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North Dakota's 24/7 Sobriety Program Evaluated as Effective in Reducing DUI Arrests

Background

North Dakota's 24/7 sobriety program is a sobriety monitoring program for people arrested for or convicted of criminal offenses in which alcohol or another drug was a factor, including driving under the influence (DUI). The program requires offenders to maintain sobriety in exchange for avoiding jail and maintaining driving privileges. The program requires frequent and regular testing for alcohol or other drugs. A core principle of the 24/7 sobriety program is the administration of "swift, certain and modest" penalties for program violations, so an offender who "fails" an alcohol breath test must serve about 24 hours in jail.

Project Objective

The objective of the current study was to conduct a process and outcome evaluation of an established 24/7 sobriety program to identify factors associated with reduced DUI recidivism. The intention was to examine a long-standing program that was stable and had a sizable number of program participants.

Project Method

The project method required selecting a mature program, obtaining information from program officials, and assessing program processes and outcomes. The criteria for a site were: (1) enough program participants and DUI offenders to support a rigorous evaluation of recidivism; (2) availability of retrospective and current data on program participants and DUI arrests; and (3) willingness of officials to provide information for the project.

Program Description

North Dakota's 24/7 sobriety program began in 2007 as a 14-county pilot and expanded statewide in 2010. A total of 12,122 DUI offenders participated in the program from its start as a pilot in 2008 through the end of 2018. Repeat offenders constituted most of the enrolled DUI offenders. The State's DUI law changed in 2013 (H.B. 1302), mandating that offenders arrested or convicted of two or more alcohol-involved crimes including DUI be assigned to the program.

State and local officials said the program is a welcome alternative to jail and benefits offenders and society alike; the combination of the close monitoring of offenders' sobriety

with swift, certain consequences for violations is effective for holding offenders accountable while supporting public safety. The findings indicate that the program operates efficiently and effectively.

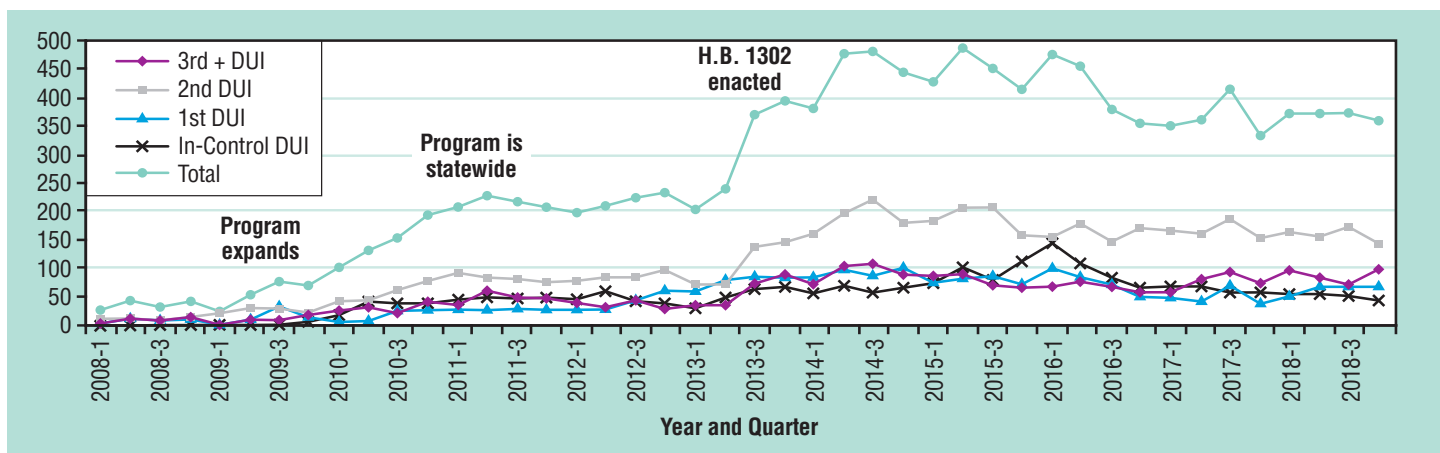
Impact of the 2013 Law

The 2013 law ushered in major changes, as it requires convicted second and third offenders to participate for at least 1 year and people with four or more offenses to participate for at least 2 years in the program. To understand the impact of these changes, the current project compared enrollments, time spent in the program, and DUI arrests before and after the 2013 law.

Enrollments. Figure 1 shows the quarterly enrollments in the program by the number and type of DUI offense from 2008 to 2018. There were 2,122 records in which DUI was the triggering offense. The code for DUI offenses indicated the number of DUI arrest (e.g., first or second DUI) except for in-control DUIs. An in-control DUI can occur when an impaired person has "physical control" of a vehicle but is not actively driving, such as when seated in the driver's seat in a parked car with ignition keys in hand. The code for in-control DUI offenses did not indicate the number of the offense. The number of DUI enrollees increased over the course of the pilot program from 2008 to 2009 and as the program expanded. Enrollments were stable until an increase from 242 to 371 in the third quarter of 2013, which was after the implementation of the 2013 law. Another increase from 383 to 477 enrollments occurred in the second quarter of 2014, and mid-2016, enrollments declined and then stabilized to about 350 to 380 annually.

DUI Arrests. To examine changes in DUI arrests before and after the 2013 law, data were grouped into pre-law and post-law periods; two models were used for the post-law period to account for weather effects and a 6-month transition after the law. The pre-law period was defined as January 2010 to June 2013 to allow a 7-year lookback period to identify second and third offenses. The first model for a post-law period was January 2014 to June 2017 to match the pre-law period by month and to exclude the 6 months after enactment. The second model for a post-law period from July 2013 to December 2016 did not exclude the 6-month

Figure 1. Quarterly Enrollments in the North Dakota 24/7 Sobriety Program by Type of DUI Offense, 2008 to 2018



The records for in-control DUI offenses did not indicate the number of the offense.

transition period, but to keep it the same number of months as the pre-law period, it ends earlier than the first model.

Table 1 shows the counts of first, second, and third DUI arrests and the percentage change from the pre-law to the post-law period. All types of DUI offenses declined from the pre-law to post-law periods, with the decline in third offenses being larger than the declines in first and second offenses. Chi-square tests of independence revealed pre-post significant differences for all offense types for each post-law period.

Offenders arrested after the 2013 law had lower recidivism than offenders arrested before. At the end of 2 years following an arrest for a second DUI offense, 16.1% of offenders arrested before the 2013 law had been rearrested, compared with 13.3% of offenders arrested after the law. The estimated rates of recidivism in the pre-law period were approximately 7% after 200 days, 11% after 400 days, and 14% after 600 days, compared with approximately 6% after 200 days, 8% after 400 days, and 12% after 600 days in the post-law period. A chi-square analysis comparing rates of recidivism between the pre-law and post-law periods confirmed the decline in the recidivism rate after a second arrest for DUI from 16.1% to 13.3% was significant.

Summary

State and local officials said the 24/7 sobriety program is cost-effective. It holds offenders accountable and reduces the risk of rearrest. The analysis of DUI arrest data found significant reductions in rearrests of second and third DUI offenders after the 2013 law, suggesting that exposure to a requirement that repeat offenders must enroll, as required by H.B. 1302, acts as a deterrent to future recidivism. These

findings add to the evidence that the 24/7 sobriety program is associated with a reduction in repeat offenses.

Full Report

Download a copy of *Evaluation of North Dakota's 24/7 Sobriety Program* (Report No. DOT HS 813 494) from the National Highway Traffic Safety Administration <https://rosap.nhtsa.gov/view/dot/68392>.

Table 1. Counts of DUI Arrests in North Dakota for Study Periods Before and After the July 1, 2013, Law and Percentage Changes From Pre-Law Change Period to Post-Law Change Period

	Pre-Law Period Jan 2010 to June 2013	1st Model for Post-Law Period Jan 2014 to June 2017		2nd Model for Post-Law Period July 2013 to Dec 2016**	
	N	N	% change after vs. before	N	% change after vs. before
First DUI	18,965	16,186	-14.7*	17,026	-10.2*
Second DUI	4,154	3,549	-14.6*	3,646	-12.2*
Third DUI	1,107	760	-31.3*	766	-30.8*
First-Third DUI	24,226	20,495	-15.4*	21,438	-11.5*

* Significant decrease from pre- to post-law change period based on chi-square analyses, $p < .0001$

** The post-law time periods overlap; they were used to present two perspectives of the effects of the law.

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