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March 27, 2008

## **Senate Approves Sen. Justus’ Amendment Creating DWI Courts**

JEFFERSON CITY — The Missouri Senate has unanimously approved by voice vote an amendment sponsored by Sen. Jolie Justus, D-Kansas City, to an omnibus transportation bill which establishes DWI Courts in Missouri. The DWI Courts would operate much like Drug Courts, which have reduced recidivism rates among offenders.

A DWI Court is a distinct court system dedicated to changing the behavior of alcohol/drug dependent offenders arrested for driving while impaired. The goal of the DWI Court is to protect public safety by using the drug court model to address the root cause of impaired driving – alcohol and other substance abuse.

Unlike drug courts, however, DWI Courts primarily operate within a post-conviction model. The DWI Courts would not be used to avoid a record of conviction and/or license sanctions.

“This amendment simply allows circuit courts to establish DWI Courts for felony offenders or those arrested with a blood alcohol content of .20 or greater,” Sen. Justus said during floor debate. “There is no suspended imposition of sentence and the offenders’ records will reflect their arrests. This goes directly to the heart of getting persistent offenders off of our highways.”

Once DWI Court participants are convicted, they are placed under supervised probation and are required to undergo intensive treatment and

counseling, submit to frequent supervision and random drug and alcohol testing, and make regular appearances before a specially trained judge.

Participants who successfully complete the DWI Court's treatment program may be granted a suspended *execution* of their sentence, or may have the sentence or penalty reduced or modified, but they cannot be granted a suspended *imposition* of sentence.

Sen. Justus noted during floor debate that Greene County has a very successful DWI Court, which was established in 2003. Since that time it has produced 143 graduates, all of whom were convicted DWI felony offenders. **Only four of those graduates have committed a DWI offense since completing the program.**

Greene County Drug Court Administrator Peggy Davis also serves as Commissioner for the DWI Court.

"DWI courts are proven to successfully change the behaviors of serious DWI offenders who have put us all at risk while driving in our community," Davis said. "This vigorous treatment program addresses underlying causes of DWI offenses, holds offenders accountable for their behavior and forces the development of skills to stay sober and be law-abiding citizens."

A number of DWI courts have been operating for several years, including those in Anchorage, Alaska, Phoenix, Arizona, Athens, Georgia, Kootenai County, Idaho, Albuquerque, New Mexico, Michigan and Virginia. In all, there are more than 300 DWI or hybrid DWI/Drug Courts operating throughout the United States.

The measure needs final Senate approval before moving to the House for consideration.

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