

RESEARCH AND DEVELOPMENT BRANCH
DEPARTMENT OF MOTOR VEHICLES
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April 20, 2017

Ms. Teri Kerns

Director of DUI Programs

HNFS - Government and Specialty Services

Dear Ms. Kerns:

Below is a summary of the effectiveness of the driving under the influence (DUI) treatment programs in California with an emphasis on research studies completed by the Department of Motor Vehicles (DMV) Research and Development Branch.

DUI treatment programs became integrated in the California DUI countermeasure system in the 1970's. Prior to 1976, a more traditional, punitive way to control drinking and driving dominated. At that time, the typical post-conviction sanctions and penalties for persons convicted of DUI included fines, jail, and license suspension or revocation actions. In 1976, Senate Bill (SB) 330 was implemented, which marked the first formal use of an alcohol treatment program in California. SB 330 was intended as a rehabilitative rather than punitive approach to curtail DUI recidivism. SB 330 allowed repeat DUI offenders in four counties to participate in a 12-month pilot alcohol treatment program in lieu of particular mandatory license actions that were in effect at the time (e.g., 12-month suspension or 3-year revocation period). Over the years, subsequent legislation expanded, modified, strengthened, and, eventually, mandated DUI treatment programs for all DUI offenders in California.

Numerous studies conducted in California, including some that were legislatively-mandated and completed by the Department of Motor Vehicles (DMV) Research and Development Branch, contributed to the abovementioned law changes by recognizing DUI treatment programs as an effective DUI countermeasure in combating DUI.

Tashima and Peck (1986; study available upon request) evaluated the effectiveness of a number of DUI sanctions and penalties for first and second DUI offenders, mandated by the Assembly Bill (AB) 541, which was implemented in 1982. The authors compared 1-year subsequent driving records of first and second DUI offenders who received different sets of DUI sanctions and penalties. Among first DUI offenders, those who received stronger license control actions (6-month license suspension or 90-day license restriction combined with DUI program) had significantly

lower 1-year subsequent crash and conviction rates than first DUI offenders receiving lesser penalties (fine, jail, and jail combined with DUI program). Among second DUI offenders, those who had their driver license suspended had significantly lower 1-year subsequent non-alcohol, fatal/injury, and total crash rates than second DUI offenders who were assigned to driver license restriction combined with the SB 38 (1-year) DUI program. However, the second DUI offender group with driver license restriction and SB 38 program referral had a significantly lower rate of 1-year subsequent major convictions (including DUI) than the suspended second DUI offender group.

The subsequent study, conducted by Tashima and Marelich (1989; study available upon request), evaluated the association between different DUI sanctions (DUI program treatment, license suspension, and other sanctions) and 1- and 2-year subsequent convictions and crashes among first, second, and third-or-more DUI offenders. Evaluation results for first DUI offenders indicated that those receiving some type of license action (suspension or restriction) either alone or combined with the DUI program referral had significantly fewer subsequent crashes than those who received no license action. The results also indicated that driver license suspension is the most effective sanction in reducing subsequent total crash risk among first DUI offenders, while jail is the least effective in reducing the subsequent convictions and crashes. For second DUI offenders, the driver-license-suspension group had significantly fewer subsequent total crashes when compared to second DUI offenders who had received restricted driving privileges combined with the requirement to complete an SB 38 program. However, this latter group had fewer subsequent alcohol-related crashes and major convictions than the driver-license-suspension group. Among third-or-more DUI offenders, those who received license revocation had lower subsequent total crash rates than offenders referred to SB 38 program. Yet, the SB 38 program group had lower subsequent alcohol-related crashes than the revoked group.

In 1995, De Young (study available upon request) completed (per requirements of SB 1344 passed in 1990) a legislatively-mandated evaluation of the effectiveness of various DUI treatment programs in California in reducing subsequent DUI recidivism relative to other DUI sanctions, such as driver license suspension. Among the first DUI offender groups in that evaluation, the lowest subsequent DUI convictions were for those in the license-restriction-plus-DUI-program (typically 3 months in length) group when compared to all other first-offender-DUI-sanction groups. This sanction combination was found to be superior in reducing recidivism when compared to any one of five other first-offender comparison sanction combinations (e.g., DUI program, DUI program-plus-jail-plus-restriction, or DUI program-plus-jail, jail-plus-suspension, and jail). Similarly, second DUI offenders who were in sanction groups receiving driver license control actions (suspension or restriction) plus the SB 38 program had lower subsequent DUI recidivism rates than did second offenders receiving only license suspension. The study found that an increase in duration of the SB 38 program from 12 to 18 months did not further reduce subsequent DUI recidivism. DeYoung concluded that the combination of DUI treatment programs and license control actions is the most effective in reducing subsequent DUI recidivism.

Currently, DUI treatment programs are a critical component of the California DUI countermeasure system. Each DUI offender must complete a specific type of DUI program in order to regain or to reinstate his/her driving privilege. Particular aspects of educational and counseling portions, as well as the program length, that is mandated by law, vary relative to the specific circumstances of the

person's DUI offense (e.g., the offender's blood alcohol concentration level at the time of the DUI offense) and to the number of prior DUI-related offenses the person has on his/her driving record. In addition to use of DUI program completion as a mandatory requirement for driver license reinstatement, an enrollment and/or completion of a portion of specific types of DUI program and continued participation is also required for DUI offenders who choose to apply for a restricted driver's license during their mandatory suspension or revocation period.

If you have any questions, please contact me at (916) 657-0951 or Patrice Rogers, Research Manager, at (916) 657-7028.

Sincerely,

Sladjana Oulad Daoud

Research Program Specialist II