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FACT SHEET

INVEST IN EVIDENCE-BASED PROGRAMS WITH PROVEN SUCCESS

SUBJECT HABITUAL DWI OFFENDERS TO THE INTENSE SUPERVISION AND INTERVENTION OFFERED IN DRUG COURTS

TEXAS NEEDS A REALISTIC AND EFFECTIVE SOLUTION TO ADDRESSING HABITUAL DWI OFFENDERS.

Merely locking away individuals convicted of Driving While Intoxicated (DWI) does nothing to address the root causes of this type of criminal behavior, thus failing to effect a reduction in recidivism.

On the other hand, the creation of DWI-specific drug courts would quickly identify habitual alcohol abusing offenders and place them under strict court monitoring and community supervision, coupled with effective, long-term treatment services. So, instead of building new facilities for temporary containment, counties should be encouraged to create DWI drug court programs that prevent DWI offenders' incarceration by addressing habitual alcohol abuse. In addition, the funds diverted from the costs of incarceration and the construction of DWI facilities should be used to reinforce existing in- and out-patient alcohol abuse treatment programs that address the root cause of DWI.

CURRENT PROPOSALS FOR MANAGING DWI OFFENDERS WILL BE COSTLY AND LESS EFFECTIVE.

The Sunset Advisory Council staff report on the Texas Department of Criminal Justice (TDCJ) recommended \$62.9 million in new funding for the construction of a medium security facility with 1,000 beds, 500 of which would be dedicated to holding DWI offenders. But there is no guarantee of treatment at these facilities and no guarantee that they will not later be appropriated for general incarceration. Building new prisons is a costly and ineffective approach to decreasing recidivism, especially for individuals who struggle with drug and alcohol abuse.

WHAT WOULD H.B. 1875 DO?

H.B. 1875 would allow a county commissioners court to establish a drug court exclusively for DWI offenders as long as the program has at least 50 participants during the first four months of its operation. Another provision applies to counties that have drug courts but not a separate DWI program; such counties would be required to ensure that DWI offenders participate.

To encourage involvement in the program, H.B. 1875 would allow a DWI drug court judge or magistrate to suspend any probation requirement that prevents a participant from operating a motor vehicle without an ignition interlock device installed or that requires a participant to work a specified number of community service hours.

RESEARCH HAS CONFIRMED THE EFFECTIVENESS OF DWI COURTS.

The University of New Mexico evaluated the DWI/Drug Court Program in Bernalillo County and found that only 36 of the 341 graduates had been re-arrested for DWI since the program's inception (a recidivism rate of only 10.6%). The Kootenai County, Idaho Prosecuting Attorney's Office and the Idaho Transportation Department's Office of Highway Safety analyzed the county's DUI Court: Only 4% of the 46 DUI Court graduates were arrested for a subsequent DUI versus a 14% DUI recidivism rate among a comparison group.

H.B. 1875 SAVES MONEY WHILE PROVIDING INTERVENTION NECESSARY TO STOP HABITUAL DWI OFFENDERS.

H.B. 1875 would enable courts, community supervision units, and law enforcement to work cooperatively with mental health, social service, and treatment providers in actively and forcefully intervening and breaking the cycle of alcohol abuse, addiction, and the criminal acts that result from these problems.