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TITLE: The California DUI Countermeasure System: An Evaluation of System Processing and Deficiencies. (Volume 5 of "An Evaluation of the California Drunk Driving Countermeasure System")

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PROTECT OBTECTIVE:

Specific objectives of this study were: (1) identification of deficiencies in the California DUI countermeasure system, and (2) evaluation of the frequency with which DUI offenders avoid timely processing or circumvent system countermeasures due to these deficiencies. The general objective of the study was to empirically describe and analyze the flow of DUI offenders through the DUI countermeasure system.

SUMMARY:

A total of 3,959 DUI offenders arrested by 44 law enforcement agencies in 7 sample counties were tracked through the DUI system from the point of arrest through postconviction countermeasures. A separate sample of 701 convicted DUI offenders referred to alcohol education/ treatment programs in the 7 sample counties was identified from program provider records and tracked through Department of Motor Vehicles (DMV), court, and program records. Among the results of the empirical analysis of DUI offender flow through the DUI countermeasure system were the following:

- There was wide variation in the probability of conviction for a DUI offender depending upon the county and court in which the offense was adjudicated; the use of sanctions also varied widely by county and court.

The majority of alcohol education and treatment program dropouts were not reported to the DMV by the courts, and a substantial proportion of DUI offenders avoided license suspension as a result.

9% of drivers arrested for DUI were under license suspension or revocation at the time of arrest; only 20% of these drivers were convicted of the offense of driving while suspended or revoked.

A surprisingly large proportion of DUI offenders were unlicensed or had multiple driver records.

Based on study findings it was concluded that: (1) the probability of punishment for DUI offenses must be increased in order to produce any large-scale impact on the problem of drinking and driving, (2) the citation and conviction rates of those who drive while suspended or revoked must be improved in order for license suspension to remain an effective and credible traffic safety countermeasure, (3) in order for the DUI countermeasure system to function as a true system, goals and objectives must be developed along with a management information system to assess the achievement of those goals and objectives, and (4) improvement is needed in the accuracy of records in the DUI countermeasure system. Accordingly, the following recommendations for system improvements were offered: (1) legislation should be enacted to require administrative per se license suspension upon arrest for DUI and for any conviction of DUI, (2) efforts should be undertaken to improve the prosecution and conviction of drivers known to violate the suspension/revocation order, (3) a coordinating committee or centralized agency should be established to set the goals and objectives of the DUI countermeasure system, and a management information system developed to continuously assess the achievement of those goals and objectives, and (4) the DMV should establish criteria for matching accident reports and court abstracts to driver records which maximize the probability of matching entries to existing driver records without significantly increasing the number of incorrect matches.

IMPLEMENTATION STATUS OF FINDINGS AND RECOMMENDATIONS:

See Peck, Report # 112. The Department made some alterations in its file-matching procedures and additional modifications are in progress at the time of writing. The Department also obtained an OTS grant entitled "Development of an Improved Management Control System for DUI Drivers." This grant resulted in a conceptual design for a DUI MIS system (see Helander, Report 121). Another OTS Grant, "Post-Disqualification Control of DUI Offenders," established a pilot demonstration project to improve the detection, apprehension, prosecution and conviction of suspension/revocation violators; see DeYoung, Report #129. Legislation, (AB 757 Friedman) was enacted which mandated the establishment of an ongoing DUI data monitoring system to provide annual "State of the System" reports to the legislature beginning 1/1/92, and administrative per se license suspension was enacted into law effective 7/1/90 (SB 1623 Lockyer).

SUPPLEMENTARY INFORMATION:

A summary of this paper was presented at the 1988 *Conference on the Control and Management of High-Risk Drivers*, Sacramento, CA, June 16-17,1988.