



DES MOINES MUNICIPAL COURT DUI COURT

FREQUENTLY ASKED QUESTIONS

WHAT IS DUI COURT?

DUI Court is a specialized therapeutic court dedicated to changing the behavior of high risk DUI offenders through intensive treatment and supervision. The goal of DUI Court is to protect public safety by using the highly successful drug court model that uses accountability and long-term treatment to address alcohol and drug addiction. The DMMC DUI Court program is a comprehensive 24 month, 5-phase treatment program designed with specific objectives aimed at keeping the participant alcohol- and drug-free in order to rehabilitate the offender and reduce the likelihood of recidivism.

HOW IS DUI COURT DIFFERENT FROM CRIMINAL COURT?

In a traditional criminal court, the prosecutor and the defense attorney are adversarial, with the judge as the arbiter. Law enforcement officers appear in court only as witnesses, and treatment providers are generally never in the courtroom. In DUI Court, these professionals come together as a team with one objective: how do we change the participants' behavior so they are no longer a threat to the community? Each team member brings a unique and specialized perspective to help ensure a complete response by the court.

WHAT ARE THE BENEFITS OF PARTICIPATING IN DUI COURT?

Participants who successfully complete the DUI Court program earn early closure of their criminal case and avoid lengthy jail sentences typically associated with repeat offenders. More importantly, DUI Court offers the benefit of an entire team of professionals working to support each participant in addressing and combating the chemical dependency issues that brought them into the criminal justice system. The DUI Court Team can assist participants with maintaining sobriety; solving housing, transportation, and/or relicensing issues; and, developing job skills or earning a GED. Those who graduate from DUI Court are more likely to maintain stable employment, reunite with family members, discover new talents and interests, seek higher education, and, most importantly, develop the tools necessary to break the cycle of drinking or using and landing in jail. Many graduates have described their participation in DUI Court as life-changing.

IS DUI COURT EFFECTIVE?

A large body of research supports the effectiveness of DUI courts to lead participants out of the justice system and into long-term sobriety. One study found that DUI Courts reduce recidivism by as much as 65%. Mitchell, O., Wilson, D.B., Eggers, A., & MacKenzie, D.L. (2012). Assessing the effectiveness of drug courts on recidivism: A meta-analysis review of traditional and nontraditional drug courts. *Journal of Criminal Justice*, 40(1). DUI Courts also reduce the costs associated with traditional prosecution and incarceration of repeat DUI offenders. One study concluded that taxpayers save \$3.19 for every dollar

spent on DUI Court programs. Carey, S., Harrison, P., Johnson, A., & Zil, C. (2014). Minnesota DWI Courts: A summary of evaluation findings in nine drug court programs. Portland: NPC Research. In short, DUI Court benefits both the community and the offender by providing a cost-effective approach to reducing DUI recidivism while, at the same time, rehabilitating offenders through therapeutic assessment, intensive treatment and education.

DOES EVERY MUNICIPAL COURT HAVE A DUI COURT?

No. Currently, there are only 7 DUI courts in the State of Washington only 2 of which are in King County. DMMC DUI Court guidelines comply with state law (see RCW 2.30.030, governing therapeutic courts) and with national standards as recommended by the National Center for DWI Courts. For more information on DWI Courts, visit www.dwicourts.org.

WHO IS ELIGIBLE TO PARTICIPATE IN DUI COURT?

To be found eligible for DUI Court, you must be: (1) an adult offender charged with a third DUI/Physical Control in DMMC or NPMC; (2) a current resident of King County; and (3) diagnosed with a substance use disorder or co-occurring disorder. If a participant opts into DUI Court, all related misdemeanor or gross misdemeanor offenses will be brought into DUI Court if they stemmed from the DUI investigation (i.e., driving on a suspended license, hit and run of an attended vehicle, resisting arrest, etc.).

WHO IS INELIGIBLE TO PARTICIPATE IN DUI COURT?

Participants are considered ineligible to participate in DUI Court if he or she: (1) resides outside of King County; (2) is under 18 years of age; (3) is physically and/or mentally incapable of understanding and meeting program requirements; or (4) has a prior conviction for: arson, murder, a sex offense, or any other serious violent offense that would cause concern about the DUI Court Team's ability to secure a treatment provider and/or provide adequate supervision. The following may be grounds for disqualification, to be considered on a case-by-case

basis by the DUI Court team: outstanding warrants, pending felony case(s), or any other circumstances agreed upon by the Team that cause concern about our ability to adequately supervise the participant.

HOW DOES DUI COURT HOLD PARTICIPANTS ACCOUNTABLE?

While under DUI Court supervision, participants receive individualized, intensive long-term treatment. At the outset, each individual receives a clinical screening and assessment to develop a clinically sound treatment plan. This plan is regularly reviewed and revised. Because DUI Court employs a team approach, treatment providers are in regular communication with the court, providing updates on the progress of participants, raising concerns, and highlighting successes. Among other important requirements, DUI Court participants must appear regularly in court, receive regular and random biological testing for alcohol and other drugs, abide by evening curfews, and maintain stable housing (or education). Swift and sure responses are critical to ensuring accountability and treatment retention. Individuals who test positive for alcohol or drug use, or who miss an appointment (whether a court hearing or a counseling session) are quickly brought before the DUI Court Judge to face sanctions, which can include jail. And when a participant successfully achieves various benchmarks in DUI Court, they receive positive reinforcement in the form of praise from the judge or other tangible awards for living up to their obligations to themselves and their community.

FOR MORE INFORMATION

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