

IGNITION INTERLOCK DEVICES'S USE IN RECIDIVISM: AN EL PASO COUNTY CASE STUDY

An **ignition interlock device (IID)** prevents a car from starting if the driver's breath reaches a set blood alcohol concentration (BAC), usually around 0.02 percent (CDC 2014). In Texas, an IID is required as a condition of bond for second and subsequent offenders, offenders charged with driving while intoxicated (DWI), child passenger and intoxication manslaughter or assault offenders (Code of Criminal Procedure [CCP] 17.441). Additionally, Texas law requires an IID be ordered as a condition of probation for first offenders who had a BAC of 0.15 or above, first offenders who are under 21 years old and second or subsequent offenders (CCP 42A.408). Texas also has a look-back time frame of 10 years, which includes the mandatory use of an IID as a condition of bond and community supervision (CCP 42A.408).

Not many studies have examined IIDs's effectiveness to reduce recidivism and impaired driving crashes. The Texas A&M Transportation Institute (TTI) conducted a study that addressed this gap in the literature and focused on El Paso County as a case study. In Texas, 69,372 individuals were arrested for driving under the influence of alcohol and/or other drugs (DUI) in 2017 (Federal Bureau of Investigation 2018). In 2018, El Paso County reported 85 fatal crashes — 27 percent of which involved a driver with a BAC of 0.08 g/dL or higher (TxDOT 2019c). The TTI research team looked at one year of DUI arrests in the county as a relevant application of the study's methodology.

The El Paso County District Attorney's Office provided the researchers with access to all DWI and related cases disposed of in 2014. Access to this data allowed the team to explore potential relationships between alcohol-monitoring technologies (especially IIDs) and recidivism, among other factors. For this study, the TTI research team defined *recidivism* as any alcohol-related driving offense — including DWI, intoxication assault and intoxication manslaughter — that occurred after the case disposed of in 2014. For every El Paso case record, the team requested data from the Texas Department of Public Safety to examine criminal history for DUIs. Using El Paso County's crash data, the researchers entered 2,887 DWI cases from El Paso.

El Paso County and Alcohol-Impaired Driving



85 Fatal crashes in El Paso County in 2018¹



27% Fatal crashes in El Paso County in 2018 that involved an alcohol-impaired driver²



69,372 People in Texas who were arrested for DUI in 2017³



3,042 DWI charges filed in El Paso County in 2018⁴

DWI charges filed came from nine agencies:

32	Anthony Police Department
15	El Paso County Constable Precinct 4
3	El Paso County Constable Precinct 6
428	El Paso County Sheriff's Department
1	El Paso Independent School District
2,432	El Paso Police Department
29	Horizon City Police Department
3	Socorro Independent School District
99	Socorro Police Department ⁴

¹TxDOT 2019b

³Federal Bureau of Investigation 2018

²TxDOT 2019c

⁴Texas Department of Public Safety Crime Records Service 2019

Demographics of DWI Cases



80%

Males involved in DWI cases disposed of in 2014 in El Paso County



34 ^{AGE} **Average age**

Across all DWI offenders in El Paso County in cases disposed of in 2014



El Paso County Cases Disposed of in 2014

Most Reported Offenses

DWI Offense at ARREST



45%

DWI first offenses

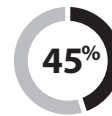
DWI Offense CHARGED



40%

DWI first offenses

DWI Offense at DISPOSITION



45%

45%
DWI first offenses



33%

DWI offenders with a BAC greater than or equal to 0.15



38%

DWI offenders with a BAC greater than or equal to 0.15



35%

DWI offenders with a BAC greater than or equal to 0.15

Changes in Offenses

DWI Offense at ARREST

DWI first offenses at time of arrest



CHARGE INCREASED TO

DWI Offense CHARGED

DWI BAC greater than or equal to 0.15



BUT 18% of these original charges



DROPPED BACK DOWN TO

DWI first offense



IIDs and Bail Conditions Cases in El Paso County Disposed of in 2014



15%
Cases that identified specific **bail conditions**



80%
Cases with **bail conditions** that ordered a form of **alcohol monitoring**



12%
First **DWI offenses** that resulted in **alcohol monitoring** as a condition of bond



24%
Second **DWI offenses** that resulted in **alcohol monitoring** as a condition of bond

Alcohol Monitoring Cases in El Paso County Disposed of in 2014



DWI cases where **alcohol monitoring** resulted as a:

1,008
Condition of bail or disposition

837
Condition of disposition

339
Condition of bond

Disposition Types Cases in El Paso County Disposed of in 2014



Roughly the number of **DWI cases** disposed of via **plea agreement**



Roughly the **DWI cases dismissed** due to pre-trial diversion, the offender's death or prosecutor discretion



Fines, probation and jail:
Most common **disposition terms**



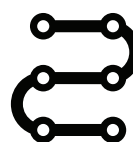
15%: Cases with **alcohol monitoring** as a condition of disposition in **DWI offenses** with **BAC** greater than or equal to 0.15



Alcohol Monitoring Timeline Cases in El Paso County Disposed of in 2014



2.6 years: Estimated **average length** of alcohol-monitoring use in these **DWI cases**



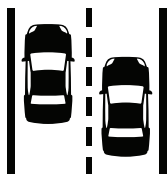
6 months to 10 years: Estimated range of **how long an individual used alcohol monitoring** related to these **DWI cases**

DUI Crash Recidivism



26%
Crashes occurring *after* a DWI offense in El Paso that were **assigned an IID** as a term of the disposition of their case

DWI Crash Recidivism Over Time



14%
Likelihood of those **with alcohol monitoring** to have DWI recidivism from less than one year to up to 10 years

DWI Crash Recidivism at Disposition and by Previous Record



17%
Likelihood of those at disposition **without alcohol monitoring** to have DWI recidivism from less than one year to up to 10 years



15%
Likelihood of those at disposition **with alcohol monitoring** and a previous record to have DWI recidivism from less than one year to up to 10 years



20%
Likelihood of those at disposition **without alcohol monitoring** and with a previous record to have DWI recidivism from less than one year to up to 10 years



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Conclusion

TTI's study evaluated how (and to what extent) alcohol-monitoring technologies are currently involved in DWI cases in El Paso County. For example, 85 percent of cases didn't order alcohol monitoring as a condition of bond. Furthermore, only 19 percent of cases required to have an IID ordered some form of alcohol monitoring as a condition of bond.

For many DWI offenders in El Paso during the study period, their previous offense was outside the 10-year look-back time frame set by Texas statutes. Another finding was the DWI crashes that took place while the offender was released on bond. There are opportunities to explore adding alcohol-monitoring technologies for the conditions of bond for all DWI cases. Additionally, analyzing additional years of El Paso County data could expand the study's robustness, validity of the results and direct applications to other counties.

The research team found that alcohol monitoring over time and as a condition of disposition were effective at reducing DWI recidivism. Examining the datasets provided important insights into how (and where) IIDs and alcohol monitoring are being ordered in DWI and DUI cases as well as the influence of the alcohol-monitoring technologies on recidivism. With these findings, other counties can see the benefit of alcohol-monitoring technologies and how the technologies could be used to increase safety in the community over time.

References

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