



DOES HAVING MULTIPLE DUI OFFENSES INCREASE THE RISK TO REOFFEND?

Anomalies Subcommittee
September 7, 2023



INTRODUCTION

If someone has two DUIs (the current case and at least one prior), does that make them higher risk to reoffend?

Should we be factoring in prior DUIs into sentencing recommendations, at least on cases where the instant offense is also a DUI?



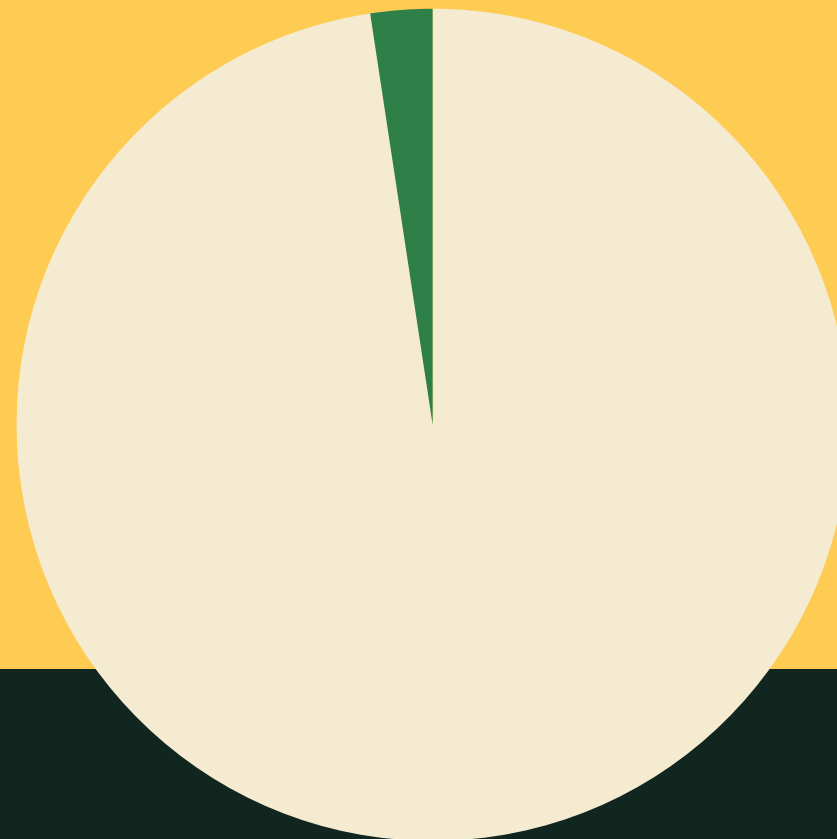


UTAH DUI DATA

Automobile Crashes and Injured Persons

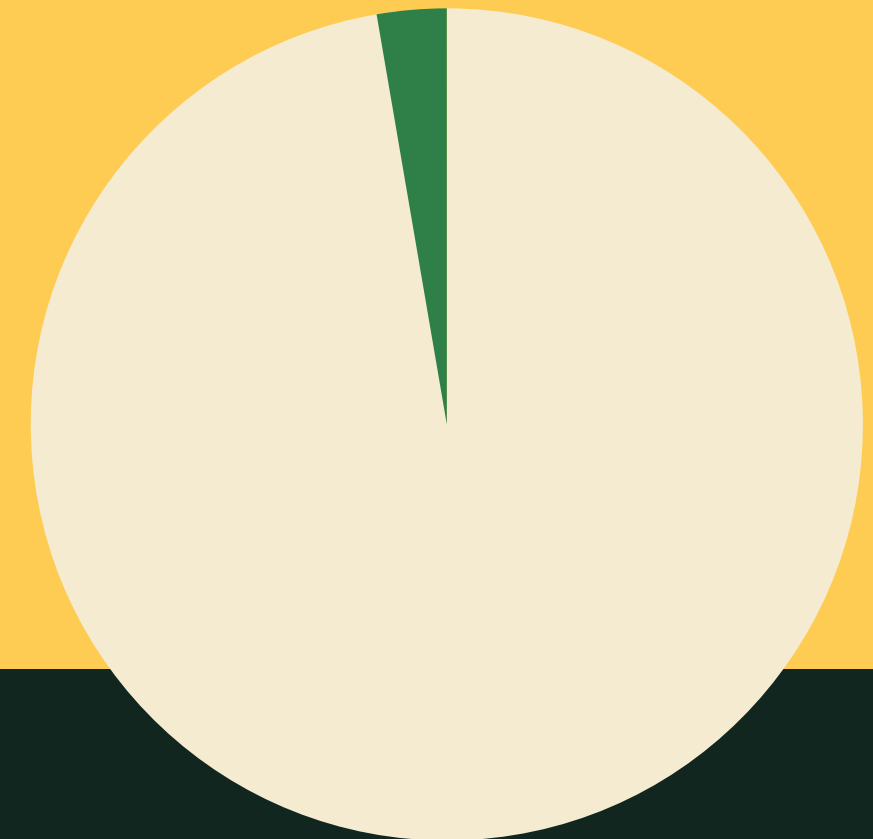
Out of a total of **61,462 automobile crashes** in CY 2021, a very small percentage were related to either **alcohol (1.4%)** or **drug (less than 1%)** DUIs.

2.4%



Similarly, out of the **18,247 total injured persons** involved in automobile crashes in CY 2021 were related to either **alcohol (1.7%)** or **drug (less than 1%)** DUIs

2.7%

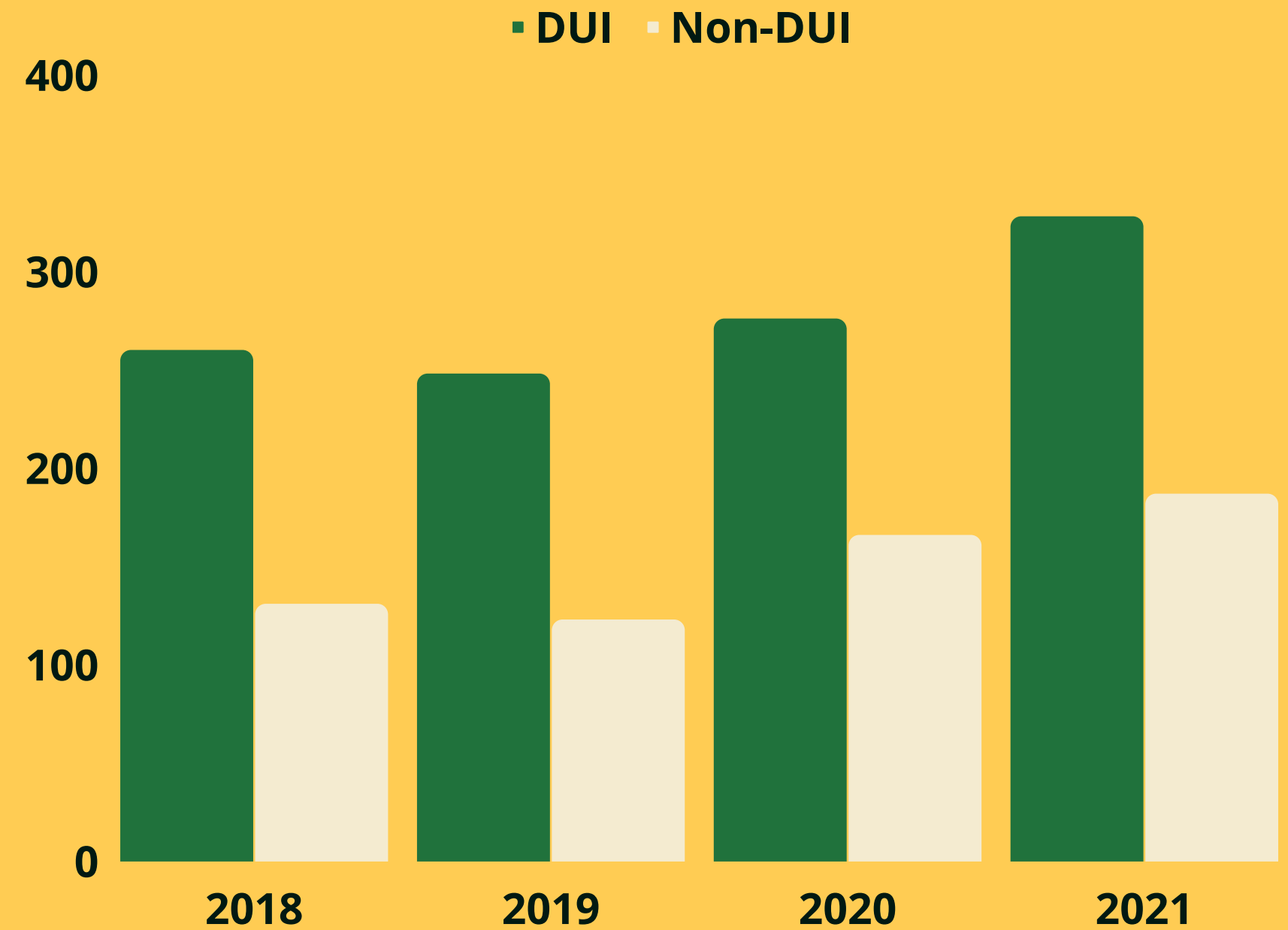




UTAH DUI DATA

Crash Fatalities

However, **overall DUI related crash fatalities** were up significantly to **328 in CY 2021**, from 276 in 2020 (+19%) and 248 in 2019 (+32%).

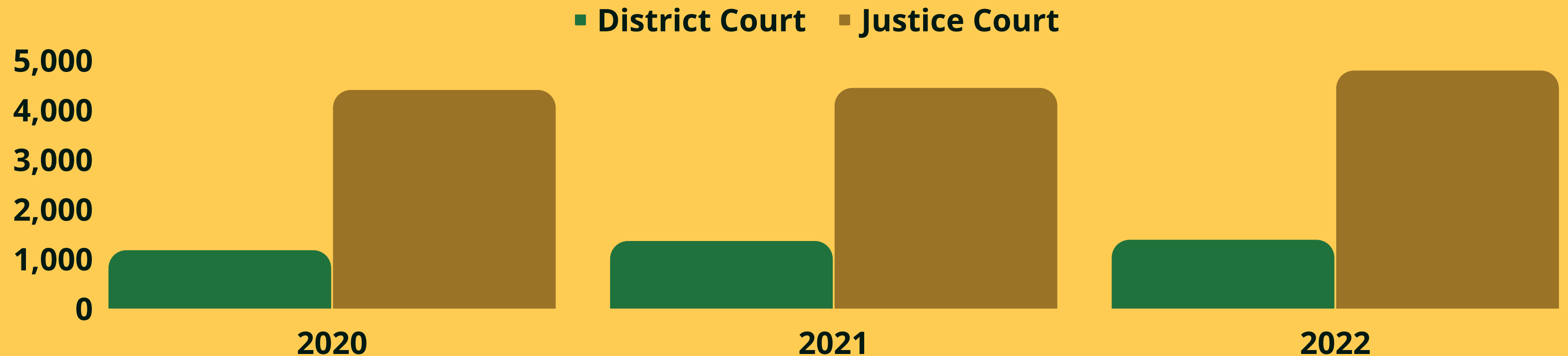




UTAH DUI DATA

Court Ordered Substance Use Screening

As part of any sentence for a DUI-related offense, **Utah law requires participation in a screening** and, if indicated by the screening, an assessment.

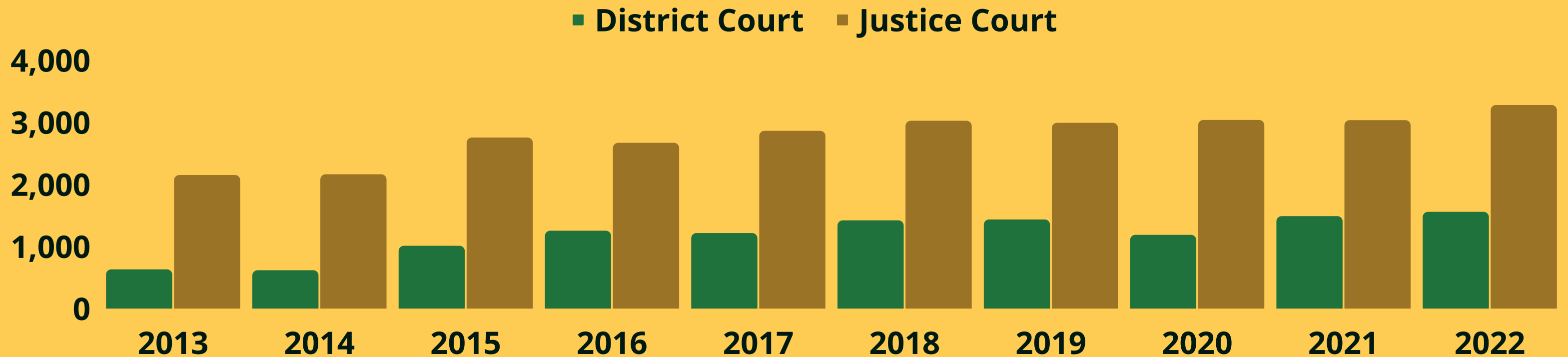




UTAH DUI DATA

Court Ordered Substance Use Treatment

For a **first and second DUI-related offense**, the **court may** order treatment; for a **third or subsequent offense** within 10 years, the **court must** order substance use disorder treatment.

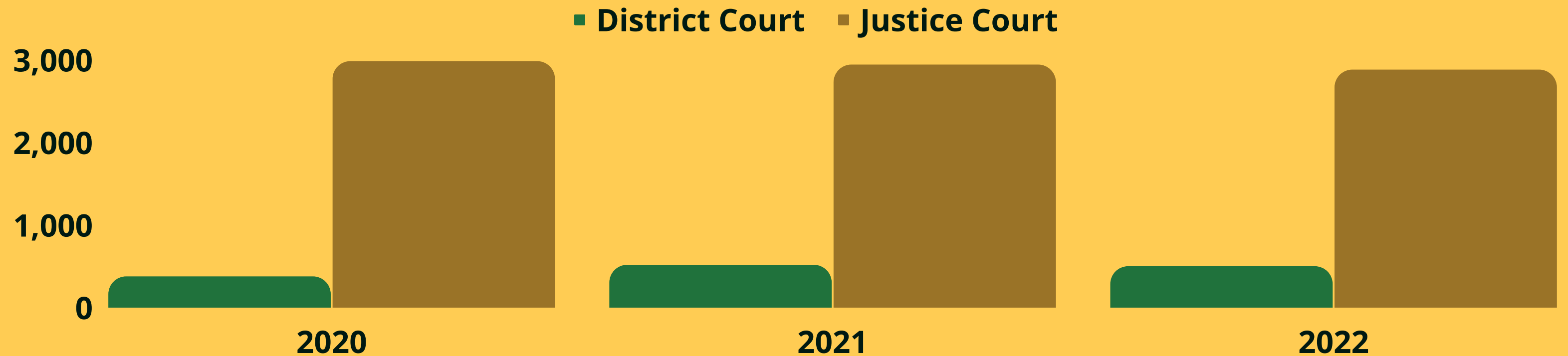




UTAH DUI DATA

Court Ordered Educational Series

For a **first DUI-related offense** and for a **second offense within 10 years**, the sentence **must include participation in an educational series** if the court does not order treatment.





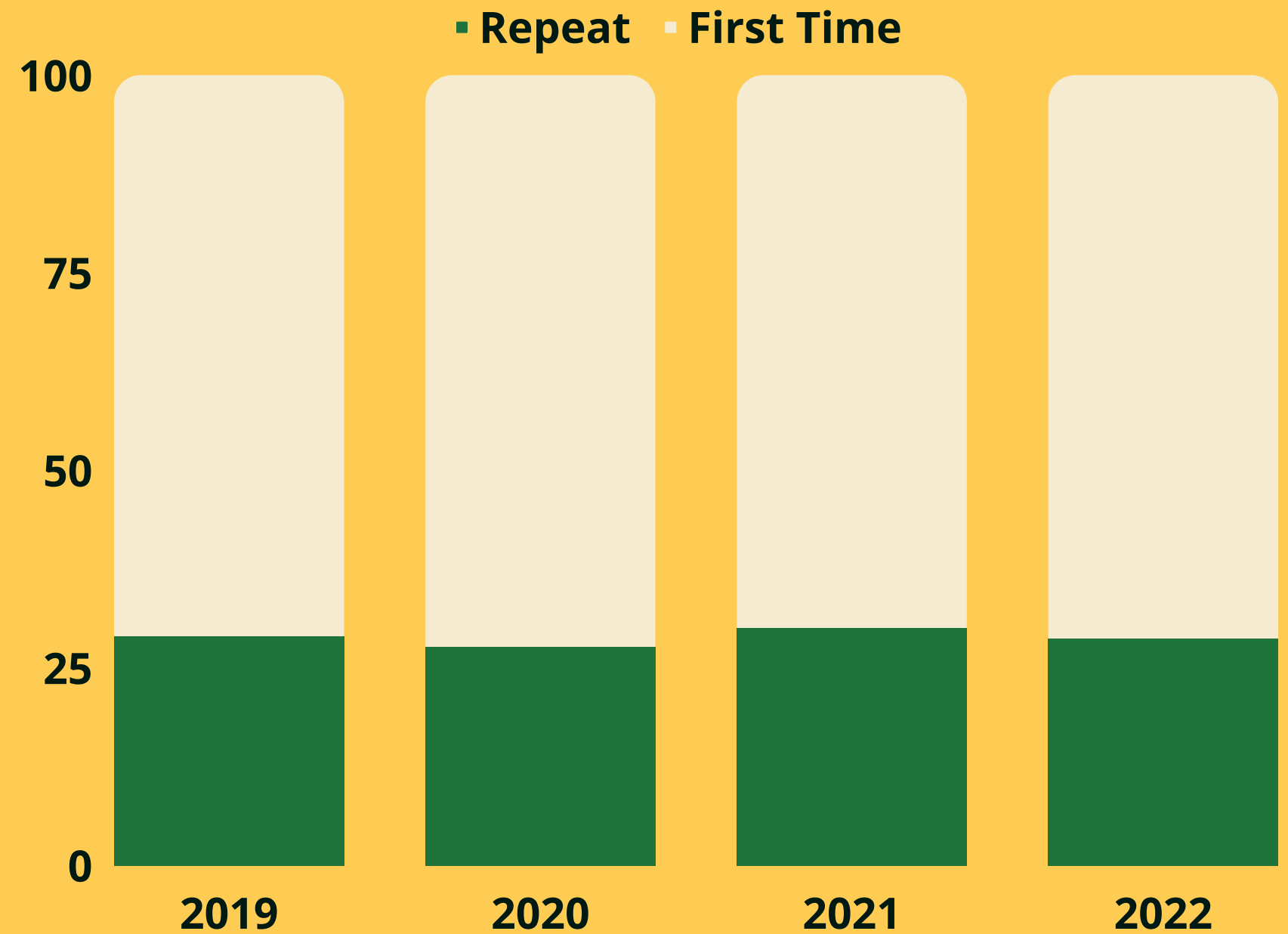
UTAH DUI DATA

DUI-related Arrests

There were **10,413 DUI-related arrests** with **2,986 being repeat offenses**.

This means **28.7%** who were arrested were individuals with a **previous DUI-related arrest**.

We see a similar percentage share through time with 29% in 2019, 27.7% in 2020, and 30% in 2021.





LITERATURE REVIEW

Key Findings

01 DATED RESEARCH

Much of the research on DUI recidivism is dated.

02 ONE IN THREE

Some studies have reported that nearly one in three known individuals will be re-arrested. In Utah, we know this ranged from 27-30% for the past four years.

03 DEMOGRAPHIC DIFFERENCES

Individuals with repeat DUI offenses are more likely to be white, male, younger, unmarried, and have lower education attainment.

04 CRIMINAL INVOLVEMENT

Individuals with repeat DUI offenses are also more criminally-involved.



LITERATURE REVIEW

Key Findings

05 ALCOHOL & DRUG USE

Individuals with repeat DUI offenses report heavier alcohol and drug use.

06 MENTAL HEALTH

Individuals with repeat DUI offenses are more likely to report psychological problems such as depression.

07 PERCEIVED RISK

Individuals with repeat DUI offenses report being able to drive safely after more drinks.

08 WHAT WORKS?

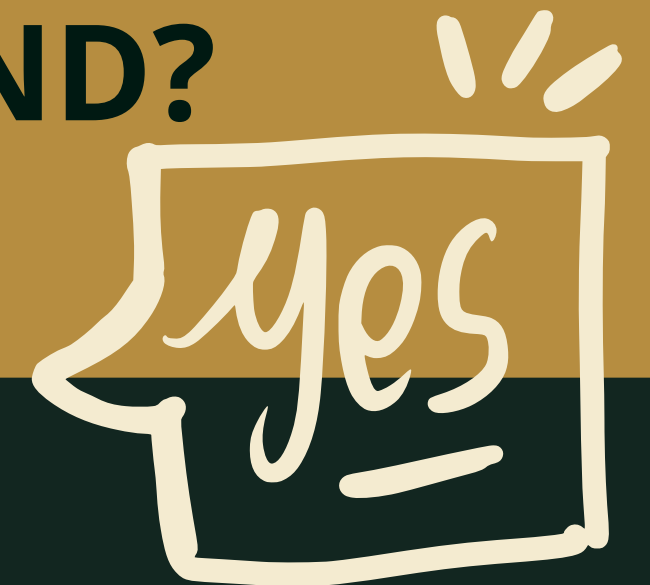
Validated risk and needs assessments. Alternative sanctions such as license suspension or revocation combined with treatment was especially effective in reducing recidivism.

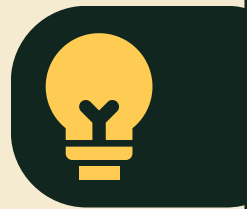


CONCLUSION

TLDR

**DOES HAVING MULTIPLE DUI OFFENSES
INCREASE THE RISK TO REOFFEND?**





CONCLUSION

Unanswered Data Questions



01

How many overall crash fatalities were due to individuals with previous DUIs?

02

How many court ordered treatment were for first time versus repeats?



CONCLUSION

Things to Consider



01

Where in our current sentencing scheme can we make changes that align with the data and review findings?

02

If we see a similar percentage share these past four years of individuals with a DUI record, re arrested, what does this tell us?



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