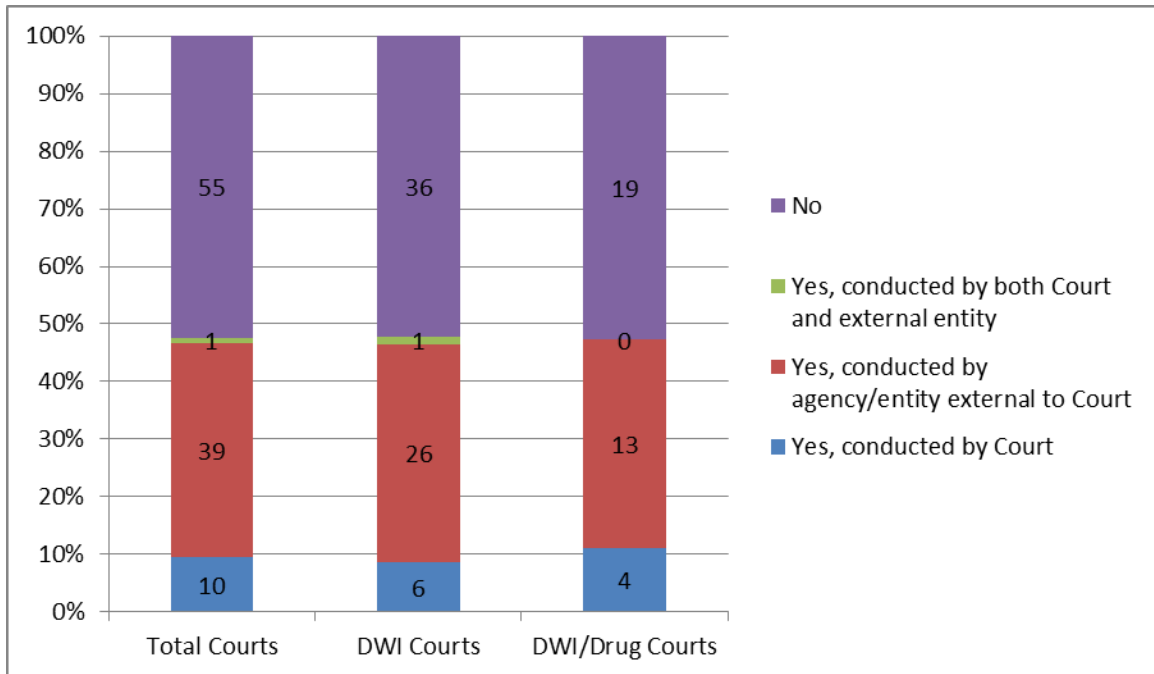
Q74. After graduation, are there opportunities for DWI participants to come back to the DWI Court program as mentors, or for other opportunities to work or interact with the Court program?

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

**Chapter 6.**  
**Other Issues**  
**Questions 75-78**

Slightly fewer than one-half of the responding programs had conducted an evaluation of their DWI Court, with those evaluations usually conducted by an entity external to the court.

**Figure 6.1**  
**Conducted Evaluation of DWI Court Regarding Impact, Cost, or Efficiency of Resource Utilization**



Q75. To date, have you conducted any evaluation of your DWI Court regarding impact, cost, or efficiency of resource utilization?

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

Reduction in DWI recidivism was the most common outcome measure used to evaluate programs.

**Table 6.1  
Subjects of Evaluation**

	All Responding Courts		DWI Courts		DWI/Drug Courts	
	Number	%	Number	%	Number	%
Effectiveness in reducing DWI recidivism	35	70%	23	70%	12	71%
Cost benefit	29	58%	18	55%	11	65%
Impact on clients' quality of life	26	52%	14	42%	12	71%
Effectiveness in reducing positive drug results	22	44%	11	33%	11	65%
Efficiency of staff usage	13	26%	8	24%	5	29%
Other (Volunteered)	8	16%	6	18%	2	12%
Process evaluation	3	6%	3	9%	0	0%
Best practices	2	4%	2	6%	0	0%
Overall program effectiveness	1	2%	1	3%	0	0%
Recidivism (unspecified)	2	4%	0	0%	2	12%

Q75a. What did you evaluate? Please check all that apply.

Number of responding court programs = 50 (33 DWI Courts and 17 DWI/Drug Courts).

Percentages are based on all 50 court programs that said in Q75 that they have conducted an evaluation of their DWI Court.



The most common source of grant funding came from the State. While a handful of programs entered “other” responses in addition to the sources listed on the NHTSA questionnaire, these were generally to identify non-grant funding or to indicate that they did not receive grant funding.

**Table 6.2**  
**Sources of Grant Funding From Government and Private Sector**  
**Organizations For DWI Court**

	All Responding Courts		DWI Courts		DWI/Drug Courts	
	Number	%	Number	%	Number	%
State Government	72	69%	45	65%	27	75%
Federal Government	28	27%	19	28%	9	25%
County or Municipal Government	24	23%	16	23%	8	22%
Non-Profit Organization	11	10%	7	10%	4	11%
Other Private Sector	4	4%	2	3%	2	6%

Q76. Does your DWI Court currently receive grant funding from .....? Please check all that apply.

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

This item asked about funding sources for the DWI Court other than grant funding. Of the funding sources that respondents could check on the questionnaire, client fees were by far the leading source. Additional sources volunteered by the responding programs tended to be funding from county, municipal, or State government, either identified in general terms or by specific program/section.

**Table 6.3**  
**Other Sources of Funding For DWI Court**

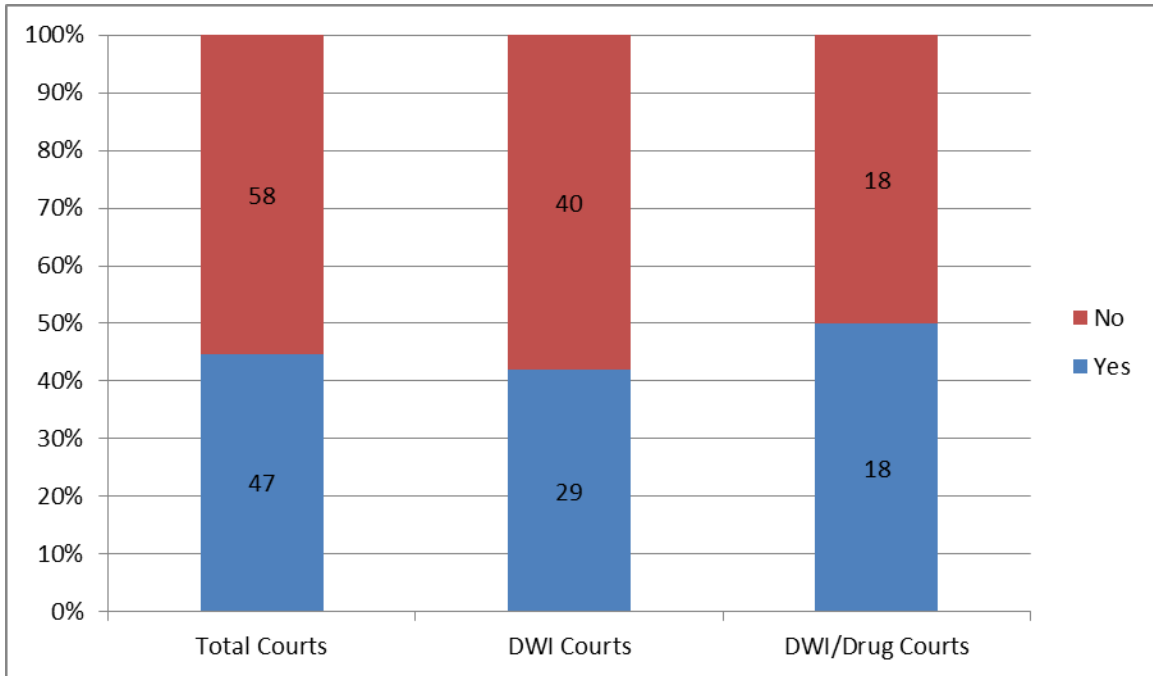
	All Responding Courts		DWI Courts		DWI/Drug Courts	
	Number	%	Number	%	Number	%
Client Fees	73	70%	48	70%	25	69%
Fundraising	17	16%	10	14%	7	19%
Fines and Forfeitures	17	16%	12	17%	5	14%
Other Collected Fees	16	15%	9	13%	7	19%
Medicaid	13	12%	8	12%	5	14%
Other	24	23%	16	23%	8	22%

Q77. What other sources of funds are you currently using to operate your DWI Court program? Please check all that apply.

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

Most of the responding programs did not have a written plan for sustaining the program over time.

**Figure 6.2**  
**DWI Court Has Developed a Written Plan For Sustaining The Program Over Time**



Q78. Has your DWI Court developed a written plan for sustaining the program over time?

Number of responding court programs = 105 (69 DWI Courts and 36 DWI/Drug Courts).

# Conclusions

The National Center for DWI Courts (NCDC) lists ten guiding principles for DWI Courts<sup>7</sup>. This survey did not structure its data collection instrument around the guiding principles as NHTSA's objectives for the survey were best met by focusing on specific operational characteristics. However, the collected information offers insight into how the guiding principles are currently reflected in program operations.

## 1. Determine the population.

Determining the population includes clearly defining the court target population, and clearly documenting eligibility criteria. Nine-out-of-ten responding programs (89 percent) identified multiple DWI convictions/offenses as a minimum criterion for a DWI offender to be eligible for the DWI Court program, with many adding a high BAC as an additional minimum criterion. Only two of the responding 105 programs did not indicate minimum eligibility criteria. Almost all reported criteria that they used to exclude DWI offenders from admission to the program, most often violent offenses or the presence of a severe mental disorder.

## 2. Perform a clinical assessment.

Ninety percent of the responding programs used clinical assessment as a source of information for determining whether DWI offenders were eligible for the DWI Court program. It was the most common source of information reported for determining program eligibility.

## 3. Develop the treatment plan.

NCDC states in their Guiding Principles that treatment involves carefully selecting and implementing treatment practices demonstrated through research to be effective with the hard-core impaired driver. All of the responding programs offered treatment services to their program participants, with the most prevalent being group counseling (98 percent), and individual counseling (97 percent). Other treatment services available to participants in more than one-half of the programs were support group services such as Alcoholics Anonymous and Narcotics Anonymous (94 percent), relapse prevention (89 percent), intensive outpatient (87 percent), drug education (81 percent), residential (79 percent), and detoxification (60 percent). Most of the programs included cognitive behavioral therapy for some (41 percent) or all (46 percent) of their DWI participants. More than 80 percent of the programs integrated mental health and substance abuse treatment into the program for those DWI participants with co-occurring disorders.

## 4. Supervise the offender.

Supervising the offender entails "increased supervision and monitoring by the court, probation department, and treatment provider." Most of the responding programs reported that DWI participants met with their case manager either one (56 percent) or more (33 percent) times a

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<sup>7</sup> National Center for DWI Courts. *The Ten Guiding Principles Of DWI Courts*. n.d. [http://live-dwi-courts.gotpantheon.com/sites/default/files/ncdc/Guiding\\_Principles\\_of\\_DWI\\_Court\\_0.pdf](http://live-dwi-courts.gotpantheon.com/sites/default/files/ncdc/Guiding_Principles_of_DWI_Court_0.pdf)

week during the onset of the program. Drug/alcohol testing was used in all court programs and occurred one time (10 percent), two times (29 percent), or more than two times (62 percent) a week. Court appearances were usually either once a week (39 percent) or once every other week (55 percent). For most programs, the frequency of case manager meetings, substance testing, and court appearances changed as the DWI participant progressed through the program.

**5. Forge agency, organization, and community partnerships.**

The survey did not delve into the presence of partnerships with other agencies or organizations. To the extent that the survey found outside parties involved in the program, it tended to be treatment providers. Other indications of partnerships surfaced in the funding sources, which sometimes included local government agencies or private sector organizations.

**6. Take a judicial leadership role.**

The Guiding Principles emphasize the pivotal role that the judge plays in the DWI Court program, and how the judge is a vital member of the DWI Court team. All but two of the responding programs reported that the judge was a member of their DWI Court team. However, beyond team membership, there is little in the survey that allows discussion of the judge's leadership role as the survey questions usually did not single out the judge when asking about the operation of the DWI Court.

**7. Develop case management strategies.**

NCDC defines case management as "the series of inter-related functions that provides for a coordinated team strategy and seamless collaboration across the treatment and justice systems." It appeared that all responding programs had a DWI Court team, although one respondent answered that they didn't have one despite identifying several team members. The teams most typically included the judge, supervision or probation officers, the Court Coordinator, and the attorneys associated with the case. Most programs had little to no turnover in team members. Almost all of the teams held staffing meetings weekly or every other week to discuss the participants in the program, and made recommendations during the meetings about what will happen to a program participant in court. Attendees at the meetings most typically included the team members just previously mentioned as well as treatment providers.

**8. Address transportation issues.**

Nearly every State revokes or suspends a person's driving license upon conviction for a DWI offense. Almost all of the responding programs said that their court monitors compliance of DWI Court participants to requirements they have concerning a suspended or revoked driving license, although 15 percent said they do it "sometimes." The majority of responding programs (60 percent) said that the court and participant work together to solve the participant's transportation needs. About one-third (32 percent) of the programs place the onus of solving transportation needs on the participant.

**9. Evaluate the program.**

Less than one-half of the responding programs (48 percent) had conducted an evaluation of their DWI Court. Evaluations were usually conducted by some entity external to the court. The subjects of evaluation most frequently were the program's effectiveness in reducing DWI recidivism (70 percent), its cost benefit (58 percent), and its impact on clients' quality of life (52 percent).

**10. Ensure a sustainable program.**

NCDC states that "the foundation for sustainability is laid, to a considerable degree, by careful and strategic planning." NHTSA asked the DWI Court programs if they had developed a written plan for sustaining the program over time. The majority (55 percent) answered "no."

# **Appendix A.**

## **Survey Questionnaire**

## DWI Court Survey Instrument

### (1) General Information

#### 1a. General Information

1. Is the Problem Solving Court you are operating to treat repeat DWI offenders and/or high BAC DWI offenders a DWI Court, or is it a Hybrid DWI Court that handles both DWI cases and drug cases?

- DWI Court – currently handles DWI cases only (Skip To Q2)
- Hybrid DWI Court – currently handles both DWI cases and drug cases (the remainder of this questionnaire will refer to this as a DWI/Drug Court) (Skip To Q2)
- Problem Solving Court no longer handling DWI cases (Go To Q1a)
- Specialized DWI Court no longer operating (Skip To Q1b)

1.a. Why is your Problem Solving Court no longer handling DWI cases? Please check all that apply.

- Too few DWI cases
- Too few treatment providers available for DWI cases
- Other specialized resources for addressing DWI cases are not available or inadequate
- Overall lack of resources
- Lack of results in treating DWI cases
- Changed priorities
- Changes in Court personnel
- A time limit on how long the Court intended to handle DWI cases
- Other (please specify): \_\_\_\_\_



**Thank you for responding to NHTSA’s Survey of DWI Courts. Since your Problem Solving Court is no longer handling DWI cases, there are no further questions for you to answer.**

- 1.b Why is your DWI Court no longer operating? Please check all that apply.
- Too few DWI cases
  - Too few treatment providers available for DWI cases
  - Other specialized resources for addressing DWI cases are not available or inadequate
  - Overall lack of resources
  - Lack of results in treating DWI cases
  - Changed priorities
  - Changes in Court personnel
  - A time limit on how long the specialized DWI Court was planned to operate
  - Other (please specify): \_\_\_\_\_

**Thank you for responding to NHTSA’s Survey of DWI Courts. Since your Problem Solving Court is no longer handling DWI cases, there are no further questions for you to answer.**

2. Does your Court have 5 or more DWI cases currently active in your DWI Court Program or Hybrid DWI Court Program?
- Yes (Continue)
  - No (Thank respondent and end interview)

**Since your DWI Court Program does not have 5 or more currently active DWI cases, there are no further questions for you to answer.**

3. What year did this Problem Solving Court start operating as a DWI Court?
- Drop down list of years from 2000 – 2015, with a “before 2000” category.*
4. What types of geographic areas are served by your Problem Solving Court program? Please check all that apply.
- Urban (a large city with 50,000 or more people)
  - Suburban (territory outside of a large city with a population of 2,500 to 50,000 people)
  - Rural (territory that encompasses all people and housing not included within a suburban, urban, or tribal area)
  - Tribal (territory that contains a concentration of people who identify with a federally recognized American Indian tribe)

5. Would you consider the geographic area served by your Problem Solving Court to be **primarily**:

- o Urban (a large city with 50,000 or more people)
- o Suburban (territory outside of a large city with a population of 2,500 to 50,000 people)
- o Rural (territory that encompasses all people and housing not included within a suburban, urban, or tribal area)
- o Tribal (territory that contains a concentration of people who identify with a federally recognized American Indian tribe)

**[If Q1 = Hybrid Court, add this instruction. Otherwise go directly to Q6] For the remaining questions in Section 1, please answer only for the DWI participants in your Problem Solving Court unless specifically directed to combine the DWI and drug cases.**

6. In calendar year 2014, approximately what percentage of DWI participants in your (DWI; DWI/Drug) Court program were:

- |                         |        |                           |        |
|-------------------------|--------|---------------------------|--------|
| o Males younger than 21 | _____% | o Females younger than 21 | _____% |
| o Males 21-29           | _____% | o Females 21-29           | _____% |
| o Males 30-49           | _____% | o Females 30-49           | _____% |
| o Males 50 and older    | _____% | o Females 50 and older    | _____% |

7. In calendar year 2014, approximately what percentage of DWI participants in your (DWI; DWI/Drug) Court program were.....

Group	Percentages
Hispanic or Latino	
Not Hispanic or Latino	

8. In calendar year 2014, approximately what percentage of DWI participants in your (DWI; DWI/Drug) Court program were.....

Group	Percentages
American Indian or Alaska Native	
Asian	
Black or African American	
Native Hawaiian or Other Pacific Islander	
White	

9. In calendar year 2014, approximately what percentage of DWI participants in your (DWI; DWI/Drug) Court program did not have English as their primary language?

\_\_\_\_\_%

10. In calendar year 2014, approximately what percentage of DWI participants in your (DWI; DWI/Drug) Court program were employed full time, employed part time, or unemployed?

- Employed full time \_\_\_\_\_%
- Employed part time \_\_\_\_\_%
- Unemployed \_\_\_\_\_%

11. Do the DWI participants in your (DWI; DWI/Drug) Court program serve jail time before entering the (DWI; DWI/Drug) Court program?

- Yes, all serve mandatory jail time prior to entering the program
- Yes, most serve mandatory jail time prior to entering the program
- Yes, some serve mandatory jail time prior to entering the program
- No, none serve mandatory jail time prior to entering the program
- Other (please specify): \_\_\_\_\_

12. After graduation from the (DWI; DWI/Drug) Court program, what is the sentence disposition for the **majority** of your DWI participants in the Court program?

- Sentences stand (no reduction)
- Sentences are dismissed
- Sentences are reduced
- Sentences are dismissed and record expunged
- Other (please specify): \_\_\_\_\_

### ***1b. Program Case Flow***

13. How many participants are **currently active** in your (DWI; DWI/Drug) Court program? [If Q1 = Hybrid Court in Q1, add the following sentence] Please include both your DWI and Drug cases.

- Please specify number: \_\_\_\_\_

**If Q1 = Hybrid Court, Go To Q13.a. Otherwise Go To Q14**

13.a. How many of these active participants were in your program for a DWI offense, how many were in your program for a drug offense, and how many were there for both DWI and drug offenses? Please enter the number.

- |   | Number |
|---|--------|
| <input type="radio"/> DWI offense:                | _____  |
| <input type="radio"/> Drug offense:               | _____  |
| <input type="radio"/> Both DWI and Drug offenses: | _____  |

14 Given currently available resources, approximately what is the **maximum** capacity of your (DWI; DWI/Drug) Court program? [If Q1 = Hybrid Court, add the following sentence] Please include both your DWI and Drug cases.

- Maximum capacity (number of cases) \_\_\_\_\_

15. Are more convicted DWI offenders eligible for the Court program than can participate, given Court resource limitations?

- No (Skip To Q16)
- Yes

15.a. **In calendar year 2014**, how many more convicted DWI offenders were eligible for the Court program than could participate because of Court resource limitations?

- Less than 5
- 5 to 10
- 11 to 15
- 16 to 20
- 21 to 25
- 26 to 50
- 51 to 75
- 76 to 100
- More than 100

15.b. How did you select which DWI offenders to enter the (DWI; DWI/Drug) Court program when there were not enough slots for all who were eligible? Please check all that apply.

- Their order of processing in the justice system
- Clinical assessment
- Other (please specify): \_\_\_\_\_

16. **In calendar year 2014**, how many people entered the (DWI; DWI/Drug) Court program? [If Q1 = Hybrid Court, add the following sentence] Please include both your DWI and Drug cases.

- \_\_\_\_\_ Number entered in 2014

17. **In calendar year 2014**, how many people graduated from the (DWI; DWI/Drug) Court program? [If Q1 = Hybrid Court, add the following sentence] Please include both your DWI and Drug cases.

- \_\_\_\_\_ Number graduated in 2014

**If Hybrid Court in Q1, Go To Q17.a. Otherwise Go To Q18.**

17.a. **In calendar year 2014**, how many DWI participants graduated from the (DWI; DWI/Drug) Court program?

- Number DWI clients graduated in 2014

18, If you maintain records of graduation rates for the (DWI; DWI/Drug) Court program, please list the most recent graduation rate, the time period to which it applies, and specify how the rate was calculated.

- Graduation rate not available
- Graduation rate \_\_\_\_\_

Time period covered \_\_\_\_\_

How rate was calculated \_\_\_\_\_

19 ***In calendar year 2014***, how many participants dropped out or were removed/terminated from the (DWI; DWI/Drug) Court program before completing all of their program requirements? [If Q1 = Hybrid Court, add the following sentence] Please include both your DWI and Drug cases.

- \_\_\_\_\_ Number dropped out or removed/terminated in 2014 before completing requirements

**If Hybrid Court in Q1, Go To Q19.a. Otherwise Go To Q20.**

19.a. ***In calendar year 2014***, how many DWI participants dropped out or were removed/terminated from the (DWI; DWI/Drug) Court program before completing all of their program requirements?

- \_\_\_\_\_ Number DWI clients dropped out or removed/terminated in 2014 before completing requirements

20. Of the participants who dropped out or were removed/terminated from the program in calendar year 2014, how many dropped out and how many were removed/terminated cases? [If Q1 = Hybrid Court, add the following sentence] Please base your answers on the DWI cases only.

\_\_\_\_\_ Number dropped out

\_\_\_\_\_ Number of removed/terminated cases

21. What were the leading reasons why participants dropped out or were removed/terminated from the (DWI; DWI/Drug) Court program in calendar year 2014? Please list the top three reasons in calendar year 2014. [If Q1 = Hybrid Court, add the following sentence] Please base your answers on the DWI cases only.

Reason 1: \_\_\_\_\_

Reason 2: \_\_\_\_\_

Reason 3: \_\_\_\_\_

## (2) Program Structure

In Section 2, if you are responding for a Hybrid DWI/Drug Court (DWI/Drug) that handles both DWI and Drug cases, please answer only for the DWI participants in your DWI/Drug Court program.

### 2a. Program Characteristics

22. Does the (DWI; DWI/Drug) Court assignment rotate among the judges in the jurisdiction?

- No (Skip To Q23)
- Yes

22.a. How long are judges typically assigned to your (DWI; DWI/Drug) Court?

- One year
- Two years
- Until the existing Court judge steps aside
- Other (please specify): \_\_\_\_\_

23. Does the treatment and supervision that the DWI participant receives at the beginning of the program change as the DWI participant continues to the end of the program?

- No (Skip To Q24)
- Yes (Skip To Q23.b)
- Depends

23.a. What does it depend on?

Please specify: \_\_\_\_\_

23.b. Is the (DWI; DWI/Drug) Court program structured in phases through which all DWI participants in the program are expected to progress?

- No (Skip To Q25)
- Yes

24.b1. How many phases are DWI participants in the program expected to progress through?

- \_\_\_\_\_ (Specify number)

24. What is the **minimum period of time** DWI participants are required to be enrolled in the (DWI; DWI/Drug) Court program in order to graduate? If there is no minimum please enter a "0."

- \_\_\_\_\_ months *two digits*

25. In practice, what is the **average period of time** DWI participants are enrolled in the (DWI; DWI/Drug) Court program before graduating?

- \_\_\_\_\_ months *two digits*

26. Does the **expected length** of (DWI; DWI/Drug) Court participation vary depending on..  
(Please check all that apply)

- Length of alternative sentence
- The type of drug used by the participant
- Initial drug test results
- Clinical assessment
- Criminal history
- Probation violator status/level
- The length does not vary
- Other (please specify): \_\_\_\_\_

## **2b. DWI Court Eligibility Criteria**

27. Does your (DWI; DWI/Drug) Court have restrictions about who can enter the Court program based on the DWI offender's criminal history?

- No (Skip To Q28)
- Yes

27.a. What is the **most serious** type of *prior* conviction DWI participants in the Court program are allowed to have?

- None
- Non-violent offense misdemeanors
- Non-violent offense felonies
- Violent offense misdemeanors
- Violent offense felonies

27.b What is the **maximum** number of prior DWI convictions DWI participants in the Court program are allowed to have?

- 0
- 1
- 2
- 3
- 4
- 5 or more
- No limit

28. What are the **minimum** criteria for a DWI offender to be eligible for the (DWI; DWI/Drug) Court program? Please check all that apply.

- Multiple DWI convictions
- High BAC
- Other (please specify): \_\_\_\_\_

29. What other criteria are used to exclude DWI offenders from admission in the (DWI; DWI/Drug) Court program? Please check all that apply.

- None
- Previous treatment failure
- Presence of a severe mental disorder
- Other (please specify): \_\_\_\_\_

30. Are DWI offenders required to sign or agree to a contract in order to begin participating in the (DWI; DWI/Drug) Court program? Please check all that apply.

- No signed or agreed upon contracts
- A contract agreeing to program rules
- A contract waiving their rights in Court
- A contract agreeing to the alternative sentence for failure to comply with (DWI; DWI/Drug) Court requirements
- A treatment contract with providers that agrees to program rules

31. Does your (DWI; DWI/Drug) Court program allow DWI participants to remain in treatment after a positive drug or alcohol test?

- No
- Yes
- Yes, depending on other factors (please specify): \_\_\_\_\_

### ***2c. Information Sources For Screening***

32. Which of the following sources of information determine whether DWI offenders are eligible for the (DWI; DWI/Drug) Court program? Please check all that apply.

- Clinical assessments
- Alcohol test results (Skip To Q33)
- Self-reported alcohol use history (Skip To Q33)
- Self-reported alcohol treatment history (Skip To Q33)
- Professional judgment of person conducting the initial screening (Skip To Q33)
- Contact with family member, friend, employer, or other acquaintance (Skip To Q33)
- Other (please specify): \_\_\_\_\_



**If clinical assessments are checked ...**

32.a What instrument is used to assess clinical eligibility? Please check all that apply.

- Addiction Severity Index (ASI)
- Alcohol Dependence Scale (ADS)
- American Drug and Alcohol Survey (ADAS)
- Drug Dependence Scale (DDS)
- Offender Profile Index (OPI)
- Simple Screening Instrument (SSI)
- Texas Christian University Prevention Management and Evaluation System
- Instrument designed by Court staff
- Other (please specify): \_\_\_\_\_

33. Does the (DWI; DWI/Drug) Court conduct a formal mental health assessment of DWI offenders?

- No (Skip To Q34)
- Yes, all DWI offenders (Skip To Q33.b)
- Yes, some DWI offenders

33.a. What are the criteria for conducting a formal mental health assessment of DWI offenders?

Please specify: \_\_\_\_\_

33.b. What instruments are typically used for the mental health screening? Check all that apply.

- Beck Depression Inventory (BDI)
- Brief Symptom Inventory (BSI)
- Referral Decision Scale (RDS)
- Symptom Checklist 90-Revised (SCL-90R)
- Other (please specify): \_\_\_\_\_

### (3) Program Operations

#### 3a. Management Information Systems (MIS)

34. Does the (DWI; DWI/Drug) Court have a computerized data system that tracks client progress including both criminal justice and treatment measures?

- No
- Yes (Skip To Q34.b)

34.a. Are you aware of the Treatment Research Institute Court Evaluation Program (TRI-CEP) DWI Court Module?

- No (Skip To Q35)
- Yes (Skip To Q35)

34.b. Who enters data into the computerized data system? Please check all that apply.

- Court
- Treatment program
- Case management
- Probation/Parole
- Pretrial services
- Other (please specify): \_\_\_\_\_

34.c. Are client records updated at regular intervals, or are they updated at intervals that vary in length?

- Records are updated at regular intervals
- Records are updated at intervals that vary in length (Skip to Q34d)
- Records are updated at both regular and irregular intervals
- Other (please specify): \_\_\_\_\_

34.c1. On average, how often are client case records updated in the computerized data system?

- Less than 2 weeks
- Every 2-4 weeks
- Every 1-2 months
- Every 3-6 months
- Every 7-12 months
- More than 1 year
- Other (please specify): \_\_\_\_\_

34.d. Who accesses the computerized system for monitoring purposes? Please check all that apply.

- Treatment provider
- Court staff
- Case managers
- Judge
- Probation/Parole
- Other (please specify): \_\_\_\_\_

34.e. Do you maintain computerized records of the following for DWI participants in the (DWI; DWI/Drug) Court program:

Assessment	No	Yes
Admissions	No	Yes
Current status	No	Yes
Sanctions	No	Yes
Discharges	No	Yes
Graduations	No	Yes
Re-arrest	No	Yes
Appearance at scheduled Court hearings	No	Yes
Appearance at scheduled treatment appointments	No	Yes
Appearance at drug tests	No	Yes
Drug test results	No	Yes
Progress in treatment	No	Yes
Employment status	No	Yes
Family status	No	Yes
Educational status	No	Yes

35. Does the (DWI; DWI/Drug) Court have a computerized data system that tracks costs of operating the (DWI; DWI/Drug) Court program?

- No (Skip To Q36)
- Yes

35.a. What are the cost categories tracked by the computerized system?

Court	No	Yes
Prosecutor	No	Yes
Public Defender	No	Yes
Probation	No	Yes
Drug Testing	No	Yes
Treatment	No	Yes
Other (Specify _____)		Yes
Other (Specify _____)		Yes
Other (Specify _____)		Yes

### ***3b. Entry Into DWI Court Program***

36. ***On average***, how many days elapse between initial arraignment in Court and the DWI offender's entry into your DWI Court program? Initial arraignment refers to the offender's first appearance in Court for the DWI offense that most recently preceded the offender's entry into your DWI Court program. If you are responding for a DWI/Drug Court that handles both DWI and Drug cases, please base your answers on the DWI case only.

- Fewer than 6 days
- 6 to 10 days
- 11 to 20 days
- 21 to 30 days
- 31 to 45 days
- 46 to 60 days
- 61 to 75 days
- 76 to 90 days
- More than 90 days

### ***3c. Program "Staffing"***

**In Section 3c, if you are responding for a Hybrid DWI/Drug Court (DWI/Drug) that handles both DWI and Drug cases, please answer only for the DWI participants in the Court program.**

37. Who are the members of the (DWI; DWI/Drug) Court team involved in decisions regarding the program for DWI participants and in monitoring their progress? Please check all that apply.

- The judge/judges
- Prosecutor
- Defense Attorneys/Public Defenders
- Supervision/probation officers
- Law enforcement officer
- Case manager
- (DWI; DWI/Drug) Court program director or coordinator
- Other (please specify): \_\_\_\_\_
- There is no (DWI; DWI/Drug) Court team (Skip to Q39)

38. What is the **typical** amount of turnover among members of the (DWI; DWI/Drug) Court team during the course of a DWI offender's participation in the Court program?

- Little to no turnover, team members rarely change from program entry to graduation
- Some turnover, usually part of the team changes between program entry and graduation
- A lot of turnover, hardly anyone on the team at time of program entry is still on the team at time of graduation
- Inconsistent turnover, the amount of turnover varies according to circumstances
- Other (please specify): \_\_\_\_\_

39. Does the (DWI; DWI/Drug) Court program have “staffing” meetings to discuss DWI offenders participating in the Court program?

- No (Skip To Q40)
- Yes

39.a. How often are the “staffing” meetings?

- More than once per week
- Weekly
- Every other week
- Once per month
- Less than once a month
- As needed

39.b. Who regularly attends the “staffing” meetings? Please check all that apply.

- The judge/judges
- (DWI; DWI/Drug) Court program director or coordinator
- Clinical director
- Case manager
- Treatment provider representatives
- Supervision officers
- Defense attorneys
- Prosecutor
- Other (please specify): \_\_\_\_\_

39.c. Are recommendations made during the “staffing meetings” about what will happen to a DWI program participant in Court?

- No
- Yes

### ***3d. Case Management and Program Contacts***

**In Section 3d, if you are responding for a Hybrid DWI/Drug Court (DWI/Drug) that handles both DWI and Drug cases, please answer only for the DWI participants in the Court program.**

40. Who in the Court program is the primary individual responsible for managing the DWI participant’s case?

- (DWI; DWI/Drug) Court case manager
- (DWI; DWI/Drug) Court program director or coordinator
- Pretrial services
- Probation/Parole
- Treatment Alternatives to Street Crime (TASC)
- Treatment provider
- Other (please specify): \_\_\_\_\_

41. Does the frequency of meetings that DWI participants in the Court program have with case managers vary with the phase of the program?

- No
- Yes
- The program does not have phases

42. In Phase 1, how often do DWI participants in the Court program see their case manager: (If the program does not have phases, then answer about the first two months of the program.)

- More than once a week
- One time a week
- Less than once a week
- Not at all

### ***3e. Transportation Issues***

**In Section 3e, if you are responding for a Hybrid DWI/Drug Court (DWI/Drug) that handles both DWI and Drug cases, please answer only for the DWI participants in the Court program.**

43. Which of the following statements best describes how the transportation needs of DWI Court participants with a suspended or revoked driver's license are typically solved (getting to treatment meetings, Court appearances, medical appointments, work, etc.)?

- Emphasis by the Court is placed on the participant solving his/her transportation needs
- The Court and the participant work together to solve the participant's transportation needs
- Participants rarely have a suspended or revoked license
- The Court takes the lead in solving the participant's transportation needs
- The participant is issued a restricted driver's license in order to engage in necessary travel

44. Does the Court monitor the compliance of DWI Court participants to any requirements that they have concerning a suspended or revoked driving license?

- Yes
- No
- Sometimes
- Participants rarely have a suspended or revoked license .

## (4) Treatment / Drug Testing

In Section 4, if you are responding for a Hybrid DWI/Drug Court (DWI/Drug) that handles both DWI and Drug cases, please answer only for the DWI participants in the Court program.

### 4a. Substance Abuse Treatment Services

45. Is the substance treatment program for the DWI participants in the Court program operated through the Court (i.e., treatment providers are hired directly by the Court to carry out services defined by the Court), or are DWI participants in the program referred to treatment providers operating independently from the Court?

- Operated directly by Court
- Operated by independent providers
- Both (some of the treatment program is run directly by the Court and some is run by providers operating independently from the Court)

46. How many substance abuse treatment providers (alcohol and other drugs) provide services for your Court program?

- 1
- 2
- 3 to 5
- 6 to 10
- 11 to 20
- 21 to 50
- 51 to 100
- More than 100

47. What treatment services or community groups are **currently available** to DWI participants in your Court program through DWI treatment providers? Please check all that apply.

- None
- Residential
- Intensive outpatient
- Outpatient: individual counseling
- Outpatient: group counseling
- Detoxification
- Drug education
- Methadone maintenance
- Methadone to abstinence
- Pharmacological interventions
- Acupuncture
- Self-help (AA, NA, Smart Recovery, etc.)
- Relapse prevention
- Community-based therapeutic community
- Other (please specify): \_\_\_\_\_

**Ask Q48 If Pharmacological Interventions In Q47. Otherwise Go To Q49.**

48. Please check which of the following drugs are currently being used in your Court program for treatment services to DWI participants. Please check all that apply.

- Naltrexone
- Buprenorphine
- Acamprosate
- Other (please specify): \_\_\_\_\_

49. Does treatment for DWI participants include cognitive behavioral therapy (CBT)?

- Yes, for all DWI clients
- Yes, for some DWI clients
- No
- Not sure

50. How often does your (DWI; DWI/Drug) Court have trouble finding available slots in the following treatment programs for the DWI offenders participating in the Court program?

Residential	Never	Sometimes	Often	Always	*N/A
Intensive outpatient	Never	Sometimes	Often	Always	N/A
Outpatient: individual counseling	Never	Sometimes	Often	Always	N/A
Outpatient: group counseling	Never	Sometimes	Often	Always	N/A

\*Not  
Applicable

51. Does your (DWI; DWI/Drug) Court program integrate mental health and substance abuse treatment for those DWI participants with co-occurring disorders?

- No, participants with co-occurring disorders are excluded from (DWI; DWI/Drug) Court
- No, treatment is not integrated
- Yes

52. Does your (DWI; DWI/Drug) Court program require that the following technology be used by, or applied to, DWI participants?

Transdermal Monitoring	Never	Sometimes	Often	Always
Ignition Interlock	Never	Sometimes	Often	Always
Breath Test Devices	Never	Sometimes	Often	Always



#### 4b. Drug/Alcohol Testing

53. When drug/alcohol testing DWI participants in the Court program, how is the sample collected? Please check all that apply.

Alcohol

- Saliva
- Urine
- Patch
- Breath
- Blood
- Other \_\_\_\_\_

Drugs Other than Alcohol

- Saliva
- Urine
- Patch
- Breath
- Blood
- Other \_\_\_\_\_

54. Who is the **primary** collector of drug/alcohol test samples from DWI participants in the Court program?

- Court staff
- Probation department
- Treatment provider
- Other (please specify): \_\_\_\_\_

55. Is collection of drug/alcohol test specimens supervised or observed?

- No
- Yes

56. What drugs are tested for? Please check all that apply.

- Alcohol
- Marijuana
- Crack/cocaine
- Heroin/opiates
- Methamphetamine
- Benzodiazepines
- Stimulants
- LSD
- PCP
- Other (please specify): \_\_\_\_\_

57. Does the (DWI; DWI/Drug) Court conduct its own testing, or is the testing conducted by an outside party not under the authority of the Court?

- Testing is done by the Court
- Testing is done by an outside party not under the authority of the Court
- Testing is done by both the Court and an outside party

58. How soon after testing are results available to the Court or Court staff?

- Immediately (within an hour)
- 1 to 2 hours
- More than 2 hours but no later than 24 hours
- More than 24 hours but no later than 1 week
- More than one week

59. Does the frequency of drug/alcohol testing DWI participants in the Court program vary with the phase of the program?

- No
- Yes
- The program does not have phases

60. How often are DWI participants in the Court program drug/alcohol tested in the initial Phase of the program? (If the program does not have phases, then answer about the first two months of the program.)

- More than two times a week
- Two times a week
- One time a week
- Less than once a week
- Not at all

## (5) Courtroom Processes

In Section 5, if you are responding for a Hybrid DWI/Drug Court (DWI/Drug) that handles both DWI and Drug cases, please answer only for the DWI participants in the Court program.

### 5a. Courtroom Practices

61. Does the frequency of a DWI participant's appearance in (DWI; DWI/Drug) Court vary with the phase of the program the DWI participant is in?

- No
- Yes (Skip To Q62a)
- The program does not have phases

62. How often does a DWI participant in the Court program typically appear in (DWI; DWI/Drug) Court? (If the program does not have phases but the frequency varies, then answer about the first two months of the program.)

- More than once a week (Skip to Q63)
- One time a week (Skip to Q63)
- One time every other week (Skip to Q63)
- Once a month (Skip to Q63)
- Not at all (Skip to Q63)

62.a. How often does the DWI participant in the Court program appear in (DWI; DWI/Drug) Court during .....

	More than once a week	One time a week	One time every other week	Once a month	Not at all	Not Applicable
Phase 1	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Phase 2	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Phase 3	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Phase 4	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

63. How long does the judge typically spend talking with each DWI participant during a Court session?

- The judge typically doesn't speak with DWI participants.
- Less than 2 minutes
- 2-3 minutes
- 4-5 minutes
- More than 5 minutes

64. During a (DWI; DWI/Drug) Court session, is a DWI participant in the Court program allowed to leave the courtroom once his/her case has been addressed?

- No
- Yes
- Other (please specify): \_\_\_\_\_

**5b. Infractions and Sanctions**

65. Which infractions of the (DWI; DWI/Drug) Court program result in sanctions applied to the DWI participant in the program?

INFRACTION	LIKELIHOOD OF RECEIVING SANCTION			
Positive Drug Test	Always	Usually	Sometimes	Never
Failure to Appear For Hearing	Always	Usually	Sometimes	Never
Missed Treatment Session	Always	Usually	Sometimes	Never
Other (Specify _____)	Always	Usually	Sometimes	Never
Other (Specify _____)	Always	Usually	Sometimes	Never

66. Does the (DWI; DWI/Drug) Court program have a written policy defining which sanctions accompany given infractions?

- No (Skip To Q67)
- Yes

66.a. Does the DWI participant in the Court program receive a copy of the policy so s/he is informed as to what sanctions accompany given infractions?

- No
- Yes

**Ask Q67 If Positive Drug Test In Q65 > Never. Otherwise Go To Instruction Preceding Q69.**

67. With repeated drug test infractions, do the sanctions progressively increase in magnitude or intensity to produce greater consequences to the DWI participant?

- No
- Yes, sometimes an increase from the last sanction
- Yes, always an increase from the last sanction

68. How soon is a sanction imposed for a positive drug test?

- Within a day, regardless of Court appearance
- Within a week, regardless of Court appearance
- At the next Court appearance
- Other (please specify): \_\_\_\_\_

**Ask Q69 If Q65 > Never For Any Infraction Other Than Positive Drug Test. Otherwise Go To Instruction Preceding Q70.**

69. How soon is a sanction imposed for infractions other than positive drug tests?

INFRACTION	LIKELIHOOD OF RECEIVING SANCTION			
	Within a day, regardless of Court appearance	Within a week, regardless of Court appearance	At the next Court appearance	Other (please specify)
Failure to Appear For Hearing	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Failure to Keep Probation Appointment	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Failure to Keep Treatment Appointment	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other (Specify_____)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other (Specify_____)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**Ask Q70 If One Or More Infractions In Q65 > Never. Otherwise Skip To Q71.**

70. Is anyone other than the judge/magistrate allowed to impose the sanction?

- No (Skip To Q71)
- Yes

70.a. Who is allowed to impose the sanction? Please check all that apply.

- DWI; DWI/Drug) Court case manager
- Treatment provider
- (DWI; DWI/Drug) Court staff
- Probation / Parole
- Other (please specify): \_\_\_\_\_

### ***5c. Achievements***

71. Does your (DWI; DWI/Drug) Court program have formal rewards for achievements?

- No (Skip To Q72)
- Yes

71.a. Below is a list of achievements. Which ones are typically rewarded?

Please check all that apply.

- 30 days clean and sober
- 90 days clean and sober
- Completed requirements of treatment program
- Completed a program phase
- Entered school or vocational program

- Completed school or vocational program
- Obtained employment
- Maintained employment
- Other (please specify): \_\_\_\_\_

71.b. Do rewards include: Please check all that apply.

- Verbal acknowledgment
- Gifts or prizes
- Symbolic tokens
- Removal of sanctions (such as decrease in the frequency of Court appearances or drug tests)
- Other (please specify): \_\_\_\_\_

### 5d. Graduation

72. What are the graduation requirements of the (DWI; DWI/Drug) Court program for DWI participants? Please fill in the blanks.

72.a. **Minimum** time clean and sober: If there is no minimum, please enter a "0".  
 \_\_\_\_\_ # months

72.b. **Minimum** time sanction-less: If there is no minimum, please enter a "0".  
 \_\_\_\_\_ # months

73. What are other graduation requirements of the (DWI; DWI/Drug) Court program for DWI participants? Please check all that apply.

- None
- Pay drug/alcohol testing fees
- Pay Court costs
- Pay restitution fees
- Completed requirements of treatment program
- Aftercare plan
- Community service
- Essay about program experience/value
- Other (please specify): \_\_\_\_\_

74. After graduation, are there opportunities for DWI participants to come back to the (DWI; DWI/Drug) Court program as mentors, or for other opportunities to work or interact with the Court program?

- No
- Yes, opportunities as mentors
- Yes, other opportunities to work/interact with the program

## 6a. Other Issues

75. To date, have you conducted any evaluation of your (DWI; DWI/Drug) Court regarding impact, cost, or efficiency of resource utilization?

- No (Skip To Q76)
- Yes, an evaluation was conducted by the Court
- Yes, an evaluation was conducted by an agency or entity external to the Court

75.a. What did you evaluate? Please check all that apply.

- Effectiveness in reducing DWI recidivism
- Effectiveness in reducing positive drug results
- Impact on clients' quality of life
- Cost benefit
- Efficiency of staff usage
- Other (please specify): \_\_\_\_\_

75.b Is there a report summarizing the results of your evaluation that you can make available to NHTSA?

- No
- Yes

76. Does your (DWI; DWI/Drug) Court currently receive grant funding from.....? Please check all that apply.

- Federal government
- State government
- County or Municipal government
- Non-Profit Organization
- Other Private Sector
- Other (please specify): \_\_\_\_\_

77. What other sources of funds are you currently using to operate your (DWI; DWI/Drug) Court program? Please check all that apply.

- Money from fines and forfeitures
- Client fees
- Other collected fees
- Medicaid
- Fundraising
- Other (please specify): \_\_\_\_\_

78. Has your (DWI; DWI/Drug) Court developed a written plan for sustaining the program over time?

- No
- Yes

Thank you for completing the survey. NHTSA appreciates your time and effort.



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**National Highway  
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