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Problem:

Louisiana is at a point of crisis in alcohol related harm/injury, and fatalities across the state.

Alcohol problems (problem drinkers) are not being identified, those with “Alcohol problems” are therefore not offered resources for these problems, and the results are repeat offenses by individuals. The repeat offenses are often chronic in nature, in fact as chronic as the disease (Alcoholism/Alcohol Dependence) most of the arrestees suffer from.

Need:

Statewide mandated system that will effectively identify and treat those in need of treatment for alcohol dependence (Alcoholism). Screenings or “Brief Interventions” provided by state licensed professionals charged with public health diagnosis of illness related to substance abuse.

Assessments must be conducted on every person arrested for DWI in Louisiana. Effective clinical assessments can then be sent to courts. The courts can then provide both treatment, and criminal penalties, this will also afford effective monitoring of individual cases and outcomes by parish for both public health and court purposes.

DWI arrestees not being processed in our “Drug Courts” or in accordance to the intent of our drug court laws, has brought enormous consequence to the people of Louisiana. Alcohol is a drug, and is identified as such in the legislation creating the Louisiana Drug courts. The purpose and intent of protecting the public and providing those suffering from a chronic illness a realistic, effective, system to reduce their recidivism, by treating the very disease that results in the criminal behavior.

Solution: Mandate all DWI arrests be processed in “Louisiana DWI courts”, which will be established and more clearly defined in amendments to the existing drug court law, clearly establishing the Louisiana DWI Court.

Purpose: to make offenders accountable for their actions, bringing about a behavioral change that ends DWI recidivism, stops the abuse of alcohol, and protects the public; to treat the victims of DWI offenders in a fair and just way; and to educate the public as to the benefits of DWI courts for the Communities they serve.”

Intensive Probation Supervision with Treatment: Intensive probation supervision with treatment is an alternative to incarcerating repeat offenders. This early intervention program seeks to reduce alcohol-impaired driving by addressing and preventing the problems that repeat offenders' drinking habits create, and provides intensive individual counseling and monitoring.

Implementation of this program in Louisiana could decrease recidivism by an estimated 48%, causing DWI crashes to decrease by 4%. Typically, per person arrested, this program costs approximately \$1,100 and can avoid an estimated \$5,500 in crash costs and \$480 in incarceration costs.

Identify resources for funding such DWI Courts

Legislation amends the law below allowing for formation of Louisiana DWI Courts

5301. Purpose

The Legislature of Louisiana recognizes the critical need for criminal justice system programs to reduce the incidence of alcohol and drug use, alcohol and drug addiction, and crimes committed as a result of alcohol and drug use and alcohol and drug addiction. The legislature also recognizes that the problem of alcohol and drug abuse among the citizens of Louisiana is excessive and needs to be addressed and corrected not only for the health and welfare of the citizens of this state, but also because alcohol and drug abuse or dependency has been identified as a contributing factor in the commission of many crimes. It is the intent of the legislature by this Chapter to create a program to facilitate the creation of alcohol and drug treatment divisions in the various district courts of this state.

§5302. Goals

The goals of the alcohol and drug treatment divisions created under this Chapter include the following:

- (1) to reduce alcoholism and drug abuse and dependency among offenders.
- (2) To reduce criminal recidivism.

Our legislation will amend this, placing a focus on Alcohol related crimes due to the epidemic our state is facing in Public Health, Safety, and Corrections.

Research **tells us 3/4 of those convicted of DWI are problem drinkers or alcoholics**, we must become willing to view this problem in our community as the public health issue it is, if we are to reduce the threat posed to our public safety. If we are to make a dent in reducing the number of people driving on our roads while intoxicated, aggressive **screening, treatment, and monitoring is needed**

Effective Systems have been identified for reducing state spending and in reducing the family cycle that continues when Alcoholism is not effectively identified and treated

Effective Treatment Works.

Coerced substance abuse treatment is just as effective as voluntary treatment.

Source: Miller NS, Flaherty JA. Effectiveness of coerced addiction treatment (alternative consequences): a review of clinical research. Journal of Substance Abuse Treatment 2000; 18:9-16.

The average benefit of substance abuse treatment exceeds the costs by three to one.

Source: CSAT by Fax, May 10, 2000; National Treatment Improvement Evaluation Study (NTIES); <http://neds.calib.com/products/pdfs/cost-ben.pdf>

Most widely abused drug/ While least focused on in state systems

ALCOHOL IS THE MOST WIDELY ABUSED DRUG IN THE U.S, AND IN LOUISIANA, THE PUBLIC SUPPORTS TREATMENT, YET WE HAVE NOT ADDRESSED THIS ISSUE IN CRIMINAL PROCEEDINGS INVOLVING ALCOHOL IN AN EFFECTIVE WAY.

Costs alone merit effective reform

THE SINGLE DRUG LINKED TO THE LARGEST PERCENTAGE OF STATE COSTS IS ALCOHOL. WE WERE ABLE TO IDENTIFY \$9.2 BILLION IN STATE SPENDING LINKED TO ONLY TO ALCOHOL CASA-Shoveling Up the Costs
Substance Abuse

NOTE: Louisiana Drug Courts do not reflect the statement above, as the primary focus of Drug courts is on illicit drugs and crimes committed while under the influence of such.

2nd Party effect of untreated/un identified alcohol problems include:

Harm to citizens

Loss of life-reducing victims and suffering of innocent persons, by actually addressing underlying illness linked to ¾ of DWI related highway fatalities.(More than 400 deaths annually)

Reducing State Spending: Alcohol costs Louisiana more than \$330 million dollars in direct costs each year, and the 1.7 billion in indirect costs. (source: **Richard Scribner, LSU Health Science**)

Auto Insurance Rates

Alcohol-related crashes accounted for an estimated **18%** of Louisiana's auto insurance payments. Reducing alcohol-related crashes by **10%** would save **\$60 million in claims payments** and loss adjustment expenses. **Greatly improving the citizen's ability in this state to gain access to affordable car insurance.**

Overview of Models in place:

From Kansas City, MO

If a drug court model keeps repeat offenders working and off alcohol for even a year, Christoff said, it more than pays for itself. That's partly in reducing crime and prison costs and partly because a sober person is more likely to work regularly and to pay taxes.

A study of Jackson County's regular drug court last year found it cost about \$2,500 per addict, but each graduate who stayed straight for three years saved society an estimated \$30,000 in welfare, crime and prison costs.

Repeat drunken drivers are among the hardest substance abusers to deal with, Christoff said. They are usually severely addicted, he said, and must be tested often because alcohol clears the body faster than drugs.

At a Buchanan County drug court graduation last summer, five of the 20 graduates were alcoholics. About 40 of the approximately 160 substance abusers in the program are drunken drivers with three or more convictions.

If it works for them, said Buchanan County Circuit Judge Patrick K. Robb, it beats straight prison time because it ends the addiction.

"They go to prison," he said of alcoholics, "and they can return in worse shape than they began."

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