



# **IDENTIFYING BARRIERS TO DRIVING PRIVILEGE REINSTATEMENT AMONG CALIFORNIA DUI OFFENDERS**

**May 2012**



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| <b>REPORT DOCUMENTATION PAGE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                    |                                       |                                               | <i>Form Approved</i><br><b>OMB No. 0704-0188</b>                          |                                                                  |
| Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Washington Headquarters Service, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302, and to the Office of Management and Budget, Paperwork Reduction Project (0704-0188) Washington, DC 20503.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                    |                                       |                                               |                                                                           |                                                                  |
| <b>1. REPORT DATE (DD-MM-YYYY)</b><br>May 2012                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                    | <b>2. REPORT TYPE</b><br>Final Report |                                               | <b>3. DATES COVERED (From - To)</b>                                       |                                                                  |
| <b>4. TITLE AND SUBTITLE</b><br>Identifying Barriers to Driving Privilege Reinstatement among California DUI Offenders                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                    |                                       |                                               | <b>5a. CONTRACT NUMBER</b>                                                |                                                                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                    |                                       |                                               | <b>5b. GRANT NUMBER</b>                                                   |                                                                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                    |                                       |                                               | <b>5c. PROGRAM ELEMENT NUMBER</b>                                         |                                                                  |
| <b>6. AUTHOR(S)</b><br>Patrice N. Rogers                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                    |                                       |                                               | <b>5d. PROJECT NUMBER</b>                                                 |                                                                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                    |                                       |                                               | <b>5e. TASK NUMBER</b>                                                    |                                                                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                    |                                       |                                               | <b>5f. WORK UNIT NUMBER</b>                                               |                                                                  |
| <b>7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES)</b><br>California Department of Motor Vehicles<br>Research and Development Branch<br>P.O. Box 932382<br>Sacramento, CA 94232-3820                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                    |                                       |                                               | <b>8. PERFORMING ORGANIZATION REPORT NUMBER</b><br><br>CAL-DMV-RSS-12-237 |                                                                  |
| <b>9. SPONSORING/MONITORING AGENCY NAME(S) AND ADDRESS(ES)</b><br>California Office of Traffic Safety<br>2208 Kausen Drive, Suite 300<br>Elk Grove, CA 95758-7115                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                    |                                       |                                               | <b>10. SPONSOR/MONITOR'S ACRONYM(S)</b>                                   |                                                                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                    |                                       |                                               | <b>11. SPONSORING/MONITORING AGENCY REPORT NUMBER</b>                     |                                                                  |
| <b>12. DISTRIBUTION AVAILABILITY STATEMENT</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                    |                                       |                                               |                                                                           |                                                                  |
| <b>13. SUPPLEMENTARY NOTES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                    |                                       |                                               |                                                                           |                                                                  |
| <b>14. ABSTRACT</b><br><p>Evidence suggests that many suspended DUI offenders delay reinstatement of their driving privileges long after they become eligible to reinstate and that those who delay have higher recidivism rates and remain outside of the driver-control system, making corrective action difficult if their driving continues to be a problem. This study updates prior estimates of the extent to which California DUI offenders delay reinstatement of their driving privileges after suspension and investigates the perceived barriers to reinstatement through surveys of offenders and DUI-system professionals.</p> <p>California driver records show that the majority of otherwise reinstatement-eligible 1<sup>st</sup> and 2<sup>nd</sup> DUI offenders in California do not reinstate their driving privileges 3 or more years following their arrests. The surveyed offenders and DUI-system professionals indicated strong agreement that high overall financial costs and offenders' confusion about system requirements are the most significant barriers to meeting the obligations that would enable offenders to reinstate their driving privilege, followed closely by failure to complete DUI Program requirements, most often because of offenders' inability to pay the program costs, and also because they lack available alternate transportation to attend classes.</p> <p>The barriers to reinstatement may effectively deter some offenders from driving, preventing DUI incidents they might otherwise have caused, but appear to deprive others at risk of recidivating who continue to drive impaired from access to needed intervention programs. To address the study's primary identified barriers to driving privilege reinstatement, several recommendations are made addressing cost mitigation, improved centralized communication of system requirements, and the benefits to obtaining early license restriction and, ultimately, reinstatement.</p> |                                    |                                       |                                               |                                                                           |                                                                  |
| <b>15. SUBJECT TERMS</b><br>Drinking drivers, suspended drivers, driver license reinstatement, driving privilege reinstatement, driver license reissuance, DUI countermeasures, DUI recidivism, DUI surveys, DUI system improvements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                    |                                       |                                               |                                                                           |                                                                  |
| <b>16. SECURITY CLASSIFICATION OF:</b><br>Unclassified                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                    |                                       | <b>17. LIMITATION OF ABSTRACT</b><br><br>None | <b>18. NUMBER OF PAGES</b><br><br>92                                      | <b>19a. NAME OF RESPONSIBLE PERSON</b><br>Douglas P. Rickard     |
| <b>a. REPORT</b><br>Unclassified                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>b. ABSTRACT</b><br>Unclassified | <b>c. THIS PAGE</b><br>Unclassified   |                                               |                                                                           | <b>19b. TELEPHONE NUMBER (Include area code)</b><br>916-657-5768 |



## **PREFACE**

This report is the final product of a project evaluating barriers to license reinstatement after a DUI suspension or revocation action in California. This project was funded by the National Highway Traffic Safety Administration through a grant administered by the California Office of Traffic safety (Grant AL0524). This report was prepared by the Research and Development Branch of the California Department of Motor Vehicles under the administrative direction of David J. DeYoung, Chief. The opinions, findings, and conclusions expressed in this report are those of the author and not necessarily those of the State of California or the National Highway Traffic Safety Administration.



## ACKNOWLEDGEMENTS

The author wishes to acknowledge with appreciation the following individuals who contributed to this project.

This study was conducted under the administrative direction of David J. DeYoung, Chief of the California Department of Motor Vehicles (DMV) Research and Development Branch. The grant for this project is part of the California Traffic Safety Program and was made possible through the support of the California Office of Traffic Safety and the National Highway Traffic Safety Administration. The author acknowledges with appreciation the contributions of: the numerous DUI professionals who participated in the group meeting, assisting with piloting and suggesting valuable revisions to both survey forms; the many professionals and DUI offenders who participated in the surveys; Erin Griffin, formerly a Research Program Specialist II with DMV, for her assistance in formalizing and conducting the panel discussion of DUI professionals and for authoring the second module of this project; Leslie McGill, Executive Director of the California Police Chiefs Association, Carmen Green, Deputy Executive Director of the California State Sheriffs' Association, Linnea Hull, Executive Assistant of the California District Attorneys Association, José González, Staff Services Manager I, Department of Alcohol and Drugs Programs, and DMV employees Susan Severini, Chief of Staff, Field Office Operations, Molly Decker Communication Programs Division Assistant Division Chief/Program Manager, and Jacqueline Zeigler, formerly Driver Safety Branch Chief, for their assistance in distributing the DUI Professionals' survey. Further thanks go to Douglas Luong, Staff Services Analyst, for his assistance in tracking and coding all of the DUI offender survey responses; and Len Marowitz, former manager of the Alcohol/Drugs Research Unit, for his assistance in coding the DUI Professional Respondent survey comments, and for his general supervision and oversight of the first phases of this project. The author also wishes to thank with appreciation the following DMV employees for their further helpful assistance with this project: José Garcia, Associate Governmental Program Analyst/Language Services Coordinator, for providing the Spanish translation of the DUI Offenders Survey; Doug Rickard, Associate Governmental Program Analyst, for his contribution in editing, proofing, and finalizing the production of the report; and Scott Masten, current manager of the Alcohol/Drugs Research Unit, for his supervision, oversight, and review of report drafts.

Report Author: Patrice N. Rogers, Research Program Specialist II.



## EXECUTIVE SUMMARY

### Background

License suspension and revocation have been shown to be effective for reducing the incidence of driving under the influence of alcohol or drugs (DUI) (Rogers, 1995, 1997; Tashima & Marelich, 1989; Wagenaar & Maldonado-Molina, 2007), despite the fact that the majority of those suspended and revoked continue to drive—albeit more cautiously and less often (Knoebel & Ross, 1997; Lenton, Fetherston, & Cercarelli, 2010; Ross & Gonzales, 1988). Evidence from California and elsewhere suggests that many suspended DUI offenders delay reinstatement of their driving privileges for a year or longer after they become eligible to do so (Tashima & Helander, 1999; Voas, Tippetts, & McKnight, 2010). The reasons why they delay reinstatement of their driving privileges have rarely been investigated (Brown et al., 2008; Clark & Bobevski, 2008), but those who delay have higher recidivism rates (Voas et al., 2010) and remain outside of the driver-control system, making corrective action difficult if their driving continues to be a problem (Lenton et al., 2010).

### Study Objectives

This study updates prior estimates of the extent to which California DUI offenders delay reinstatement of their driving privileges after suspension, and investigates the perceived barriers to reinstatement through surveys of the offenders and other persons involved in their apprehension, adjudication, and treatment. The specific goals of this study were to:

1. Determine the driving privilege reinstatement rates of 1<sup>st</sup> and 2<sup>nd</sup> DUI offenders;
2. Identify the barriers that prevent DUI offenders from reinstating their driving privileges; and
3. Identify and recommend changes to the DUI countermeasure system that, if implemented, may increase driving privilege reinstatement among DUI offenders.

## Methods

To determine driving privilege reinstatement rates of DUI offenders, identify barriers to reinstatement, and recommend changes to the DUI countermeasure system to improve reinstatement rates, the following three data collection approaches were used:

1. Driver license histories of 110,559 drivers arrested in California during 2004 and convicted within 6 months of 1<sup>st</sup> or 2<sup>nd</sup> misdemeanor DUI (CVC §23152) were followed up for 3.8 to 4.8 years after arrest to determine the percentages who were eligible for reinstatement of driving privileges and who had actually reinstated their licenses, and to characterize the reinstatement requirements yet to be completed by those who had not reinstated.
2. A proportionately stratified random sample of 4,145 DUI offenders who were eligible to reinstate their driving privileges but were still on active suspension for the index DUI as of April 17, 2009 (4.3-5.3 years after arrest) were selected for inclusion in a survey intended to identify areas that offenders perceive to be barriers to license reinstatement.
3. Survey responses were requested of 3,451 DUI professionals in eight job classifications involved in the detection, adjudication, sanction monitoring, or driver licensing of DUI offenders to identify areas where these professionals perceive there to be barriers to license reinstatement.

## Results

### *Results of Estimating DUI Offender Driving Privilege Reinstatement Rates*

Only about 54% of the eligible 1<sup>st</sup> offenders and 36% of the eligible 2<sup>nd</sup> offenders had fully reinstated their driving privileges 3.8 to 4.8 years after their arrest, meaning they had paid all outstanding DMV-owed fees, completed all DUI Program requirements, had either continuously maintained insurance payments or had otherwise satisfied all conditions of financial responsibility, and had no other stops or file condition codes against their license status as of the data extraction date. Another roughly 9% of eligible 1<sup>st</sup> offenders and 3% of eligible 2<sup>nd</sup> offenders were no longer suspended, and hence had reinstated driving privileges, but did not have physical driver licenses because they still owed fees to DMV.

About 37% of 1<sup>st</sup> offenders and 61% of 2<sup>nd</sup> offenders who would have been potentially eligible to reinstate their driving privileges if they had fulfilled the requirements were under a suspension or revocation 3.8 to 4.8 years after their DUI arrest, either due to the original DUI offense, a subsequent DUI, or another reason unrelated to DUI. Of these offenders who were still

suspended, 53% of the 1<sup>st</sup> offenders and 66% of the 2<sup>nd</sup> offenders were still suspended due to their 2004 index DUI. Eligible 1<sup>st</sup> and 2<sup>nd</sup> offenders who were still suspended for the index DUI tended to have higher median BAC levels and were more likely to have refused to have their BAC levels tested at the time of their offense than did those who reinstated.

Combined across 1<sup>st</sup> and 2<sup>nd</sup> offenders who were still suspended for the index DUI conviction, about 75% had failed to complete DUI Program, with a higher percentage of 2<sup>nd</sup> offenders (83%) failing to meet this requirement than 1<sup>st</sup> offenders (71%). In addition, 62% of the 1<sup>st</sup> and 2<sup>nd</sup> offenders who were still suspended for the index DUI conviction had failed to provide proof of insurance for the required 3-year period. The percentage of 2<sup>nd</sup> offenders who failed to do so (92%) was much higher than that for 1<sup>st</sup> offenders (47%). Finally, approximately 66% of 1<sup>st</sup> and 2<sup>nd</sup> offenders who were still suspended had failed to either renew their expired driver license or complete requirements for an original license application.

#### *Results of DUI Offender Survey*

Only 397 (284 1<sup>st</sup> offenders and 113 2<sup>nd</sup> offenders) of the sample of 4,145 DUI offenders who were eligible to reinstate their driving privileges but were still on active suspension for the index DUI as of April 17, 2009 responded to the DUI Offender Survey. Nonetheless, their responses were helpful for identifying barriers to license reinstatement.

First DUI offenders that responded to the survey indicated that costs (79%), completing DUI Program requirements (50%), and confusion about what was required of them (48%) were the most prevalent reasons why they had not reinstated their California driver licenses. Similarly, 2<sup>nd</sup> offender respondents also stated that costs (82%), confusion about what was required of them (43%), and completing DUI Program requirements (46%) were the most prevalent reasons why they had not reinstated their licenses. About 42% of both 1<sup>st</sup> and 2<sup>nd</sup> offenders indicated that they had driven at least sometimes while their licenses were suspended. The driving privilege reinstatement requirement reported as being incomplete the most often by both 1<sup>st</sup> (55%) and 2<sup>nd</sup> offenders (56%) was payment of license reinstatement fees. This was followed by failure to complete DUI program (46% of 1<sup>st</sup> offenders and 43% of 2<sup>nd</sup> offenders), failure to maintain proof of insurance coverage (42% and 39%), and failure to provide initial proof of insurance coverage (41% and 37%).

#### *Results of DUI Professionals Survey*

Although surveys were sent to 3,451 DUI professionals, responses were obtained from only 819 (24%). Representative response rates of 50% or more were received for only the three DMV

occupation groups. Nonetheless, their responses were informative regarding barriers to reinstatement and for providing suggestions for improving license reinstatement rates.

Across all occupation groups the two most frequently described barriers contributing to delays in driving privilege reinstatement were financial costs to the offenders and the offenders not taking the necessary steps to finish their DUI Program obligations. There was considerable agreement across all the occupation groups that the various costs presented were all significant barriers to driving privilege reinstatement, with the accumulation of all the costs the greatest factor associated with delayed license reinstatement (62–96% across occupations). There was agreement across the occupation groups, ranging from 36% to 91%, that offenders drop out of DUI Program most often because of their inability to pay the program costs. With the exception of law enforcement, there was general agreement across job classifications that information about obtaining restricted driving privileges was one of the most confusing aspects of the license reinstatement process for DUI offenders (ranging from 26% to 53% across occupational categories).

Of the various suggestions that the respondents offered for improving the information provided to DUI offenders to facilitate driving privilege reinstatement, the most frequent suggestion was for professionals involved in various aspects of the DUI system to provide a comprehensive standard checklist, pamphlet, or website designed to outline the basic DUI system requirements and necessary steps that offenders must take to reinstate their California driving privileges.

### Discussion

The analyses of driver records show that large percentages of both 1<sup>st</sup> and 2<sup>nd</sup> DUI offenders in California do not reinstate their driving privileges 3 or more years following their arrests. The majority of these otherwise reinstatement-eligible offenders are still suspended for their original DUI conviction. This results from failures to complete DUI Program requirements, provide proof of insurance for the required 3-year period, and either renew expired driver licenses or complete requirements for original licenses.

There is strong agreement among both surveyed offenders and professionals involved in the DUI system that high overall financial costs are the most significant barrier to meeting obligations that would enable offenders to reinstate their driving privilege. High costs appear to contribute more than any other reason to offenders' failures to complete DUI Programs, provide proof of insurance, and return to DMV to reinstate their licenses. The DUI professionals indicated that

paying the costs for driving privilege reinstatement requirements is particularly difficult after offenders have had to pay court costs, because many offenders are left with limited means to pay for ongoing DUI Program and insurance costs.

There was also strong agreement across the surveyed offenders and DUI professionals that the next most important factor associated with failing to reinstate or even trying to comply with the requirements results from offenders' confusion about what is actually required of them. This is followed closely by failures to complete DUI Program requirements, which both the offenders and the DUI professionals suggest most often occurs because of their inability to pay the program costs, followed by lack of available alternate transportation to attend classes.

Overall, the findings suggest that both individual and contextual factors influence driving privilege reinstatement rates of California DUI offenders. While the high cost of reinstatement may remove some offenders permanently from the road, thus preventing DUI incidents they might otherwise have caused, it may also be a barrier for others at risk of recidivating who continue to drive impaired and who might have otherwise been deterred by more ready access to needed intervention programs. To address the primary barriers to driver license reinstatement identified in this study, several recommendations are made.

### Recommendations

The following recommendations are made based on the cumulative patterns of feedback from survey responses obtained from both the DUI offenders and the professionals who work within various aspects of the DUI system, along with the findings from analyses of driver records.

#### *Steps to Mitigate High Overall Costs to the Offenders for License Reinstatement*

1. Provide information to offenders immediately upon conviction describing fee structures and availability of assistance to low income offenders for completing DUI Program requirements.
2. Assess the fee schedule for DUI Program participation and consider the merits of modifying and standardizing the fee schedule for DUI Program participation.
3. Change the DMV APS fee payment scheme by increasing the APS fee as an offset to pay the costs to re-impose suspensions upon offenders who obtain restricted driving privileges but who fail to maintain proof of insurance or who re-offend, but discontinue the practice of charging separate DMV fees for re-imposing suspensions following missed insurance payments.

*Steps to Lessen Offender Confusion about License Reinstatement Requirements*

4. Develop and disseminate a comprehensive DUI resource such as a simple and comprehensive standard checklist, pamphlet, or website that outlines the basic DUI system requirements and necessary steps that offenders must take to reinstate their California driving privileges. This comprehensive DUI resource should be disseminated to professionals working throughout the DUI system, and a reference card should be designed and provided to law enforcement officers to be given to offenders upon arrest that directs them to the comprehensive DUI resource for guidance when they are ready to begin navigating the license reinstatement process.
5. Limit verbal information and specify contact individuals within DUI system organizations by relying more on written communications and directing offenders to specific individuals or units within the organizations of the DUI system who have received explicit training regarding system requirements.
6. Include non-technical descriptions in legal notices given to offenders of their various requirements or options written at a reading level accessible to most Californians.
7. Provide system-wide basic training to professionals working throughout the DUI system regarding what is required and the options available to offenders to satisfy court sanctions that are prerequisites for driver license reinstatement.
8. Provide careful explanations in court of the differences between criminal and civil process expectations, emphasizing to offenders those areas that would still be required by DMV, independent of court requirements.
9. Have courts explicitly inform offenders that DUI Program completion is required under all circumstances prior to driver license reinstatement.

*General Recommendations*

10. To reduce confusion among offenders, assess whether statute changes are warranted to better align APS and post-conviction suspension term lengths when both are imposed.
11. Promote and publicize enforcement efforts targeting the apprehension of suspended or revoked drivers to increase the perceived threat of apprehension and help prevent offenders from driving while suspended and encourage them to complete their license reinstatement requirements.
12. Increase court-ordered DUI Program enrollment to encourage timelier completion of DUI Programs within a specified timeframe, rather than relying on the DMV to notify the offender of their requirement.
13. Encourage courts to assess offenders to distinguish drug-DUI offenders from alcohol-DUI offenders and apply sanctions consistent with the assessment findings. This may

discourage drug-DUI offenders from dropping out of the programs prior to completion because the issues covered do not seem relevant to them.

14. More effectively inform offenders about obtaining restricted driving privileges by using a pamphlet developed by the DMV that explains the necessary requirements; this could be provided to the offender by any contact person within the DUI system including the courts immediately upon conviction.
15. Establish a new “restricted” license status code under the driver license status field of DMV’s driver records that explicitly indicates that a driver is in possession of a DUI-related restricted driving privilege. This can prompt law enforcement officers during traffic stops to determine whether the driver should have an ignition interlock device (IID) installed, and may ultimately prompt increased IID installation rates among offenders.



## TABLE OF CONTENTS

|                                                                                                                                        | <u>PAGE</u> |
|----------------------------------------------------------------------------------------------------------------------------------------|-------------|
| PREFACE .....                                                                                                                          | i           |
| ACKNOWLEDGEMENTS .....                                                                                                                 | iii         |
| EXECUTIVE SUMMARY .....                                                                                                                | v           |
| INTRODUCTION .....                                                                                                                     | 1           |
| Overview .....                                                                                                                         | 1           |
| License Suspension and Revocation .....                                                                                                | 1           |
| Delayed Reinstatement of Driving Privileges .....                                                                                      | 2           |
| Consequences of Delayed License Reinstatement .....                                                                                    | 4           |
| Barriers to License Reinstatement .....                                                                                                | 5           |
| Study Goals .....                                                                                                                      | 5           |
| METHODS .....                                                                                                                          | 7           |
| Overview .....                                                                                                                         | 7           |
| Estimating DUI Offender Driving Privilege Reinstatement Rates .....                                                                    | 7           |
| DUI Professionals Panel Discussion .....                                                                                               | 8           |
| DUI Offender Survey .....                                                                                                              | 10          |
| DUI Offender Survey Sample .....                                                                                                       | 10          |
| DUI Offender Survey Questionnaire .....                                                                                                | 10          |
| DUI Offender Survey Distribution Procedures and Response Rates .....                                                                   | 11          |
| DUI Offender Survey Coding and Analysis Procedures .....                                                                               | 12          |
| DUI Professionals Survey .....                                                                                                         | 12          |
| DUI Professionals Survey Subjects .....                                                                                                | 12          |
| DUI Professionals Survey Questionnaire .....                                                                                           | 13          |
| DUI Professionals Survey Distribution Procedures and Response Rates .....                                                              | 13          |
| DUI Professionals Survey Coding and Analysis Procedures .....                                                                          | 14          |
| RESULTS .....                                                                                                                          | 17          |
| Estimating DUI Offender Driving Privilege Reinstatement .....                                                                          | 17          |
| Reinstatement-Eligibility Status of 1 <sup>st</sup> and 2 <sup>nd</sup> DUI Offenders .....                                            | 17          |
| Driving Privilege Reinstatement Status of 1 <sup>st</sup> and 2 <sup>nd</sup> DUI Offenders .....                                      | 18          |
| Comparisons of Select Characteristics of Potentially Reinstatement-Eligible 1 <sup>st</sup> and 2 <sup>nd</sup><br>DUI Offenders ..... | 19          |
| Description of Unfinished Reinstatement Requirements of Offenders Still Suspended .....                                                | 20          |
| Results of DUI Offender Survey .....                                                                                                   | 22          |
| DUI Offender Survey Item 1: Reasons for not Reinstating Driving Privileges .....                                                       | 22          |

**TABLE OF CONTENTS (continued)**

|                                                                                                    | <u>PAGE</u> |
|----------------------------------------------------------------------------------------------------|-------------|
| DUI Offender Survey Item 2: Sources of Information for Reinstating Driving Privileges .....        | 26          |
| DUI Offender Survey Item 3: Payment of Fees for Driving Privilege Reinstatement .....              | 29          |
| DUI Offender Survey Item 4: Sanctions for Driving on a DUI Suspended License .....                 | 29          |
| DUI Offender Survey Item 5: Frequency of Driving on a DUI Suspended License .....                  | 32          |
| DUI Offender Survey Item 6: Insurance Coverage for Crash-Involved DUI Offenders .....              | 32          |
| DUI Offender Survey Item 7: Reasons for not Completing DUI Programs .....                          | 33          |
| DUI Offender Survey Item 8: Completion of Driving Privilege Reinstatement Requirements .....       | 35          |
| DUI Offender Survey Additional Comments and Explanations Given for Items 1, 2, 3, and 7 .....      | 37          |
| Results of DUI Professionals Survey .....                                                          | 40          |
| DUI Professionals Survey Item 2: Barriers to Driving Privilege Reinstatement .....                 | 40          |
| DUI Professionals Survey Item 3: Sources of Confusion for Driving Privilege Reinstatement .....    | 42          |
| DUI Professionals Survey Item 4: Cost Barriers for Driving Privilege Reinstatement .....           | 44          |
| DUI Professionals Survey Item 5: Reasons for Dropping Out of DUI Program .....                     | 46          |
| DUI Professionals Survey Item 6: Sources of Confusion in APS Process .....                         | 48          |
| DUI Professionals Survey Item 7: Areas Professionals Not Confident about Advising Offenders .....  | 50          |
| DUI Professionals Survey Item 8: Sources of Confusion about Wet-Reckless Pleas .....               | 53          |
| DUI Professionals Survey Item 9: Suggestions for Improving Information Provided to Offenders ..... | 55          |
| DUI Professionals Survey Item 9.1: Improving Information from Arresting Officers .....             | 55          |
| DUI Professionals Survey Item 9.2: Improving Information from Attorneys .....                      | 55          |
| DUI Professionals Survey Item 9.3: Improving Information from Jails .....                          | 56          |
| DUI Professionals Survey Item 9.4: Improving Information from the DMV .....                        | 56          |
| DUI Professionals Survey Item 9.5: Improving Information from Courts .....                         | 56          |
| DUI Professionals Survey Item 9.6: Improving Information from Probation Officers .....             | 56          |

**TABLE OF CONTENTS (continued)**

|                                                                                          | <u>PAGE</u> |
|------------------------------------------------------------------------------------------|-------------|
| DUI Professionals Survey Item 9.7: Improving Information from Insurance                  |             |
| Carriers.....                                                                            | 57          |
| DISCUSSION .....                                                                         | 65          |
| Overview .....                                                                           | 65          |
| Discussion of Estimates of DUI Offender Driving Privilege Reinstatement Rates .....      | 66          |
| Comparison of Delayed Driving Privilege Reinstatement Rates to Prior Estimates .....     | 66          |
| Differences in Reinstatement Rates of 1 <sup>st</sup> and 2 <sup>nd</sup> Offenders..... | 67          |
| Failure to Meet Reinstatement Requirements .....                                         | 68          |
| Offenders Who are No Longer Suspended, but Do Not have Physical Driver                   |             |
| Licenses .....                                                                           | 68          |
| Discussion of DUI Offender Survey Findings.....                                          | 70          |
| Discussion of DUI Professionals Survey Findings .....                                    | 71          |
| Recommendations .....                                                                    | 71          |
| Steps to Mitigate High Overall Costs to the Offenders for License Reinstatement .....    | 71          |
| Steps to Lessen Offender Confusion about License Reinstatement Requirements .....        | 72          |
| General Recommendations .....                                                            | 74          |
| REFERENCES .....                                                                         | 77          |

**APPENDICES**

| <u>NUMBER</u>                                                                         | <u>PAGE</u> |
|---------------------------------------------------------------------------------------|-------------|
| A DUI Offenders Survey .....                                                          | 80          |
| B DUI Professionals Survey .....                                                      | 85          |
| C Additional Comments Provided for DUI Professionals Survey Items 3, 5, 6, and 8..... | 89          |
| C1 Percentage of DUI Professionals Providing Comments to DUI Offender Survey          |             |
| Item 3.....                                                                           | 89          |
| C2 Percentage of DUI Professionals Providing Comments to DUI Offender Survey          |             |
| Item 5.....                                                                           | 90          |
| C3 Percentage of DUI Professionals Providing Comments to DUI Offender Survey          |             |
| Item 6.....                                                                           | 91          |
| C4 Percentage of DUI Professionals Providing Comments to DUI Offender Survey          |             |
| Item 8.....                                                                           | 92          |

## TABLE OF CONTENTS (continued)

### LIST OF TABLES

| <u>NUMBER</u> | <u>PAGE</u>                                                                                                                                                                                                                    |
|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1             | Response rates of Surveyed 2004 Misdemeanor DUI Offenders by Offender Status..... 12                                                                                                                                           |
| 2             | Numbers of Respondents and Response Rates, by Occupation Type, DUI Professionals Survey ..... 14                                                                                                                               |
| 3             | Reinstatement-Eligibility Status 3.8 to 4.8 years after Arrest for Drivers Arrested in California during 2004 and Convicted within 6 months of 1 <sup>st</sup> or 2 <sup>nd</sup> Misdemeanor DUI, by Offender Status ..... 17 |
| 4             | Driving Privilege Reinstatement Status of 1 <sup>st</sup> and 2 <sup>nd</sup> DUI Offenders ..... 19                                                                                                                           |
| 5             | Selected Characteristics of 1 <sup>st</sup> and 2 <sup>nd</sup> DUI Offenders Eligible to Reinstate Driving Privileges by Actual License Status at the End of Follow-Up..... 20                                                |
| 6             | Unfinished Driving Privilege Reinstatement Requirements on Driver Records of Offenders Still Suspended for the Index DUI at the End of Follow-up..... 21                                                                       |
| 7             | Percentage of 1 <sup>st</sup> Offenders Selecting each Answer Choice to DUI Offender Survey Item 1 ..... 24                                                                                                                    |
| 8             | Percentage of 2 <sup>nd</sup> Offenders Selecting each Answer Choice to DUI Offender Survey Item 1 ..... 25                                                                                                                    |
| 9             | Percentage of 1 <sup>st</sup> Offenders Selecting each Answer Choice to DUI Offender Survey Item 2 ..... 27                                                                                                                    |
| 10            | Percentage of 2 <sup>nd</sup> Offenders Selecting each Answer Choice to DUI Offender Survey Item 2 ..... 28                                                                                                                    |
| 11            | Percentage of 1 <sup>st</sup> and 2 <sup>nd</sup> Offenders Selecting each Answer Choice to DUI Offender Survey Item 3..... 30                                                                                                 |
| 12            | Percentage of 1 <sup>st</sup> and 2 <sup>nd</sup> Offenders Selecting each Answer Choice to DUI Offender Survey Item 4..... 31                                                                                                 |
| 13            | Percentage of 1 <sup>st</sup> and 2 <sup>nd</sup> Offenders Selecting each Answer Choice to DUI Offender Survey Item 5..... 32                                                                                                 |
| 14            | Percentage of 1 <sup>st</sup> and 2 <sup>nd</sup> Offenders Selecting each Answer Choice to DUI Offender Survey Item 6..... 33                                                                                                 |
| 15            | Percentage of 1 <sup>st</sup> and 2 <sup>nd</sup> Offenders Selecting each Answer Choice to DUI Offender Survey Item 7..... 34                                                                                                 |
| 16            | Percentage of 1 <sup>st</sup> and 2 <sup>nd</sup> Offenders Selecting each Answer Choice to DUI Offender Survey Item 8..... 36                                                                                                 |

**TABLE OF CONTENTS (continued)**

## LIST OF TABLES (continued)

| <u>NUMBER</u>                                                                                                                                  | <u>PAGE</u> |
|------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| 17 Percentage of 1 <sup>st</sup> Offenders Providing Comments or Explanations to DUI Offender<br>Survey Items 1, 2, 3, and 7.....              | 38          |
| 18 Percentage of 2 <sup>nd</sup> Offenders Providing Comments or Explanations to DUI<br>Offender Survey Items 1, 2, 3, and 7 .....             | 39          |
| 19 Percentage Indicating each Response as Barriers to Driving Privilege<br>Reinstatement on DUI Professionals Survey Item 2.....               | 41          |
| 20 Confusion Sources or Issues for Driving Privilege Reinstatement with Responses<br>of 25% or more on DUI Professionals Survey Item 3 .....   | 43          |
| 21 Cost Barriers for Driving Privilege Reinstatement with Responses of 25% or more<br>on DUI Professionals Survey Item 4.....                  | 45          |
| 22 Reasons for Dropping Out of DUI Program with Responses of 25% or more on<br>DUI Professionals Survey Item 5.....                            | 47          |
| 23 Sources of Confusion in APS Process with Responses of 25% or more on DUI<br>Professionals Survey Item 6.....                                | 49          |
| 24 Areas Professionals <i>Not</i> Confident about Advising Offenders with Responses of<br>25% or more on DUI Professionals Survey Item 7.....  | 52          |
| 25 Sources of Confusion about Wet-Reckless Pleas with Responses of 25% or more<br>on DUI Professionals Survey Item 8.....                      | 54          |
| 26 Suggestions for Improving Information Given to Offenders on DUI Professionals<br>Survey Item 9.1: Information from Arresting Officers ..... | 58          |
| 27 Suggestions for Improving Information Given to Offenders on DUI Professionals<br>Survey Item 9.2: Information from Attorneys .....          | 59          |
| 28 Suggestions for Improving Information Given to Offenders on DUI Professionals<br>Survey Item 9.3: Information from Jails .....              | 60          |
| 29 Suggestions for Improving Information Given to Offenders on DUI Professionals<br>Survey Item 9.4: Information from the DMV .....            | 61          |
| 30 Suggestions for Improving Information Given to Offenders on DUI Professionals<br>Survey Item 9.5: Information from Courts .....             | 62          |
| 31 Suggestions for Improving Information Given to Offenders on DUI Professionals<br>Survey Item 9.6: Information from Probation Officers ..... | 63          |
| 32 Suggestions for Improving Information Given to Offenders on DUI Professionals<br>Survey Item 9.7: Information from Insurance Carriers.....  | 64          |



## INTRODUCTION

### Overview

License suspension and revocation have been shown to be effective for reducing the incidence of driving under the influence of alcohol or drugs (DUI) (Rogers, 1995, 1997; Tashima & Marelich, 1989; Wagenaar & Maldonado-Molina, 2007), despite the fact that the majority of those suspended and revoked continue to drive—albeit more cautiously and less often (Knoebel & Ross, 1997; Lenton, Fetherston, & Cercarelli, 2010; Ross & Gonzales, 1988). Evidence from California and elsewhere suggests that many suspended DUI offenders delay reinstatement of their driving privileges for a year or longer after they become eligible to do so (Tashima & Helander, 1999; Voas, Tippetts, & McKnight, 2010). The reasons why they delay reinstatement of their driving privileges have rarely been investigated (Brown et al., 2008; Clark & Bobevski, 2008), but those who delay have higher recidivism rates (Voas et al., 2010) and remain outside of the driver-control system, making corrective action difficult if their driving continues to be a problem (Lenton et al., 2010). This study updates prior estimates of the extent to which California DUI offenders delay reinstatement of their driving privileges after suspension and investigates the perceived barriers to reinstatement through surveys of the offenders and other persons involved in their apprehension, adjudication, and treatment.

### License Suspension and Revocation

About 1.8 million California drivers are suspended or revoked (S/R) at any point in time, which is about 5.5% of all drivers licensed in the state. While California drivers can become S/R for many different reasons, about a quarter of all S/R actions are due to a DUI conviction (Gebers & DeYoung, 2002). Although suspending or revoking the driving privilege has consistently been shown to be effective for reducing crashes and DUI recidivism (Rogers, 1995, 1997; Tashima & Marelich, 1989; Wagenaar & Maldonado-Molina, 2007), it is estimated that at least 75% of S/R offenders continue driving during their suspension or revocation period (Lenton et al., 2010; Ross & Gonzales, 1988), though they tend to drive less often and more carefully to avoid detection (Knoebel & Ross, 1997). Nonetheless, compared to validly-licensed California drivers, S/R (for any reason) drivers are about four times more likely to be involved in fatal crashes and are as much as eight times more likely to have caused the fatal crash (DeYoung, Peck, & Helander, 1997). Research specific to S/R DUI offenders showed that during the 3 years prior to the suspension or revocation action, their total crash rates were two times higher,

their fatal/injury crash rates were about three times higher, and their traffic conviction rates were over four times higher than those for validly-licensed drivers (Gebers & DeYoung, 2002). These findings are consistent with other research showing that convicted DUI offenders are at elevated risk for crashing and represent a significant public safety risk because of their relatively high prevalence in the driving population (about 5% of all California drivers; Oulad Daoud & Tashima, 2012).

### Delayed Reinstatement of Driving Privileges

Most drivers arrested for DUI in California during the sampling year used for the present study (2004) would have typically received a 4-month administrative license suspension (APS) that would begin after a delay of 30 days if certain conditions were met upon arrest, such as having blood alcohol concentration (BAC) levels of .08% or higher. If drivers had a prior APS suspension or DUI conviction, the length of their APS suspension would be 1 year. In addition, upon conviction for DUI, the offenders would have received 6 month (1<sup>st</sup> DUI offenders) or 2 year (2<sup>nd</sup> DUI offenders) post-conviction suspensions. These post-conviction suspensions would typically be credited for the time the offenders were suspended under the APS law. Offenders could obtain a restricted driving privilege allowing them to drive to-and-from work or DUI treatment program after 30 days (1<sup>st</sup> offenders) or 1 year (2<sup>nd</sup> offenders) of mandatory suspension time if they enrolled in a DUI treatment program, submitted proof of financial responsibility (insurance), and paid fees to the Department of Motor Vehicles (DMV) related to the issuance of a restricted license. If DUI offenders did not obtain a restricted driver license during their suspension period, they could reinstate their driving privileges at the end of their suspension period if they (a) completed an approved DUI treatment/education program, (b) provided proof of financial responsibility, and (c) paid all administrative/reinstatement fees to DMV. There is variation in the degree to which DUI offenders comply with reinstatement requirements following their suspension periods. Sometimes they fail to complete DUI program, in which case they remain suspended indefinitely. In other cases, they complete DUI program, but fail to maintain proof of insurance for 3 years following their eligibility for license reinstatement, which results in license suspension for the remainder of the 3-year period or until proof of insurance is again provided to DMV.

The driving privilege reinstatement requirements have become increasingly complex over time as additional sanctions and penalties have been added, but rarely removed, by legislative changes. Since July 1990, the majority of DUI offenders have been required to serve the administrative license suspension described earlier in addition to any post-conviction suspension

and pay an associated reinstatement fee. The law requiring proof of completion of an alcohol treatment program for second offenders was added in 1994, and that for first offenders was added in 1995. Perhaps because of the complexity of the reinstatement process and substantial financial costs, paired with low perceived risk of being detected by law enforcement for driving without a license, many California DUI offenders delay reinstatement of their driving privileges (Brown et al., 2008; Tashima & Helander, 1999; Voas et al., 2010).

Evidence from California and elsewhere suggests that many S/R DUI offenders delay reinstating their driving privileges for a year or more after they become eligible to do so (Sadler & Perrine, 1984; Tashima & Helander, 1999; Voas et al., 2010). Estimates of delayed driving reinstatement prevalence among convicted California DUI offenders vary. Specifically, within 3 years of being eligible for reinstatement of driving privileges following a suspension or revocation action, 50% of second-DUI offenders convicted in 1976 had not reinstated (Sadler & Perrine, 1984), whereas 65%, of eligible first-DUI offenders and 84% of second-DUI offenders convicted in 1993 had not reinstated (Tashima & Helander, 1999). Some of the difference in the estimates at which the 1976 and 1993 California cohorts reinstated their driving privileges could be due to differences in research methodologies, as the procedures were not well documented for the 1976 cohort. One reason that might explain why the delayed reinstatement estimate for the 1993 cohort of second offenders is higher than that for 1976 offenders is that they were subject to more sanctions and increased penalties compared to the 1976 offenders, such as the administrative license suspension that was added in July 1990.

Changes in how the California DMV processed renewal license applications could also account for differences between the driving privilege reinstatement rates of the cohorts. Because the 1993 cohort would have been impacted when the DMV began verifying Social Security Numbers (January 1993; CVC §12801) and requiring verifiable proof of legal presence (March 1994; CVC §12801.5) for renewal license applicants, the 1993 delayed reinstatement estimate could have been higher because some formerly-licensed drivers were no longer eligible for a license.

Regardless of which estimates are considered from these prior studies, the rates of delayed driving privilege reinstatement appear to be higher in California than in other large states. In a recent assessment of roughly 3 million S/R DUI offenders in seven of the largest US states, Voas et al. (2010) found that 42% of first-DUI offenders and 55% of repeat-DUI offenders failed to complete all the steps required to reinstate their driving privileges within 1 year of eligibility. About 30% of first offenders and 42% of repeat offenders did not reinstate within 3 years after

they became eligible, compared to 65% and 84% respectively after 3 years for the 1993 California cohort (Tashima & Helander, 1999). Some of the higher delayed reinstatement rates for California may reflect differences in definitions of “license reinstatement” in that Tashima and Helander (1999) only considered drivers to be reinstated if they had met all the requirements to obtain completely unrestricted licenses (i.e., full license reinstatement), whereas it may be that Voas et al. (2010) considered any reinstatement of driving privileges to be “reinstatement.”

### Consequences of Delayed License Reinstatement

Many DUI offenders continue to drive while they are still S/R and during the times that they delay license reinstatement after they become eligible (Brown et al., 2008; Clark & Bobevski, 2008; Knoebel & Ross, 1997; Lenton et al., 2010; McCartt, Geary, & Berning, 2003). Their decisions whether or not to drive during these periods are reported to be most commonly influenced by their need to maintain employment and for social reasons, but also because they may have negative attitudes towards the sanction, deny the risks associated with driving or of being detected for driving, wish to avoid punishment, or have negative attitudes towards transportation alternatives (Brown et al., 2008; Clark & Bobevski, 2008; Knoebel & Ross, 1997; Lenton et al., 2010).

DUI offenders who delay reinstatement after eligibility are a high-risk group (Brown et al., 2008; Voas et al., 2010). They are more likely to recidivate than those who do not delay reinstatement, both during the period between when they were eligible to reinstate and reinstatement, and after they reinstate, if, in fact, they ever do reinstate (Voas et al., 2010). Those who ultimately do reinstate have lower recidivism rates than those who do not. They may be at high risk for recidivating due to having more severe substance abuse problems, as evidenced by the fact that they tend to have more prior DUI convictions and are more likely to have received substance abuse treatment in the past (Brown et al., 2008; Voas et al., 2010). Prolonged delays in license reinstatement, often resulting from failure to begin or complete court-ordered DUI treatment or education programs, allow substance abuse problems to continue untreated (Brown et al., 2008; Clark & Bobevski, 2008). Finally, the longer offenders delay reinstatement, the less motivated they become to reenter the licensing system (Brown et al., 2008). Those who delay reinstatement remain outside of the driver control system, making corrective action difficult if their driving continues to be a problem (Clark & Bobevski, 2008; Lenton et al., 2010)

### Barriers to License Reinstatement

The authors of the prior California studies of delayed license reinstatement speculated that the low reinstatement rates among S/R DUI offenders might result from burdensome costs, primarily insurance costs, and the possibility that because there were no serious consequences at the time for driving S/R or failing to reinstate, there was little motivation for offenders to comply (Sadler & Perrine, 1984; Tashima & Helander, 1999). The law providing for a 30-day impoundment for most apprehended S/R drivers, including those S/R for DUI (CVC § 14602.6) became effective in 1995. The extent that offenders knew about this new law, and to avoid having their vehicle impounded, would be expected to have had some impact in motivating them to reinstate their driving privileges. However, this law was not in effect for a large portion of the follow-up period of the Tashima and Helander study of 1993 offenders, or any of the follow-up period of the Sadler and Perrine study of 1976 offenders. Later, in 2006, vehicle impoundment specific to S/R DUI drivers (CVC §14602.8) was enacted into law, again, subsequent to these prior studies.

No studies of offender-reported barriers to license reinstatement have been conducted in California. The limited empirical data from other jurisdictions suggest that high financial costs are a barrier to reinstatement, along with offenders having other transportation available, not having access to a vehicle, having a lack of interest in driving, not being able to change substance use patterns, and not having enough time to fulfill reinstatement requirements (Brown et al., 2008).

### Study Goals

This study was conducted to update prior estimates of the extent to which California DUI offenders delay license reinstatement after S/R actions and investigate the perceived barriers to reinstatement through surveys of the offenders and other persons involved in their apprehension, adjudication, and treatment. The specific goals of this study were to:

1. Determine the driving privilege reinstatement rates of 1<sup>st</sup> and 2<sup>nd</sup> DUI offenders;
2. Identify the barriers that prevent DUI offenders from reinstating their driving privileges; and
3. Identify and recommend changes to the DUI countermeasure system that, if implemented, may increase driving privilege reinstatement among DUI offenders.



## METHODS

### Overview

In order to determine driving privilege reinstatement rates of DUI offenders, identify barriers to reinstatement, and recommend changes to the DUI countermeasure system to improve reinstatement rates, three different data collection approaches were used. First, driver license histories of 110,559 drivers arrested in California during 2004 and convicted within 6 months of 1<sup>st</sup> or 2<sup>nd</sup> misdemeanor DUI (CVC §23152) were followed up for 3.8 to 4.8 years after arrest to determine the percentages who were eligible for reinstatement of driving privileges and who had actually reinstated their licenses, and to characterize the reinstatement requirements yet to be completed by those who had not reinstated. Second, a proportionately stratified random sample of 4,145 DUI offenders who were eligible to reinstate their driving privileges but were still on active suspension for the index DUI as of April 17, 2009 (4.3-5.3 years after arrest) were selected for inclusion in a survey intended to identify areas that offenders perceive to be barriers to license reinstatement. Finally, survey responses were requested of 3,451 DUI professionals in eight job classifications involved in the detection, adjudication, sanction monitoring, or driver licensing of DUI offenders to identify areas where these professionals perceive there to be barriers to license reinstatement.

### Estimating DUI Offender Driving Privilege Reinstatement Rates

Driver license histories of 110,559 drivers arrested in California during 2004 and convicted within 6 months of 1<sup>st</sup> or 2<sup>nd</sup> misdemeanor DUI (CVC §23152) were followed up for 3.8 to 4.8 years after arrest to determine the percentages who were eligible for reinstatement of driving privileges and who had actually reinstated their licenses, and to characterize the reinstatement requirements yet to be completed by those who had not. The drivers were identified using monthly court abstracts of convictions reported to DMV. Offenders arrested in calendar year 2004 were used because their convictions occurred far enough in the past that they would have had ample time to serve their suspension terms and to complete all the other requirements to reinstate their driving privileges during the follow-up period.

All offenders were followed up from their dates of arrest until their driver license histories were extracted from DMV's database on October 18, 2008. Hence, the follow-up times ranged from a minimum of 3.8 years (for offenders arrested December 31, 2004) to a maximum of 4.8 years

(for offenders arrested January 1, 2004). The actual length of follow-up time during which each offender was eligible for reinstatement of driving privileges was not calculated because of the large sample size and complexity involved in determining eligibility. However, assuming that 1<sup>st</sup> offenders would have typically received a 6-month suspension term after a median 69 days to conviction (Tashima & Oulad Daoud, 2007), most would have been eligible to reinstate their driving privileges for 3 to 4 years of the follow-up period if they met the reinstatement requirements. Similarly, assuming that 2<sup>nd</sup> offenders would have typically received a 2-year suspension term, after a median 69 days to conviction (Tashima & Oulad Daoud, 2007), most would have been eligible to reinstate their driving privileges for 1.5 to 2.5 years of the follow-up period if they met the reinstatement requirements.

### DUI Professionals Panel Discussion

To establish the target populations, aims, and scope of both the subsequent Offender Survey and DUI Professionals Survey, a 4-hour focused discussion meeting of 28 invited DUI Professionals was convened in April 2008. All of the panel participants were subject-matter experts known to have particular expertise relating to the DUI countermeasure system, such as through enforcing DUI laws, participating in adjudication, providing or overseeing DUI Programs, enforcing probation, issuing insurance, or reinstating driving privileges. The panel was composed of representatives from:

- The Auto Club of Southern California, an AAA Insurance Company affiliate
- State Farm Insurance Company
- Three California Superior Courts
- A California Public Defender's Office
- California Probation Departments
- California Police/Sheriff Departments
- The California Highway Patrol
- The DMV Mandatory Actions Unit, which handles license reinstatement after DUI
- DMV field offices
- The DMV Driver Safety Branch, which handles APS suspension or revocation actions for DUI
- The California Department of Alcohol and Drug Programs, which oversees DUI education/treatment programs
- Various DUI Education/Treatment Program Providers in California

- The DMV Research and Development Branch, which has expertise relating to the overall DUI countermeasure system

The panel was led through a consensus decision-making process designed to identify the main barriers to driving privilege reinstatement for DUI offenders, and possible means of improving upon current reinstatement rates. From this process, several prominent themes emerged as possible reasons why offenders delay reinstatement of driving privileges following suspension or revocation:

1. **Overall cost:** Overall insurmountable total costs to the offender, including the accumulative costs from court, DUI program, insurance, IID, and DMV.
2. **Specific DUI Program costs:** Paying specific costs associated with DUI Program requirements. This was isolated by the panel from the construct of completing DUI Program because the experts expressed that this was an unavoidable cost to the offender and represented a primary hurdle in attempting to complete all of the offenders' legal obligations.
3. **Completing DUI Program:** Difficulty meeting DUI Program costs, scheduling class attendance to fit the offenders' available time, and finding classes offered in locations accessible to the offenders.
4. **General confusion:** Confusion regarding what was required, and how, or where to get started with fulfilling reinstatement requirements, and having incomplete information regarding reinstatement requirements.
5. **Insurance costs:** Difficulty in paying for and maintaining proof of insurance.
6. **Confusion regarding specific sanction requirements:** Difficulty reconciling seemingly competing sanction requirements, such as suspension lengths imposed by the court versus those imposed by DMV as administrative license suspension requirements, and from confusion about specific and DUI Program requirements.
7. **Poor communication:** Poor communication between the system areas and the offenders.

The survey items created for both the Offender Survey and DUI Professionals Survey instruments largely addressed these seven themes. The panel also identified job classifications that they thought should be included among DUI professionals surveyed to address the full range of DUI-countermeasure-system areas where the barriers to reinstatement may exist. Finally, the panel explored areas within the DUI countermeasure system where clarifying procedures or providing educational materials could increase rates of driving privilege reinstatement among DUI offenders.

## DUI Offender Survey

### *DUI Offender Survey Sample*

From the studies' 2004 cohort of 1<sup>st</sup> and 2<sup>nd</sup> DUI offenders who were eligible to reinstate their driving privileges but were still on active suspension for the index DUI as of April 17, 2009 (4.3-5.3 years after arrest), a proportionately stratified random sample of 4,145 DUI offenders was selected for inclusion in a survey intended to identify areas that offenders perceive to be barriers to license reinstatement. These offenders should have been eligible to reinstate their driving privileges during the follow-up period because they:

- Had a permanent California driver license and driver record
- Had no additional suspension, revocation, or DUI conviction after the index DUI
- Were not reported to DMV as being dead before the study extraction date
- Were not confirmed to have moved out of state prior to reinstatement
- Were not ineligible for some other reason such as being licensed in another state at the time of arrest or conviction

Excluded from the sample were offenders who did not meet one or more of the above listed conditions (regardless of S/R status), those who had reinstated their driving privileges during the follow-up period, and those who had reinstated driving privileges, but did not have a physical license because they had not paid all fees to DMV (so-called 'L' Stops). It was anticipated that the Offender Survey response rate would be low because offenders may be disinclined to complete a survey sent them by the institution (DMV) administering their license suspension. The sample size of 4,145 represented 19% of all suspended reinstatement-eligible offenders ( $N = 21,545$ ) that were arrested in 2004, which was thought to be large enough to help ensure that a sufficient number of responses was received, while still constraining the mailing costs. The SAS PROC SURVEY procedure was used to choose a sample stratified proportionately by offender status (1<sup>st</sup> vs. 2<sup>nd</sup> offender), resulting in 3,075 1<sup>st</sup> offenders and 1,070 2<sup>nd</sup> offenders who had not reinstated or renewed licensure as of April 17, 2009 being selected for the sample.

### *DUI Offender Survey Questionnaire*

An initial version of the Offender Survey was developed by creating items that addressed the seven themes for reasons why offenders delay reinstatement of driving privileges following suspension or revocation that were identified during the DUI Professionals Panel Discussion. The survey contained several matrices of closed-ended multiple choice items or Strength-of-Agreement Likert-response scaled items that addressed these constructs in detail.

This initial survey was pilot tested by obtaining responses from a convenience sample of 621 convicted DUI offenders who were participating in DUI program classes in the cities of Sacramento, San Francisco, San Rafael, and Stockton. Of the pilot respondents, 116 (19%) provided additional comments. From their responses and feedback, wording on several items was refined and a Spanish-language version of the questionnaire was added for inclusion in each mailed survey packet. It was considered unlikely that the offenders who were actively enrolled in the DUI Program classes would be representative of offenders who do not complete their legal obligations (one of which is completing DUI Program classes). Therefore, although the pilot respondents were useful in refining the survey tool, their responses were not included in the final sample.

The Offender Survey was mailed to the sample of offenders with a cover letter explaining the purpose of the survey, the basis on which the recipient was identified for inclusion in the survey, and the assurance that the recipients' responses were confidential. The same survey instrument was used for both 1<sup>st</sup> and 2<sup>nd</sup> offender surveys because neither the DUI professionals who helped develop the Offender Survey nor the pilot respondents indicated that there were different problems or issues for 1<sup>st</sup> and 2<sup>nd</sup> offenders. The English-language version of the DUI Offender Survey is presented in Appendix A.

#### *DUI Offender Survey Distribution Procedures and Response Rates*

The first wave of Offender Surveys was mailed between April 20, 2009 and April 23, 2009. Surveys were mailed to the addresses listed on driver license records in the DMV database. Surveys returned from the Post Office with a change of address indicated were immediately forwarded to the new address and the new address was documented. A second survey wave was mailed on June 20, 2009 to all offenders who had not yet responded and for whom the original mailed-survey was not returned as unclaimed by the Post Office.

Of the 4,145 surveys that were mailed, nearly 40% were returned as undeliverable (Table 1). This high rate of undeliverable surveys likely reflects the fact that DUI offenders infrequently update the addresses on their driver license records. The overall response rate was only about 10% ( $n = 397$ ) of those originally mailed, although this represents about 16% of those for whom the surveys were not returned as undeliverable. A slightly higher percentage of 2<sup>nd</sup> offenders (11%) responded to the survey than did 1<sup>st</sup> offenders (9%). Given the very low response rate, caution should be used when attempting to generalize the results of the survey analyses.

Table 1

Response rates of Surveyed 2004 Misdemeanor DUI Offenders by Offender Status

| Offender status           | Total surveys mailed | Returned as undeliverable |      | Not returned as undeliverable |      | Completed surveys received |      |
|---------------------------|----------------------|---------------------------|------|-------------------------------|------|----------------------------|------|
|                           | <i>N</i>             | <i>N</i>                  | %    | <i>N</i>                      | %    | <i>N</i>                   | %    |
| 1 <sup>st</sup> Offenders | 3,075                | 1,235                     | 40.2 | 1,840                         | 59.8 | 284                        | 9.2  |
| 2 <sup>nd</sup> Offenders | 1,070                | 414                       | 38.7 | 656                           | 61.3 | 113                        | 10.6 |
| Overall                   | 4,145                | 1,649                     | 39.8 | 2,496                         | 60.2 | 397                        | 9.6  |

*Note.* Completed survey counts represent totals following two waves of mailing. Percentages represent surveys originally mailed, rather than those not returned as undeliverable.

### *DUI Offender Survey Coding and Analysis Procedures*

Responses to most survey items were analyzed using descriptive cross-tabulations. For four survey items (Items 1, 2, 3, and 7) the respondents were permitted to provide an open-ended response. The open-ended responses were generally of a particular theme, irrespective of the nature of the actual item content. Therefore, although the items themselves addressed different aspects of what might be contributing to delayed reinstatement, the same nine-category coding scheme was used to recode all open-ended responses.

### DUI Professionals Survey

#### *DUI Professionals Survey Subjects*

Guided by the recommendations of the DUI Professionals Panel Discussion, individuals in eight job classifications were targeted for inclusion in the DUI Professionals Survey to insure that the responses would address the full range of DUI-countermeasure-system areas where the barriers to reinstatement may exist. The occupations identified were those where individuals deal directly with DUI offenders in one or more of the various stages of the DUI countermeasure system: detection, adjudication, sanction monitoring, or driver licensing. California's judicial officers were not included because of possible constraints on their time due to another contemporaneous DMV survey and also because it was felt that their feedback was less critical given that after a September 2005 law change, they no longer imposed suspensions on DUI offenders (rather, this is now done by the DMV). The eight included occupational types were:

1. Arresting law enforcement officers (CHP, Sheriff's, and Police departments)
2. Prosecuting attorneys
3. Defense attorneys
4. Probation officers
5. DUI Program service providers
6. DMV Field Operations Division employees (including Telephone Service Centers)
7. DMV Mandatory Actions Unit employees
8. DMV Driver Safety Branch hearing officers

#### *DUI Professionals Survey Questionnaire*

The DUI Professionals Survey (Appendix B) included two open-ended items, one multiple choice items, and six comparative-rating items. The first item asked respondents to choose their area of expertise (occupation) relating to DUI offenders. The first open-ended item (Item 2) asked respondents to list the biggest barrier(s) DUI offenders face in reinstating their driving privileges, and the second (Item 9) sought their suggestions for improving each major area of the DUI countermeasure system where interaction with offenders might occur, to help encourage license reinstatement. One item contained a matrix of various aspects of the DUI countermeasure system, and respondents were asked to rate whether they had sufficient information and training to be able to advise DUI offenders in each area. The remaining items used strength-of-agreement or level-of-importance scales and were intended to assess the areas where, and extent to which, the seven DUI Professionals Panel Discussion themes were thought to contribute to delayed reinstatement of driving privileges.

#### *DUI Professionals Survey Distribution Procedures and Response Rates*

The DUI Professionals Survey was mostly conducted online as a self-administered questionnaire using Survey Monkey ([www.surveymonkey.com](http://www.surveymonkey.com)). Paper versions of the survey were made available for respondents who did not have access to a computer. Letters requesting participation in the survey with directions for accessing it online were sent to representative offices of each occupation type. Requested numbers of respondents from each occupational office were specified in the letters. The numbers of requested respondents were deemed to be small enough to be considered manageable by each professional group, but large enough to generate representative responses for each occupation type. The letters indicated that the survey would take roughly 10 minutes to complete. The total requested numbers of respondents and response rates for each occupation type are shown in Table 2.

Overall, survey responses were requested of 3,451 DUI professionals and responses were obtained from 819 for an overall response rate of 24%. Representative response rates of 50% or more were received for only the three DMV occupation types. The lowest response rate was among law enforcement (13%), which to some extent was due to the fact that CHP surveys were only sent to select headquarters employees who then forwarded the surveys to the regions, rather than to all regional divisions, at the behest of CHP management. The low response rates for most occupation types suggest that caution must be taken when attempting to generalize the findings to the larger populations of persons who work in each occupation type.

Table 2

Numbers of Respondents and Response Rates, by Occupation Type, DUI Professionals Survey

| Occupation type       | Number of offices | Surveys requested per office | Total surveys requested | Total surveys received | % of requested surveys received |
|-----------------------|-------------------|------------------------------|-------------------------|------------------------|---------------------------------|
| Total law enforcement | 404               | —                            | 2,065                   | 268                    | 13.0                            |
| Police departments    | 337               | 5                            | 1,685                   | —                      | —                               |
| Sheriff's offices     | 58                | 5                            | 290                     | —                      | —                               |
| CHP                   | 9 <sup>a</sup>    | 10                           | 90                      | —                      | —                               |
| Prosecuting attorneys | 59                | 5                            | 295                     | 47                     | 15.9                            |
| Defense attorneys     | 91                | 2                            | 182                     | 48                     | 26.4                            |
| Probation officers    | 63                | 3                            | 189                     | 37                     | 19.6                            |
| DUI Program providers | 259               | 1                            | 259                     | 83                     | 32.0                            |
| Total DMV FOD         | 176               | —                            | 388                     | 275                    | 70.9                            |
| Field offices         | 167               | 2                            | 334                     | —                      | —                               |
| TSC                   | 9                 | 6                            | 54                      | —                      | —                               |
| DMV MAU               | 1                 | 37                           | 37                      | 22                     | 59.5                            |
| DMV DSB               | 12                | 3                            | 36                      | 39                     | 108.3 <sup>b</sup>              |
| Overall               | 1,065             | —                            | 3,451                   | 819                    | 23.7                            |

Note. CHP = California Highway Patrol. DMV = Department of Motor Vehicles. FOD = Field Operations Division. TSC = Telephone Service Centers. MAU = Mandatory Actions Unit. DSB = Driver Safety Branch.

<sup>a</sup>Each of the eight CHP regional divisions and the headquarters were considered a separate office.

<sup>b</sup>The percentage is greater than 100% because more DMV DSB employees responded than was requested.

### *DUI Professionals Survey Coding and Analysis Procedures*

Responses to most survey items were analyzed using descriptive cross-tabulations. However, most responses to the survey items were not combined across occupations because a review of the responses revealed clear differences in the patterns of response by occupation, and combining them would have washed-out those important differences. The exception to this was the open-ended responses to the four items (Items 3, 5, 6, and 8) that allowed respondents to write in

optional responses about other factors that they thought might better explain why offenders delay driving privilege reinstatement. The open-ended comments offered on each of these items were coded and grouped into common categories combined across occupations. The responses to the two completely open-ended items were also coded for common themes and grouped into categories that were summarized by occupation group.



## RESULTS

### Estimating DUI Offender Driving Privilege Reinstatement

#### *Reinstatement-Eligibility Status of 1<sup>st</sup> and 2<sup>nd</sup> DUI Offenders*

Table 3 shows the reinstatement-eligibility status 3.8 to 4.8 years after arrest of the 110,559 drivers arrested in California during 2004 and convicted within 6 months of 1<sup>st</sup> or 2<sup>nd</sup> misdemeanor DUI. Offenders were considered potentially eligible to reinstate their driving privileges if they had a permanent California driving record, had not been reported as being deceased, had not moved out-of-state, and were not ineligible for some other reason, such as having an out-of-state license. Offenders potentially eligible to reinstate should have had ample time to serve their suspension terms and to complete all the other requirements to reinstate their driving privileges during the follow-up period, and so many remain suspended only due to failure to follow through. Across both groups of offenders, 82% were identified as being potentially eligible to reinstate at the end of follow-up on October 18, 2008. A somewhat higher percentage of 2<sup>nd</sup> offenders (90%) were found to be potentially eligible to reinstate than 1<sup>st</sup> offenders (79%), seemingly because a larger proportion of 1<sup>st</sup> offenders did not have a permanent California license that could be reinstated.

Table 3

Reinstatement-Eligibility Status 3.8 to 4.8 years after Arrest for Drivers Arrested in California during 2004 and Convicted within 6 months of 1<sup>st</sup> or 2<sup>nd</sup> Misdemeanor DUI, by Offender Status

| Reinstatement eligibility status  | 1 <sup>st</sup> offenders |       | 2 <sup>nd</sup> offenders |       | All offenders |       |
|-----------------------------------|---------------------------|-------|---------------------------|-------|---------------|-------|
|                                   | <i>n</i>                  | %     | <i>n</i>                  | %     | <i>N</i>      | %     |
| Total could potentially reinstate | 72,913                    | 79.1  | 17,697                    | 89.9  | 90,610        | 82.0  |
| Total could not reinstate         | 17,956                    | 19.8  | 1,993                     | 10.1  | 19,949        | 18.0  |
| No permanent CA record            | 16,614                    | 18.3  | 1,942                     | 9.9   | 18,556        | 16.8  |
| Deceased                          | 269                       | 0.3   | 7                         | 0.0   | 276           | 0.2   |
| Moved out-of-state                | 398                       | 0.4   | 18                        | 0.1   | 416           | 0.4   |
| Other <sup>a</sup>                | 675                       | 0.7   | 26                        | 0.1   | 701           | 0.6   |
| Column totals                     | 90,869                    | 100.0 | 19,690                    | 100.0 | 110,559       | 100.0 |

<sup>a</sup>Various other conditions such as being licensed in another state.

The other 18% of offenders in the sample were found to be ineligible for reinstatement at the end of follow-up for various reasons. Of these, about 17% were ineligible because they had not been

licensed in California (or were unidentifiable in the driver-record database) at the time of their conviction and were, therefore, assigned an X-prefixed record in the DMV driver licensing database signifying a non-licensed status. Assigning an X-prefixed record enables DMV to track actions against these drivers in the DMV database, and any subsequent convictions they may accrue can be added to their X-records. The remaining 1% or so of the sample was ineligible for license reinstatement due to various other reasons including dying, moving out-of-state, or having an out-of-state license.

Only the 90,610 potentially reinstatement-eligible offenders from the original sample were considered in the subsequent phases of this study. Some of the offenders included in this reinstatement-eligible count may not have actually been eligible to reinstate driving privileges due to reasons that could not be identified from information on California driver records, such as: (a) leaving the state without notifying the DMV; (b) being incarcerated during the follow-up period for crimes that are not reported to DMV; and (c) no longer meeting legal presence requirements for license reinstatement due to changes in DMV procedures for verification.

#### *Driving Privilege Reinstatement Status of 1<sup>st</sup> and 2<sup>nd</sup> DUI Offenders*

Table 4 displays the driving privilege reinstatement status 3.8 to 4.8 years after arrest of the 90,610 offenders deemed to be potentially reinstatement-eligible at the end of follow-up. Only about 54% of the eligible 1<sup>st</sup> offenders and 36% of the eligible 2<sup>nd</sup> offenders had fully reinstated their driving privileges 3.8 to 4.8 years after their arrest, meaning they had paid all outstanding DMV-owed fees, completed all DUI Program requirements, had either continuously maintained insurance payments or had otherwise satisfied all conditions of financial responsibility, and had no other stops or file condition codes against their license status as of the data extraction date. Because they have longer sanction durations, 2<sup>nd</sup> offenders, particularly those arrested in the later part of 2004, would have had considerably less time (1.5 to 2.5 years) to reinstate their driving privileges before the end of follow-up than 1<sup>st</sup> offenders would (3 to 4 years). This may explain to some extent why a higher percentage of 1<sup>st</sup> offenders than 2<sup>nd</sup> offenders had fully reinstated their driving privileges by the end of follow-up.

Roughly 9% of eligible 1<sup>st</sup> offenders and 3% of eligible 2<sup>nd</sup> offenders were no longer suspended, and hence had reinstated driving privileges, but did not have reissued physical driver licenses because they still owed fees to DMV. The most commonly unpaid fees were administrative fees for APS suspensions and those required for failure to maintain continuous proof of insurance.

Table 4

Driving Privilege Reinstatement Status of 1<sup>st</sup> and 2<sup>nd</sup> DUI Offenders  
3.8 to 4.8 Years after Arrest

| Reinstatement status                  | 1 <sup>st</sup> offenders |       | 2 <sup>nd</sup> offenders |       | All offenders |       |
|---------------------------------------|---------------------------|-------|---------------------------|-------|---------------|-------|
|                                       | <i>N</i>                  | %     | <i>N</i>                  | %     | <i>N</i>      | %     |
| Reinstated privileges                 | 45,830                    | 62.9  | 6,919                     | 39.1  | 52,749        | 58.2  |
| Fully reinstated/license reissued     | 39,383                    | 54.0  | 6,382                     | 36.1  | 45,765        | 50.5  |
| Reinstated, but owe fees <sup>a</sup> | 6,447                     | 8.8   | 537                       | 3.0   | 6,984         | 7.7   |
| Did not reinstate privileges (S/R)    | 27,083                    | 37.1  | 10,778                    | 60.9  | 37,861        | 41.8  |
| Due to 2004 index DUI                 | 14,388                    | 19.7  | 7,157                     | 40.4  | 21,545        | 23.8  |
| Due to subsequent DUI                 | 10,198                    | 14.0  | 3,146                     | 17.8  | 13,344        | 14.7  |
| Due to non-DUI reason                 | 2,497                     | 3.4   | 475                       | 2.7   | 2,972         | 3.3   |
| Column totals                         | 72,913                    | 100.0 | 17,697                    | 100.0 | 90,610        | 100.0 |

<sup>a</sup>No longer suspended, but fees still owed to DMV prevent offenders from being reissued a physical driver license.

About 37% of 1<sup>st</sup> offenders and 61% of 2<sup>nd</sup> offenders who would potentially have been eligible to reinstate their driving privileges if they had fulfilled the requirements were under a suspension or revocation 3.8 to 4.8 years after their arrest for the index DUI. For approximately 20% of the 1<sup>st</sup> offenders and 40% of the 2<sup>nd</sup> offenders their suspension was due to their 2004 index DUI. These offenders account for about 16% and 36%, respectively, of all 1<sup>st</sup> and 2<sup>nd</sup> offenders in the original sample of 110,559 misdemeanor DUI arrestees from 2004. The remainder who had not reinstated driving privileges either had a subsequent DUI (15% overall) or were suspended for some other non-DUI-related reason (3% overall), such as having a driving problem related to a physically or mentally impairing condition, or for non-driving related issues such as failing to pay child support. In the interest of determining barriers to reinstatement of driving privileges following DUI convictions, the remainder of the results presented here focus primarily on the 21,545 offenders who were still suspended for the index DUI at the end of follow-up.

Comparisons of Select Characteristics of Potentially Reinstatement-Eligible 1<sup>st</sup> and 2<sup>nd</sup> DUI Offenders

Table 5 presents selected descriptive characteristics of potentially reinstatement-eligible 1<sup>st</sup> and 2<sup>nd</sup> DUI offenders as a function of whether they had actually reinstated their driving privilege at the end of follow-up. Among both 1<sup>st</sup> and 2<sup>nd</sup> offenders who were eligible to reinstate driving privileges, those who were still suspended for the index DUI 3.8 to 4.8 years after arrest tended

to have slightly higher median BAC levels and were more likely to have refused to have their BAC levels tested at the time of their offense than did those who reinstated. In addition, higher percentages of 1<sup>st</sup> offenders who were still suspended for the index DUI were younger than age 21 or were female. Finally, higher percentages of those who had fully reinstated across both offender levels had commercial driver licenses. Few other differences were evident between eligible offenders who fully reinstated their driving privileges and those who were still suspended for the index DUI.

Table 5

Selected Characteristics of 1<sup>st</sup> and 2<sup>nd</sup> DUI Offenders Eligible to Reinstatement Driving Privileges by Actual License Status at the End of Follow-Up

| Characteristic            | 1 <sup>st</sup> offenders license status |                                   |                 | 2 <sup>nd</sup> offenders license status |                                   |                 |
|---------------------------|------------------------------------------|-----------------------------------|-----------------|------------------------------------------|-----------------------------------|-----------------|
|                           | Privilege & license reinstated           | Reinstated, owe fees <sup>a</sup> | Still suspended | Privilege & license reinstated           | Reinstated, owe fees <sup>a</sup> | Still suspended |
| Average BAC               | .16                                      | .16                               | .16             | .17                                      | .17                               | .17             |
| Median BAC                | .15                                      | .15                               | .16             | .16                                      | .16                               | .17             |
| Test refusal %            | 3.4%                                     | 3.5%                              | 5.9%            | 5.4%                                     | 3.9%                              | 7.6%            |
| Average age               | 34.3                                     | 33.5                              | 32.8            | 35.9                                     | 35.0                              | 35.9            |
| Median age                | 32                                       | 31                                | 31              | 34                                       | 33                                | 35              |
| Age < 21 %                | 3.0%                                     | 3.1%                              | 4.2%            | 1.0%                                     | <1%                               | 1.0%            |
| Percent male              | 81.7%                                    | 76.1%                             | 75.0%           | 85.9%                                    | 82.4%                             | 83.8%           |
| Commercial <sup>b</sup> % | 3.3%                                     | 1.8%                              | 1.8%            | 2.5%                                     | 1.3%                              | 1.8%            |

<sup>a</sup>No longer suspended, but fees still owed to DMV prevent offenders from being reissued a physical driver license.

<sup>b</sup>Commercial driver license.

### Description of Unfinished Reinstatement Requirements of Offenders Still Suspended

Using information available on DMV driver records, the driving privilege reinstatement requirements that were unfinished among the 21,545 offenders who were still suspended for the index DUI conviction were investigated. These incomplete requirements were categorized as falling into the three major categories: (a) failure to complete DUI Program requirements; (b) failure to maintain proof of insurance for the required 3-year period; and (c) failure to complete the license renewal or application process. The numbers and percentages of 1<sup>st</sup> and 2<sup>nd</sup> offenders still suspended for the index DUI who failed to meet these reinstatement requirements are shown in Table 6. Note that the values in the table are not independent across the three major

requirement categories because offenders often failed to complete multiple reinstatement requirements.

Table 6

Unfinished Driving Privilege Reinstatement Requirements on Driver Records of Offenders Still Suspended for the Index DUI at the End of Follow-up

| Unfinished reinstatement requirement   | 1 <sup>st</sup> offenders<br>(N = 14,388) |      | 2 <sup>nd</sup> offenders<br>(N = 7,157) |      | All offenders<br>(N = 21,545) |      |
|----------------------------------------|-------------------------------------------|------|------------------------------------------|------|-------------------------------|------|
|                                        | n                                         | %    | n                                        | %    | n                             | %    |
| Total failed to complete DUI Program   | 10,170                                    | 70.7 | 5,918                                    | 82.7 | 16,088                        | 74.7 |
| Never enrolled                         | 5,790                                     | 40.2 | 4,679                                    | 65.4 | 10,469                        | 48.6 |
| Dropped after enrollment               | 4,380                                     | 30.4 | 1,239                                    | 17.3 | 5,619                         | 26.1 |
| Total failed proof of insurance        | 6,722                                     | 46.7 | 6,595                                    | 92.1 | 13,317                        | 61.8 |
| Never provided proof                   | 1,201                                     | 8.3  | 4,962                                    | 69.3 | 6,163                         | 28.6 |
| Provided proof, but failed to maintain | 1,984                                     | 13.8 | 60                                       | 0.8  | 2,044                         | 9.5  |
| Insurance company cancelled            | 3,537                                     | 24.6 | 1,573                                    | 22.0 | 5,110                         | 23.7 |
| Total failed license continuance       | 9,746                                     | 67.7 | 4,392                                    | 61.4 | 14,138                        | 65.6 |
| License expired during suspension      | 7,127                                     | 49.5 | 3,040                                    | 42.5 | 10,167                        | 47.2 |
| License expired prior to suspension    | 2,212                                     | 15.4 | 1,235                                    | 17.3 | 3,447                         | 16.0 |
| Original license never approved        | 407                                       | 2.8  | 117                                      | 1.6  | 524                           | 2.4  |

*Note.* The counts and percentages are not independent between major categories because offenders often failed to end their license suspensions for multiple reasons.

Of the 1<sup>st</sup> and 2<sup>nd</sup> offenders who were still suspended for the index DUI conviction 3.8 to 4.8 years after arrest, about 75% remained suspended, at least in part, because they failed to complete a DUI Program, with a higher percentage of 2<sup>nd</sup> offenders (83%) failing to meet this requirement than 1<sup>st</sup> offenders (71%). Of these, roughly 57% of 1<sup>st</sup> offenders and 79% of 2<sup>nd</sup> offenders never even attempted to enroll in a DUI Program during the follow-up period.

Either exclusively, or in addition to failing to meet other requirements, 62% of the 1<sup>st</sup> and 2<sup>nd</sup> offenders who were still suspended failed to provide proof of insurance for the required 3-year period. The percentage of 2<sup>nd</sup> offenders who failed to do so (92%) was much higher than that for 1<sup>st</sup> offenders (47%). Of these, about 30% of 1<sup>st</sup> offenders and 1% of 2<sup>nd</sup> offenders initially provided proof of insurance, but failed to maintain the payments, which caused the DMV to re-suspend their driving privileges and impose additional fees. Some of the large difference between 1<sup>st</sup> and 2<sup>nd</sup> offenders with regard to satisfying the proof of insurance requirement may be due to some 2<sup>nd</sup> offenders not satisfying the proof requirement from their first DUI conviction.

Their second conviction would limit their available options for obtaining insurance and would be more costly if insurance could be obtained.

Again, possibly in combination with failing to meet other requirements, approximately 66% of 1<sup>st</sup> and 2<sup>nd</sup> offenders who were still suspended for the index DUI at the end of follow-up had failed to either renew their expired driver license, or complete requirements for an original license application. The percentages were similar for 1<sup>st</sup> (68%) and 2<sup>nd</sup> (61%) offenders, with majorities in both groups (96% of 1<sup>st</sup> offenders and 97% of 2<sup>nd</sup> offenders) failing to meet this requirement because they never renewed their expired licenses. Among those who had not renewed their licenses prior to their DUI suspension, the license expiration dates went as far back as 1976, and others spanned the entire range of years up until shortly before the index DUI conviction.

#### Results of DUI Offender Survey

Only 397 (284 1<sup>st</sup> offenders and 113 2<sup>nd</sup> offenders) of the sample of 4,145 DUI offenders who were eligible to reinstate their driving privileges, but were still on active suspension for the index DUI as of April 17, 2009, responded to the DUI Offender Survey. Although it is unlikely, given the low overall response rate of only about 10%, that these respondents are representative of the larger population of 1<sup>st</sup> and 2<sup>nd</sup> offenders who were still suspended for the index DUI conviction, the information they provide can still help identify areas that at least some offenders perceive to be barriers to driving privilege reinstatement.

##### *DUI Offender Survey Item 1: Reasons for not Reinstating Driving Privileges*

Responding 1<sup>st</sup> offenders agreed that costs (79%), completing DUI Program requirements (50%), and confusion about what was required of them (48%) were the most prevalent reasons they did not reinstate their California driver licenses (Table 7). Similarly, 2<sup>nd</sup> offender respondents also agreed that costs (82%), confusion about what was required of them (43%), and completing DUI Program requirements (46%) were the most prevalent reasons for not reinstating (Table 8).

The reasons listed above were the only ones that at least 40% of all respondents agreed were factors in their delayed license reinstatement. However, there were many more factors identified by the professionals working in the field as possible barriers that at least 40% of those respondents disagreed were factors in offenders' license reinstatement. The factors that 40% or more of offenders considered to not be factors in their delayed license reinstatement were: the

ability to “wait out” the requirements for reinstatement (1<sup>st</sup> and 2<sup>nd</sup> offenders); thinking that the requirements did not apply to them (1<sup>st</sup> offenders); thinking their driving privileges were already reinstated (1<sup>st</sup> and 2<sup>nd</sup> offenders); not planning on driving any longer (1<sup>st</sup> and 2<sup>nd</sup> offenders); not having enough time (1<sup>st</sup> and 2<sup>nd</sup> offenders); having their driving privilege suspended for another reason (1<sup>st</sup> offenders); the information not being available in a language they could understand (1<sup>st</sup> and 2<sup>nd</sup> offenders); not being eligible for a California driver license (1<sup>st</sup> and 2<sup>nd</sup> offenders); being incarcerated (1<sup>st</sup> and 2<sup>nd</sup> offenders); and challenging the suspension (1<sup>st</sup> and 2<sup>nd</sup> offenders).

Table 7  
Percentage of 1<sup>st</sup> Offenders Selecting each Answer Choice to DUI Offender Survey Item 1

| <b>Item 1. For each item below, please indicate the extent to which that item helps explain why you have not reinstated your California driver license following your 2004 DUI arrest.</b> |                                                                                                                    |                |                   |                   |                |             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|----------------|-------------------|-------------------|----------------|-------------|
| Reasons for not reinstating                                                                                                                                                                | Strongly agree                                                                                                     | Somewhat agree | Somewhat disagree | Strongly disagree | Not applicable | No response |
| It costs too much                                                                                                                                                                          | 61.6                                                                                                               | 16.9           | 4.9               | 4.2               | 6.3            | 6.0         |
| The process is too confusing                                                                                                                                                               | 21.1                                                                                                               | 26.8           | 18.0              | 14.1              | 10.2           | 9.9         |
| It is not necessary; I'll wait out the requirements                                                                                                                                        | 11.3                                                                                                               | 10.9           | 19.0              | 29.9              | 17.3           | 11.6        |
| The requirements don't seem to apply to me                                                                                                                                                 | 9.2                                                                                                                | 10.2           | 15.5              | 29.9              | 24.7           | 10.6        |
| I haven't completed all of the alcohol/drug program requirements                                                                                                                           | 37.7                                                                                                               | 12.3           | 4.6               | 19.0              | 19.4           | 7.0         |
| I thought my driving privilege was reinstated                                                                                                                                              | 14.1                                                                                                               | 6.0            | 10.6              | 36.6              | 25.0           | 7.8         |
| I don't plan on driving any longer since I have made other travel arrangements                                                                                                             | 8.1                                                                                                                | 8.8            | 6.7               | 47.9              | 21.5           | 7.0         |
| I don't have time                                                                                                                                                                          | 11.3                                                                                                               | 17.6           | 13.7              | 28.2              | 20.8           | 8.5         |
| The DMV has suspended or revoked my driving privilege for another reason since 2004                                                                                                        | 13.4                                                                                                               | 5.3            | 5.6               | 37.0              | 31.3           | 7.4         |
| I haven't been able to obtain/maintain adequate auto insurance coverage                                                                                                                    | 14.4                                                                                                               | 13.4           | 7.0               | 30.3              | 26.8           | 8.1         |
| Information was not offered in a language I could understand                                                                                                                               | 3.5                                                                                                                | 1.8            | 3.5               | 49.3              | 33.8           | 8.1         |
| I received conflicting information from different people                                                                                                                                   | 20.8                                                                                                               | 13.4           | 7.4               | 28.5              | 21.8           | 8.1         |
| I'm not eligible for a California driver license                                                                                                                                           | 4.2                                                                                                                | 2.1            | 4.2               | 50.0              | 32.8           | 6.7         |
| I was incarcerated on another charge                                                                                                                                                       | 10.9                                                                                                               | 4.9            | 2.8               | 39.1              | 34.5           | 7.8         |
| I do not have access to a car                                                                                                                                                              | 23.2                                                                                                               | 8.8            | 8.5               | 30.6              | 21.8           | 7.0         |
| I am challenging the suspension in court or at the DMV                                                                                                                                     | 6.3                                                                                                                | 3.2            | 3.5               | 38.4              | 41.6           | 7.0         |
| Other (please specify): _____                                                                                                                                                              | 26.4% of respondents commented. Their response summaries and percentage responding by comment are presented later. |                |                   |                   |                |             |

Table 8

Percentage of 2<sup>nd</sup> Offenders Selecting each Answer Choice to DUI Offender Survey Item 1

| <b>Item 1. For each item below, please indicate the extent to which that item helps explain why you have not reinstated your California driver license following your 2004 DUI arrest.</b> |                                                                                                                    |                |                   |                   |                |             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|----------------|-------------------|-------------------|----------------|-------------|
| Reasons for not reinstating                                                                                                                                                                | Strongly agree                                                                                                     | Somewhat agree | Somewhat disagree | Strongly disagree | Not applicable | No response |
| It costs too much                                                                                                                                                                          | 58.4                                                                                                               | 23.9           | 7.1               | 0.9               | 3.5            | 6.2         |
| The process is too confusing                                                                                                                                                               | 14.2                                                                                                               | 29.2           | 13.3              | 18.6              | 9.7            | 15.0        |
| It is not necessary; I'll wait out the requirements                                                                                                                                        | 12.4                                                                                                               | 13.3           | 16.8              | 27.4              | 18.6           | 11.5        |
| The requirements don't seem to apply to me                                                                                                                                                 | 11.5                                                                                                               | 12.4           | 21.2              | 16.8              | 25.7           | 12.4        |
| I haven't completed all of the alcohol/drug program requirements                                                                                                                           | 31.0                                                                                                               | 15.0           | 5.3               | 24.8              | 15.0           | 8.9         |
| I thought my driving privilege was reinstated                                                                                                                                              | 12.4                                                                                                               | 14.2           | 6.2               | 35.4              | 21.2           | 10.6        |
| I don't plan on driving any longer since I have made other travel arrangements                                                                                                             | 9.7                                                                                                                | 8.9            | 9.7               | 40.7              | 20.4           | 10.6        |
| I don't have time                                                                                                                                                                          | 13.3                                                                                                               | 15.9           | 15.9              | 26.6              | 15.9           | 12.4        |
| The DMV has suspended or revoked my driving privilege for another reason since 2004                                                                                                        | 14.2                                                                                                               | 6.2            | 3.5               | 35.4              | 30.1           | 10.6        |
| I haven't been able to obtain/maintain adequate auto insurance coverage                                                                                                                    | 18.6                                                                                                               | 9.7            | 7.1               | 30.1              | 23.0           | 11.5        |
| Information was not offered in a language I could understand                                                                                                                               | 3.5                                                                                                                | 4.4            | 3.5               | 42.5              | 33.6           | 12.4        |
| I received conflicting information from different people                                                                                                                                   | 14.2                                                                                                               | 14.2           | 8.0               | 30.1              | 23.0           | 10.6        |
| I'm not eligible for a California driver license                                                                                                                                           | 6.2                                                                                                                | 0.0            | 7.1               | 44.3              | 30.1           | 12.4        |
| I was incarcerated on another charge                                                                                                                                                       | 10.6                                                                                                               | 0.9            | 1.8               | 40.7              | 33.6           | 12.4        |
| I do not have access to a car                                                                                                                                                              | 20.4                                                                                                               | 9.7            | 11.5              | 24.8              | 22.1           | 11.5        |
| I am challenging the suspension in court or at the DMV                                                                                                                                     | 1.8                                                                                                                | 1.8            | 4.4               | 41.6              | 36.3           | 14.2        |
| Other (please specify): _____                                                                                                                                                              | 31.9% of respondents commented. Their response summaries and percentage responding by comment are presented later. |                |                   |                   |                |             |

*DUI Offender Survey Item 2: Sources of Information for Reinstating Driving Privileges*

The majority of 1<sup>st</sup> offenders responded that they had received no information regarding reinstating their licensing privileges from most of the identified information sources listed in Item 2 (Table 9). Among 1<sup>st</sup> offender respondents indicating that they had received information, the sources they rated as being the most helpful were alcohol/drug program classes (40%), acquaintances who had been convicted of DUI (34%), judges (32%), DMV field office employees (28%), written suspension orders from DMV (28%), and DUI program completion notices (25%). The high percentages of 1<sup>st</sup> offenders indicating receipt of no information from DMV hearings (81%) or Probation Officers (73%) is consistent with the low numbers of offenders who would have had a DMV hearing or been assigned a Probation Officer.

Similar to 1<sup>st</sup> offenders, the majority of 2<sup>nd</sup> offenders responded that they had received no information about reinstating driving privileges from about half of the sources listed (Table 10). Among 2<sup>nd</sup> offender respondents indicating that they had received information, the sources of information they rated as being the most helpful were similar to those rated highest by 1<sup>st</sup> offender respondents. The information sources that 2<sup>nd</sup> offenders indicated as being at least somewhat helpful were alcohol/drug program classes (50%), acquaintances who had been convicted of DUI (34%), DUI Program completion notices (33%), DMV field office employees (32%), judges (31%), and insurance companies (29%). High percentages of 2<sup>nd</sup> offenders indicated receipt of no information from DMV hearings (73%) or Hearing Officers (74%), which is consistent with the low numbers of offenders who would have had a DMV hearing. The lower percentage of 2<sup>nd</sup> offenders than 1<sup>st</sup> offenders indicating that they had received no information from a probation officer (58%) or a probation sheet (48%) may suggest that Probation Departments tend to have more contact with repeat offenders than they do with 1<sup>st</sup> offenders.

Table 9

Percentage of 1<sup>st</sup> Offenders Selecting each Answer Choice to DUI Offender Survey Item 2

| <b>Item 2. How much did the information you got (by phone, by mail, or in person) from each of the following sources help you understand what you need to do to reinstate your driving privilege following your 2004 DUI?</b> |                                                                                                                    |                  |                               |                    |                |                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|------------------|-------------------------------|--------------------|----------------|-------------------------|
| Source of information                                                                                                                                                                                                         | At least                                                                                                           |                  |                               | No                 |                |                         |
|                                                                                                                                                                                                                               | Very helpful                                                                                                       | Somewhat helpful | somewhat helpful <sup>a</sup> | Somewhat confusing | Very confusing | No information received |
| Your insurance company                                                                                                                                                                                                        | 8.8                                                                                                                | 7.8              | 16.6                          | 7.8                | 4.9            | 62.0                    |
| Advice from the arresting Police Officer                                                                                                                                                                                      | 6.0                                                                                                                | 5.6              | 11.6                          | 6.0                | 7.4            | 68.0                    |
| A written statement or report given to you when you were arrested                                                                                                                                                             | 7.4                                                                                                                | 14.1             | 21.5                          | 14.8               | 13.4           | 43.3                    |
| Jail booking sheet and/or booking officer                                                                                                                                                                                     | 7.8                                                                                                                | 9.2              | 16.9                          | 9.5                | 14.8           | 52.8                    |
| Your attorney                                                                                                                                                                                                                 | 8.5                                                                                                                | 9.9              | 18.3                          | 6.3                | 9.5            | 58.1                    |
| The District Attorney (Prosecutor)                                                                                                                                                                                            | 4.6                                                                                                                | 7.0              | 11.6                          | 7.4                | 12.7           | 62.0                    |
| DMV Field Office employee(s)                                                                                                                                                                                                  | 14.4                                                                                                               | 13.0             | 27.5                          | 8.8                | 13.4           | 41.9                    |
| DMV Phone Center employee(s)                                                                                                                                                                                                  | 6.0                                                                                                                | 9.5              | 15.5                          | 6.3                | 13.0           | 58.1                    |
| Automated DMV phone information                                                                                                                                                                                               | 2.8                                                                                                                | 8.5              | 11.3                          | 5.3                | 14.1           | 61.3                    |
| DMV Mandatory Actions Unit employee(s)                                                                                                                                                                                        | 3.9                                                                                                                | 6.0              | 9.9                           | 4.9                | 9.9            | 67.6                    |
| If you had a DMV hearing, a copy of the Hearing findings                                                                                                                                                                      | 3.5                                                                                                                | 2.8              | 6.3                           | 1.4                | 4.2            | 80.6                    |
| Advice from a DMV Hearing Officer                                                                                                                                                                                             | 3.9                                                                                                                | 2.5              | 6.3                           | 3.5                | 3.2            | 80.6                    |
| A written suspension order from DMV                                                                                                                                                                                           | 8.1                                                                                                                | 19.4             | 27.5                          | 11.6               | 10.6           | 42.6                    |
| The Judge                                                                                                                                                                                                                     | 13.0                                                                                                               | 18.7             | 31.7                          | 12.3               | 12.7           | 37.0                    |
| Someone else from the Court                                                                                                                                                                                                   | 4.6                                                                                                                | 7.8              | 12.3                          | 7.0                | 10.2           | 63.0                    |
| A probation sheet                                                                                                                                                                                                             | 4.6                                                                                                                | 10.2             | 14.8                          | 8.5                | 9.5            | 59.9                    |
| Advice from a Probation Officer                                                                                                                                                                                               | 2.5                                                                                                                | 5.6              | 8.1                           | 5.3                | 6.0            | 73.2                    |
| Alcohol/drug program classes, forms and/or instructor or counselor                                                                                                                                                            | 21.8                                                                                                               | 18.3             | 40.1                          | 8.8                | 8.1            | 36.3                    |
| A DUI program completion notice                                                                                                                                                                                               | 15.5                                                                                                               | 9.5              | 25.0                          | 7.8                | 4.6            | 54.6                    |
| Information from a friend, classmate, or co-worker who has had a DUI                                                                                                                                                          | 14.4                                                                                                               | 19.4             | 33.8                          | 7.0                | 8.1            | 44.4                    |
| Other (please specify): _____                                                                                                                                                                                                 | 17.3% of respondents commented. Their response summaries and percentage responding by comment are presented later. |                  |                               |                    |                |                         |

<sup>a</sup>Calculated by summing prior columns.

Table 10

Percentage of 2<sup>nd</sup> Offenders Selecting each Answer Choice to DUI Offender Survey Item 2

| <b>Item 2. How much did the information you got (by phone, by mail, or in person) from each of the following sources help you understand what you need to do to reinstate your driving privilege following your 2004 DUI?</b> |                                                                                                                    |                  |                                        |                    |                |                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|------------------|----------------------------------------|--------------------|----------------|-------------------------|
| Source of information                                                                                                                                                                                                         | Very helpful                                                                                                       | Somewhat helpful | At least somewhat helpful <sup>a</sup> | Somewhat confusing | Very confusing | No information received |
| Your insurance company                                                                                                                                                                                                        | 16.8                                                                                                               | 12.4             | 29.2                                   | 5.3                | 3.5            | 53.1                    |
| Advice from the arresting Police Officer                                                                                                                                                                                      | 5.3                                                                                                                | 3.5              | 8.9                                    | 9.7                | 6.2            | 64.6                    |
| A written statement or report given to you when you were arrested                                                                                                                                                             | 8.9                                                                                                                | 10.6             | 19.5                                   | 15.0               | 9.7            | 42.5                    |
| Jail booking sheet and/or booking officer                                                                                                                                                                                     | 5.3                                                                                                                | 8.0              | 13.3                                   | 13.3               | 14.2           | 46.9                    |
| Your attorney                                                                                                                                                                                                                 | 7.1                                                                                                                | 16.8             | 23.9                                   | 6.2                | 3.5            | 54.9                    |
| The District Attorney (Prosecutor)                                                                                                                                                                                            | 3.5                                                                                                                | 9.7              | 13.3                                   | 8.0                | 11.5           | 55.8                    |
| DMV Field Office employee(s)                                                                                                                                                                                                  | 13.3                                                                                                               | 18.6             | 31.9                                   | 6.2                | 8.9            | 41.6                    |
| DMV Phone Center employee(s)                                                                                                                                                                                                  | 8.0                                                                                                                | 9.7              | 17.7                                   | 5.3                | 9.7            | 54.9                    |
| Automated DMV phone information                                                                                                                                                                                               | 6.2                                                                                                                | 4.4              | 10.6                                   | 3.5                | 13.3           | 60.2                    |
| DMV Mandatory Actions Unit employee(s)                                                                                                                                                                                        | 6.2                                                                                                                | 8.0              | 14.2                                   | 4.4                | 8.0            | 61.1                    |
| If you had a DMV hearing, a copy of the Hearing findings                                                                                                                                                                      | 2.7                                                                                                                | 2.7              | 5.3                                    | 5.3                | 4.4            | 72.6                    |
| Advice from a DMV Hearing Officer                                                                                                                                                                                             | 1.8                                                                                                                | 2.7              | 4.4                                    | 3.5                | 4.4            | 74.3                    |
| A written suspension order from DMV                                                                                                                                                                                           | 14.2                                                                                                               | 9.7              | 23.9                                   | 15.0               | 12.4           | 36.3                    |
| The Judge                                                                                                                                                                                                                     | 18.6                                                                                                               | 12.4             | 31.0                                   | 10.6               | 8.9            | 37.2                    |
| Someone else from the Court                                                                                                                                                                                                   | 6.2                                                                                                                | 12.4             | 18.6                                   | 4.4                | 7.1            | 56.6                    |
| A probation sheet                                                                                                                                                                                                             | 8.9                                                                                                                | 12.4             | 21.2                                   | 8.9                | 8.0            | 47.8                    |
| Advice from a Probation Officer                                                                                                                                                                                               | 8.9                                                                                                                | 6.2              | 15.0                                   | 4.4                | 6.2            | 58.4                    |
| Alcohol/drug program classes, forms and/or instructor or counselor                                                                                                                                                            | 27.4                                                                                                               | 22.1             | 49.6                                   | 3.5                | 7.1            | 28.3                    |
| A DUI program completion notice                                                                                                                                                                                               | 20.4                                                                                                               | 12.4             | 32.7                                   | 5.3                | 5.3            | 43.4                    |
| Information from a friend, classmate, or co-worker who has had a DUI                                                                                                                                                          | 12.4                                                                                                               | 21.2             | 33.6                                   | 9.7                | 2.7            | 40.7                    |
| Other (please specify): _____                                                                                                                                                                                                 | 23.0% of respondents commented. Their response summaries and percentage responding by comment are presented later. |                  |                                        |                    |                |                         |

<sup>a</sup>Calculated by summing prior columns.

*DUI Offender Survey Item 3: Payment of Fees for Driving Privilege Reinstatement*

When asked about fees that the offenders would have to pay DMV before being allowed to reinstate driving privileges, about half of 1<sup>st</sup> (53%) and 2<sup>nd</sup> (48%) offender respondents indicated that they had not even begun to pay these fees (Table 11). About a third of each offender group had not begun to pay insurance premiums (35% of 1<sup>st</sup> offenders and 32% of 2<sup>nd</sup> offenders). Approximately 60% of each offender group had paid at least a portion of their DUI Program fees. In addition, about 60% of 1<sup>st</sup> offenders and 68% of 2<sup>nd</sup> offenders had paid some portion of their court fines and penalties. The majority of respondents indicated having no ignition interlock requirements (68% of 1<sup>st</sup> offenders and 65% of 2<sup>nd</sup> offenders). Ignition interlock requirements have increased in the years since this study data was collected, but the high percentage of surveyed offenders indicating that they had no such requirement is consistent with the sanctions that were applied at the time of the study in 2004.

*DUI Offender Survey Item 4: Sanctions for Driving on a DUI Suspended License*

Majorities of both 1<sup>st</sup> and 2<sup>nd</sup> offender respondents indicated that they thought it was likely that being caught by law enforcement for driving while suspended would result in all but one of the sanctions listed in Item 4. The one exception was that less than a quarter of respondents in either offender group (19% of 1<sup>st</sup> offenders and 22% of 2<sup>nd</sup> offenders) thought that a court would order the offender to install an ignition interlock device. Consistent with this result, high percentages of respondents (47% of 1<sup>st</sup> offenders and 40% of 2<sup>nd</sup> offenders) indicated that they did not know if ignition interlock was likely to be ordered when drivers are caught for driving while suspended. However, a large percentage indicated they thought the driver's car either could be immediately impounded (74% of 1<sup>st</sup> offenders and 79% of 2<sup>nd</sup> offenders) and nearly half (48% of 1<sup>st</sup> offenders and 47% of 2<sup>nd</sup> offenders) thought vehicle impoundment would always occur when drivers are caught for driving while suspended.

Table 11

Percentage of 1<sup>st</sup> and 2<sup>nd</sup> Offenders Selecting each Answer Choice to DUI Offender Survey Item 3

| <b>Item 3. Below is a list of fees that must be paid before a California Driver License can be reinstated following a DUI suspension or revocation. Please select the box for each that best describes where you are in meeting each of these obligations.</b> |                           |                                                                                                                                                                          |                                |                                    |                                    |                            |             |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|------------------------------------|------------------------------------|----------------------------|-------------|
|                                                                                                                                                                                                                                                                | Offender status           | Completely paid                                                                                                                                                          | In process of paying over time | Paid a portion then stopped paying | Have not yet begun to pay for this | I had no cost in this area | No response |
| DMV reinstatement fees                                                                                                                                                                                                                                         | 1 <sup>st</sup> offenders | 15.1                                                                                                                                                                     | 2.8                            | 1.8                                | 52.8                               | 16.9                       | 10.6        |
|                                                                                                                                                                                                                                                                | 2 <sup>nd</sup> offenders | 12.4                                                                                                                                                                     | 3.5                            | 3.5                                | 47.8                               | 19.5                       | 13.3        |
| Insurance premiums                                                                                                                                                                                                                                             | 1 <sup>st</sup> offenders | 13.0                                                                                                                                                                     | 4.2                            | 5.3                                | 34.5                               | 32.8                       | 10.2        |
|                                                                                                                                                                                                                                                                | 2 <sup>nd</sup> offenders | 16.8                                                                                                                                                                     | 7.1                            | 8.0                                | 31.9                               | 23.0                       | 13.3        |
| Alcohol/drug program fees                                                                                                                                                                                                                                      | 1 <sup>st</sup> offenders | 30.6                                                                                                                                                                     | 9.9                            | 17.3                               | 27.1                               | 7.0                        | 8.1         |
|                                                                                                                                                                                                                                                                | 2 <sup>nd</sup> offenders | 30.1                                                                                                                                                                     | 16.0                           | 14.2                               | 19.5                               | 9.7                        | 10.6        |
| Court fines or penalties                                                                                                                                                                                                                                       | 1 <sup>st</sup> offenders | 34.2                                                                                                                                                                     | 15.9                           | 10.2                               | 20.4                               | 9.9                        | 9.5         |
|                                                                                                                                                                                                                                                                | 2 <sup>nd</sup> offenders | 45.1                                                                                                                                                                     | 14.2                           | 8.9                                | 12.4                               | 8.0                        | 11.5        |
| Ignition interlock device fees                                                                                                                                                                                                                                 | 1 <sup>st</sup> offenders | 3.9                                                                                                                                                                      | 2.5                            | 1.4                                | 13.4                               | 68.0                       | 10.9        |
|                                                                                                                                                                                                                                                                | 2 <sup>nd</sup> offenders | 4.4                                                                                                                                                                      | 3.5                            | 1.8                                | 12.4                               | 64.6                       | 13.3        |
| Other (please specify): _____                                                                                                                                                                                                                                  |                           | 18.3% of 1 <sup>st</sup> offenders, and 20.3% of 2 <sup>nd</sup> offenders commented. Their response summaries and percentage responding by comment are presented later. |                                |                                    |                                    |                            |             |

Table 12

Percentage of 1<sup>st</sup> and 2<sup>nd</sup> Offenders Selecting each Answer Choice to DUI Offender Survey Item 4

| <b>Item 4. How common do you think it is for each of the following to happen when the police catch someone driving on a suspended Driver's License?</b> |                           |                     |                      |                                        |                    |              |             |
|---------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------|----------------------|----------------------------------------|--------------------|--------------|-------------|
| Penalties for driving                                                                                                                                   | Offender status           | This always happens | This usually happens | This could happen, but usually doesn't | This never happens | I don't know | No response |
| The driver's car is immediately impounded                                                                                                               | 1 <sup>st</sup> offenders | 47.5                | 26.8                 | 7.4                                    | 1.1                | 10.9         | 6.3         |
|                                                                                                                                                         | 2 <sup>nd</sup> offenders | 46.9                | 31.9                 | 1.8                                    | 1.8                | 9.7          | 8.0         |
| The driver is given a traffic citation and will have to pay a fine                                                                                      | 1 <sup>st</sup> offenders | 49.3                | 19.4                 | 6.3                                    | 8.5                | 10.2         | 6.3         |
|                                                                                                                                                         | 2 <sup>nd</sup> offenders | 49.6                | 12.4                 | 8.0                                    | 6.2                | 13.3         | 10.6        |
| The driver's driving privilege will be suspended for a longer time                                                                                      | 1 <sup>st</sup> offenders | 41.2                | 23.6                 | 6.7                                    | 1.1                | 19.7         | 7.8         |
|                                                                                                                                                         | 2 <sup>nd</sup> offenders | 38.1                | 28.3                 | 6.2                                    | 0.0                | 18.6         | 8.9         |
| The driver is arrested and taken to jail                                                                                                                | 1 <sup>st</sup> offenders | 33.5                | 26.4                 | 23.2                                   | 1.4                | 9.2          | 6.3         |
|                                                                                                                                                         | 2 <sup>nd</sup> offenders | 36.3                | 24.8                 | 19.5                                   | 2.7                | 8.0          | 8.9         |
| The court will order the driver to install an ignition interlock device on the car                                                                      | 1 <sup>st</sup> offenders | 8.8                 | 10.6                 | 20.8                                   | 6.0                | 46.8         | 7.0         |
|                                                                                                                                                         | 2 <sup>nd</sup> offenders | 11.5                | 10.6                 | 23.9                                   | 5.3                | 39.8         | 8.9         |

*DUI Offender Survey Item 5: Frequency of Driving on a DUI Suspended License*

About 42% of both 1<sup>st</sup> and 2<sup>nd</sup> offender respondents indicated that they had driven at least sometimes while their licenses were suspended (Table 13). Of those, roughly 10% in each offender group indicated that they had driven frequently during their suspension. However, nearly half of the respondents in each group indicated that they had never driven during their DUI suspension.

Table 13

Percentage of 1<sup>st</sup> and 2<sup>nd</sup> Offenders Selecting each Answer Choice to  
DUI Offender Survey Item 5

| <b>Item 5. Have you ever driven during the time that your license has been suspended or revoked for DUI?</b> |            |        |       |             |
|--------------------------------------------------------------------------------------------------------------|------------|--------|-------|-------------|
| Offender status                                                                                              | Frequently | Rarely | Never | No response |
| 1 <sup>st</sup> offenders                                                                                    | 9.2        | 33.1   | 48.2  | 9.5         |
| 2 <sup>nd</sup> offenders                                                                                    | 9.7        | 31.9   | 48.7  | 9.7         |

*DUI Offender Survey Item 6: Insurance Coverage for Crash-Involved DUI Offenders*

Most offenders (70% of 1<sup>st</sup> offenders and 68% of 2<sup>nd</sup> offenders) indicated that there had been no collision associated with their DUI arrest (Table 14). Summing the collision categories shows that about 16% of 1<sup>st</sup> offender respondents reported that they had been involved in a collision associated with their DUI arrest. Half of the crash-involved 1<sup>st</sup> offenders indicated that no insurance companies had been involved. Similarly, about 15% of 2<sup>nd</sup> offender respondents reported that they had been involved in a collision associated with their DUI arrest.

Table 14

Percentage of 1<sup>st</sup> and 2<sup>nd</sup> Offenders Selecting each Answer Choice to  
DUI Offender Survey Item 6

| <b>Item 6. If a collision led to your DUI arrest, did an insurance company pay for any part of your medical or collision costs relating to the DUI? (Please check all that apply.)</b> |                           |      |                           |      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------|---------------------------|------|
| Crash-involved-DUI outcome                                                                                                                                                             | 1 <sup>st</sup> offenders |      | 2 <sup>nd</sup> offenders |      |
|                                                                                                                                                                                        | <i>n</i>                  | %    | <i>n</i>                  | %    |
| There was a collision and my insurance covered (or will cover) some or all of the costs                                                                                                | 13                        | 4.6  | 7                         | 6.2  |
| There was a collision and someone else's insurance covered (or will cover) some or all of the costs                                                                                    | 9                         | 3.2  | 2                         | 1.8  |
| There was a collision and a combination of my insurance and someone else's insurance covered (or will cover) some or all of the costs                                                  | 1                         | 0.4  | 3                         | 2.7  |
| There was a collision but no insurance company was involved                                                                                                                            | 23                        | 8.1  | 5                         | 4.4  |
| There was no collision.                                                                                                                                                                | 199                       | 70.1 | 77                        | 68.1 |
| No response                                                                                                                                                                            | 37                        | 13.0 | 18                        | 15.9 |
| Invalid response                                                                                                                                                                       | 2                         | 0.7  | 1                         | 0.9  |

*DUI Offender Survey Item 7: Reasons for not Completing DUI Programs*

About 65% of 1<sup>st</sup> and 2<sup>nd</sup> offender respondents indicated that the costs associated with completing DUI Programs were a significant contributor to not completing this requirement (Table 15). Furthermore, 54% of 1<sup>st</sup> offenders and 56% of 2<sup>nd</sup> offenders cited availability of alternate transportation to DUI Programs as a factor in delayed completion, and about 45% of both offender groups indicated that they experienced problems fitting the classes into their schedules. The locations of DUI Program classes were cited as a factor in delayed completion by 44% of 1<sup>st</sup> offenders and 36% of 2<sup>nd</sup> offenders. Additional class requirements ordered by the class instructors and the attitudes of the class instructors were typically not considered a factor for delaying DUI Program completion.

Table 15

Percentage of 1<sup>st</sup> and 2<sup>nd</sup> Offenders Selecting each Answer Choice to DUI Offender Survey Item 7

| <b>Item 7. Please indicate how much each of the following may have contributed to any delay in your efforts to complete your required alcohol program classes.</b> |                                                                                                                                                                         |                                 |                                 |                               |                    |             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|---------------------------------|-------------------------------|--------------------|-------------|
| Barriers to DUI Program completion                                                                                                                                 | Offender status                                                                                                                                                         | Strongly contributed to a delay | Somewhat contributed to a delay | Did not contribute to a delay | There was no delay | No response |
| Cost of the classes                                                                                                                                                | 1 <sup>st</sup> offenders                                                                                                                                               | 54.9                            | 10.6                            | 7.8                           | 16.6               | 10.2        |
|                                                                                                                                                                    | 2 <sup>nd</sup> offenders                                                                                                                                               | 52.2                            | 12.4                            | 6.2                           | 17.7               | 11.5        |
| Availability of alternate transportation options to get to the classes                                                                                             | 1 <sup>st</sup> offenders                                                                                                                                               | 37.3                            | 16.2                            | 14.4                          | 20.4               | 11.6        |
|                                                                                                                                                                    | 2 <sup>nd</sup> offenders                                                                                                                                               | 41.6                            | 14.2                            | 11.5                          | 18.6               | 14.2        |
| Location of the classes                                                                                                                                            | 1 <sup>st</sup> offenders                                                                                                                                               | 25.4                            | 18.7                            | 17.3                          | 27.8               | 10.9        |
|                                                                                                                                                                    | 2 <sup>nd</sup> offenders                                                                                                                                               | 18.6                            | 17.7                            | 23.9                          | 23.9               | 15.9        |
| Finding classes to fit within my schedule                                                                                                                          | 1 <sup>st</sup> offenders                                                                                                                                               | 25.7                            | 19.7                            | 16.6                          | 27.8               | 10.2        |
|                                                                                                                                                                    | 2 <sup>nd</sup> offenders                                                                                                                                               | 30.1                            | 15.0                            | 17.7                          | 23.0               | 14.2        |
| Additional class requirements ordered by the class instructor or counselor                                                                                         | 1 <sup>st</sup> offenders                                                                                                                                               | 12.7                            | 12.0                            | 22.5                          | 41.9               | 10.9        |
|                                                                                                                                                                    | 2 <sup>nd</sup> offenders                                                                                                                                               | 15.0                            | 8.0                             | 26.6                          | 34.5               | 15.9        |
| Attitude of the class instructor or counselor                                                                                                                      | 1 <sup>st</sup> offenders                                                                                                                                               | 8.8                             | 6.0                             | 27.5                          | 44.0               | 13.7        |
|                                                                                                                                                                    | 2 <sup>nd</sup> offenders                                                                                                                                               | 11.5                            | 3.5                             | 30.1                          | 38.9               | 15.9        |
| Other (please specify): _____                                                                                                                                      | 20.4% of 1 <sup>st</sup> offenders and 23.0% of 2 <sup>nd</sup> offenders commented. Their response summaries and percentage responding by comment are presented later. |                                 |                                 |                               |                    |             |

*DUI Offender Survey Item 8: Completion of Driving Privilege Reinstatement Requirements*

The driving privilege reinstatement requirement reported as being incomplete the most often by both 1<sup>st</sup> (55%) and 2<sup>nd</sup> offenders (56%) was payment of license reinstatement fees. This was followed by failure to complete DUI program (46% of 1<sup>st</sup> offenders and 43% of 2<sup>nd</sup> offenders), failure to maintain proof of insurance coverage (42% and 39%), and failure to provide initial proof of insurance coverage (41% and 37%).

The driving privilege reinstatement requirements that were most frequently reported by the offenders as being completed were court-imposed and DMV-imposed license suspensions, however, offenders in both groups also seemed to often be unsure about whether these requirements were met. It is noteworthy that completing these obligations (court and DMV suspensions) does not require any particular proactive activity on the part of the offender to complete. They are different from the other requirements listed in Item 8 in that to satisfy suspension terms, the offender need not take any proactive steps that would be required to complete each of the other sanction obligations asked about in Item 8. The offenders' failure to complete at least one or more of the other steps requiring their involvement was, in fact, why they were included in the survey and continued to be suspended. However, this question provides some insight into the offenders' lack of understanding of what is actually required of them. Over one third of 1<sup>st</sup> offender respondents indicated that they had completed their court-imposed license suspensions (39%) or DMV-imposed suspensions (37%), but about a quarter (23% and 26%, respectively) were unsure about whether they had completed these suspension terms. Similarly, while 46% of 2<sup>nd</sup> offenders indicated that they had completed their court-imposed license suspensions and 44% reported completion of their DMV-imposed suspensions, roughly one quarter indicated that they were unsure whether they had completed these suspension terms (22% and 26%, respectively). These findings suggest that there is significant confusion about suspension requirements among DUI offenders because all of these offenders were still suspended, which was why they were selected for inclusion in the survey.

In general, the tendency for a higher percentage of 2<sup>nd</sup> offenders than 1<sup>st</sup> offenders to have provided no response for each of the driving privilege reinstatement requirements that were addressed in this item may indicate that 2<sup>nd</sup> offenders were generally more confused about reinstatement requirements in general.

Table 16

Percentage of 1<sup>st</sup> and 2<sup>nd</sup> Offenders Selecting each Answer Choice to DUI Offender Survey Item 8

| <b>Item 8. Please indicate if you completed each of the following any time between your 2004 DUI arrest and now.</b> |                           |           |               |                    |              |             |  |
|----------------------------------------------------------------------------------------------------------------------|---------------------------|-----------|---------------|--------------------|--------------|-------------|--|
| Reinstatement requirement                                                                                            | Offender status           | Completed | Not completed | Completion unknown | Not required | No response |  |
| A court license suspension term                                                                                      | 1 <sup>st</sup> offenders | 39.1      | 16.2          | 23.2               | 11.6         | 9.9         |  |
|                                                                                                                      | 2 <sup>nd</sup> offenders | 46.0      | 13.3          | 22.1               | 4.4          | 14.2        |  |
| A DMV license suspension term                                                                                        | 1 <sup>st</sup> offenders | 37.0      | 20.4          | 26.1               | 7.4          | 9.2         |  |
|                                                                                                                      | 2 <sup>nd</sup> offenders | 44.3      | 13.3          | 25.7               | 3.5          | 13.3        |  |
| Required DUI Program classes                                                                                         | 1 <sup>st</sup> offenders | 33.5      | 46.1          | 8.1                | 4.6          | 7.8         |  |
|                                                                                                                      | 2 <sup>nd</sup> offenders | 31.0      | 42.5          | 8.9                | 5.3          | 12.4        |  |
| Obtained auto insurance                                                                                              | 1 <sup>st</sup> offenders | 21.8      | 41.2          | 9.2                | 19.0         | 8.8         |  |
|                                                                                                                      | 2 <sup>nd</sup> offenders | 28.3      | 37.2          | 6.2                | 11.5         | 16.8        |  |
| Maintained proof of insurance to DMV                                                                                 | 1 <sup>st</sup> offenders | 17.6      | 41.9          | 10.6               | 19.7         | 10.2        |  |
|                                                                                                                      | 2 <sup>nd</sup> offenders | 18.6      | 38.9          | 11.5               | 14.2         | 16.8        |  |
| Paid DMV license reinstatement fees                                                                                  | 1 <sup>st</sup> offenders | 16.9      | 54.9          | 12.7               | 5.6          | 9.9         |  |
|                                                                                                                      | 2 <sup>nd</sup> offenders | 15.0      | 55.8          | 9.7                | 5.3          | 14.2        |  |

*DUI Offender Survey Additional Comments and Explanations Given for Items 1, 2, 3, and 7*

The open-ended comments that DUI Offender Survey respondents provided for Items 1, 2, 3, and 7 tend to fall within a narrow range and often do not typically relate directly to the scope of the item, but rather, seem more commonly to address the offenders' strongest reasons for not fulfilling their obligations that would allow them to reinstate driving privileges. Most of the comments reiterate what had already been addressed in the offenders' previous responses. For ease of interpretation and for manageability of the data, the comments were summarized and combined across these four survey items as presented in Table 17 (1<sup>st</sup> offenders) and Table 18 (2<sup>nd</sup> offenders).

The 1<sup>st</sup> offender's additional comments most frequently expressed their opinions that they had not reinstated their driving privileges because either they did not know what was required to do so (16%) or because the costs were too high (15%). About 25% of 2<sup>nd</sup> offenders commented that the overall costs that they would have to pay to reinstate were prohibitive, 17% expressed general confusion about the reinstatement requirements, and 16% indicated problems with DUI Program enrollment or completion.

Table 17

Percentage of 1<sup>st</sup> Offenders Providing Comments or Explanations to DUI Offender Survey Items 1, 2, 3, and 7

| <b>Respondents' comments explaining why they had not reinstated their driver license, by type and prevalence of comments provided, and by the survey item for which they provided the comment</b>                   |             |        |        |             |      |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|--------|--------|-------------|------|--|
| Comment categories                                                                                                                                                                                                  | % each item |        |        | % all items |      |  |
|                                                                                                                                                                                                                     | Item 1      | Item 2 | Item 3 | Item 7      |      |  |
| General confusion about what is required                                                                                                                                                                            | 3.5         | 4.2    | 4.2    | 3.9         | 15.9 |  |
| Too expensive, overall (e. g., no income, can't afford overall cost)                                                                                                                                                | 3.5         | 0.7    | 6.0    | 4.6         | 14.8 |  |
| No need to reinstate since they are no longer driving – disabled, or incarcerated, or moved out of country, or dead, or never completed, or were not qualified for licensing requirements to begin with             | 6.0         | 1.1    | 1.8    | 2.1         | 10.9 |  |
| No money to pay for DUI Program costs, or having not been able to fit Program into their schedule, or were assuming they needed only to comply with old Program requirements, or thought they had completed Program | 2.5         | 2.5    | 1.4    | 4.6         | 10.9 |  |
| Refuse to complete program-feel program is too long, or object to program as conducted, or dropped out of program because they didn't think the program suited them                                                 | 2.5         | 2.8    | 2.1    | 3.5         | 10.9 |  |
| Confused about what they have to do directly resulting from having received conflicting information from the court and DMV, from their DUI Program and DMV, or from the jail and DMV                                | 4.2         | 4.2    | 0.7    | 0.4         | 9.5  |  |
| No money to pay DMV fees or Court fees (facing FTP charges)                                                                                                                                                         | 2.1         | 0.4    | 1.4    | 1.1         | 4.9  |  |
| No money for insurance or refuse to pay for insurance since they have no car, or waiting out the insurance requirement                                                                                              | 1.4         | 0.7    | 0.4    | 0.0         | 2.5  |  |
| No money for IID, or object to the IID requirement, or still maintaining an IID requirement                                                                                                                         | 0.7         | 0.7    | 0.4    | 0.4         | 2.1  |  |

Table 18

Percentage of 2<sup>nd</sup> Offenders Providing Comments or Explanations to DUI Offender Survey Items 1, 2, 3, and 7

| <b>Respondents' comments explaining why they had not reinstated their driver license, by type and prevalence of comments provided, and by the survey item for which they provided the comment</b>               |             |        |        |             |      |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|--------|--------|-------------|------|--|
| Comment categories                                                                                                                                                                                              | % each item |        |        | % all items |      |  |
|                                                                                                                                                                                                                 | Item 1      | Item 2 | Item 3 | Item 7      |      |  |
| Too expensive, overall (e.g., no income, can't afford overall cost)                                                                                                                                             | 8.9         | 5.31   | 8.0    | 2.7         | 24.8 |  |
| General confusion about what is required                                                                                                                                                                        | 4.4         | 7.1    | 3.54   | 1.8         | 16.8 |  |
| No money to pay for Program costs, or having not been able to fit Program into their schedule, or were assuming they needed only to comply with old Program requirements, or thought they had completed Program | 2.7         | 0.9    | 2.7    | 9.7         | 15.9 |  |
| Refuse to complete program-feel program is too long, or object to program as conducted, or dropped out of program because they didn't think the program suited them                                             | 5.3         | 3.5    | 0.0    | 4.4         | 13.3 |  |
| No need to reinstate since they are no longer driving – disabled, or incarcerated, or moved out of country, or dead, or never completed, or were not qualified for licensing requirements to begin with         | 5.3         | 0.9    | 0.9    | 0.0         | 7.1  |  |
| They are confused about what they have to do directly resulting from having received conflicting information from the court and DMV, from their DUI Program and DMV, or from the jail and DMV                   | 1.8         | 3.5    | 0.9    | 0.9         | 7.1  |  |
| No money for insurance or refuse to pay for insurance since they have no car, or waiting out the insurance requirement                                                                                          | 1.8         | 1.8    | 0.9    | 0.0         | 4.4  |  |
| No money to pay DMV fees or Court fees (facing FTP charges)                                                                                                                                                     | 0.9         | 0.0    | 1.8    | 1.8         | 4.4  |  |
| No money for IID, or object to the IID requirement, or still maintaining an IID requirement                                                                                                                     | 0.9         | 0.0    | 1.8    | 1.8         | 4.4  |  |

### Results of DUI Professionals Survey

The DUI Professionals Survey was conducted to supplement both the observations provided during the DUI Professionals Panel Discussion, and the responses of the offenders to the DUI Offender Survey. Although survey responses were requested of 3,451 DUI professionals, responses were obtained from only 819 (24%). Representative response rates of 50% or more were received for only the three DMV occupation groups.

While the responses of this limited sample may not be representative of the larger population for most of the occupation groups (particularly law enforcement), the most prominent findings are nonetheless presented here because they are useful for supplementing the information learned in the other phases of this study. The results are presented separately by occupation group because a professional's knowledge of the DUI process or information presented to offenders would be expected to be somewhat limited to the aspect of the DUI process in which the professional works. Furthermore, this presentation format also allows any patterns that emerge among the occupations or interesting differences between occupation groups to be highlighted. Because Item 1 on the survey simply requested that respondents indicate their occupation group, the results presented below start with Item 2.

#### *DUI Professionals Survey Item 2: Barriers to Driving Privilege Reinstatement*

For this item, the respondents were asked to indicate in open-ended format what they perceived to be the biggest barrier that DUI offenders face in attempting to reinstate their driving privileges. The response categories presented in Table 19 were constructed by grouping the individual narratives into general categories of responses. The categories are listed in descending order from most-to-least commonly named across all occupations, and the percentages and numbers of respondents in each occupation group that described each category are presented.

Table 19

Percentage Indicating each Response as Barriers to Driving Privilege Reinstatement on DUI Professionals Survey Item 2

| <b>Item 2: Based on your experience, please describe what you think is the biggest barrier DUI offenders face in attempting to fulfill their obligations before they can be licensed to drive again in California.</b> |  | Law enforcement<br>(N = 268) |     | Prosecuting attorneys<br>(N = 47) |    | Defense attorneys<br>(N = 48) |    | Probation officers<br>(N = 37) |    | DUI program providers<br>(N = 83) |    | DMV FOD<br>(N = 275) |     | DMV MAU<br>(N = 22) |    | DMV DSB<br>(N = 39) |    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|------------------------------|-----|-----------------------------------|----|-------------------------------|----|--------------------------------|----|-----------------------------------|----|----------------------|-----|---------------------|----|---------------------|----|
| Response categories                                                                                                                                                                                                    |  | %                            | n   | %                                 | n  | %                             | n  | %                              | n  | %                                 | n  | %                    | n   | %                   | n  | %                   | n  |
| Cost to offender                                                                                                                                                                                                       |  | 37                           | 100 | 55                                | 26 | 87                            | 40 | 59                             | 22 | 58                                | 48 | 44                   | 119 | 23                  | 5  | 51                  | 20 |
| Don't finish DUI program                                                                                                                                                                                               |  | 33                           | 89  | 36                                | 17 | 59                            | 27 | 46                             | 17 | 31                                | 26 | 37                   | 100 | 27                  | 6  | 41                  | 16 |
| Confusion (complex system)                                                                                                                                                                                             |  | 12                           | 33  | 11                                | 5  | 20                            | 9  | 16                             | 6  | 13                                | 11 | 47                   | 127 | 50                  | 11 | 38                  | 15 |
| Don't know what DMV requires                                                                                                                                                                                           |  | 16                           | 42  | 2                                 | 1  | 17                            | 8  | 5                              | 2  | 12                                | 10 | 36                   | 97  | 32                  | 7  | 44                  | 17 |
| Lack of taking personal responsibility                                                                                                                                                                                 |  | 26                           | 69  | 21                                | 10 | 4                             | 2  | 14                             | 5  | 8                                 | 7  | 2                    | 6   | 0                   | 0  | 8                   | 3  |
| Can't obtain/keep insurance                                                                                                                                                                                            |  | 6                            | 15  | 6                                 | 3  | 22                            | 10 | 8                              | 3  | 11                                | 9  | 16                   | 42  | 14                  | 3  | 21                  | 8  |
| Need transportation to attend DUI program, work, etc.                                                                                                                                                                  |  | 3                            | 9   | 2                                 | 1  | 11                            | 5  | 22                             | 8  | 29                                | 24 | 4                    | 10  | 14                  | 3  | 3                   | 1  |
| No response                                                                                                                                                                                                            |  | 10                           | 26  | 4                                 | 2  | 4                             | 2  | 0                              | 0  | 6                                 | 5  | 4                    | 10  | 0                   | 0  | 0                   | 0  |
| Can't complete due to competing criminal obligations or status                                                                                                                                                         |  | 7                            | 18  | 17                                | 8  | 15                            | 7  | 5                              | 2  | 2                                 | 2  | 1                    | 4   | 0                   | 0  | 3                   | 1  |
| DUI program conflicts with work                                                                                                                                                                                        |  | 3                            | 9   | 2                                 | 1  | 4                             | 2  | 3                              | 1  | 11                                | 9  | 3                    | 8   | 0                   | 0  | 0                   | 0  |
| Offender thinks no consequence for inaction                                                                                                                                                                            |  | 5                            | 14  | 11                                | 5  | 4                             | 2  | 3                              | 1  | 1                                 | 1  | 0                    | 0   | 0                   | 0  | 10                  | 4  |
| Alcohol addiction/sobriety                                                                                                                                                                                             |  | 1                            | 4   | 2                                 | 1  | 0                             | 0  | 3                              | 1  | 7                                 | 6  | 2                    | 5   | 9                   | 2  | 0                   | 0  |
| Too intoxicated at arrest to follow directions                                                                                                                                                                         |  | 3                            | 9   | 0                                 | 0  | 0                             | 0  | 0                              | 0  | 0                                 | 0  | 1                    | 4   | 5                   | 1  | 0                   | 0  |
| Do not know                                                                                                                                                                                                            |  | 4                            | 11  | 2                                 | 1  | 0                             | 0  | 0                              | 0  | 0                                 | 0  | 0                    | 1   | 0                   | 0  | 0                   | 0  |
| There are no barriers                                                                                                                                                                                                  |  | 1                            | 4   | 0                                 | 0  | 0                             | 0  | 0                              | 0  | 0                                 | 0  | 0                    | 0   | 0                   | 0  | 3                   | 1  |
| Total ideas expressed                                                                                                                                                                                                  |  | 452                          |     | 81                                |    | 114                           |    | 68                             |    | 158                               |    | 533                  |     | 38                  |    | 86                  |    |
| Mean number of ideas per respondent                                                                                                                                                                                    |  | 1.7                          |     | 1.7                               |    | 2.4                           |    | 1.8                            |    | 1.9                               |    | 1.9                  |     | 1.7                 |    | 2.2                 |    |

Note. DMV = Department of Motor Vehicles. FOD = Field Operations Division. MAU = Mandatory Actions Unit. DSB = Driver Safety Branch. n = Number of respondents who expressed each idea. % = percentage of respondents who expressed each idea. Percentages do not add to 100 because respondents tended to express multiple ideas (see bottom rows).

Across all occupation groups the two most frequently described barriers contributing to delays in driving privilege reinstatement were financial costs to the offenders and the offenders not taking the necessary steps to finish their DUI Program obligations. The percentages describing costs as the biggest barrier to reinstatement ranged from 23% to 87% across occupation categories. Offenders not taking the necessary steps to finish their DUI Program obligations was named second most often for most occupation groups (ranging from 27% to 59%). Half of DMV employees named offender confusion about what they must do or about what their license status is, as the biggest barriers to reinstatement. At least one-third of DMV employees thought the main barrier to offenders is that they do not know what DMV requires of them to reinstate.

Other barriers to reinstating named by at least a quarter of respondents in at least one occupation group included the belief that offenders fail to take personal responsibility (26% of law enforcement respondents), and the offenders' need for transportation to attend DUI program, work, or other activities (29% of DUI Program providers).

*DUI Professionals Survey Item 3: Sources of Confusion for Driving Privilege Reinstatement*

The professionals differed considerably by occupational group on how much they thought DUI offenders' confusion about what was expected of them contributed to their failing to reinstate (Table 20). For ease of interpretation in this and future tables, the percentages and numbers of respondents are only shown for item choices selected by 25% or more of each occupation group. The potential sources of confusion are ordered in the table from most-to-least commonly confusing across job categories. Blank cells in the table indicate that less than 25% of respondents and, sometimes, no respondents selected that category as a source of confusion.

Table 20

Confusion Sources or Issues for Driving Privilege Reinstatement with Responses of 25% or more on DUI Professionals Survey Item 3

| Item 3: In your experience, how commonly confusing are each of the following sources of information to DUI-suspended drivers (or their representatives) in attempting to understand the precise requirements of obtaining a driver license reinstatement? |                              |   |                                   |    |                               |    |                                |    |                                   |    |                      |     |                     |    |                     |    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|---|-----------------------------------|----|-------------------------------|----|--------------------------------|----|-----------------------------------|----|----------------------|-----|---------------------|----|---------------------|----|
| Potential source of confusion                                                                                                                                                                                                                             | Law enforcement<br>(N = 268) |   | Prosecuting attorneys<br>(N = 47) |    | Defense attorneys<br>(N = 48) |    | Probation officers<br>(N = 37) |    | DUI program providers<br>(N = 83) |    | DMV FOD<br>(N = 275) |     | DMV MAU<br>(N = 22) |    | DMV DSB<br>(N = 39) |    |
|                                                                                                                                                                                                                                                           | %                            | n | %                                 | n  | %                             | n  | %                              | n  | %                                 | n  | %                    | n   | %                   | n  | %                   | n  |
| Obtaining a restricted driver license                                                                                                                                                                                                                     |                              |   | 26                                | 12 | 53                            | 24 | 43                             | 16 | 32                                | 26 | 46                   | 123 | 36                  | 8  | 44                  | 17 |
| Verbal information from the court                                                                                                                                                                                                                         |                              |   |                                   |    | 27                            | 12 | 30                             | 11 | 30                                | 24 | 37                   | 101 | 41                  | 9  | 36                  | 14 |
| Verbal information from a DMV phone center employee                                                                                                                                                                                                       |                              |   |                                   |    | 25                            | 11 | 27                             | 10 | 40                                | 32 | 40                   | 108 | 55                  | 12 |                     |    |
| Working out transportation alternatives                                                                                                                                                                                                                   |                              |   |                                   |    | 47                            | 21 | 43                             | 16 | 58                                | 47 |                      |     |                     |    |                     |    |
| Obtaining a DMV hardship suspension waiver                                                                                                                                                                                                                |                              |   |                                   |    | 62                            | 28 |                                |    | 44                                | 35 | 33                   | 87  |                     |    |                     |    |
| Completing ignition interlock requirements                                                                                                                                                                                                                |                              |   |                                   |    | 44                            | 20 | 25                             | 9  |                                   |    | 30                   | 81  |                     |    | 26                  | 10 |
| Verbal information from attorneys                                                                                                                                                                                                                         |                              |   |                                   |    |                               |    |                                |    | 44                                | 35 | 34                   | 91  | 36                  | 8  |                     |    |
| Verbal information from arresting officer                                                                                                                                                                                                                 |                              |   |                                   |    | 53                            | 24 |                                |    | 28                                | 23 |                      |     | 32                  | 7  |                     |    |
| Information from jail employees                                                                                                                                                                                                                           |                              |   |                                   |    | 30                            | 13 |                                |    |                                   |    |                      |     | 27                  | 6  |                     |    |
| The arresting officer's written statement                                                                                                                                                                                                                 |                              |   |                                   |    | 40                            | 17 |                                |    |                                   |    |                      |     |                     |    |                     |    |
| Written information from the court                                                                                                                                                                                                                        |                              |   |                                   |    |                               |    |                                |    |                                   |    |                      |     | 27                  | 6  | 28                  | 11 |
| Verbal information from a DUI-program provider                                                                                                                                                                                                            |                              |   |                                   |    | 27                            | 12 |                                |    |                                   |    |                      |     | 27                  | 6  |                     |    |
| The arresting officer's written statement                                                                                                                                                                                                                 |                              |   |                                   |    | 40                            | 17 |                                |    |                                   |    |                      |     |                     |    |                     |    |
| Scheduling DUI-program class requirements                                                                                                                                                                                                                 |                              |   |                                   |    | 36                            | 16 |                                |    |                                   |    |                      |     |                     |    |                     |    |
| Booking or jail release forms                                                                                                                                                                                                                             |                              |   |                                   |    | 35                            | 17 |                                |    |                                   |    |                      |     |                     |    |                     |    |
| Understanding where fines or fees are to be paid                                                                                                                                                                                                          |                              |   |                                   |    | 33                            | 15 |                                |    |                                   |    |                      |     |                     |    |                     |    |
| Completing probation requirements                                                                                                                                                                                                                         |                              |   |                                   |    | 33                            | 15 |                                |    |                                   |    |                      |     |                     |    |                     |    |
| Written information from attorneys                                                                                                                                                                                                                        |                              |   |                                   |    |                               |    |                                |    | 26                                | 21 |                      |     |                     |    |                     |    |
| Verbal information from a DMV hearing officer                                                                                                                                                                                                             |                              |   |                                   |    |                               |    |                                |    |                                   |    |                      |     |                     |    |                     |    |
| A DMV hearing decision report                                                                                                                                                                                                                             |                              |   |                                   |    |                               |    |                                |    |                                   |    |                      |     |                     |    |                     |    |
| Requirements to obtain auto insurance                                                                                                                                                                                                                     |                              |   |                                   |    |                               |    |                                |    |                                   |    |                      |     |                     |    |                     |    |
| Requirements to maintain insurance                                                                                                                                                                                                                        |                              |   |                                   |    |                               |    |                                |    |                                   |    |                      |     |                     |    |                     |    |

Note. DMV = Department of Motor Vehicles. FOD = Field Operations Division. MAU = Mandatory Actions Unit. DSB = Driver Safety Branch.

With the exception of law enforcement, there was general agreement across job classifications that information about obtaining restricted driving privileges was one of the most commonly confusing aspects of the license reinstatement process for DUI offenders (ranging from 26% to 53% across occupational categories). Excepting law enforcement and prosecuting attorneys, this was followed by verbal information given by the court (27–41%) and verbal information given by DMV phone center employees (25–55%). For the remainder of the information sources there was much less agreement across the occupational categories.

Some respondents offered additional open-ended comments for this survey item. The comments were of two types: one suggested additional possible barriers to reinstatement and the other suggested possible system improvements to aid offenders in reinstating their driver licenses. The most frequently offered comments reiterated that the offenders are often confused about their sanctions or administratively-imposed requirements because the court and APS requirements are not clearly presented, do not always agree with each other, and are hard to reconcile. Many respondents offered what was to become the main suggestion offered throughout the survey; they suggested that to help offenders navigate through the complex system, a comprehensive standard checklist, pamphlet, or website should be designed to outline the basic DUI system requirements and necessary steps that offenders must take prior to being allowed to reinstate their California driving privileges. All of the comment categories that emerged from responses to Item 3 are presented in Table C-1 in Appendix C.

#### *DUI Professionals Survey Item 4: Cost Barriers for Driving Privilege Reinstatement*

There was considerable agreement across all the occupation groups that the various costs presented were all significant barriers to driving privilege reinstatement, with the accumulation of all the costs indicated most often as the greatest cost factor associated with delayed license reinstatement (62–96% across occupations; Table 21). The next largest cost barriers identified were court costs (51–90%), DUI Program costs (38–89%), and insurance costs (44–69%).

Table 21

Cost Barriers for Driving Privilege Reinstatement with Responses of 25% or more on DUI Professionals Survey Item 4

**Item 4: Please indicate the extent that you think each of the following costs represent a barrier for DUI offenders in their effort to complete their DUI obligations.**

| Type of cost             | Law enforcement<br>(N = 268) |     | Prosecuting attorneys<br>(N = 47) |    | Defense attorneys<br>(N = 48) |    | Probation officers<br>(N = 37) |    | DUI program providers<br>(N = 83) |    | DMV FOD<br>(N = 275) |     | DMV MAU<br>(N = 22) |    | DMV DSB<br>(N = 39) |    |
|--------------------------|------------------------------|-----|-----------------------------------|----|-------------------------------|----|--------------------------------|----|-----------------------------------|----|----------------------|-----|---------------------|----|---------------------|----|
|                          | %                            | n   | %                                 | n  | %                             | n  | %                              | n  | %                                 | n  | %                    | n   | %                   | n  | %                   | n  |
| Total costs              | 62                           | 163 | 62                                | 28 | 96                            | 46 | 92                             | 34 | 75                                | 60 | 79                   | 212 | 73                  | 16 | 76                  | 29 |
| Court costs              | 51                           | 134 | 58                                | 26 | 90                            | 43 | 76                             | 28 | 65                                | 52 | 66                   | 177 | 67                  | 14 | 59                  | 23 |
| DUI Program costs        | 38                           | 99  | 51                                | 23 | 89                            | 42 | 65                             | 24 | 51                                | 41 | 69                   | 185 | 73                  | 16 | 51                  | 20 |
| Insurance costs          | 53                           | 141 | 44                                | 20 | 69                            | 33 | 68                             | 25 | 48                                | 38 | 65                   | 176 | 62                  | 13 | 69                  | 27 |
| Ignition interlock costs | 27                           | 70  | 36                                | 16 | 74                            | 35 | 51                             | 19 | 51                                | 41 | 69                   | 186 | 86                  | 18 | 46                  | 18 |
| Lost wages               | 38                           | 100 |                                   |    | 62                            | 29 | 59                             | 22 | 63                                | 50 | 58                   | 155 | 48                  | 10 | 64                  | 25 |
| Collision costs          | 39                           | 103 |                                   |    | 38                            | 18 | 64                             | 23 | 43                                | 34 | 32                   | 85  | 36                  | 8  | 28                  | 11 |
| DMV fee costs            |                              |     |                                   |    | 38                            | 18 | 30                             | 11 | 26                                | 22 | 29                   | 80  |                     |    | 26                  | 10 |
| Probation costs          |                              |     |                                   |    | 29                            | 14 | 41                             | 15 | 30                                | 25 |                      |     |                     |    | 26                  | 10 |

Note. DMV = Department of Motor Vehicles, FOD = Field Operations Division, MAU = Mandatory Actions Unit, DSB = Driver Safety Branch.

*DUI Professionals Survey Item 5: Reasons for Dropping Out of DUI Program*

There was agreement across the occupation groups, ranging from 36% to 91%, that offenders drop out of DUI Program most often because of their inability to pay the program costs, (Table 22). With the exception of law enforcement and prosecuting attorney respondents, transportation problems were the second most commonly indicated barrier to completing DUI Program, (ranging from 36–58%). Roughly one-third of respondents in two of the three DMV employee categories—those who would frequently talk to offenders after they have been suspended for some period of time—also indicated that offenders do not think that dropping out of DUI Program will prevent them from reinstating their license (41% of DMV Field Operations Division employees and 31% of DMV Driver Safety Branch employees).

Some respondents offered additional open-ended comments for this survey item. The comments were of two types: one type elaborated on hardships faced by the offenders that lead to noncompliance with the DUI Program requirement, and the other type suggested possible system improvements to aide offenders in completing DUI Program or in reinstating their driver licenses. The most frequently offered comments suggested that many respondents believed that offenders simply are not motivated to complete DUI Program. They often suggested that the offenders are uncomfortable being asked to face their alcohol/drug problems in DUI Programs and drop out instead of confronting their issues. Another common additional comment was that the cost of enrolling in program or maintaining the payments is often too great for offenders, so they discontinue paying and drop out. All of the comment categories that emerged from responses to Item 5 are presented in Table C-2 in Appendix C.

Table 22

Reasons for Dropping Out of DUI Program with Responses of 25% or more on DUI Professionals Survey Item 5

| Item 5: Please indicate the extent to which you think each of the following commonly contributes to the reasons why many DUI offenders drop out of DUI program prior to receiving their certificate of completion. |                              |    |                                   |    |                               |    |                                |    |                                   |    |                      |     |                     |    |                     |    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|----|-----------------------------------|----|-------------------------------|----|--------------------------------|----|-----------------------------------|----|----------------------|-----|---------------------|----|---------------------|----|
| Reason for dropping out                                                                                                                                                                                            | Law enforcement<br>(N = 268) |    | Prosecuting attorneys<br>(N = 47) |    | Defense attorneys<br>(N = 48) |    | Probation officers<br>(N = 37) |    | DUI program providers<br>(N = 83) |    | DMV FOD<br>(N = 275) |     | DMV MAU<br>(N = 22) |    | DMV DSB<br>(N = 39) |    |
|                                                                                                                                                                                                                    | %                            | n  | %                                 | n  | %                             | n  | %                              | n  | %                                 | n  | %                    | n   | %                   | n  | %                   | n  |
|                                                                                                                                                                                                                    |                              |    |                                   |    |                               |    |                                |    |                                   |    |                      |     |                     |    |                     |    |
| Can't pay program costs                                                                                                                                                                                            | 36                           | 94 | 45                                | 21 | 91                            | 42 | 65                             | 24 | 40                                | 32 | 57                   | 152 | 59                  | 13 | 46                  | 18 |
| Transportation problems                                                                                                                                                                                            |                              |    |                                   |    | 57                            | 25 | 58                             | 21 | 41                                | 33 | 40                   | 108 | 36                  | 8  | 43                  | 16 |
| Don't think dropping out will prevent them from reinstating their license                                                                                                                                          |                              |    |                                   |    |                               |    |                                |    |                                   |    | 41                   | 112 |                     |    | 31                  | 12 |
| Employment conflicts with class times                                                                                                                                                                              |                              |    |                                   |    | 27                            | 12 |                                |    |                                   |    |                      |     |                     |    | 26                  | 10 |
| Move out of the area                                                                                                                                                                                               |                              |    |                                   |    |                               |    |                                |    |                                   |    |                      |     | 36                  | 8  |                     |    |
| Experience discomfort being asked to face their situation                                                                                                                                                          |                              |    |                                   |    |                               |    |                                |    |                                   |    |                      |     |                     |    |                     |    |
| Fail to understand the components of the program requirement                                                                                                                                                       |                              |    |                                   |    |                               |    |                                |    |                                   |    |                      |     |                     |    |                     |    |
| Limited availability of classes                                                                                                                                                                                    |                              |    |                                   |    |                               |    |                                |    |                                   |    |                      |     |                     |    |                     |    |
| Avoid perceived judgment by others in class or by instructor                                                                                                                                                       |                              |    |                                   |    |                               |    |                                |    |                                   |    |                      |     |                     |    |                     |    |

Note. DMV = Department of Motor Vehicles. FOD = Field Operations Division. MAU = Mandatory Actions Unit. DSB = Driver Safety Branch.

*DUI Professionals Survey Item 6: Sources of Confusion in APS Process*

When asked about the Administrative Per Se (APS) process requirement that most confuses DUI offenders, respondents in most occupation groups (except law enforcement and prosecuting attorneys) (ranging from 35–82%; Table 23), stated that the overall suspension length when a post-conviction suspension is also applied was most problematic. The process for obtaining a DMV APS hearing (26–67%), the time limits regarding obtaining a hearing (32–71%), and the APS term length (30–56%) were also commonly considered to contribute to confusion regarding the APS process.

It is noteworthy that few law enforcement or prosecuting attorney respondents considered any of the APS-related processes to be confusing to offenders. In both of these groups, more respondents (30% of law enforcement and 43% of prosecuting attorneys) indicated that they did not know whether the overall suspension length when a post-conviction suspension is also applied confused DUI offenders. Roughly, one-third of law enforcement respondents indicated that they think that each of the APS processes listed rarely contributes to confusion. Prosecutors most commonly indicated that they did not know whether the various APS processes caused confusion for offenders.

Some respondents offered additional open-ended comments for Item 6. The comments mostly elaborated on the confusing and sometimes conflicting requirements between those meted out by the court and those required by DMV to comply with the APS. Several respondents expressed the belief that offenders could be helped to sort out the different requirements of the competing criminal and civil requirements by providing them with a comprehensive standard checklist, pamphlet, or website designed to outline the basic DUI system requirements and necessary steps that they must take to reinstate their California driving privileges. All of the comment categories that emerged from responses to Item 6 are presented in Table C-3 in Appendix C.

Table 23

Sources of Confusion in APS Process with Responses of 25% or more on DUI Professionals Survey Item 6

| Item 6: Please indicate the extent to which you think each of the following administrative per se (APS) process requirements commonly confuse suspended or revoked DUI offenders or their representatives. |                              |   |                                   |   |                               |    |                                |    |                                   |    |                      |     |                     |    |                     |    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|---|-----------------------------------|---|-------------------------------|----|--------------------------------|----|-----------------------------------|----|----------------------|-----|---------------------|----|---------------------|----|
| Source of APS process confusion                                                                                                                                                                            | Law enforcement<br>(N = 268) |   | Prosecuting attorneys<br>(N = 47) |   | Defense attorneys<br>(N = 48) |    | Probation officers<br>(N = 37) |    | DUI program providers<br>(N = 83) |    | DMV FOD<br>(N = 275) |     | DMV MAU<br>(N = 22) |    | DMV DSB<br>(N = 39) |    |
|                                                                                                                                                                                                            | %                            | n | %                                 | n | %                             | n  | %                              | n  | %                                 | n  | %                    | n   | %                   | n  | %                   | n  |
| The overall suspension length when a post conviction suspension is also applied                                                                                                                            |                              |   |                                   |   | 69                            | 31 | 35                             | 13 | 48                                | 38 | 74                   | 203 | 82                  | 18 | 67                  | 26 |
| The process for obtaining a hearing                                                                                                                                                                        |                              |   |                                   |   | 67                            | 30 | 35                             | 13 | 29                                | 23 | 36                   | 98  | 50                  | 11 | 26                  | 10 |
| The time limit for requesting a hearing                                                                                                                                                                    |                              |   |                                   |   | 71                            | 32 | 32                             | 12 | 35                                | 28 | 48                   | 132 | 45                  | 10 |                     |    |
| The APS suspension term length                                                                                                                                                                             |                              |   |                                   |   | 56                            | 25 |                                |    | 30                                | 24 | 54                   | 148 | 45                  | 10 | 38                  | 15 |
| The need to pay APS fees to DMV                                                                                                                                                                            |                              |   |                                   |   | 38                            | 17 |                                |    |                                   |    |                      |     | 27                  | 6  |                     |    |
| The information in the written report received following a hearing                                                                                                                                         |                              |   |                                   |   | 27                            | 12 |                                |    |                                   |    |                      |     |                     |    |                     |    |

Note. DMV = Department of Motor Vehicles. FOD = Field Operations Division. MAU = Mandatory Actions Unit. DSB = Driver Safety Branch.

Note. DMV = Department of Motor Vehicles. FOD = Field Operations Division. MAU = Mandatory Actions Unit. DSB = Driver Safety Branch.

*DUI Professionals Survey Item 7: Areas Professionals Not Confident about Advising Offenders*

Of the various processes leading to driving privilege reinstatement for which at least 25% or more of the respondents indicated that they did not feel they could adequately advise offenders, eligibility for obtaining a hardship license was most commonly named across all occupation groups (ranging from 27–62%; Table 24). More respondents in each of the non-DMV occupation groups indicated that they were not well trained regarding when, or under what conditions, offenders would be considered eligible for obtaining a hardship license suspension waiver. While responses tabled for each of the other professional survey questions show affirmative responses, the values shown in Table 24 are for the numbers and percentages of respondents answering “No” to the Item choices regarding having sufficient training in the various areas. For each of these occupation groups, 48% to 62% of respondents indicated that they felt they did not have sufficient information on this topic to be able to confidently advise DUI offenders. Furthermore, at least 25% of respondents in the non-DMV occupation groups indicated that they would not be able to confidently advise DUI offenders on APS suspension lengths applied to repeat offenders (25–38%) or whether offenders would be eligible to obtain a restricted privilege to drive after a 30-day suspension (25–34%).

Interestingly, 25% or more of the DUI Program provider respondents indicated having insufficient information available to them on over half of the areas addressed in this survey item. This is noteworthy because, of all the occupation groups surveyed, DUI Program providers typically have the most contact and opportunity for advising offenders throughout their post-conviction suspension periods.

In general, higher percentages of law enforcement and probation officer respondents also reported having insufficient information relating to most of the licensing processes and term lengths referenced in the survey. The lack of information reported by respondents in these occupations is not surprising because both probation and law enforcement officers would be expected to have very limited contact with most offenders. Law enforcement contacts would largely be limited to times prior to conviction and most DUI offenders are not assigned formal probation.

Similarly, low percentages of both law enforcement (only 25% responding affirmatively) and defense attorney respondents (only 33% responding affirmatively) indicated that they *do have* sufficient information currently available to be able to confidently advise DUI offenders about requirements for obtaining full driver license reinstatement. While this is again not unexpected for law enforcement officers, it is somewhat unexpected of defense attorneys because they

should be in a position to advise offenders on all the requirements and options that will apply to them upon conviction.

While most DMV employee respondents didn't answer this survey item in the negative, and therefore, have few response rates shown on Table 24, another unexpected finding from this survey item was the high percentage of Driver Safety Branch employees who indicated they had only limited information they would need to advise DUI offenders on suspension lengths and other reinstatement issues. For instance, 47% of DMV Driver Safety Branch employees—who should be well trained in reinstatement compliance requirements—indicated that they had only “somewhat” of the information they would need to confidently advise DUI offenders regarding their overall court- and DMV-imposed license suspension lengths. Nearly half (42%) of the Driver Safety Branch employees indicated that they have only somewhat of the information needed to confidently advise DUI offenders about overall court- and DMV-imposed license suspension lengths for offenders aged 21 and younger. Among the DMV employee groups surveyed, Mandatory Actions Unit employees most consistently indicated that they *do* have sufficient information to confidently advise DUI offenders, with between 73% and 91% responding affirmatively on all of the areas except eligibility for obtaining a hardship license suspension waiver (with only 45% affirmatively responding).

Table 24

Areas Professionals *Not* Confident about Advising Offenders with Responses of 25% or more on DUI Professionals Survey Item 7

**Item 7: Do you think there is sufficient information currently available to you for you to be able to confidently advise DUI offenders about each of the following? (Tabled values show percent indicating there is *not* sufficient information available)**

| Area of information                                                                           | Law enforcement<br>(N = 268) |     | Prosecuting attorneys<br>(N = 47) |    | Defense attorneys<br>(N = 48) |    | Probation officers<br>(N = 37) |    | DUI program providers<br>(N = 83) |    | DMV FOD<br>(N = 275) |    | DMV MAU<br>(N = 22) |   | DMV DSB<br>(N = 39) |   |
|-----------------------------------------------------------------------------------------------|------------------------------|-----|-----------------------------------|----|-------------------------------|----|--------------------------------|----|-----------------------------------|----|----------------------|----|---------------------|---|---------------------|---|
|                                                                                               | %                            | n   | %                                 | n  | %                             | n  | %                              | n  | %                                 | n  | %                    | n  | %                   | n | %                   | n |
| Eligibility for obtaining a hardship license suspension waiver                                | 56                           | 147 | 48                                | 21 | 57                            | 26 | 62                             | 23 | 60                                | 48 | 32                   | 87 | 27                  | 6 |                     |   |
| APS suspension lengths for repeat DUI offenders                                               | 35                           | 93  | 26                                | 12 | 25                            | 12 | 38                             | 14 | 25                                | 20 |                      |    |                     |   |                     |   |
| Whether they are eligible to obtain a restricted privilege to drive after a 30-day suspension | 34                           | 88  | 28                                | 13 | 25                            | 12 | 31                             | 13 | 30                                | 24 |                      |    |                     |   |                     |   |
| Requirements for obtaining full driver license reinstatement                                  | 45                           | 117 | 28                                | 13 | 25                            | 12 | 35                             | 13 |                                   |    |                      |    |                     |   |                     |   |
| APS suspension lengths for DUI offenders who refuse a test of their BAC level                 |                              |     | 28                                | 13 | 27                            | 13 | 47                             | 18 |                                   |    |                      |    |                     |   |                     |   |
| Overall court and DMV imposed license suspension lengths for adults                           | 31                           | 84  |                                   |    | 25                            | 12 |                                | 28 | 22                                |    |                      |    |                     |   |                     |   |
| Overall court and DMV imposed license suspension lengths for drivers aged 21 and younger      | 32                           | 85  |                                   |    |                               |    | 27                             | 10 | 25                                | 20 |                      |    |                     |   |                     |   |
| APS suspension lengths for first DUI offenders                                                | 29                           | 79  |                                   |    |                               |    | 38                             | 14 |                                   |    |                      |    |                     |   |                     |   |

*Note.* DMV = Department of Motor Vehicles. FOD = Field Operations Division. MAU = Mandatory Actions Unit. DSB = Driver Safety Branch.

*DUI Professionals Survey Item 8: Sources of Confusion about Wet-Reckless Pleas*

Across the occupational groups, the most often indicated sources of confusion regarding reinstatement requirements for DUI offenders who plea bargain to an alcohol-reckless conviction were that offenders do not know that they must comply with an APS suspension term, and that they do not understand their DUI Program requirements. In particular, high percentages of DMV employee respondents, ranging from 45% to 64%, indicated that they believed these two considerations were problematic for offenders who plead down to a wet-reckless conviction.

Less than 25% of respondents among both the law enforcement and prosecuting attorney groups thought that any of the referenced requirements were sources of confusion to those who plea bargain to a wet-reckless conviction. Consistent with their responses throughout the survey, higher percentages of respondents in these two occupation groups indicated that they either did not know if the listed aspects of the system requirements were confusing (ranging from 35% to 40% of respondents in either group) or that they thought that the requirements listed rarely contributed to confusion (ranging from 26% to 43%) regarding reinstatement requirements.

Some respondents offered additional open-ended comments for this item. The comments mostly suggested that both the offenders and many professionals working within the DUI system do not know what the sanction requirements are or how wet-reckless convictions affect the offender status of those who plead to this lesser offense. They suggested that offenders with wet-reckless convictions are often given conflicting or inaccurate information by the professionals from whom they seek assistance. As they did in responding to many of the questions on the survey, several respondents suggested that a comprehensive standard checklist, pamphlet, or website should be designed, and disseminated, that would outline the basic DUI system requirements and necessary steps that offenders—even those who plead down to a wet-reckless conviction—must take prior to being allowed to reinstate their California driving privileges. All of the comment categories that emerged from responses to Item 8 are presented in Table C-4 in Appendix C.

Table 25

Sources of Confusion about Wet-Reckless Pleas with Responses of 25% or more on DUI Professionals Survey Item 8

| Item 8: Please indicate the extent that each of the following sanctions or consequences faced by DUI offenders who plea bargain to a wet-reckless conviction may contribute to confusion regarding their reinstatement requirements. |                              |   |                                   |   |                               |    |                                |   |                                   |    |                      |     |                     |    |                     |    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|---|-----------------------------------|---|-------------------------------|----|--------------------------------|---|-----------------------------------|----|----------------------|-----|---------------------|----|---------------------|----|
| Source of wet-reckless confusion                                                                                                                                                                                                     | Law enforcement<br>(N = 268) |   | Prosecuting attorneys<br>(N = 47) |   | Defense attorneys<br>(N = 48) |    | Probation officers<br>(N = 37) |   | DUI program providers<br>(N = 83) |    | DMV FOD<br>(N = 275) |     | DMV MAU<br>(N = 22) |    | DMV DSB<br>(N = 39) |    |
|                                                                                                                                                                                                                                      | %                            | n | %                                 | n | %                             | n  | %                              | n | %                                 | n  | %                    | n   | %                   | n  | %                   | n  |
| Knowing they must comply with an APS suspension term                                                                                                                                                                                 |                              |   |                                   |   | 39                            | 18 |                                |   | 48                                | 38 | 64                   | 176 | 59                  | 13 | 59                  | 23 |
| Understanding their DUI Program requirements                                                                                                                                                                                         |                              |   |                                   |   | 43                            | 20 |                                |   | 30                                | 24 | 48                   | 132 | 45                  | 10 | 46                  | 18 |
| Understanding their probation compliance requirements                                                                                                                                                                                |                              |   |                                   |   |                               |    |                                |   | 25                                | 20 | 26                   | 73  |                     |    |                     |    |
| Maintaining insurance                                                                                                                                                                                                                |                              |   |                                   |   | 29                            | 14 |                                |   |                                   |    |                      |     |                     |    |                     |    |
| Obtaining insurance                                                                                                                                                                                                                  |                              |   |                                   |   |                               |    |                                |   |                                   |    |                      |     |                     |    |                     |    |

Note. DMV = Department of Motor Vehicles. FOD = Field Operations Division. MAU = Mandatory Actions Unit. DSB = Driver Safety Branch.

*DUI Professionals Survey Item 9: Suggestions for Improving Information Provided to Offenders*

Tables 26 through 32 present the various suggestions that the respondents offered for improving the information provided to DUI offenders to facilitate driving privilege reinstatement. The seven specific sources for which the respondents were asked to provide suggestions for improving were: (a) arresting officers, (b) attorneys, (c) jails, (d) the DMV, (e) courts, (f) probation officers, and (g) insurance carriers. There was considerable variation in the suggestions and sometimes little agreement between occupation groups, so each table shows, for a specific occupation, the percentage of respondents that offered each suggestion category, by occupation type. The suggestions for each of the seven specific areas are presented separately in the following subsections.

**DUI PROFESSIONALS SURVEY ITEM 9.1: IMPROVING INFORMATION FROM ARRESTING OFFICERS**

Of the various recommendations offered to improve upon information provided to DUI offenders by arresting officers (Table 26), the most commonly offered across all occupation groups were: that the arresting officers should emphasize to the offenders upon arrest that they will have only 10 days to request DMV hearings; that their temporary licenses are valid for only 30 days; and to make sure that the offenders have copies of the Officer's Statement (APS form DS367). Law enforcement respondents most frequently suggested that the arresting officers should assist the offenders by providing them with a comprehensive standard checklist, pamphlet, or website designed to outline the basic DUI system requirements and necessary steps that they must take to reinstate their California driving privileges. This, they suggested, could be part of the arrest process.

**DUI PROFESSIONALS SURVEY ITEM 9.2: IMPROVING INFORMATION FROM ATTORNEYS**

Of the various recommendations offered to improve upon information provided to DUI offenders by attorneys (Table 27), the most commonly offered suggestion across all occupation groups was that attorneys must provide clear, full, correct, and honest information to their clients. While few prosecuting attorneys provided suggestions for improvements, and more defense attorneys did, both attorney groups suggested that attorneys and DUI offenders would be best aided by having arresting officers provide more information to the offenders and by providing better training for arresting officers, jailers, and others working throughout the DUI system. The attorney respondents additionally suggested that defense attorneys should assist their clients by providing them with a comprehensive standard checklist, pamphlet, or website designed to outline the basic DUI system requirements and necessary steps that offenders must take to reinstate their California driving privileges.

**DUI PROFESSIONALS SURVEY ITEM 9.3: IMPROVING INFORMATION FROM JAILS**

Of the various recommendations offered to improve upon information provided to DUI offenders by jails (Table 28), the most common response across all occupation groups was that they could not give any suggestions for improvement. However, as it was suggested for arresting officers and attorneys handling DUI cases, it was also frequently suggested that jails could also provide the DUI offenders with a system-wide standard checklist, pamphlet, or website designed to outline the basic DUI system requirements and necessary steps that offenders must take to reinstate their California driving privileges.

**DUI PROFESSIONALS SURVEY ITEM 9.4: IMPROVING INFORMATION FROM THE DMV**

Of the various recommendations offered to improve upon information provided to DUI offenders by the DMV (Table 29), the most commonly offered suggestion across all occupation groups was that DMV should provide a comprehensive standard checklist, pamphlet, or website designed to outline the basic DUI system requirements and necessary steps that offenders must take prior to being allowed to reinstate their California driving privileges. Among the DMV employees responding to this item, an additional suggestion frequently offered was to ensure that DMV trains employees to enable them to provide correct information to offenders about what their DUI means, how to meet the requirements for license reinstatement, and to provide enough staff to be able to do this timely and effectively.

**DUI PROFESSIONALS SURVEY ITEM 9.5: IMPROVING INFORMATION FROM COURTS**

Of the various recommendations offered to improve upon information provided to DUI offenders by courts (Table 30), the most commonly offered suggestions across all occupation groups were that all requirements related to courts and DMV should be made clear to DUI offenders by the courts, and that the information presented regarding license reinstatement requirements should be consistent among courts. As in each of the other areas addressed, respondents also frequently suggested that the courts should provide a comprehensive standard checklist, pamphlet, or website designed to outline the basic DUI system requirements and necessary steps that offenders must take prior to being allowed to reinstate their California driving privileges.

**DUI PROFESSIONALS SURVEY ITEM 9.6: IMPROVING INFORMATION FROM PROBATION OFFICERS**

Of the various recommendations offered to improve upon information provided to DUI offenders by probation officers (Table 31), the most common response across all occupation groups was that they could not give any suggestions for improvement. This seems to suggest that few respondents were aware of the role that probation officers play in DUI cases, or that the respondents recognized that few DUI offenders are actually placed on formal probation, and so

few would interact with probation officers. Among probation officer respondents, the most frequent suggestions were, as was suggested for all the other areas, that probation officers should provide a comprehensive standard checklist, pamphlet, or website designed to outline the basic DUI system requirements and necessary steps that offenders must take prior to being allowed to reinstate their California driving privileges.

#### DUI PROFESSIONALS SURVEY ITEM 9.7: IMPROVING INFORMATION FROM INSURANCE CARRIERS

Of the various recommendations offered to improve upon information provided to DUI offenders by insurance carriers (Table 32), the most commonly offered suggestion across all occupation groups was that insurance carriers should clarify for offenders each of their related legal requirements. This suggestion was directed specifically at requirements to maintain proof of insurance for registration requirements, along with requirements for offenders to maintain a California Insurance Proof Certificate (SR 22) for purposes of obtaining a restricted driving privilege or to reinstate full driving privileges. In addition, it was suggested that insurance carriers should better explain how offenders can avoid suspensions of their driving privileges due to cancellations of the insurance proof certificates. It was also frequently suggested, as in other areas, that insurance carriers could provide to their clients a comprehensive standard checklist, pamphlet, or website designed to outline the basic DUI system requirements and necessary steps that offenders must take prior to being allowed to reinstate their California driving privileges.

Table 26

**Suggestions for Improving Information Given to Offenders on DUI Professionals Survey Item 9.1:  
Information from Arresting Officers**

| Item 9.1: Please provide any suggestions you have for improving the information that is given to suspended/revoked DUI offenders to help them better understand how to reinstate their driving privilege: Information from the arresting officer (e.g., the arrest report or DS 367 form). |                              |    |                                   |   |                               |    |                                |   |                                   |    |                      |    |                     |   |                     |   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|----|-----------------------------------|---|-------------------------------|----|--------------------------------|---|-----------------------------------|----|----------------------|----|---------------------|---|---------------------|---|
| Response categories                                                                                                                                                                                                                                                                        | Law enforcement<br>(N = 268) |    | Prosecuting attorneys<br>(N = 47) |   | Defense attorneys<br>(N = 48) |    | Probation officers<br>(N = 37) |   | DUI program providers<br>(N = 83) |    | DMV FOD<br>(N = 275) |    | DMV MAU<br>(N = 22) |   | DMV DSB<br>(N = 39) |   |
|                                                                                                                                                                                                                                                                                            | %                            | n  | %                                 | n | %                             | n  | %                              | n | %                                 | n  | %                    | n  | %                   | n | %                   | n |
| Emphasize that they have 10 days to request a DMV hearing, temp DL good for 30 days, etc. Make sure offender has DS367.                                                                                                                                                                    |                              |    | 40                                | 2 |                               |    | 13                             | 1 | 44                                | 14 | 50                   | 68 | 3                   | 4 | 20                  | 5 |
| Provide checklist, pamphlet or website of what will happen & things to do to reinstate. Could be part of Per Se arrest process.                                                                                                                                                            | 32                           | 26 | 40                                | 2 | 50                            | 13 | 13                             | 1 | 47                                | 15 | 10                   | 14 |                     |   | 8                   | 2 |
| Keep process simple, clear, & consistent.                                                                                                                                                                                                                                                  | 21                           | 17 | 20                                | 1 | 31                            | 8  |                                |   | 22                                | 7  | 9                    | 12 |                     |   | 12                  | 3 |
| Indicated "none" or "N/A"                                                                                                                                                                                                                                                                  | 18                           | 15 |                                   |   | 4                             | 1  | 25                             | 2 | 9                                 | 3  | 11                   | 15 | 2                   | 3 | 8                   | 2 |
| Refer them to DMV for further information.                                                                                                                                                                                                                                                 |                              |    |                                   |   | 8                             | 2  |                                |   | 3                                 | 1  | 14                   | 19 | 2                   | 3 | 28                  | 7 |
| Due to state of person at arrest (scared, intoxicated), information should be provided later.                                                                                                                                                                                              | 7                            | 6  |                                   |   | 27                            | 7  | 63                             | 5 | 9                                 | 3  | 5                    | 7  | 1                   | 1 |                     |   |
| Arrestee must take initiative to read & understand forms & what is expected of them. Forms are clear.                                                                                                                                                                                      | 23                           | 19 | 20                                | 1 | 4                             | 1  |                                |   |                                   |    | 1                    | 1  | 1                   | 2 | 16                  | 4 |
| Provide more information &/or training for arresting officers, jailers, & others.                                                                                                                                                                                                          | 12                           | 10 |                                   |   |                               |    |                                |   | 3                                 | 1  | 9                    | 12 |                     |   | 12                  | 3 |
| Advise them of their license status & court & DMV requirements. Refer them to DMV for further information.                                                                                                                                                                                 |                              |    |                                   |   | 35                            | 9  |                                |   |                                   |    |                      |    |                     |   |                     |   |
| Unknown                                                                                                                                                                                                                                                                                    | 1                            | 1  |                                   |   |                               |    |                                |   |                                   |    | 1                    | 2  | 1                   | 1 |                     |   |
| Reduce amount of paperwork required. Eliminate redundancies.                                                                                                                                                                                                                               | 5                            | 4  |                                   |   |                               |    |                                |   |                                   |    |                      |    |                     |   |                     |   |
| Written information should be easy to follow in subject's language.                                                                                                                                                                                                                        |                              |    | 20                                | 1 |                               |    |                                |   | 9                                 | 3  |                      |    |                     |   |                     |   |
| Explain that since criminal and administrative actions are independent of each other, offender should get assistance in both areas.                                                                                                                                                        |                              |    |                                   |   |                               |    |                                |   |                                   |    |                      |    |                     |   | 12                  | 3 |
| Read entire driver record for concurrent actions.                                                                                                                                                                                                                                          |                              |    |                                   |   |                               |    |                                |   |                                   |    | 1                    | 1  | 1                   | 1 |                     |   |
| A note on the form referring the driver to the local Driver Safety Office -- or the number for the DS Actions Unit, at least.                                                                                                                                                              |                              |    |                                   |   |                               |    |                                |   |                                   |    |                      |    |                     |   | 8                   | 2 |
| Total ideas expressed                                                                                                                                                                                                                                                                      | 98                           |    | 7                                 |   | 41                            |    | 9                              |   | 47                                |    | 151                  |    | 15                  |   | 31                  |   |
| Mean number of ideas per respondent                                                                                                                                                                                                                                                        | 0.4                          |    | 0.1                               |   | 0.3                           |    | 0.2                            |   | 0.6                               |    | 0.5                  |    | 0.7                 |   | 0.8                 |   |

*Note.* DMV = Department of Motor Vehicles. FOD = Field Operations Division. MAU = Mandatory Actions Unit. DSB = Driver Safety Branch. n = Number of respondents who expressed each idea. % = percentage of respondents who expressed each idea. Percentages do not add to 100 because respondents tended to express multiple ideas (see bottom rows). Blank cells indicate that no responses were provided that would fit within the response category.

Table 27

**Suggestions for Improving Information Given to Offenders on DUI Professionals Survey Item 9.2:  
Information from Attorneys**

| Item 9.2: Please provide any suggestions you have for improving the information that is given to suspended/revoked DUI offenders to help them better understand how to reinstate their driving privilege: Information from attorneys. |                              |    |                                   |   |                               |    |                                |   |                                   |    |                      |    |                     |   |                     |    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|----|-----------------------------------|---|-------------------------------|----|--------------------------------|---|-----------------------------------|----|----------------------|----|---------------------|---|---------------------|----|
| Response categories                                                                                                                                                                                                                   | Law enforcement<br>(N = 268) |    | Prosecuting attorneys<br>(N = 47) |   | Defense attorneys<br>(N = 48) |    | Probation officers<br>(N = 37) |   | DUI program providers<br>(N = 83) |    | DMV FOD<br>(N = 275) |    | DMV MAU<br>(N = 22) |   | DMV DSB<br>(N = 39) |    |
|                                                                                                                                                                                                                                       | %                            | n  | %                                 | n | %                             | n  | %                              | n | %                                 | n  | %                    | n  | %                   | n | %                   | n  |
| Attorneys must provide clear, full, correct & honest information to client.                                                                                                                                                           | 29                           | 15 |                                   |   | 28                            | 5  | 58                             | 7 | 79                                | 33 | 65                   | 83 | 5                   | 6 | 56                  | 10 |
| Provide more information &/or training for arresting officers, jailers, & others.                                                                                                                                                     | 6                            | 3  | 50                                | 1 | 61                            | 11 | 42                             | 5 | 62                                | 26 | 22                   | 28 | 2                   | 3 | 11                  | 2  |
| Indicated "none" or "N/A"                                                                                                                                                                                                             | 24                           | 12 |                                   |   | 6                             | 1  | 8                              | 1 | 2                                 | 1  | 13                   | 16 | 2                   | 2 | 22                  | 4  |
| Provide checklist, pamphlet or website of what will happen & things to do to reinstate. Could be part of Per Se arrest process.                                                                                                       | 8                            | 4  |                                   |   | 61                            | 11 | 33                             | 4 | 17                                | 7  | 3                    | 4  |                     |   |                     |    |
| Unknown                                                                                                                                                                                                                               | 24                           | 12 | 50                                | 1 |                               |    |                                |   |                                   |    | 5                    | 6  | 1                   | 1 |                     |    |
| Refer them to DMV for further information.                                                                                                                                                                                            |                              |    |                                   |   | 6                             | 1  |                                |   | 2                                 | 1  | 8                    | 10 | 1                   | 1 | 17                  | 3  |
| Keep process simple, clear, & consistent.                                                                                                                                                                                             | 14                           | 7  |                                   |   | 6                             | 1  | 8                              | 1 | 0                                 | 0  | 78                   | 1  |                     |   |                     |    |
| State Bar should monitor. Impose sanctions where misinformation is given for personal gain.                                                                                                                                           |                              |    |                                   |   |                               |    |                                |   |                                   |    | 5                    | 6  | 1                   | 1 |                     |    |
| Arrestee must take initiative to read & understand forms & what is expected of them. Forms are clear.                                                                                                                                 | 8                            | 4  |                                   |   |                               |    |                                |   | 2                                 | 1  |                      |    |                     |   |                     |    |
| Due to state of person at arrest (scared, intoxicated), information should be provided later.                                                                                                                                         | 2                            | 1  |                                   |   | 6                             | 1  |                                |   |                                   |    |                      |    |                     |   |                     |    |
| Interact more with defense attorneys to teach them how to provide information to clients.                                                                                                                                             |                              |    |                                   |   |                               |    |                                |   |                                   |    |                      |    |                     |   | 11                  | 2  |
| Reduce amount of paperwork required. Eliminate redundancies.                                                                                                                                                                          |                              |    |                                   |   |                               |    |                                |   |                                   |    |                      |    |                     |   |                     |    |
| Total ideas expressed                                                                                                                                                                                                                 | 58                           |    | 2                                 |   | 31                            |    | 18                             |   | 69                                |    | 154                  |    | 14                  |   | 21                  |    |
| Mean number of ideas per respondent                                                                                                                                                                                                   | 0.2                          |    | 0.0                               |   | 0.6                           |    | 0.5                            |   | 0.8                               |    | 0.6                  |    | 0.6                 |   | 0.5                 |    |

*Note.* DMV = Department of Motor Vehicles. FOD = Field Operations Division. MAU = Mandatory Actions Unit. DSB = Driver Safety Branch. n = Number of respondents who expressed each idea. % = percentage of respondents who expressed each idea. Percentages do not add to 100 because respondents tended to express multiple ideas (see bottom rows). Blank cells indicate that no responses were provided that would fit within the response category.

Table 28

**Suggestions for Improving Information Given to Offenders on DUI Professionals Survey Item 9.3:  
Information from Jails**

| Item 9.3: Please provide any suggestions you have for improving the information that is given to suspended/revoked DUI offenders to help them better understand how to reinstate their driving privilege: Information from the jail. |                              |    |                                   |   |                               |   |                                |   |                                   |    |                      |    |                     |   |                     |   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|----|-----------------------------------|---|-------------------------------|---|--------------------------------|---|-----------------------------------|----|----------------------|----|---------------------|---|---------------------|---|
| Response categories                                                                                                                                                                                                                  | Law enforcement<br>(N = 268) |    | Prosecuting attorneys<br>(N = 47) |   | Defense attorneys<br>(N = 48) |   | Probation officers<br>(N = 37) |   | DUI program providers<br>(N = 83) |    | DMV FOD<br>(N = 275) |    | DMV MAU<br>(N = 22) |   | DMV DSB<br>(N = 39) |   |
|                                                                                                                                                                                                                                      | %                            | n  | %                                 | n | %                             | n | %                              | n | %                                 | n  | %                    | n  | %                   | n | %                   | n |
| Indicated "none" or "N/A"                                                                                                                                                                                                            | 23                           | 13 |                                   |   | 7                             | 1 | 13                             | 1 | 15                                | 4  | 31                   | 30 | 3                   | 3 | 24                  | 4 |
| Provide checklist, pamphlet or website of what will happen & things to do to reinstate. Could be part of Per Se arrest process.                                                                                                      | 19                           | 11 | 50                                | 1 | 21                            | 3 | 75                             | 6 | 37                                | 10 | 10                   | 10 |                     |   | 6                   | 1 |
| Unknown                                                                                                                                                                                                                              | 23                           | 13 | 50                                | 1 |                               |   |                                |   | 4                                 | 1  | 13                   | 13 | 1                   | 1 | 12                  | 2 |
| Emphasize that they have 10 days to request a DMV hearing. Make sure offender has DS 367. If needed, info on court date.                                                                                                             |                              |    |                                   |   | 50                            | 7 |                                |   | 33                                | 9  | 10                   | 10 | 1                   | 1 | 24                  | 4 |
| Jailers should not try to explain reinstatement process.                                                                                                                                                                             | 16                           | 9  |                                   |   | 14                            | 2 |                                |   | 11                                | 3  | 8                    | 8  | 2                   | 2 | 12                  | 2 |
| Provide more information &/or training for arresting officers, jailers, & others.                                                                                                                                                    | 7                            | 4  |                                   |   | 0                             | 0 |                                |   |                                   |    | 8                    | 8  | 2                   | 2 | 12                  | 2 |
| Refer them to DMV for further information.                                                                                                                                                                                           |                              |    |                                   |   | 28                            | 4 |                                |   | 4                                 | 1  | 8                    | 8  |                     |   | 6                   | 1 |
| Keep process simple, clear, & consistent.                                                                                                                                                                                            | 7                            | 4  |                                   |   | 7                             | 1 |                                |   | 7                                 | 2  | 4                    | 4  |                     |   |                     |   |
| Arrestee must take initiative to read & understand forms & what is expected of them. Forms are clear.                                                                                                                                | 12                           | 7  |                                   |   | 14                            | 2 |                                |   | 4                                 | 1  |                      |    |                     |   |                     |   |
| Due to state of person at arrest (scared, intoxicated), information should be provided later.                                                                                                                                        | 5                            | 3  |                                   |   |                               |   | 13                             | 1 | 4                                 | 1  | 2                    | 2  |                     |   | 6                   | 1 |
| Make sure they get their documents and inform them to read them immediately.                                                                                                                                                         |                              |    |                                   |   |                               |   |                                |   |                                   |    |                      |    |                     |   | 18                  | 3 |
| Provide information on available DUI program provider options.                                                                                                                                                                       |                              |    |                                   |   |                               |   |                                |   | 4                                 | 1  |                      |    |                     |   |                     |   |
| Reduce amount of paperwork required. Eliminate redundancies.                                                                                                                                                                         |                              |    |                                   |   |                               |   |                                |   |                                   |    |                      |    |                     |   |                     |   |
| Total ideas expressed                                                                                                                                                                                                                | 64                           |    | 2                                 |   | 20                            |   | 8                              |   | 33                                |    | 93                   |    | 9                   |   | 20                  |   |
| Mean number of ideas per respondent                                                                                                                                                                                                  | 0.2                          |    | 0.0                               |   | 0.4                           |   | 0.2                            |   | 0.4                               |    | 0.3                  |    | 0.4                 |   | 0.5                 |   |

*Note.* DMV = Department of Motor Vehicles. FOD = Field Operations Division. MAU = Mandatory Actions Unit. DSB = Driver Safety Branch. n = Number of respondents who expressed each idea. % = percentage of respondents who expressed each idea. Percentages do not add to 100 because respondents tended to express multiple ideas (see bottom rows). Blank cells indicate that no responses were provided that would fit within the response category.

Table 29

Suggestions for Improving Information Given to Offenders on DUI Professionals Survey Item 9.4:  
Information from the DMV

| Item 9.4: Please provide any suggestions you have for improving the information that is given to suspended/revoked DUI offenders to help them better understand how to reinstate their driving privilege: Information from the DMV (e.g., information from a hearing officer). |                              |    |                                   |   |                               |    |                                |   |                                   |    |                      |    |                     |   |                     |   |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|----|-----------------------------------|---|-------------------------------|----|--------------------------------|---|-----------------------------------|----|----------------------|----|---------------------|---|---------------------|---|--|
| Response categories                                                                                                                                                                                                                                                            | Law enforcement<br>(N = 268) |    | Prosecuting attorneys<br>(N = 47) |   | Defense attorneys<br>(N = 48) |    | Probation officers<br>(N = 37) |   | DUI program providers<br>(N = 83) |    | DMV FOD<br>(N = 275) |    | DMV MAU<br>(N = 22) |   | DMV DSB<br>(N = 39) |   |  |
|                                                                                                                                                                                                                                                                                | %                            | n  | %                                 | n | %                             | n  | %                              | n | %                                 | n  | %                    | n  | %                   | n | %                   | n |  |
| Provide checklist, pamphlet or website of what will happen & things to do to reinstate. Could be part of Per Se arrest process.                                                                                                                                                | 38                           | 21 | 25                                | 1 | 65                            | 11 | 53                             | 8 | 26                                | 10 | 34                   | 49 | 1                   | 2 | 24                  | 5 |  |
| Keep process simple, clear, & consistent.                                                                                                                                                                                                                                      | 16                           | 9  | 25                                | 1 | 29                            | 5  | 13                             | 2 | 38                                | 15 | 25                   | 36 | 1                   | 1 | 5                   | 1 |  |
| Provide correct information to subject about what their DUI means, how to meet requirements of getting license back & have enough staff to do this timely.                                                                                                                     |                              |    |                                   |   |                               |    |                                |   |                                   |    | 40                   | 57 | 3                   | 5 | 33                  | 7 |  |
| Clarify relationship and differences between judicial and administrative actions.                                                                                                                                                                                              |                              |    |                                   |   | 29                            | 5  | 27                             | 4 | 10                                | 4  | 31                   | 45 | 1                   | 2 | 10                  | 2 |  |
| Indicated "none" or "N/A"                                                                                                                                                                                                                                                      | 27                           | 15 |                                   |   | 12                            | 2  | 7                              | 1 | 5                                 | 2  | 13                   | 19 | 1                   | 1 | 24                  | 5 |  |
| Provide more information &/or training for arresting officers, jailers, & others.                                                                                                                                                                                              | 4                            | 2  | 25                                | 1 |                               |    | 33                             | 5 |                                   |    | 13                   | 18 |                     |   |                     |   |  |
| Give information that is accurate and relevant to the specific situation of the caller or office customer.                                                                                                                                                                     |                              |    |                                   |   |                               |    |                                |   | 41                                | 16 |                      |    |                     |   |                     |   |  |
| DMV should provide at end of hearings & regular weekly briefings all information needed by offenders in English & Spanish.                                                                                                                                                     | 15                           | 8  |                                   |   |                               |    | 13                             | 2 | 3                                 | 1  | 1                    | 1  | 1                   | 1 | 5                   | 1 |  |
| Unknown                                                                                                                                                                                                                                                                        | 11                           | 6  | 25                                | 1 |                               |    |                                |   |                                   |    | 1                    | 1  |                     |   |                     |   |  |
| Arrestee must take initiative to read & understand forms & what is expected of them. Forms are clear.                                                                                                                                                                          | 9                            | 5  |                                   |   |                               |    |                                |   |                                   |    | 1                    | 1  |                     |   |                     |   |  |
| Be reachable by phone in a reasonable time.                                                                                                                                                                                                                                    |                              |    |                                   |   |                               |    | 13                             | 2 | 3                                 | 1  |                      |    |                     |   |                     |   |  |
| Due to state of person at arrest (scared, intoxicated), information should be provided later.                                                                                                                                                                                  | 2                            | 1  |                                   |   |                               |    |                                |   |                                   |    | 1                    | 1  |                     |   |                     |   |  |
| Reduce amount of paperwork required. Eliminate redundancies.                                                                                                                                                                                                                   |                              |    |                                   |   | 6                             | 1  |                                |   |                                   |    | 1                    | 1  |                     |   |                     |   |  |
| Do not tell offender that they should not schedule hearing because they are going to lose.                                                                                                                                                                                     |                              |    |                                   |   |                               |    |                                |   |                                   |    |                      |    |                     |   |                     |   |  |
| Hearing Officer should leave it to Field Office since reinstatement is done in Field Office.                                                                                                                                                                                   |                              |    |                                   |   |                               |    |                                |   |                                   |    |                      |    |                     |   | 5                   | 1 |  |
| Total ideas expressed                                                                                                                                                                                                                                                          | 67                           |    | 4                                 |   | 24                            |    | 24                             |   | 49                                |    | 229                  |    | 12                  |   | 22                  |   |  |
| Mean number of ideas per respondent                                                                                                                                                                                                                                            | 0.3                          |    | 0.1                               |   | 0.5                           |    | 0.6                            |   | 0.6                               |    | 0.8                  |    | 0.5                 |   | 0.6                 |   |  |

Note. DMV = Department of Motor Vehicles. FOD = Field Operations Division. MAU = Mandatory Actions Unit. DSB = Driver Safety Branch. n = Number of respondents who expressed each idea. % = percentage of respondents who expressed each idea. Percentages do not add to 100 because respondents tended to express multiple ideas (see bottom rows). Blank cells indicate that no responses were provided that would fit within the response category.

Table 30

**Suggestions for Improving Information Given to Offenders on DUI Professionals Survey Item 9.5:  
Information from Courts**

| Item 9.5: Please provide any suggestions you have for improving the information that is given to suspended/revoked DUI offenders to help them better understand how to reinstate their driving privilege: Information from the court. |                              |    |                                   |   |                               |   |                                |   |                                   |    |                      |    |                     |   |                     |   |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|----|-----------------------------------|---|-------------------------------|---|--------------------------------|---|-----------------------------------|----|----------------------|----|---------------------|---|---------------------|---|--|
| Response categories                                                                                                                                                                                                                   | Law enforcement<br>(N = 268) |    | Prosecuting attorneys<br>(N = 47) |   | Defense attorneys<br>(N = 48) |   | Probation officers<br>(N = 37) |   | DUI program providers<br>(N = 83) |    | DMV FOD<br>(N = 275) |    | DMV MAU<br>(N = 22) |   | DMV DSB<br>(N = 39) |   |  |
|                                                                                                                                                                                                                                       | %                            | n  | %                                 | n | %                             | n | %                              | n | %                                 | n  | %                    | n  | %                   | n | %                   | n |  |
| All requirements related to court and DMV should be made clear by court--and be consistent among courts.                                                                                                                              | 19                           | 10 | 25                                | 1 | 33                            | 6 | 36                             | 4 | 62                                | 24 | 53                   | 79 | 3                   | 4 | 36                  | 8 |  |
| Indicated "none" or "N/A"                                                                                                                                                                                                             | 27                           | 14 |                                   |   | 6                             | 1 | 18                             | 2 | 21                                | 8  | 7                    | 11 | 2                   | 3 | 23                  | 5 |  |
| Provide checklist, pamphlet or website of what will happen & things to do to reinstate. Could be part of Per Se arrest process.                                                                                                       | 17                           | 9  | 75                                | 3 | 33                            | 6 | 45                             | 5 | 15                                | 6  | 6                    | 9  | 1                   | 1 | 9                   | 2 |  |
| Refer them to DMV for further information.                                                                                                                                                                                            |                              |    |                                   |   | 33                            | 6 |                                |   | 3                                 | 1  | 16                   | 23 |                     |   | 18                  | 4 |  |
| Keep process simple, clear, & consistent.                                                                                                                                                                                             | 19                           | 10 |                                   |   | 33                            | 6 |                                |   | 8                                 | 3  | 7                    | 10 | 1                   | 1 | 9                   | 2 |  |
| Provide more information &/or training for arresting officers, jailers, & others.                                                                                                                                                     |                              |    |                                   |   | 11                            | 2 |                                |   | 8                                 | 3  | 7                    | 11 |                     |   | 5                   | 1 |  |
| Unknown                                                                                                                                                                                                                               | 13                           | 7  |                                   |   |                               |   |                                |   |                                   |    | 3                    | 5  | 1                   | 1 |                     |   |  |
| Arrestee must take initiative to read & understand forms & what is expected of them. Forms are clear.                                                                                                                                 | 15                           | 8  |                                   |   |                               |   |                                |   |                                   |    | 1                    | 1  |                     |   |                     |   |  |
| Reduce amount of paperwork required. Eliminate redundancies.                                                                                                                                                                          |                              |    |                                   |   |                               |   |                                |   |                                   | 1  | 1                    |    |                     |   |                     |   |  |
| Due to state of person at arrest (scared, intoxicated), information should be provided later.                                                                                                                                         | 2                            | 1  |                                   |   |                               |   |                                |   |                                   |    |                      |    |                     |   |                     |   |  |
| Court must enter convictions into DMV Driver License database system. Sometimes they neglect to do so.                                                                                                                                |                              |    |                                   |   |                               |   |                                |   | 3                                 | 1  |                      |    |                     |   |                     |   |  |
| Total ideas expressed                                                                                                                                                                                                                 | 59                           |    | 4                                 |   | 27                            |   | 11                             |   | 46                                |    | 150                  |    | 10                  |   | 22                  |   |  |
| Mean number of ideas per respondent                                                                                                                                                                                                   | 0.2                          |    | 0.1                               |   | 0.6                           |   | 0.3                            |   | 0.6                               |    | 0.5                  |    | 0.5                 |   | 0.6                 |   |  |

*Note.* DMV = Department of Motor Vehicles. FOD = Field Operations Division. MAU = Mandatory Actions Unit. DSB = Driver Safety Branch. n = Number of respondents who expressed each idea. % = percentage of respondents who expressed each idea. Percentages do not add to 100 because respondents tended to express multiple ideas (see bottom rows). Blank cells indicate that no responses were provided that would fit within the response category.

Table 31

## Suggestions for Improving Information Given to Offenders on DUI Professionals Survey Item 9.6: Information from Probation Officers

| Item 9.6: Please provide any suggestions you have for improving the information that is given to suspended/revoked DUI offenders to help them better understand how to reinstate their driving privilege: Information from the probation officer. |                              |    |                                   |   |                               |   |                                |   |                                   |   |                      |    |                     |    |                     |   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|----|-----------------------------------|---|-------------------------------|---|--------------------------------|---|-----------------------------------|---|----------------------|----|---------------------|----|---------------------|---|
| Response categories                                                                                                                                                                                                                               | Law enforcement<br>(N = 268) |    | Prosecuting attorneys<br>(N = 47) |   | Defense attorneys<br>(N = 48) |   | Probation officers<br>(N = 37) |   | DUI program providers<br>(N = 83) |   | DMV FOD<br>(N = 275) |    | DMV MAU<br>(N = 22) |    | DMV DSB<br>(N = 39) |   |
|                                                                                                                                                                                                                                                   | %                            | n  | %                                 | n | %                             | n | %                              | n | %                                 | n | %                    | n  | %                   | n  | %                   | n |
| Indicated "none" or "N/A"                                                                                                                                                                                                                         | 37                           | 17 | 100                               | 1 | 23                            | 3 | 21                             | 3 | 30                                | 7 | 37                   | 30 | 6                   | 5  | 47                  | 7 |
| Unknown                                                                                                                                                                                                                                           | 22                           | 10 |                                   |   |                               |   |                                |   | 4                                 | 1 | 20                   | 16 | 1                   | 1  |                     |   |
| Provide checklist, pamphlet or website of what will happen & things to do to reinstate. Could be part of Per Se arrest process.                                                                                                                   | 11                           | 5  |                                   |   | 31                            | 4 | 43                             | 6 | 26                                | 6 | 6                    | 5  |                     | 13 | 2                   |   |
| Advise them of their license status & court & DMV requirements.                                                                                                                                                                                   |                              |    |                                   |   | 15                            | 2 | 14                             | 2 | 22                                | 5 | 20                   | 16 | 1                   | 1  | 13                  | 2 |
| Provide more information &/or training for arresting officers, jailers, & others.                                                                                                                                                                 | 4                            | 2  |                                   |   | 31                            | 4 | 21                             | 3 | 13                                | 3 | 6                    | 5  | 1                   | 1  | 7                   | 1 |
| Keep process simple, clear, & consistent.                                                                                                                                                                                                         | 9                            | 4  |                                   |   | 8                             | 1 | 7                              | 1 | 4                                 | 1 | 6                    | 5  |                     |    |                     |   |
| Refer them to DMV for further information.                                                                                                                                                                                                        |                              |    |                                   |   | 8                             | 1 | 14                             | 2 |                                   |   | 9                    | 7  |                     | 7  | 1                   |   |
| Subject should read (& sign) forms given to them by probation officer.                                                                                                                                                                            | 20                           | 9  |                                   |   |                               |   |                                |   | 4                                 | 1 |                      |    |                     |    |                     |   |
| Do not involve probation officers.                                                                                                                                                                                                                |                              |    |                                   |   | 8                             | 1 |                                |   |                                   |   | 2                    | 2  | 1                   | 1  | 13                  | 2 |
| Arrestee must take initiative to read & understand forms & what is expected of them. Forms are clear.                                                                                                                                             | 9                            | 4  |                                   |   |                               |   | 7                              | 1 |                                   |   |                      |    |                     |    |                     |   |
| Due to state of person at arrest (scared, intoxicated), information should be provided later.                                                                                                                                                     | 2                            | 1  |                                   |   |                               |   |                                |   |                                   |   |                      |    |                     |    |                     |   |
| Reduce amount of paperwork required. Eliminate redundancies.                                                                                                                                                                                      |                              |    |                                   |   |                               |   |                                |   |                                   |   |                      |    |                     |    |                     |   |
| Total ideas expressed                                                                                                                                                                                                                             | 52                           |    | 1                                 |   | 16                            |   | 18                             |   | 24                                |   | 86                   |    | 9                   |    | 15                  |   |
| Mean number of ideas per respondent                                                                                                                                                                                                               | 0.2                          |    | 0.0                               |   | 0.3                           |   | 0.5                            |   | 0.3                               |   | 0.3                  |    | 0.4                 |    | 0.4                 |   |

*Note.* DMV = Department of Motor Vehicles. FOD = Field Operations Division. MAU = Mandatory Actions Unit. DSB = Driver Safety Branch. n = Number of respondents who expressed each idea. % = percentage of respondents who expressed each idea. Percentages do not add to 100 because respondents tended to express multiple ideas (see bottom rows). Blank cells indicate that no responses were provided that would fit within the response category.

Table 32

**Suggestions for Improving Information Given to Offenders on DUI Professionals Survey Item 9.7:  
Information from Insurance Carriers**

| Item 9.7: Please provide any suggestions you have for improving the information that is given to suspended/revoked DUI offenders to help them better understand how to reinstate their driving privilege: Information from insurance carrier. |                              |    |                                   |   |                               |   |                                |   |                                   |   |                      |    |                     |    |                     |   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|----|-----------------------------------|---|-------------------------------|---|--------------------------------|---|-----------------------------------|---|----------------------|----|---------------------|----|---------------------|---|
| Response categories                                                                                                                                                                                                                           | Law enforcement<br>(N = 268) |    | Prosecuting attorneys<br>(N = 47) |   | Defense attorneys<br>(N = 48) |   | Probation officers<br>(N = 37) |   | DUI program providers<br>(N = 83) |   | DMV FOD<br>(N = 275) |    | DMV MAU<br>(N = 22) |    | DMV DSB<br>(N = 39) |   |
|                                                                                                                                                                                                                                               | %                            | n  | %                                 | n | %                             | n | %                              | n | %                                 | n | %                    | n  | %                   | n  | %                   | n |
| Insurance carriers should clarify legal requirements, esp. SR 22 <sup>a</sup> process.                                                                                                                                                        | 18                           | 9  |                                   |   | 38                            | 3 | 14                             | 1 | 14                                | 3 | 46                   | 52 | 4                   | 5  | 22                  | 4 |
| Indicated "none" or "N/A"                                                                                                                                                                                                                     | 32                           | 16 |                                   |   | 25                            | 2 | 29                             | 2 | 32                                | 7 | 17                   | 19 | 4                   | 4  | 44                  | 8 |
| Unknown                                                                                                                                                                                                                                       | 24                           | 12 | 100                               | 1 | 13                            | 1 | 14                             | 1 | 5                                 | 1 | 6                    | 7  | 1                   | 1  |                     |   |
| Provide checklist, pamphlet or website of what will happen & things to do to reinstate. Could be part of Per Se arrest process.                                                                                                               | 8                            | 4  |                                   |   | 13                            | 1 | 57                             | 4 | 36                                | 8 | 4                    | 5  |                     | 11 | 2                   |   |
| Wrong entity to provide information. Comply with court & DMV instructions.                                                                                                                                                                    | 10                           | 5  |                                   |   | 13                            | 1 |                                |   | 9                                 | 2 | 6                    | 7  |                     | 11 | 2                   |   |
| Refer them to DMV for further information.                                                                                                                                                                                                    |                              |    |                                   |   | 13                            | 1 | 14                             | 1 |                                   |   | 10                   | 11 | 1                   | 1  | 11                  | 2 |
| Provide more information &/or training for arresting officers, jailers, & others.                                                                                                                                                             |                              |    |                                   |   |                               |   |                                |   | 9                                 | 2 | 8                    | 9  |                     |    |                     |   |
| Keep process simple, clear, & consistent                                                                                                                                                                                                      | 4                            | 2  |                                   |   |                               |   | 14                             | 1 | 5                                 | 1 | 4                    | 4  |                     |    |                     |   |
| Arrestee must take initiative to read & understand forms & what is expected of them. Forms are clear.                                                                                                                                         | 12                           | 6  |                                   |   |                               |   |                                |   |                                   |   |                      |    |                     |    |                     |   |
| Due to state of person at arrest (scared, intoxicated) information should be provided later.                                                                                                                                                  | 2                            | 1  |                                   |   |                               |   |                                |   |                                   |   |                      |    |                     |    |                     |   |
| Reduce amount of paperwork required. Eliminate redundancies                                                                                                                                                                                   |                              |    |                                   |   |                               |   |                                |   |                                   |   |                      |    |                     |    |                     |   |
| Total ideas expressed                                                                                                                                                                                                                         | 55                           |    | 1                                 |   | 9                             |   | 10                             |   | 24                                |   | 114                  |    | 11                  |    | 18                  |   |
| Mean number of ideas per respondent                                                                                                                                                                                                           | 0.2                          |    | 0.0                               |   | 0.2                           |   | 0.3                            |   | 0.3                               |   | 0.4                  |    | 0.5                 |    | 0.5                 |   |

*Note.* DMV = Department of Motor Vehicles. FOD = Field Operations Division. MAU = Mandatory Actions Unit. DSB = Driver Safety Branch. n = Number of respondents who expressed each idea. % = percentage of respondents who expressed each idea. Percentages do not add to 100 because respondents tended to express multiple ideas (see bottom rows). Blank cells indicate that no responses were provided that would fit within the response category.

<sup>a</sup>SR 22: requirement to maintain a California Insurance Proof Certificate.

## DISCUSSION

### Overview

The analyses of driver records show that large percentages of both 1<sup>st</sup> and 2<sup>nd</sup> DUI offenders in California do not reinstate their driving privileges 3 or more years following their arrests; the majority of these otherwise reinstatement-eligible offenders are still suspended for their original DUI conviction. This results from failures to complete DUI Program requirements, provide proof of insurance for the required 3-year period, and either renew expired driver licenses or complete requirements for original licenses.

There is strong agreement among both surveyed offenders and professionals involved in the DUI system that high overall financial costs are the most significant barrier to meeting obligations that would enable driving privilege reinstatement. High costs appear to contribute more than any other reason to offenders' failures to complete DUI Programs, provide proof of insurance, and return to DMV to reinstate their licenses. The DUI professionals indicated that paying the costs for driving privilege reinstatement requirements is made particularly difficult after offenders have had to pay court costs, because many offenders are left with limited means to pay for ongoing DUI Program and insurance costs.

There was also strong agreement across the surveyed offenders and DUI professionals that the next most important factor associated with failing to reinstate or even trying to comply with the requirements results from offenders' confusion about what is actually required of them. This is followed closely by failures to complete DUI Program requirements, which both the offenders and the DUI professionals suggest most often occurs because of their inability to pay the program costs, followed by lack of available alternate transportation to attend classes.

Overall, the findings suggest that both individual and contextual factors influence driving privilege reinstatement rates of California DUI offenders. While the high cost of reinstatement may remove some offenders permanently from the road, thus preventing DUI incidents they might otherwise have caused, it may also be a barrier for others at risk of recidivating who continue to drive impaired and who might have otherwise been deterred by more ready access to needed intervention programs. To address the primary barriers to driver license reinstatement identified in this study, several recommendations are made.

### Discussion of Estimates of DUI Offender Driving Privilege Reinstatement Rates

#### *Comparison of Delayed Driving Privilege Reinstatement Rates to Prior Estimates*

The estimates of delayed driving privilege reinstatement found in this study (37% of 1<sup>st</sup> offenders and 61% of 2<sup>nd</sup> offenders) are not directly comparable to those reported in prior California studies (50% of 2<sup>nd</sup> offenders from Sadler & Perrine, 1984; 65%, of eligible 1<sup>st</sup> offenders and 84% of 2<sup>nd</sup> offenders from Tashima & Helander, 1999) because of differences in methodologies and follow-up periods used to generate the estimates, improvements in available data, and changes in DUI sanctions and penalties. As was discussed earlier, the estimates from these other California studies are also not directly comparable because of these reasons.

Probably the most important difference in methodology in the present study compared to prior efforts is that the reinstatement eligibility of DUI offenders was established within a time range instead of specifically calculated for each offender. The numbers who were potentially eligible to reinstate driving privileges were determined by excluding those who could not have possibly reinstated (e.g., those who did not have a permanent California license record, moved out-of-state, or were deceased) and then establishing that enough time had passed after their arrests (between 3.8 and 4.8 years) that the offenders would have had enough time to finish their suspension terms and the various reinstatement requirements. The earlier California studies determined from smaller samples, the actual dates of reinstatement eligibility for the individual offenders, and then followed them for 3 years after eligibility. To the extent that it was reasonable to assume that 1<sup>st</sup> offenders in the present study would have (as specified by law) received a 6-month suspension and that 2<sup>nd</sup> offenders would have received a 2-year suspension, then 1<sup>st</sup> offenders in this study would have been eligible to reinstate their driving privileges during 3 to 4 years of the follow-up period and 2<sup>nd</sup> offenders would have been eligible to reinstate their driving privileges during 1.5 to 2.5 years of the follow-up period. Additionally, the estimated post-eligibility follow-up periods are somewhat longer for 1<sup>st</sup> offenders and somewhat shorter for 2<sup>nd</sup> offenders in the present study than in earlier California efforts, further limiting their comparability.

There have also been improvements in the data available to track DUI offenders that limit the extent to which the present estimates can be compared to those prior. The DMV driver record database captures more detail and enables greater tracking now than was the case when the earlier studies were conducted. In 1997, a sub-record on the DMV database was added to specifically capture APS-related information. Similarly, a sub-record to capture information about fees was added in 2002, and another to capture data on DUI Program enrollment and

completion was added in 2005. Because these additional data were available for the present study, the particular reinstatement requirements that the offenders had not met could be determined based on their individual DMV records.

Finally, there have also been changes in DUI sanctions and penalties that limit the comparability of the present delayed reinstatement estimates to those from prior California studies. Most importantly, unlike offenders in the current evaluation, those in both the earlier California studies would not have been required to show completion of DUI Program as a condition for license reinstatement. The law requiring proof of completion of an alcohol treatment program first became effective for 2<sup>nd</sup> offenders on January 1, 1994, and for 1<sup>st</sup> offenders on January 1, 1995. While these additional sanctions and penalties would be expected to result in higher delayed-license reinstatement rates in the present evaluation, because of the differences in follow-up periods the specific effect of these law changes cannot be determined. Other changes that were added in 1994 following both of the earlier studies include a reinstatement fee of \$100 (increased in 2000 to \$120) for drivers under age 21 pursuant to the then newly implemented zero-tolerance law. The zero-tolerance suspension length is longer—1 year—for 1<sup>st</sup> offenders who are under age 21—thereby shortening the post-suspension interval during which those offenders might have taken steps to fulfill all their obligations to reinstate.

#### *Differences in Reinstatement Rates of 1<sup>st</sup> and 2<sup>nd</sup> Offenders*

Suspension terms are longer for 2<sup>nd</sup> offenders than for 1<sup>st</sup> offenders, which likely explains why the delayed reinstatement rates were higher for 2<sup>nd</sup> offenders in the present study. Under the laws in effect in 2004, most 2<sup>nd</sup> offenders received a maximum of 2 years of suspension compared to 6 months for 1<sup>st</sup> offenders. This resulted in 1<sup>st</sup> offenders almost certainly having longer times during the follow-up period in which they were eligible to take the necessary steps to fully reinstate their driving privileges (3 to 4 years of estimated eligibility) than 2<sup>nd</sup> offenders (1.5 to 2.5 years of estimated eligibility). While other factors may also contribute to the different reinstatement rates of 1<sup>st</sup> offenders versus 2<sup>nd</sup> offenders, the longer period of reinstatement eligibility partially explains why the percentage of 2<sup>nd</sup> offenders who were still suspended at the end of the follow-up for the index DUI was twice that for 1<sup>st</sup> offenders. In addition, more 2<sup>nd</sup> offenders would have been still waiting-out their 3-year post-suspension insurance-proof requirement given their longer suspension terms, and might have been in the process of completing a longer, more expensive, DUI Program.

*Failure to Meet Reinstatement Requirements*

The driver record findings indicate that among 1<sup>st</sup> and 2<sup>nd</sup> offenders who are otherwise eligible to reinstate their driving privileges, failing to complete DUI Program appears to be the main impediment. Failing to renew expired licenses or complete original license applications is the next most prevalent impediment for 1<sup>st</sup> offenders, followed by failing to comply with the insurance requirements. The order of these latter two impediments is switched for 2<sup>nd</sup> offenders.

Regardless of the length of the license action that 1<sup>st</sup> or 2<sup>nd</sup> DUI offenders receive, in addition to being required to complete a specific length of DUI Program to reinstate their driving privileges, DUI offenders must show and maintain proof of financial responsibility (covering specific minimums described in CVC §16430) for 3 years after they reinstate their driving privilege (CVC §16480). Proof of financial responsibility may be given by obtaining a bond (CVC §16434), by a deposit of \$35,000 (CVC §16435), or most commonly, by obtaining adequate insurance coverage (CVC §16436). If offenders fail to maintain the proof requirement over the course of the 3-year period, the DMV will re-suspend their driving privileges for the remainder of the 3-year period. While offenders can simply wait-out the proof of insurance requirement, there is no waiting-out for the DUI Program requirement. Offenders must complete their required DUI Program length and show proof of satisfactory completion to end their suspensions, no matter how much time elapses since the DUI offense.

With regard to why so many seemingly otherwise eligible DUI offenders failed to renew their licenses, changes in how the DMV processes renewal license applications may account for some of their failure to complete this requirement. Specifically, some suspended offenders in the study sample may have become ineligible to possess a California driver license because of strengthened legal presence requirements upon license renewal. Although they were able to demonstrate evidence of legal presence in California prior to their DUI convictions when requirements were more lax, they may have been unable to successfully renew their licenses after suspension because the DMV had implemented more rigorous legal presence requirements that they no longer meet since their original licenses were issued.

*Offenders Who are No Longer Suspended, but Do Not have Physical Driver Licenses*

The group of reinstatement-eligible drivers who were categorized earlier as “reinstated, but owe fees” deserves some additional explanation. There is a distinction between offenders who remain suspended because they have failed to complete all the terms of their criminal sanctions (including completing DUI Program and maintaining proof of insurance for 3 years), and those who complete all of the terms of their conviction, but fail to pay DMV-administered fees

resulting from any processing that the DMV was required to do related to the offenders' sanctions. While the physical driver license is not provided to offenders in either of these groups, and the still-suspended driver's driving privilege is obviously, not reinstituted, the legal consequences for those caught driving while still suspended are more severe than for those who are no longer suspended, but are not fully reinstated, and are not in possession of or eligible for a driver license because they failed to pay DMV fees. When the suspension is terminated for drivers who have completed all of their criminal sanctions that are tied to restoring driving privileges (i.e., DUI Program and all insurance requirement terms), the offenders are not citable for violating driving while suspended laws (CVC §14601.2) and are not subject to having their vehicles impounded for 30 days (CVC §§ 14602.6 or 14602.8), as are suspended DUI offenders. Instead they are only citable for sections related to not possessing a physical license (CVC §12500, which if so charged, can be reduced to a correctable infraction or set aside upon making the fee payments, and §12951, also an infraction). The distinction between these two groups of offenders limits penalties that would otherwise have applied following two significant pieces of legislation introduced in 1994 intended to deter S/R driving (Assembly Bill 3148, Katz, or the Safe Streets Act of 1994, and Senate Bill 1758, Kopp). These bills collectively allowed the impoundment or even forfeiture of vehicles driven by persons who are S/R. In response, DMV discontinued the license suspension against drivers otherwise eligible for reinstatement but still owing DMV fees. Consequently, persons who are in violation of driving without having a duly-issued and valid driver's license resulting exclusively from having a "reissue fee due" hold on their license, are not subject to the impoundment/forfeiture actions set forth by the 1994 laws.

The "reinstated, but owe fees" offenders in this study were no longer suspended, and hence had reinstated driving privileges, but did not have physical driver licenses because they still owed fees to DMV. The most common unpaid fees were administrative fees for APS suspensions, and those required to recover DMV costs associated with reimposing a suspension upon the driver failing to maintain continuous proof of insurance. Because of the longer suspension duration for 2<sup>nd</sup> offenders, the insurance-proof requirement term would not have lapsed for all of the 2<sup>nd</sup> offenders included in the evaluation by the end of study follow-up. Hence, some 2<sup>nd</sup> offenders may still have been subject to their proof of insurance requirements when the driver record data were obtained. Finding that fewer of the 2<sup>nd</sup> offenders were among those who were no longer suspended but had only to pay the DMV fees to complete the reinstatement process, is consistent with what would be expected if this was true.

### Discussion of DUI Offender Survey Findings

The majority of surveyed offenders indicated that the single greatest barrier preventing them from reinstating their driving privileges was the high overall financial costs. Confusion about what the requirements are to reinstate and how to complete these requirements was the next most important barrier to reinstatement of driving privileges. This was followed closely by problems completing DUI Program requirements, which most often occurs because of their inability to pay the program costs, followed by a lack of available alternate transportation to attend classes. While the offenders seemed to believe that the penalties would be severe if they were caught driving on a DUI-suspended license, over 40% of them admitted to driving at least sometimes while suspended. The driving privilege reinstatement requirements they reported as being incomplete the most often mirrored those from the driver record analyses, with payment of license reinstatement fees being first, followed by failure to complete DUI program, failure to maintain proof of insurance coverage, and failure to provide initial proof of insurance coverage.

Overall the Offender Survey findings are consistent with speculation from prior California studies of delayed license reinstatement that the low reinstatement rates among California DUI offenders appear to result primarily from burdensome costs (Sadler & Perrine, 1984; Tashima & Helander, 1999). However, some of the speculated “lack of motivation for some offenders to comply” may actually just be confusion about what to do. The majority of offenders indicated that they had received no information regarding reinstating their licensing privileges from most potential information sources that are part of the DUI system. The results were also fairly consistent with findings from other jurisdictions indicating that high financial costs are a barrier to reinstatement, along with offenders having no other transportation available, not having access to a vehicle, having a lack of interest in driving, not being able to change substance use patterns, and not having enough time to fulfill reinstatement requirements (Brown et al., 2008).

Because of the low response rates to the DUI Offender Survey, the respondents may not be representative of the larger population of those who are still suspended for their index DUI years after arrest. While their responses were helpful for identifying barriers to license reinstatement, caution should be taken in attempting to generalize these results to offenders throughout California.

### Discussion of DUI Professionals Survey Findings

Across all occupation groups the two most frequently described barriers contributing to delays in driving privilege reinstatement were high financial costs to the offenders and the offenders not taking the necessary steps to finish DUI Program. There was considerable agreement across all the occupation groups that the various costs presented were all significant barriers to driving privilege reinstatement, with the accumulation of all the costs indicated most often as the greatest cost factor associated with delayed license reinstatement. There was also agreement across the occupation groups that offenders drop out of DUI Program most often because of their inability to pay the program costs. With the exception of law enforcement, there was general agreement across job classifications that information about obtaining restricted driving privileges was one of the most confusing aspects of the license reinstatement process for DUI offenders.

One of the most frequent suggestions that the respondents offered for improving the information provided to DUI offenders to facilitate driving privilege reinstatement, was for professionals involved in various aspects of the DUI system to provide a comprehensive standard checklist, pamphlet, or website designed to outline the basic DUI system requirements, and necessary steps, that offenders must take prior to being allowed to reinstate their California driving privileges.

Because representative response rates to the DUI Professionals Survey were achieved for only the three DMV occupation groups, the responses for the other job classifications may not be representative of the larger populations of professionals in these areas. Nonetheless, their responses were informative regarding barriers to reinstatement and for providing suggestions for improving license reinstatement rates.

### Recommendations

The following recommendations are made based on the cumulative patterns of feedback from survey responses obtained from both the DUI offenders and the professionals who work within various aspects of the DUI system, along with the findings from analyses of driver records.

#### *Steps to Mitigate High Overall Costs to the Offenders for License Reinstatement*

The excessive and accumulative DUI-related costs, and the offenders' inability to manage those costs, were, by far, the most often cited barriers to reinstatement by both DUI offenders and the

professionals that work within the DUI system. Specifically, the costs of completing DUI Program were considered the most prohibitive.

1. **Provide information to offenders immediately upon conviction describing fee structures and availability of assistance to low income offenders for completing DUI Program requirements.** It is recommended that courts, immediately upon convicting offenders, provide them with basic information about the fee structure and assistance that is available to low income offenders for completing DUI Program requirements. When this information is not provided to the offender by the court or by another source within the system, the offender may assume that the DUI Program costs will be too burdensome without understanding what the costs will really be or how payments can be set up to be paid over time.
2. **Assess the fee schedule for DUI Program participation.** Because the costs of completing DUI Program were named as the type of cost that was most prohibitive, it is recommended that California consider the merits of modifying and standardizing the fee schedule for DUI Program participation.
3. **Change the DMV APS fee payment scheme.** Examination of the driver records of offenders who were no longer suspended but had not fully reinstated revealed that many had accumulated one or more additional \$55 DMV fees. This fee is charged each time offenders fail to make a monthly insurance payment installment during their 3-year period of required proof of insurance, and were, as a result, re-suspended. Each of these DMV actions, to re-impose the suspension and to mail the associated notice to offenders, results in additional DMV workload and associated costs to the DMV. It is recommended that the DMV consider increasing the APS fee as an offset to pay for the costs to re-impose suspensions upon offenders who obtain restricted driving privileges but who fail to maintain proof of insurance or who re-offend, but that the DMV discontinue the practice of charging separate DMV fees for re-imposing suspensions following missed insurance payments.

#### *Steps to Lessen Offender Confusion about License Reinstatement Requirements*

Another frequently named barrier to reinstating driving privileges was offender confusion about what was still required of them before they could reinstate. Having separate post-conviction and APS suspensions was deemed particularly confusing and hard to reconcile.

4. **Develop and disseminate a comprehensive DUI resource.** It is recommended that a simple and comprehensive standard checklist, pamphlet, or website be developed to outline the basic DUI system requirements and necessary steps that offenders must take to reinstate their California driving privileges. An example of such a resource can be found on the statewide DUI resource website that was recently instituted in Colorado ([www.NoDUIColorado.org](http://www.NoDUIColorado.org)). This comprehensive DUI resource should be disseminated to professionals working throughout the DUI system. A reference card should be designed and provided to law enforcement officers to be given to offenders upon arrest that directs them to the comprehensive DUI resource for guidance when they are ready to begin navigating the license reinstatement process. This reference card could also be supplied to, and issued from, each of the other points of offender contact within the DUI system.
5. **Limit verbal information and specify contact individuals within DUI system organizations.** Verbal information provided to offenders by different people, working in different job capacities in the DUI system, sometimes conflicted. Written communications are superior because they are usually more fully vetted within an organization and are carefully developed with the legal requirements in mind. It is recommended that when offenders seek advice, they should be directed to specific individuals or units within the organizations of the DUI system who have received explicit training regarding system requirements, to avoid providing offenders with conflicting and inaccurate information.
6. **Include non-technical descriptions in legal notices given to offenders.** Written legal notices are sent to offenders by DMV because of certain APS processes, and to provide offenders with their legal requirements and options stemming from their convictions. To ensure that these documents are accurate and sufficient to meet the department's legal obligation, they are often dense and full of legal terms that are difficult for the layperson to understand. It is recommended that written legal documents include descriptions of the various requirements or options using non-technical language written at a reading level accessible to most Californians.
7. **Provide system-wide basic training on all aspects of the DUI system.** Professionals working throughout the DUI system should be at least somewhat versant on all aspects of the system so that they can better advise offenders on what is needed to comply with their sanctions, including driver license reinstatement requirements. It is recommended that at

least basic training be given to professionals working throughout the DUI system regarding what is required and the options available to offenders to satisfy court sanctions that are prerequisites for driver license reinstatement. This training should be extended to all of the professional occupation groups that comprise the DUI system, from the initial contact person, usually the arresting officer, to jail employees, and probation officers, who might have important, albeit limited, contact with offenders. More comprehensive training in the system requirements should be provided to professionals within the system that have greater opportunities to affect the offenders by virtue of having more contact with them (e.g., DUI Program providers) or more influence over them (e.g., judges).

8. **Provide careful explanations in court of the differences between criminal and civil process expectations.** Upon convicting offenders for DUI, including those who plead to wet-reckless convictions, courts should provide at least minimal verbal explanations to offenders outlining what DMV requires before license reinstatement can occur. The courts should make sure to include those areas that would still be required by DMV, independent of court requirements. For instance, the court should explicitly explain that DUI Program requirements and DMV fees are not satisfied or excused if the courts permit jail time to be served in lieu of court fines.
9. **Urge courts to explicitly inform offenders that DUI Program completion is required under all circumstances prior to driver license reinstatement.** It is recommended that courts explain to offenders at the time they are sentenced that they will always be required to complete DUI Programs to reinstate their driving privileges.

#### *General Recommendations*

The following recommendations are intended to help reduce other barriers to driver license reinstatement or to improve the California DUI system in general.

10. **Assess whether statute changes are warranted to better align APS and post-conviction suspension term lengths.** Comments provided by both the offenders and the professionals that work within the system most often named the differences in the post-conviction and APS suspension requirements as being the most difficult to understand. It is therefore recommended that California assess whether statute changes are warranted to better align court and APS suspension term lengths when both are imposed.

11. **Promote and publicize enforcement efforts targeting the apprehension of suspended or revoked drivers.** It is recommended that steps be taken to increase enforcement and to publicize enforcement efforts targeting the apprehension of suspended and revoked drivers. This may increase the perceived threat of apprehension and help prevent offenders from driving while suspended and encourage them to complete their license reinstatement requirements. Law enforcement officers should more consistently confirm the validity of driver licenses during traffic stops. System-wide action should be taken to increase the perceived risk of detection for disqualified driving through such means as media campaigns, similar to the way campaigns have been used to counter speeding and drunk driving.
12. **Increase court-ordered DUI Program enrollment.** Because the majority of offenders who had not reinstated had failed to complete their DUI Program requirements, it is recommended that courts encourage timelier completion of DUI Programs by explicitly ordering offenders to enroll in a DUI Program within a specified timeframe, rather than relying on the DMV to notify the offender of their requirement, sometime later, and then, only if the offender's accurate address is on file with the DMV.
13. **Encourage courts to assess offenders to distinguish drug-DUI offenders from alcohol-DUI offenders and apply sanctions consistent with the assessment findings.** The current DUI Program curriculum and/or typical spate of sanctions meted out from the courts focuses predominantly on alcohol-involved impairment, with little focus on impairment from use or misuse of other drugs, including prescription drugs. This may cause drug-DUI offenders to become discouraged and drop out of the programs prior to completion because the issues covered do not seem relevant to them. To address this issue, it is recommended that courts more diligently order individual assessments of offenders and apply sanctions that are consistent with the assessment findings (e.g., send drug-DUI offenders to programs tailored to drug users).
14. **More effectively inform offenders about obtaining restricted driving privileges.** The area that DUI professionals reported being least informed about was the steps involved in obtaining, or the advantages to offenders for obtaining, a restricted driving privilege. To encourage timelier compliance with the various court and administrative sanctions imposed on them, offenders should be better informed of their options and timeframes for obtaining restricted driving privileges. It is recommended that a pamphlet be developed by the DMV that explains the requirements for obtaining restricted driving privileges that

could be provided to the offender by any contact person within the DUI system, including the courts immediately upon conviction.

15. **Establish a new “restricted” license status code.** It is recommended that DMV establish a new license status code under the driver license status field of the driver record that explicitly indicates that a driver is in possession of a DUI-related restricted driving privilege. This status should also be added to the codes that are reported to law enforcement through the CLETS system. Adding this status to driver records would prompt law enforcement officers during traffic stops to determine whether the drivers should have an IID installed and may, as a result, also increase IID installation rates among offenders.

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## **APPENDICES**

## Appendix A

### DUI Offenders Survey

### CALIFORNIA DRIVER SURVEY

- 1. For each item below, please indicate the extent to which that item helps explain why you have not reinstated your California driver license following your 2004 DUI arrest.**

|        |                                                                                                                                                   | Strongly<br>agree<br>(4) | Somewhat<br>agree<br>(3) | Somewhat<br>disagree<br>(2) | Strongly<br>disagree<br>(1) | Not<br>applicable<br>(0) |
|--------|---------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-----------------------------|-----------------------------|--------------------------|
| (1.1)  | It costs too much.                                                                                                                                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>    | <input type="checkbox"/>    | <input type="checkbox"/> |
| (1.2)  | The process is too confusing.                                                                                                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>    | <input type="checkbox"/>    | <input type="checkbox"/> |
| (1.3)  | It is not necessary; I'll wait out the requirements.                                                                                              | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>    | <input type="checkbox"/>    | <input type="checkbox"/> |
| (1.4)  | The requirements don't seem to apply to me.                                                                                                       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>    | <input type="checkbox"/>    | <input type="checkbox"/> |
| (1.5)  | I haven't completed all of the alcohol/drug program requirements.                                                                                 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>    | <input type="checkbox"/>    | <input type="checkbox"/> |
| (1.6)  | I thought my driving privilege was reinstated.                                                                                                    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>    | <input type="checkbox"/>    | <input type="checkbox"/> |
| (1.7)  | I don't plan on driving any longer since I have made other travel arrangements (e.g., public transportation, carpooling, taxi, bike, walk, etc.). | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>    | <input type="checkbox"/>    | <input type="checkbox"/> |
| (1.8)  | I don't have time.                                                                                                                                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>    | <input type="checkbox"/>    | <input type="checkbox"/> |
| (1.9)  | The DMV has suspended or revoked my driving privilege for another reason since 2004.                                                              | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>    | <input type="checkbox"/>    | <input type="checkbox"/> |
| (1.10) | I haven't been able to obtain/maintain adequate auto insurance coverage.                                                                          | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>    | <input type="checkbox"/>    | <input type="checkbox"/> |
| (1.11) | Information was not offered in a language I could understand.                                                                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>    | <input type="checkbox"/>    | <input type="checkbox"/> |
| (1.12) | I received conflicting information from different people.                                                                                         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>    | <input type="checkbox"/>    | <input type="checkbox"/> |
| (1.13) | I'm not eligible for a California driver license.                                                                                                 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>    | <input type="checkbox"/>    | <input type="checkbox"/> |

|        |                                                        |                          |                          |                          |                          |                          |
|--------|--------------------------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| (1.14) | I was incarcerated on another charge.                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (1.15) | I do not have access to a car.                         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (1.16) | I am challenging the suspension in court or at the DMV | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

(1.17) Other (please specify): \_\_\_\_\_

**2. How much did the information you got (by phone, by mail, or in person) from each of the following sources help you understand what you need to do to reinstate your driving privilege following your 2004 DUI?**

|        |                                                                   | Very helpful<br>(4)      | Somewhat helpful<br>(3)  | Somewhat confusing<br>(2) | Very confusing<br>(1)    | I received no information from this source<br>(0) |
|--------|-------------------------------------------------------------------|--------------------------|--------------------------|---------------------------|--------------------------|---------------------------------------------------|
| (2.1)  | Your insurance company                                            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>  | <input type="checkbox"/> | <input type="checkbox"/>                          |
| (2.2)  | Advice from the arresting Police Officer                          | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>  | <input type="checkbox"/> | <input type="checkbox"/>                          |
| (2.3)  | A written statement or report given to you when you were arrested | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>  | <input type="checkbox"/> | <input type="checkbox"/>                          |
| (2.4)  | Jail booking sheet and/or booking officer                         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>  | <input type="checkbox"/> | <input type="checkbox"/>                          |
| (2.5)  | Your attorney                                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>  | <input type="checkbox"/> | <input type="checkbox"/>                          |
| (2.6)  | The District Attorney (Prosecutor)                                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>  | <input type="checkbox"/> | <input type="checkbox"/>                          |
| (2.7)  | DMV Field Office employee(s)                                      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>  | <input type="checkbox"/> | <input type="checkbox"/>                          |
| (2.8)  | DMV Phone Center employee(s)                                      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>  | <input type="checkbox"/> | <input type="checkbox"/>                          |
| (2.9)  | Automated DMV phone information                                   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>  | <input type="checkbox"/> | <input type="checkbox"/>                          |
| (2.10) | DMV Mandatory Actions Unit employee(s)                            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>  | <input type="checkbox"/> | <input type="checkbox"/>                          |
| (2.11) | If you had a DMV hearing, a copy of the Hearing findings          | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>  | <input type="checkbox"/> | <input type="checkbox"/>                          |
| (2.12) | Advice from a DMV Hearing Officer                                 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>  | <input type="checkbox"/> | <input type="checkbox"/>                          |
| (2.13) | A written suspension order from DMV                               | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>  | <input type="checkbox"/> | <input type="checkbox"/>                          |
| (2.14) | The Judge                                                         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>  | <input type="checkbox"/> | <input type="checkbox"/>                          |
| (2.15) | Someone else from the Court                                       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>  | <input type="checkbox"/> | <input type="checkbox"/>                          |
| (2.16) | A probation sheet                                                 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>  | <input type="checkbox"/> | <input type="checkbox"/>                          |

|        |                                                                      |                          |                          |                          |                          |                          |
|--------|----------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| (2.17) | Advise from a Probation Officer                                      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (2.18) | Alcohol/drug program classes, forms and/or instructor or counselor   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (2.19) | A DUI program completion notice                                      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (2.20) | Information from a friend, classmate, or co-worker who has had a DUI | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

(2.21) Other (please specify): \_\_\_\_\_

- 3. Below is a list of fees that must be paid before a California Driver License can be reinstated following a DUI suspension or revocation. Please select the box for each that best describes where you are in meeting each of these obligations.**

|       |                                | Completely paid<br>(4)   | In process of paying off over time<br>(3) | Paid a portion then stopped paying<br>(2) | Have not yet begun to pay for this<br>(1) | I had no cost in this area<br>(0) |
|-------|--------------------------------|--------------------------|-------------------------------------------|-------------------------------------------|-------------------------------------------|-----------------------------------|
| (3.1) | Alcohol/drug program fees      | <input type="checkbox"/> | <input type="checkbox"/>                  | <input type="checkbox"/>                  | <input type="checkbox"/>                  | <input type="checkbox"/>          |
| (3.2) | Insurance premiums             | <input type="checkbox"/> | <input type="checkbox"/>                  | <input type="checkbox"/>                  | <input type="checkbox"/>                  | <input type="checkbox"/>          |
| (3.3) | Court fines or penalties       | <input type="checkbox"/> | <input type="checkbox"/>                  | <input type="checkbox"/>                  | <input type="checkbox"/>                  | <input type="checkbox"/>          |
| (3.4) | Ignition interlock device fees | <input type="checkbox"/> | <input type="checkbox"/>                  | <input type="checkbox"/>                  | <input type="checkbox"/>                  | <input type="checkbox"/>          |
| (3.5) | DMV reinstatement fees         | <input type="checkbox"/> | <input type="checkbox"/>                  | <input type="checkbox"/>                  | <input type="checkbox"/>                  | <input type="checkbox"/>          |

(3.6) Other (Please explain): \_\_\_\_\_

- 4. How common do you think it is for each of the following to happen when the police catch someone driving on a suspended Driver's License?**

|       |                                                                    | This always happens<br>(4) | This usually happens<br>(3) | This could happen, but usually doesn't<br>(2) | This never happens<br>(1) | I don't know<br>(0)      |
|-------|--------------------------------------------------------------------|----------------------------|-----------------------------|-----------------------------------------------|---------------------------|--------------------------|
| (4.1) | The driver's car is immediately impounded                          | <input type="checkbox"/>   | <input type="checkbox"/>    | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input type="checkbox"/> |
| (4.2) | The driver is arrested and taken to jail                           | <input type="checkbox"/>   | <input type="checkbox"/>    | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input type="checkbox"/> |
| (4.3) | The driver's driving privilege will be suspended for a longer time | <input type="checkbox"/>   | <input type="checkbox"/>    | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input type="checkbox"/> |
| (4.4) | The court will order the driver                                    | <input type="checkbox"/>   | <input type="checkbox"/>    | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input type="checkbox"/> |

|       |                                                                    |                          |                          |                          |                          |                          |
|-------|--------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
|       | to install an ignition interlock device on the car                 |                          |                          |                          |                          |                          |
| (4.5) | The driver is given a traffic citation and will have to pay a fine | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**5. Have you ever driven during the time that your license has been suspended or revoked for DUI?**

☐ Frequently (2)      ☐ Rarely (1)      ☐ Never (0)

**6. If a collision led to your DUI arrest, did an insurance company pay for any part of your medical or collision costs relating to the DUI? (Please check all that apply.)**

(6.1) ☐ There was a collision and **my insurance** covered (or will cover) some or all of the costs

(6.2) ☐ There was a collision and **someone else's insurance** covered (or will cover) some or all of the costs

(6.3) ☐ There was a collision but no insurance company was involved

(6.4) ☐ There was no collision.

**7. Please indicate how much each of the following may have contributed to any delay in your efforts to complete your required alcohol program classes.**

|       |                                                                            | Strongly<br>contributed<br>to a delay<br>(3) | Somewhat<br>contributed<br>to a delay<br>(2) | Did not<br>contribute<br>to a delay<br>(1) | There<br>was no<br>delay<br>(0) |
|-------|----------------------------------------------------------------------------|----------------------------------------------|----------------------------------------------|--------------------------------------------|---------------------------------|
| (7.1) | Finding classes to fit within my schedule                                  | <input type="checkbox"/>                     | <input type="checkbox"/>                     | <input type="checkbox"/>                   | <input type="checkbox"/>        |
| (7.2) | Location of the classes                                                    | <input type="checkbox"/>                     | <input type="checkbox"/>                     | <input type="checkbox"/>                   | <input type="checkbox"/>        |
| (7.3) | Cost of the classes                                                        | <input type="checkbox"/>                     | <input type="checkbox"/>                     | <input type="checkbox"/>                   | <input type="checkbox"/>        |
| (7.4) | Availability of alternate transportation options to get to the classes     | <input type="checkbox"/>                     | <input type="checkbox"/>                     | <input type="checkbox"/>                   | <input type="checkbox"/>        |
| (7.5) | Additional class requirements ordered by the class instructor or counselor | <input type="checkbox"/>                     | <input type="checkbox"/>                     | <input type="checkbox"/>                   | <input type="checkbox"/>        |
| (7.6) | Attitude of the class instructor/counselor                                 | <input type="checkbox"/>                     | <input type="checkbox"/>                     | <input type="checkbox"/>                   | <input type="checkbox"/>        |

(7.7) Other (Please explain): \_\_\_\_\_

**8. Please indicate whether you have completed each of the following steps that are required to reinstate your California driver's license.**

|       |                                                                    | <b>Yes,</b><br>I have<br>completed this<br>(3) | <b>No,</b><br>I have not<br>completed this<br>(2) | I don't know<br>if I have<br>completed this<br>(1) | This<br>was not<br>required<br>(0) |
|-------|--------------------------------------------------------------------|------------------------------------------------|---------------------------------------------------|----------------------------------------------------|------------------------------------|
| (8.1) | A DMV license suspension term                                      | <input type="checkbox"/>                       | <input type="checkbox"/>                          | <input type="checkbox"/>                           | <input type="checkbox"/>           |
| (8.2) | A court license suspension term                                    | <input type="checkbox"/>                       | <input type="checkbox"/>                          | <input type="checkbox"/>                           | <input type="checkbox"/>           |
| (8.3) | Obtained auto insurance                                            | <input type="checkbox"/>                       | <input type="checkbox"/>                          | <input type="checkbox"/>                           | <input type="checkbox"/>           |
| (8.4) | I have proof on file with DMV that I am maintaining auto insurance | <input type="checkbox"/>                       | <input type="checkbox"/>                          | <input type="checkbox"/>                           | <input type="checkbox"/>           |
| (8.5) | Paid DMV license reinstatement fees                                | <input type="checkbox"/>                       | <input type="checkbox"/>                          | <input type="checkbox"/>                           | <input type="checkbox"/>           |
| (8.6) | Required DUI program classes                                       | <input type="checkbox"/>                       | <input type="checkbox"/>                          | <input type="checkbox"/>                           | <input type="checkbox"/>           |

## Appendix B

### DUI Professionals Survey

#### 1. DUI Experts Survey

**1. Which of the following best describes your area of expertise relating to DUI offenders?**

- ☐ Law enforcement
- ☐ District Attorney or City Attorney
- ☐ Public Defender
- ☐ Private Attorney
- ☐ Judiciary
- ☐ Probation
- ☐ DUI Programs
- ☐ DMV Field operations
- ☒ DMV Mandatory Actions

Other (please specify)

**2. Based on your experience, please describe what you think is the biggest barrier DUI offenders face in attempting to fulfill their obligations before they can be licensed to drive again in California?**

**3. In your experience, how commonly confusing are each of the following sources of information to DUI-suspended drivers (or their representatives) in attempting to understand the precise requirements of obtaining full driver license reinstatement?**

|                                                     | Common source of confusion | Occasional source of confusion | Not generally a source of confusion | Unknown               |
|-----------------------------------------------------|----------------------------|--------------------------------|-------------------------------------|-----------------------|
| Verbal information from the arresting officer       | <input type="radio"/>      | <input type="radio"/>          | <input type="radio"/>               | <input type="radio"/> |
| The arresting officer's written statement           | <input type="radio"/>      | <input type="radio"/>          | <input type="radio"/>               | <input type="radio"/> |
| Information from jail employees                     | <input type="radio"/>      | <input type="radio"/>          | <input type="radio"/>               | <input type="radio"/> |
| Booking or jail release forms                       | <input type="radio"/>      | <input type="radio"/>          | <input type="radio"/>               | <input type="radio"/> |
| Verbal information from attorneys                   | <input type="radio"/>      | <input type="radio"/>          | <input type="radio"/>               | <input type="radio"/> |
| Written information from attorneys                  | <input type="radio"/>      | <input type="radio"/>          | <input type="radio"/>               | <input type="radio"/> |
| Verbal information from the court                   | <input type="radio"/>      | <input type="radio"/>          | <input type="radio"/>               | <input type="radio"/> |
| Written information from the court                  | <input type="radio"/>      | <input type="radio"/>          | <input type="radio"/>               | <input type="radio"/> |
| Verbal information from a DMV hearing officer       | <input type="radio"/>      | <input type="radio"/>          | <input type="radio"/>               | <input type="radio"/> |
| A DMV hearing decision report                       | <input type="radio"/>      | <input type="radio"/>          | <input type="radio"/>               | <input type="radio"/> |
| Verbal information from a DMV phone center employee | <input type="radio"/>      | <input type="radio"/>          | <input type="radio"/>               | <input type="radio"/> |
| Understanding where fines or fees are to be paid    | <input type="radio"/>      | <input type="radio"/>          | <input type="radio"/>               | <input type="radio"/> |
| Obtaining a restricted driver license               | <input type="radio"/>      | <input type="radio"/>          | <input type="radio"/>               | <input type="radio"/> |
| Verbal information from a DUI-program provider      | <input type="radio"/>      | <input type="radio"/>          | <input type="radio"/>               | <input type="radio"/> |
| Scheduling DUI-program class requirements           | <input type="radio"/>      | <input type="radio"/>          | <input type="radio"/>               | <input type="radio"/> |
| Requirements to obtain auto insurance               | <input type="radio"/>      | <input type="radio"/>          | <input type="radio"/>               | <input type="radio"/> |
| Requirements to maintain insurance                  | <input type="radio"/>      | <input type="radio"/>          | <input type="radio"/>               | <input type="radio"/> |
| Working out transportation alternatives             | <input type="radio"/>      | <input type="radio"/>          | <input type="radio"/>               | <input type="radio"/> |
| Completing probation requirements                   | <input type="radio"/>      | <input type="radio"/>          | <input type="radio"/>               | <input type="radio"/> |
| Completing ignition interlock requirements          | <input type="radio"/>      | <input type="radio"/>          | <input type="radio"/>               | <input type="radio"/> |
| Obtaining a DMV hardship suspension waiver          | <input type="radio"/>      | <input type="radio"/>          | <input type="radio"/>               | <input type="radio"/> |
| Other (please specify)                              |                            |                                |                                     |                       |

**4. Please indicate the extent that you think each of the following costs represent a barrier for DUI offenders in their effort to complete their DUI obligations.**

|                                                                                   | Significant barrier   | Minor barrier         | Not a barrier         | I don't know          |
|-----------------------------------------------------------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Insurance costs (e.g., increased rates due to DUI conviction)                     | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Court costs (e.g., fines, penalty assessments, or restitution)                    | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| DUI Program costs                                                                 | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Probation costs                                                                   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Ignition interlock costs                                                          | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| DMV fee costs                                                                     | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Collision costs (e.g., out-of-pocket expenses to repair vehicle or medical costs) | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Lost wages                                                                        | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Total costs that must be paid                                                     | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

**5. Please indicate the extent to which you think each of the following commonly contributes to the reasons why many DUI offenders drop out of DUI program prior to receiving their certificate of completion.**

|                                                                           | Commonly<br>contributes to drop<br>outs | Occasionally<br>contributes to drop<br>outs | Rarely contributes<br>to drop outs | I don't know          |
|---------------------------------------------------------------------------|-----------------------------------------|---------------------------------------------|------------------------------------|-----------------------|
| Move out of the area                                                      | <input type="radio"/>                   | <input type="radio"/>                       | <input type="radio"/>              | <input type="radio"/> |
| Employment conflicts with class times                                     | <input type="radio"/>                   | <input type="radio"/>                       | <input type="radio"/>              | <input type="radio"/> |
| Experience discomfort being asked to face their situation                 | <input type="radio"/>                   | <input type="radio"/>                       | <input type="radio"/>              | <input type="radio"/> |
| Fail to understand the components of the program requirement              | <input type="radio"/>                   | <input type="radio"/>                       | <input type="radio"/>              | <input type="radio"/> |
| Transportation problems                                                   | <input type="radio"/>                   | <input type="radio"/>                       | <input type="radio"/>              | <input type="radio"/> |
| Limited availability of classes                                           | <input type="radio"/>                   | <input type="radio"/>                       | <input type="radio"/>              | <input type="radio"/> |
| Can't pay program costs                                                   | <input type="radio"/>                   | <input type="radio"/>                       | <input type="radio"/>              | <input type="radio"/> |
| Avoid perceived judgment by others in class or by instructor              | <input type="radio"/>                   | <input type="radio"/>                       | <input type="radio"/>              | <input type="radio"/> |
| Don't think dropping out will prevent them from reinstating their license | <input type="radio"/>                   | <input type="radio"/>                       | <input type="radio"/>              | <input type="radio"/> |
| Other (please specify)                                                    | <input type="text"/>                    |                                             |                                    |                       |

**6. Please indicate the extent to which you think each of the following administrative per se (APS) process requirements commonly confuse suspended or revoked DUI offenders or their representatives.**

|                                                                                 | Commonly<br>contributes to<br>confusion | Occasionally<br>contributes to<br>confusion | Rarely contributes<br>to confusion | I don't know          |
|---------------------------------------------------------------------------------|-----------------------------------------|---------------------------------------------|------------------------------------|-----------------------|
| The APS suspension term length                                                  | <input type="radio"/>                   | <input type="radio"/>                       | <input type="radio"/>              | <input type="radio"/> |
| The overall suspension length when a post conviction suspension is also applied | <input type="radio"/>                   | <input type="radio"/>                       | <input type="radio"/>              | <input type="radio"/> |
| The process for obtaining a hearing                                             | <input type="radio"/>                   | <input type="radio"/>                       | <input type="radio"/>              | <input type="radio"/> |
| The time limit for requesting a hearing                                         | <input type="radio"/>                   | <input type="radio"/>                       | <input type="radio"/>              | <input type="radio"/> |
| The information in the written report received following a hearing              | <input type="radio"/>                   | <input type="radio"/>                       | <input type="radio"/>              | <input type="radio"/> |
| The need to pay APS fees to DMV                                                 | <input type="radio"/>                   | <input type="radio"/>                       | <input type="radio"/>              | <input type="radio"/> |
| Other (please specify)                                                          | <input type="text"/>                    |                                             |                                    |                       |

**7. Do you think there is sufficient information currently available to you for you to be able to confidently advise DUI offenders about each of the following?**

|                                                                                               | Yes                   | Somewhat              | No                    |
|-----------------------------------------------------------------------------------------------|-----------------------|-----------------------|-----------------------|
| Whether they are eligible to obtain a restricted privilege to drive after a 30-day suspension | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Overall court and DMV imposed license suspension lengths for adults                           | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Overall court and DMV imposed license suspension lengths for drivers aged 21 and younger      | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| APS suspension lengths for first DUI offenders                                                | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| APS suspension lengths for repeat DUI offenders                                               | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| APS suspension lengths for DUI offenders who refuse a test of their BAC level                 | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Eligibility for obtaining a hardship license suspension waiver                                | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Requirements for obtaining full driver license reinstatement                                  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

**8. Please indicate the extent that each of the following sanctions or consequences faced by DUI offenders who plea bargain to a wet-reckless conviction may contribute to confusion regarding their reinstatement requirements.**

|                                                       | Common source of confusion | Occasional source of confusion | Rare source of confusion | I don't know          |
|-------------------------------------------------------|----------------------------|--------------------------------|--------------------------|-----------------------|
| Obtaining insurance                                   | <input type="radio"/>      | <input type="radio"/>          | <input type="radio"/>    | <input type="radio"/> |
| Knowing they must comply with an APS suspension term  | <input type="radio"/>      | <input type="radio"/>          | <input type="radio"/>    | <input type="radio"/> |
| Understanding their DUI Program requirements          | <input type="radio"/>      | <input type="radio"/>          | <input type="radio"/>    | <input type="radio"/> |
| Understanding their Probation compliance requirements | <input type="radio"/>      | <input type="radio"/>          | <input type="radio"/>    | <input type="radio"/> |
| Maintaining insurance                                 | <input type="radio"/>      | <input type="radio"/>          | <input type="radio"/>    | <input type="radio"/> |

Other (please specify)

**9. Please provide any suggestions you have for improving the information that is given to suspend/revoked DUI offenders to help them better understand how to reinstate their driving privilege.**

Information from the arresting officer (e.g., the arrest report or DS 367 form)

Information from attorneys

Information from the jail

Information from the DMV (e.g., information from a hearing officer)

Information from the court

Information from the probation officer

Information from insurance carriers

That's it! Once you have hit the DONE button on the next page your response will be sent directly to us for inclusion in our results. Thank you for completing this survey. Your responses will help us better understand the barriers and constraints that suspended or revoked DUI drivers face in attempting to reinstate their driving privileges. Thank you!

### Appendix C

#### Additional Comments Provided for DUI Professionals Survey Items 3, 5, 6, and 8

Table C1

Percentage of DUI Professionals Providing Comments to DUI Offender Survey Item 3

| <b>Item 3: In your experience, how commonly confusing are each of the following sources of information to DUI-suspended drivers (or their representatives in attempting to understand the precise requirements of obtaining a driver license reinstatement?)</b> |                 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| Comment categories                                                                                                                                                                                                                                               | % all responses |
| Confusion (complex system). Court & APS requirements not clear & hard to reconcile                                                                                                                                                                               | 45.3            |
| Provide checklist, pamphlet or website of what will happen & things to do to reinstate. Could be part of Per Se arrest process.                                                                                                                                  | 37.6            |
| Don't know what DMV requires (must come in/follow thru)                                                                                                                                                                                                          | 35.3            |
| Problems with English comprehension or reading ability.                                                                                                                                                                                                          | 13.3            |
| Too intoxicated at time of arrest to follow directions. Must get directions later.                                                                                                                                                                               | 7.9             |
| Cost                                                                                                                                                                                                                                                             | 6.7             |
| They're lazy/ They don't care or are irresponsible / Their problem not ours/ They shouldn't get their license back                                                                                                                                               | 5.0             |
| Get different & conflicting answers from DMV employees to same question                                                                                                                                                                                          | 4.7             |
| I don't know                                                                                                                                                                                                                                                     | 4.3             |
| Obtain or keep insurance                                                                                                                                                                                                                                         | 2.8             |
| Poorly informed attorneys who give wrong information                                                                                                                                                                                                             | 2.2             |
| Need transportation to attend DUI program, work, etc.                                                                                                                                                                                                            | 1.9             |
| Finish DUI Program                                                                                                                                                                                                                                               | 1.8             |
| Too much redundant paperwork.                                                                                                                                                                                                                                    | 1.6             |
| Better training for DMV employees in DUI                                                                                                                                                                                                                         | 1.3             |
| Can't complete these or competing criminal obligations or status                                                                                                                                                                                                 | 1.3             |
| Almost never get feedback from DMV & the DA. It would be nice to bring all the parties together                                                                                                                                                                  | 1.2             |
| Have one representative from each division in one location to answer all reinstatement requirements (to reduce confusion) at the same time                                                                                                                       | 0.8             |
| Court conviction not sent to DMV timely. Customer comes to DMV to reinstate, but court conviction not updated                                                                                                                                                    | 0.5             |
| Offender thinks no consequence for inaction                                                                                                                                                                                                                      | 0.4             |
| None/ Not a problem area                                                                                                                                                                                                                                         | 0.3             |

Table C2

Percentage of DUI Professionals Providing Comments to DUI Offender Survey Item 5

| <b>Item 5: Please indicate the extent to which you think each of the following commonly contributes to the reasons why many DUI offenders drop out of DUI program prior to receiving their certificate of completion.</b> |                 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| Comment categories                                                                                                                                                                                                        | % all responses |
| They're lazy/ They don't care or are irresponsible / Their problem not ours/ They shouldn't get their license back.                                                                                                       | 30.8            |
| Offenders don't finish their DUI Program classes.                                                                                                                                                                         | 16.3            |
| Cost.                                                                                                                                                                                                                     | 10.7            |
| Alcohol addiction/sobriety.                                                                                                                                                                                               | 9.8             |
| DUI program classes are not considered useful to the offender.                                                                                                                                                            | 9.5             |
| Offender thinks there will be no consequence for inaction.                                                                                                                                                                | 9.2             |
| Confusion (complex system). Court & APS requirements not clear & hard to reconcile.                                                                                                                                       | 7.4             |
| Excessive absences from class.                                                                                                                                                                                            | 3.6             |
| Can't complete these or competing criminal obligations or status.                                                                                                                                                         | 2.9             |
| DUI program conflicts with work. Should hold program during evenings & weekends.                                                                                                                                          | 2.6             |
| Need transportation to attend DUI program, work, etc.                                                                                                                                                                     | 2.3             |
| I don't know.                                                                                                                                                                                                             | 2.0             |
| Offender doesn't know what DMV requires (must come in/follow through).                                                                                                                                                    | 1.3             |
| "None"/ Not a problem area.                                                                                                                                                                                               | 1.1             |
| Too intoxicated at arrest to follow directions. Must get directions later.                                                                                                                                                | 1.0             |
| Provide checklist, pamphlet or website of what will happen & things to do to reinstate. Could be part of Per Se arrest process.                                                                                           | 0.9             |
| Offender can't obtain or keep insurance.                                                                                                                                                                                  | 0.4             |
| Too much redundant paperwork.                                                                                                                                                                                             | 0.4             |
| Problems with English comprehension or reading ability.                                                                                                                                                                   | 0.4             |

Table C3

Percentage of DUI Professionals Providing Comments to DUI Offender Survey Item 6

| <b>Item 6: Please indicate the extent to which you think each of the following administrative per se (APS) process requirements commonly confuse suspended or revoked DUI offenders or their representatives.</b> |                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| Comment categories                                                                                                                                                                                                | % all responses |
| Confusion (complex system). Court & APS requirements not clear & hard to reconcile.                                                                                                                               | 38.9            |
| Provide checklist, pamphlet or website of what will happen & things to do to reinstate. Could be part of Per Se arrest process.                                                                                   | 27.6            |
| They're lazy/ They don't care or are irresponsible / Their problem not ours/ They shouldn't get their license back.                                                                                               | 22.3            |
| Offender doesn't know what DMV requires (must come in/follow through).                                                                                                                                            | 8.5             |
| I don't know.                                                                                                                                                                                                     | 8.4             |
| Too intoxicated at arrest to follow directions. Must get directions later.                                                                                                                                        | 4.6             |
| Problems with English comprehension or reading ability.                                                                                                                                                           | 3.1             |
| "None."                                                                                                                                                                                                           | 2.2             |
| Cost.                                                                                                                                                                                                             | 1.5             |
| Get different & conflicting answers from DMV employees to same question. Sometimes obtaining driver record printout (H6) helps.                                                                                   | 1.1             |
| Poorly informed counselors & administrators who give wrong information.                                                                                                                                           | 1.1             |
| Can't complete these or competing criminal obligations or status.                                                                                                                                                 | 0.8             |
| Offender can't obtain or keep insurance.                                                                                                                                                                          | 0.4             |
| Court conviction not sent to DMV timely. Customer comes to DMV to reinstate, but court conviction not updated.                                                                                                    | 0.4             |

Table C4

Percentage of DUI Professionals Providing Comments to DUI Offender Survey Item 8

| <b>Item 8: Please indicate the extent that each of the following sanctions or consequences faced by DUI offenders who plea bargain to a wet-reckless conviction may contribute to confusion regarding their reinstatement requirements.</b> |                 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| Comment categories                                                                                                                                                                                                                          | % all responses |
| Confusion (complex system). Court & APS requirements not clear & hard to reconcile.                                                                                                                                                         | 34.6            |
| Offender doesn't know what DMV requires (must come in/follow through).                                                                                                                                                                      | 23.3            |
| Provide checklist, pamphlet or website of what will happen & things to do to reinstate. Could be part of Per Se arrest process.                                                                                                             | 22.0            |
| Wet-reckless at .08 or greater. Confusion about lowered criminal charge but still APS suspension.                                                                                                                                           | 11.8            |
| "None."                                                                                                                                                                                                                                     | 11.8            |
| I don't know.                                                                                                                                                                                                                               | 10.3            |
| Sometimes court and DMV give conflicting information about DUI program that must be attended.                                                                                                                                               | 8.3             |
| Most drivers that have a wet-reckless don't know that it is considered a prior alcohol related event.                                                                                                                                       | 6.5             |
| Poorly informed attorneys who give wrong information                                                                                                                                                                                        | 3.0             |
| They're lazy/ They don't care or are irresponsible / It's their problem not ours/ They shouldn't get their license back.                                                                                                                    | 1.9             |
| Get different & conflicting answers from DMV employees to same question. Sometimes H6 helps.                                                                                                                                                | 1.3             |
| Too intoxicated at arrest to follow directions. Must get directions later.                                                                                                                                                                  | 1.0             |
| Officer cannot give accurate information regarding suspension if there are prior convictions, probation etc. That is up to the court.                                                                                                       | 1.0             |
| Better training for DMV employees in DUI.                                                                                                                                                                                                   | 0.7             |