The Texas Probation Executive Development Program

Comprehensive Screening and Assessments of Driving While Intoxicated Offenders:

A Pro-Active Approach

A Leadership Whiter Paper

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Abstract

Many community supervision and corrections professionals frequently question the utilization of traditional screening and assessment instruments to screen and assess the needs and risk level of repeat Driving While Intoxicated/Driving Under the Influence offenders. The most common question is how mandated screening and risk assessment tools designed to measure an individual's probability of reoffending and areas of need assess the risk level of a repeat DUI/DWI offender as low or low moderate? This study examines factors often omitted or not accounted for when evaluating and screening criminogenic risk and need elements of DUI/DWI offenders. The study reviewed validated risk assessment and screening tools specific to DUI/DWI offenders. The results of this study support that the utilization of validated screening and risk assessment tools specific to DUI/DWI offenders with traditional or mandated assessments and screening tools enhance the assessment and screening process. The utilization of both required and validated DUI/DWI screening and assessment tools assist in determining the probability of DUI/DWI offenders reoffending and correctly identify the criminogenic need and risk factors associated with DUI/DWI offenders.

Assessing and screening the risk and needs of DUI/DWI offenders is a complicated task. Many in the criminal justice profession attribute repeat DUI/DWI offenses solely to substance abuse or alcohol disorders. Substance abuse and alcohol disorders are factors associated with DUI/DWI offenders, and treatment services are customarily structured to address substance abuse and alcohol disorders. However, numerous studies and research have identified additional factors, such as attitudes, behaviors, and mental health, which should be considered when screening and assessing DUI/DWI offenders (Gilbert, Gallardo-Pujol, Ribera, & Pueyo, 2012). The lack of considering all factors contributing to an individual's risk of reoffending the DUI/DWI offenders can easily be misclassified and improperly assessed regarding their risk of reoffending and areas of need. Historically, the criminal justice profession's risk assessments and screening instruments were not specific or designed to determine the risk and needs among DUI/DWI offenders. Traditional assessment tools utilized with DUI/DWI offenders commonly identified the individual as low risk due to the lack of identifying criminogenic risk factors (Stodola & Holmes, 2018). Other factors such as mental health, social attitudes and behaviors, values toward criminal activities, peer association, family and relationships problems, and lack of self-discipline to avoid driving under the influence should be considered when assessing the DUI/DWI offender. If not identified through the assessment and screening process, these are elements, if not adequately addressed, increase the probability of the DUI/DWI offender reoffending (Lowe, 2014).

Upon entry into the criminal justice system or sentence to a term of community supervision (probation), it is critical that the DUI/DWI offender is adequately screened and assessed with validated evidence-based screening tools to reduce the likelihood of reoffending and correctly identify criminogenic needs and risk factors. To ensure DUI/DWI offenders are

properly screened and assessed, the criminal justice professionals should consider utilizing validated risk/need screening and assessment tools specific to DUI/DWI offenders in addition to other mandated criminal justice assessment tools, i.e., the Texas Risk Assessment System. Utilizing these additional screening and assessment tools will enhance the assessment and screening process and adequately identify the criminogenic needs and risk factors of the DUI/DWI offender.

The assessment and screening process of DUI/DWI offenders begins with understanding the offender's profile and characteristics to include criminogenic risk factors specifically related to the DUI/DWI offender. A research study published by the American Journal of Public Health Association concluded that first and multiple DUI/DWI offenders share similar characteristics (2010). The DUI/DWI offenders are unique and are not homogenous. They vary in age, socioeconomic status, mental health, and criminal background (Nelson & Tao, 2012). According to research and studies, 45 % of repeat DUI/DWI offenders have a lifetime major mental health disorder (Stodola et al., 2018). The mental health disorders include depression, bipolar, anxiety, personality disorders, and post-traumatic stress disorder. All are often associated with DUI/DWI offenses. A recent study classified DUI/DWI offenders into three subcategories; offenders who externalize and self-medicate, offenders who have a criminal history that extend beyond DUI/DWI offenses, and offenders who have a history of the co-occurring disorder (Nelson, Shoov, Labrie, & Shaffer 2018). The finding of this study suggests that the current rehabilitation programs in place are not sufficient to treat the DUI/DWI offender due to the lack of screening and treatment of mental health disorders associated with the DUI/DWI offender. The study concluded that mental health and criminality are both risk factors among DUI/DWI

offenders. To adequately address the risk and needs of the DUI/DWI offender, a comprehensive screening and assessment are needed.

For this study, two validated screening tools developed specifically for DUI/DWI offenders have been reviewed: the Impaired Driving Assessment (IDA) and the Computerized Assessment Referral System (CARS). These screening and assessment instruments were developed to capture the criminogenic needs and risk factors associated with DUI/DWI offenders. According to a Governors Highway Safety Association (2019) report, the impetus for developing the IDA and CARS recognized that traditional assessment instruments fail to capture impaired drivers' risk levels accurately. Additionally, the standard screening and assessment tools also do not identify the presence of co-occurring mental health disorders.

The American Probation and Parole Association (APPA), with support from the National Highway Traffic Safety Administration (NHTSA), developed the Impaired Driving Assessment (IDA). The purpose of the IDA is to provide guidelines for identifying effective interventions and supervision strategies that reduce the risk of adverse outcomes in treatment and community supervision, offers preliminary guidelines to service needs for DUI/DWI clients, estimate the level of responsivity of clients to supervision and alcohol/drug education and treatment services, identify the degree to which the client's DUI/DWI jeopardized the traffic safety and to incorporate this in the supervision plan. During the developmental process of the IDA, the APPA identified several risk factors associated with DUI/DWI recidivism. These factors include prior involvement with the criminal justice system, previous involvement with alcohol or drugs, and non-compliance with current or past involvement in the criminal justice system. In addition, mental health disorders were also found to be risk factors (Lowe 2014). The IDA screening tool

consists of two components: a self-report and an evaluator report. The self-report measures client self-perception of past and current psychological and employment adjustment problems, client's past involvement and problems associated with alcohol or drug, client's past involvement in antisocial behavior and the legal system, client's willingness to accept responsibility for the impaired-driving offense, and willingness to engage in intervention services. The self-report also measures the client's reluctance to present themselves as socially and psychologically unstable or admission to past behavior that may lead to further punishment and loss of basic privileges that may require engagement in intervention programs. Additionally, the self-report measures the extent to which the client is generally involved in problem behaviors and conditions related to impaired driving. The evaluator report measures key factors for estimating the degree of risk that the client's impaired driving conduct imposes on traffic and public safety, measures the client's general risk of non-compliance on community supervision and risk of returning to behavior patterns that lead to the impaired-driving offense. (Lowe 2014). The risk factors mentioned above are not consistently included in some traditional screening tools such as the Substance Abuse Subtle Screening (SASSI).

A research team from the Cambridge Health Alliance, an affiliate of the Harvard Medical School, with funding from Responsibility.org, developed the Computerized Assessment Referral System (CARS). CARS is a standardized, validated mental health assessment and screening tool adapted from the World Health Organization's Composite International Diagnostic Interview (CIDI). The CIDI is an internationally validated instrument for psychiatric disorders. The goal was to develop a screening and assessment tool specifically for DUI/DWI offenders to capture mental health disorders that were not identified through traditional screenings and assessments tools. The CARS' primary purpose is to capture mental health and substance abuse disorders

among DUI/DWI Offenders. The instrument provides a comprehensive DUI/DWI risk report that

predicts DUI/DUI recidivism risk from the mental health profile. The data obtained from the

questionnaire is integrated with other risk factors to generate a DUI/DWI risk score, which

ranges from low to very high risk. A recent evaluation of the CARS Screener tool concluded

compared to full CARS assessments, the CARS Screener offers sensitive and specific methods to

screen for many psychiatric disorders. The CARS Screener has high sensitivity and specificity

for bipolar, intermittent explosive disorders, depression disorders, generalized anxiety disorder,

alcohol and drug use disorders, gambling disorder, post-traumatic stress disorder, panic attacks,

and social phobia. The evaluation concluded that the CARS Screener appears to be an effective

tool that will assist with DWI/DUI programs to understand and address mental health issues

related to DUI/DWI offenders (Nelson, LaRaja, Juvlier & Williams, 2021).

Despite the research and studies identifying the need to utilize screening and assessment

tools specific to DUI/DWI, some may argue that the traditional screening tools are appropriate.

However, several of the most commonly used screening tools fail to identify mental health and

other factors that extend beyond substance abuse disorders (Shaffer, 2007). The Substance Abuse

Subtle Screening Inventory (SASSI) and the Addiction Severity Index (ASI) are two commonly

used screening tools. These instruments are sufficient in screening for substance abuse and

alcohol disorders but lack the capability of identifying some factors associated with DUI/DWI

offenders. Not all impaired drivers meet the conventional criteria for substance abuse disorders.

Other criminogenic needs and risk factors, including antisocial behavior, relationship disorders,

employment, and antisocial peers, are predictors of reoffending (Wooditch, Alese & Tang,

Liansheng & Taxman, Faye, 2013). Some may still argue that incorporating an additional

screening and assessment tool is not cost-effective. The CARS and the IDA are available free of

cost. CARS is available free on open-source software, and in 2021, the APPA launched a web-based version of the IDA. The CARS Screener and IDA take approximately 20 and 60 minutes to administer, and there is no cost associated with the training.

Assessing and screening the DUI/DWI offender is a challenging task. To accurately screen and assess DUI/DWI offenders, it is strongly encouraged that agencies and criminal justice professionals take a proactive approach. When assessing and screening the DUI/DWI offender, the assessor should consider utilizing validated risk/need screening and assessment tools specific to DUI/DWI offenders with other mandated criminal justice screening and assessment tools. Traditional assessment tools do not always capture key risk factors or misclassify DUI/DWI offenders. Due to the unique profile, characteristics, and complexity of identifying criminogenic needs and risk factors associated with the DUI/DWI offender, incorporating these additional screening and assessment tools will enhance the assessment and screening process and adequately identify the criminogenic needs and risk of the DUI/DWI offender. The comprehensive screening and assessment will result in the ability to structure an effective supervision plan addressing the needs and risks factors of the DUI/DWI Offender, therefore, reducing the risk of reoffending and violations of community supervision.

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