

LESSON 2



ALCOHOL AND OTHER DRUG IMPAIRED DRIVING

THE LAWS AND BEYOND THE LAWS

LESSON TIME: 2 HOURS

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INTRODUCTION

This lesson gives you legal information related to DWI (driving while impaired) penalties, sanctions (punishments), and loss and reinstatement of driving privileges. We look at the skills, attitudes, and behaviors that make us safe and CAREFUL drivers and at what makes us a risk and hazard on the road. You will look at your own DWI situation. We then look beyond the law and understand how people and the community become victims of DWI behavior. CAREFUL driving helps you to be responsible to your community. Responsible living involves DRIVING WITH CARE. DRIVING IS A SPECIAL PRIVILEGE, NOT A RIGHT. This program is designed to help you keep that privilege. As explained in Lesson 1, we use the term *DWI* to refer to all of the terms that various states use to mean driving when the blood alcohol concentration (BAC) has exceeded legal limits or driving while impaired by drugs other than alcohol.

LESSON OBJECTIVES

- ▶ To provide you with general information about the laws as they relate to DWI convictions and penalties
- ▶ To provide specific information about the laws of your state as they relate to DWI convictions and penalties
- ▶ To look at the skills, attitudes, and behavior of safe driving and look at your level of driving risk
- ▶ To help you understand your specific case with respect to these laws
- ▶ To look beyond the laws by increasing the awareness of how your DWI affected others in the community

Starting Exercise: Using the Thinking and Action Patterns (TAP) Chart in the back of this book, chart your alcohol or other drugs (AOD) use thinking and action patterns over the past week. Group members may be asked to share their thoughts about doing TAP.

DWI LAWS, CONVICTIONS, AND PENALTIES

A. MOST STATES HAVE TWO TYPES OF DWI OFFENSES.

1. **Misdemeanor:** This applies to most DWI cases. In some states, persons under the age of 21 who have lower BACs at arrest (such as .02 to .04) may be charged with a traffic infraction.
2. **Felonies:** This is usually reserved for cases involving alcohol or other drugs that resulted in serious bodily injury or death. In some states, a felony is charged if the driver has had a number of prior DWI offenses even if there is no injury or death related to the DWI arrest.

B. PRESUMPTIVE AND PER SE CATEGORIES

- 1. DWI presumptive** means there is the observation of a clear lack of mental judgment or physical control that makes safe operation of a motor vehicle impossible due to the use of alcohol and the BAC level of the driver is (to use the national standard) .08 or greater or due to the use of drugs other than alcohol. Some states have an additional presumptive law that has, for example, a BAC of .05 to whatever the per se level specifies. These charges are defined by the observation that judgment and physical control are affected to the slightest degree so that there is lack of care in the safe operation of a vehicle.
- 2. DWI per se or driving with excessive content** involves an alcohol level equal to or greater than .08 at the time of driving or within 2 hours of driving and does not require that erratic driving be observed, as does a charge of DWI presumptive.

C. BAC/THC LEVELS

1. BAC levels in all states are set at .08, except in Utah where the per se limit is .05.
2. A few states have a lesser charge in which the BAC may be set at .05.
3. Most states have “zero tolerance” laws for drivers under the age of 21. The BAC level for zero tolerance is generally between .02 and the state’s legal level for DWI.
4. In Colorado and Washington state, the THC limit is set at 5 nanograms (ng) of THC/ml of whole blood.
5. California and Oregon, as of 2017, do not have a THC limit set but rely on the police officer’s observation of impairment.
6. A number of states have a zero tolerance for marijuana and other drugs. Any amount in the blood is indicative of DWI. Other states require that there be some traffic infraction coupled with the presence of a drug.
7. The limits and laws on drugs and driving are changing rapidly, particularly with marijuana. Your counselor will provide you with particular information about your state.

D. FOUR POSSIBLE OUTCOMES TO ANY OF THE CHARGES LISTED ABOVE

1. Conviction
2. A deferred judgment or sentence in the misdemeanor or traffic infraction areas, generally only for first-time offenders
3. A plea of nolo contendere (no contest) in the misdemeanor or traffic infraction areas, generally only for first time offenders
4. A finding of not guilty

E. MOST STATES HAVE TWO COMPLETELY SEPARATE LEGAL AGENCIES OR AUTHORITIES THAT IMPOSE SANCTIONS (PUNISHMENTS) AND AOD EDUCATION OR TREATMENT FOR THE ABOVE CHARGES BASED ON THE FIRST THREE POSSIBLE OUTCOMES.

1. These two legal agencies are
 - ▶ the County or District Courts; and
 - ▶ the Department of Motor Vehicles (DMV). This agency can impose driving restraint actions to any of the above charges related to impaired driving offenses; or DMV may take action under the Administrative License Revocation Law.
2. Separately or together, these two legal agencies or authorities may impose sanctions. Different actions may be taken for the same offense.

F. COUNTY OR DISTRICT COURT ACTIONS

1. **The court may impose the following sanctions**, either separately or combined:
 - ▶ Fines, restitution, or community service
 - ▶ Specialized drunk-driver cash funds
 - ▶ Jail or incarceration
 - ▶ Probation—monitoring or various levels of intensity or supervision
 - ▶ Evaluation for AOD and driving problems.
2. **The court may impose education, treatment, or various combinations** of education and treatment.
 - ▶ Education alone: Some states have various levels of education.
 - ▶ Education and treatment: Impaired drivers identified as having problems related to alcohol or other drug use (AOD) may have to attend both the education and treatment programs.

- ▶ Treatment of different lengths and intensity such as outpatient, intensive outpatient, residential care
- ▶ In-depth psychological assessment
- ▶ Treatment additions (adjuncts) that could include
 - medications for alcohol and drug control;
 - random urine or breath screening or testing;
 - victim impact panels;
 - ignition interlocks;
 - self-help, mutual-help, or support groups such as Alcoholics Anonymous or Narcotics Anonymous;
 - opioid maintenance medication;
 - other additions such as vehicle impoundment or immobilization; and/or
 - electronic monitoring.

G. DEPARTMENT OF MOTOR VEHICLES OR ANOTHER STATE AGENCY THAT CAN IMPOSE SANCTIONS AND RESTRAINTS: THESE ACTIONS ARE CIVIL, NOT CRIMINAL, DO NOT CONSTITUTE DOUBLE JEOPARDY, AND ARE SEPARATE FROM THOSE TAKEN BY THE COURT.

1. Suspensions are usually for first-time offenders and are often associated with point systems. DWI offenses usually carry the required points to mandate suspensions, and generally, these actions can be for periods up to and including 1 year. Some states set minimum time periods.
2. Revocations: Usually reserved for repeat DWI offenders and often set at a minimum of 1 year or longer.
3. Administrative License Revocations (ALR) are known as either implied or express consent laws:
 - ▶ They are tied in with DWI per se laws and allow a law enforcement officer to require a blood, breath, or in some states, a urine test if suspecting the driver is DWI so as to quickly remove drivers from the road.
 - ▶ Refusal to take the test or when the results are equal to or greater than the state DWI per se level resulting in a revocation, generally with no driving privileges. Revocation time period is usually several months to 1 year, depending on the BAC level.
4. Restricted or probationary licenses are issued by many states and often limited to first offenders with restrictions, varying from state to state.
5. In many states, DWI convictions remain on the driving record for the lifetime of the driver.

6. Reinstatement requirements vary and generally require proof of insurance, payment of a reinstatement fee, and successful completion of required alcohol education and/or treatment.
7. Installing ignition interlocks on all vehicles owned by (or available to) the offender is required by many states before a license can be reinstated or returned to the offender.

H. INTERSTATE DRIVER LICENSE COMPACTS ARE AGREEMENTS BETWEEN STATES TO HONOR RESTRAINT ACTIONS TAKEN BY ONE STATE.

1. Most states will honor the DWI education and treatment requirements of participating states.
2. An offender who moves from one participating state to another must provide proof to the DMV of completing the education and/or treatment requirements in the new area of residence, as well as meeting all of the other requirements before reinstatement will be granted.

I. EDUCATION AND TREATMENT REQUIREMENTS

1. In most states, DWI education and treatment programs may be required by both the court and the DMV, with type of education and/or treatment depending on arrest BAC level, prior DWI convictions, history of alcohol or other drug treatment and problems, and clinical assessment.
2. Table 2.1 shows an example of a model used in Colorado with two levels of education and four treatment tracks. If you are in a different state, your counselor or facilitator will provide you with specific information regarding the education and treatment requirements for your state along with the specific education and/or treatment you must take.

Exercise: First look at the Colorado Model and check the rows that apply to you. If none of those apply to you, then in the bottom row of Table 2.1, write in the type of program you are in and then your BAC and if you had prior DWIs, number of hours and weeks of education, number of hours and weeks of treatment if that is required of you, and then the total hours and months of education and treatment you have to take. Were you treated fairly? yes no

J. PENALTIES FOR DWI OFFENSES. The penalties for DWI offenses vary from state to state.

- ▶ In most states, all or part of these penalties may be suspended by the court under certain conditions except for convictions for vehicular homicide and vehicular assault.
- ▶ The court, in most states, must follow the penalty statutes in that state.
- ▶ Penalties vary by state, and your counselor will provide you with specifics for your state.

TABLE 2.1

Model for Education and Treatment Tracks: Different Education and Treatment Paths (Check the row that fits your program. If none fits you, fill in each column on the last row that describes your situation.)

PROGRAM EDUCATION AND/OR TREATMENT	CRITERIA BAC/TYPE DRUG AND PRIORS	LENGTH OF EDUCATION (hours/weeks)	LENGTH OF TREATMENT (hours/weeks)	COMBINED LENGTH OF EDUCATION AND TREATMENT (hours/months)
LEVEL I EDUCATION	<.10 NO PRIORS	12 hours 2-6 weeks		12 hours 2-6 weeks
LEVEL II EDUCATION	≥.10 no priors	24 hours 8-12 weeks		24 hours 8-12 weeks
TREATMENT TRACK A	.10-.149 no priors	24 hours 8-12 weeks	42 hours/21 weeks	66 hours 7-8 months
TREATMENT TRACK B	≥.15 no priors	24 hours 8-12 weeks	52 hours/26 weeks	76 hours 8-9 months
TREATMENT TRACK C	<.15 1 or more	24 hours 8-12 weeks	68 hours/34 weeks	92 hours 10-11 months
TREATMENT TRACK D	≥.15 1 or more	24 hours 8-12 weeks	86 hours/43 weeks	110 hours 12-13 months
IF NONE OF THE ABOVE FITS YOU, IN THE BOTTOM ROW, WRITE IN HOW EACH OF THE COLUMNS FIT YOU				
EDUCATION AND OR TREATMENT	YOUR BAC/ TYPE DRUG AND PRIORS	HOURS/WEEKS EDUCATION	HOURS/WEEKS TREATMENT	TOTAL EDUCATION AND TREATMENT

TABLE 2.2

Model for Penalties for DWI Non-Felony Offenses

DESCRIPTION OF OFFENSE	COMMUNITY SERVICE		JAIL		FINES		PROBATION	
	MIN	MAX	MIN	MAX	MIN	MAX	MIN	MAX
DWAI FIRST OFFENSE	24 HRS	48 HRS	2 DAYS	180 DAYS	\$200	\$500	NONE	2 YRS
DUI FIRST OFFENSE	48 HRS	96 HRS	5 DAYS	1 YEAR	\$600	\$1,000	NONE	2 YRS
DUI, DWAI, PER SE FIRST OFFENSE WITH BAC = OR >.20	48 HRS	96 HRS	60 DAYS	1 YEAR	\$600	\$1,000	NONE	2 YRS
SECOND OFFENSE	48 HRS	120 HRS	10 DAYS	1 YEAR	\$600	\$1,500	2 YRS	4 YRS
THIRD OFFENSE	48 HRS	120 HRS	60 DAYS	1 YEAR	\$600	\$1,500	2 YRS	4 YRS
WRITE IN YUR OFFENSE AND PENALTIES FOR YOUR DRIVING WHILE IMPAIRED CONVICTION								
DESCRIPTION OF OFFENSE	HOURS OF COMMUNITY SERVICE		JAIL TIME IN DAYS		AMOUNT OF YOUR FINE		ON PROBATION OR PAROLE?	

Exercise: Table 2.2 lists the penalties for a non-felony DWI for the State of Colorado. First, look over Table 2.2 to see where you might fit. Then, in the bottom, rewrite in your offense, the number of hours of community services, days of jail time, and your fine and the length of your probation or parole, if any. If your conviction was a felony DWI based on a number of DWI offenses, vehicular assault or vehicular homicide, or some other felony offense, put that in the Description of Offense column. How did this compare with the penalty table for Colorado? Were you treated fairly? yes no

YOUR COMMUNITY RESPONSIBILITY: DRIVING WITH CARE

A. DRIVING IS A PRIVILEGE. Yet, it is neither simple nor easy. The most dangerous activity we take part in is driving a car.

- ▶ Here are the top fears of Americans: tornados, floods, earthquakes, flying, lightning, food poisoning, and rattlesnake bites. Yet, fewer than 700 people die annually from all of these combined.
- ▶ But the biggest danger is driving. Around 40,000 people are killed in this country every year on the highway. More people are killed every 15 years driving motor vehicles than were killed in all of the four major wars (World War I, World War II, Korean, and Vietnam) this country has fought. Over 40% of the annual deaths from car crashes are related to the use of alcohol or other drugs.
- ▶ Every person has a 1 in 3 chance of being in a serious auto crash during his or her lifetime.
- ▶ Most traffic deaths take place in dry, sunny weather, at speeds under 40 miles an hour within 25 miles of home.
- ▶ When the quality of life is considered, the total cost each year of motor vehicle crashes is around \$830 billion.

B. WHEN DRIVING, MANY THINGS GO ON AT ONCE, REQUIRING ALL OF OUR SENSES TO FOCUS ON THE TASK OF DRIVING. Driving requires more responsibility toward the community and toward others than any other behavior we engage in. When driving, we

- ▶ have to be alert at all times;
- ▶ are at risk and danger;
- ▶ have opportunity to be concerned and considerate toward others;
- ▶ have opportunity to test our good will and patience; and
- ▶ feel emotions and stress.

C. CAREFUL AND RESPONSIBLE DRIVING INVOLVES FOUR IMPORTANT FACTORS THAT ARE ALL AFFECTED BY ALCOHOL OR OTHER DRUGS.

1. Good judgment—using good common sense on the road
2. Good thought control that leads to emotional control that leads to responsible driving behavior
3. Good sensory/motor skills
4. Positive attitudes toward others

D. HERE ARE THE SKILLS NEEDED FOR CAREFUL AND SAFE DRIVING:

1. Sensory/motor skills

- ▶ Normal vision, which involves
 - visual sharpness;
 - peripheral, side vision, or depth vision;
 - good night vision; and
 - handling light glare.
- ▶ good hearing, tuning in to the sounds of your vehicle as well as all road sounds;
- ▶ a sharp sense of touch, such as the feel of the steering wheel, foot on brake, weight of foot on gas pedal; and
- ▶ arm, hand, feet coordination.

2. Decision and deciding skills

- ▶ predicting the action of other drivers;
- ▶ deciding on alternative moves;
- ▶ judging and deciding about space and timing;
- ▶ quick decisions; and
- ▶ multiple decisions.

3. Action skills

- ▶ accelerating your vehicle;
- ▶ operating the steering wheel to stay in lane;
- ▶ going at the right speed;
- ▶ stopping your vehicle; and
- ▶ reaction time.

AOD (alcohol and other drugs), even in small amounts, impair or block these sensory/motor skills. Marijuana impairs peripheral vision, reaction time, and your ability to switch between tasks—both

necessary skills for driving. One 12-ounce beer slows reaction time two-tenths of a second. At 60 miles an hour, that makes a difference of 35 feet when trying to stop.

You may think that these are simple skills. But don't be too sure. Beyond clear mechanical failure, we can usually trace a CAR CRASH back to the failure to use these skills.

E. YOUR DRIVING ATTITUDES

There is more to driving with CARE than driving skills. Research has shown that people are really different as to their attitudes around driving and their driving behaviors. What are your attitudes?

- ▶ When you see someone cutting in and out of traffic, cutting in front of others, tailgating, speeding, hogging lanes, not letting someone into another lane to turn, you are seeing someone who
 - has an angry and hostile driving attitude;
 - has a CARELESS attitude;
 - feels the need to have power over others; or
 - has little concern or CARING about others.
- ▶ If you find yourself yelling at other drivers, calling them stupid, giving them the “finger,” **you have an angry driving attitude.**
- ▶ Angry driving attitudes can lead to ROAD RAGE.
- ▶ **DRIVE DEFENSIVELY.** This means having a positive attitude when driving. Use all of the skills of SAFE driving, and DEFEND against CARELESS and irresponsible drivers.

Discussion: Take time to talk about driving habits, the stress of driving, feelings that people have when driving, and what makes us angry when we are driving.

F. RISK AND HAZARD

1. Risk and hazard are two of the most important ideas related to SAFE and CAREFUL driving.
 - ▶ Risk means you take chances when driving.
 - ▶ Hazard means you are a danger to yourself and others.
2. **Risk taking** is caused by your thoughts. You choose to take risks. **Risk thinking** comes before risk taking. Here are some of the things that cause people to take risks when driving.
 - ▶ Impressing your peers.
 - ▶ Something positive happens to you—you get a high.
 - ▶ You get a sense of power.
 - ▶ You drive to relieve stress.

- ▶ You act on impulse—but remember, there are thoughts that go before our impulses, no matter how quick these thoughts might be.
 - ▶ Risk thinking: “I have to get there in a hurry,” “I can get by with it this time.”
 - ▶ Hostile driving: THIS CAN LEAD TO ROAD RAGE.
3. When your risk taking becomes a danger to yourself and others, you become a ROAD HAZARD. What do you think when you see someone take risks and when they become a hazard? What is your response when another driver puts you in danger? When you drive and drink, you are constantly putting yourself and other drivers in danger. **YOU ARE A ROAD HAZARD.**

WHEN YOU OBEY THE TRAFFIC LAWS AND DRIVE WITH CARE, YOU WILL FEEL PRIDE AND POWER. IT IS THE POWER OF SELF-CONTROL. IT IS THE PRIDE OF CARING. IT IS BEING MORALLY RESPONSIBLE TO YOUR COMMUNITY.

G. THE DRIVING RISK SURVEY (DRS)

1. **Exercise:** You are asked to complete Worksheet 2, page 32, the *Driving Risk Survey (DRS)*. Use the instructions at the top of Worksheet 2 to find your score. What kind of risk taker are you? If your DRS score is from 6 to 8, you may be bordering the at-risk level. If your DRS score is from 9 to 13, you may be at a moderate to high risk range. If your DRS score is higher than 14, you may be in the high at-risk driver range. You might even be a ROAD HAZARD.
2. Rate yourself as to your level of risk taking.
 - ▶ Low
 - ▶ Moderate
 - ▶ High
 - ▶ Very high
3. Now, rate yourself as to your level of driving hazard.
 - ▶ Low
 - ▶ Moderate
 - ▶ High
 - ▶ Very high

H. Exercise: Use Worksheet 3, page 33, to describe your driving habits and attitudes. Then make a list of the driving skills you need to improve on and the driving attitudes and habits you need to change in order to

- ▶ BE A MORE CAREFUL AND RESPONSIBLE DRIVER, AND
- ▶ DECREASE YOUR RISK OF A CRASH.

LOOKING AT YOUR SPECIFIC DWI SITUATION

A. YOUR DWI OFFENSE

Start with the following table and write in the DWI offense that brought you to this program. Then write down the BAC level or drug type at the time of your arrest.

WRITE DOWN WHAT OFFENSE YOU WERE CONVICTED OF.	BAC LEVEL/DRUG TYPE

B. YOUR SPECIFIC LEGAL RESPONSIBILITIES

- ▶ What are the specific legal obligations or sanctions given to you by the court or DMV? Check the items on Worksheet 4, page 34, that apply to you and then write down the specific terms that you have to meet. Then, check if you have already met them. Those not checked may be ones that you still have to complete. Then briefly share with the group what you still have to do to meet these requirements.
- ▶ In the space below, write down any questions that you have about your situation. Using Worksheet 4 and what you have written below, share with the group what obligations you still have to meet and important questions that you have.

QUESTIONS YOU HAVE ABOUT YOUR DWI ARREST AND CONVICTION

LOOKING BEYOND THE LAW: THE VICTIMS OF DWI BEHAVIOR

A. WHEN A PERSON DRINKS, THAT'S HIS OR HER BUSINESS. WHEN HE OR SHE DRINKS AND DRIVES, THAT'S EVERYONE'S BUSINESS.

There is more than just you and the law with respect to your DWI. Driving with CARE means you are concerned about and have respect for your community and the people who live in your community. This is our moral responsibility to our community. From the standpoint of the community and other people, every violation of the law affects or impacts individuals and the community.

Other people or the community become victims when laws are violated.

- ▶ A *victim* is someone who is emotionally, socially, or physically harmed by or made to suffer from an act of another person.
- ▶ It is sometimes hard for DWI offenders to understand that there are victims related to the offense.
- ▶ For those of you where there was an injury or even a death related to your DWI, it will not be hard to understand this.
- ▶ Increasing your awareness of the victims of your offense is not to punish you, but to help you increase CARING, safe, and responsible behavior in the community.

B. HERE ARE JUST A FEW FACTS THAT SHOW HOW THE COMMUNITY IS AFFECTED BY AND BECOMES A VICTIM OF IMPAIRED DRIVING.

- ▶ Intoxicated drivers kill almost as many people each year as are killed by all other forms of violent crimes combined.
- ▶ In recent years, almost 11,000 persons were killed per year in the United States in AOD-related CRASHES. This is an average of 29 people killed each day.
- ▶ Around 1.1 million drivers were arrested for driving under the influence (DUI) of alcohol or drugs.
- ▶ Close to 300,000 are injured in alcohol-related crashes each year or 800 per day, or one every 2 minutes.
- ▶ Someone dies every 50 minutes due to impaired driving.
- ▶ Over 16% of all motor vehicle crashes involve drugs other than alcohol.
- ▶ The cost of impaired driving each year to the American public is around US\$132 billion annually.
- ▶ Around 2,000 children under the age of 16 are killed in alcohol-related crashes each year.
- ▶ Around 40% of alcohol-related driving fatalities do not include the impaired driver.
- ▶ Persons using marijuana are about 25% more likely to be involved in a crash than drivers with no evidence of marijuana use, without taking gender or age into account.

- ▶ In a nationally representative study to estimate the prevalence of alcohol and other drug use among drivers, around 22% of daytime or nighttime drivers were drug positive. A positive result for any drug does not necessarily mean the driver was impaired at the time of testing, only that the drug was present in the body.
- ▶ Drivers aged 21–25 are more likely to be involved in fatal alcohol-impaired crashes.
- ▶ Rural areas are also disproportionately affected by alcohol-impaired driving crashes and fatalities.
- ▶ Per capita alcohol consumption and hazardous drinking are on the rise.
- ▶ Binge drinking accounts for around 85% of alcohol-impaired driving episodes.
- ▶ Other costs of impaired driving to the public include higher medical bills, higher insurance rates, higher taxes, and damage to public property.

C. WHO HAS BEEN AFFECTED BY YOUR DWI?

- ▶ Each impaired driving offense affects the lives of many people—some may be direct victims. Figure 2.1, page 31, shows who can be involved in one DWI offense.
- ▶ **Exercise:** On Figure 2.1, put an x over (or highlight with a marker pen) all of the blocks—persons, agencies, and people in the community—who were involved in and affected by your DWI arrest. Then, circle those you marked as being a victim of your offense (they suffered some emotional, social, relationship, or even physical pain).
- ▶ The table below lists some persons who might have been involved in and affected by your DWI. For each of these persons, write down how they were affected emotionally and physically, and their responses and reactions. Be sure to include the person or persons who suffered bodily injury or damage to their property. The group will discuss their thoughts about this exercise. **If you are still trying to work through your thoughts and feelings about this, talk with your counselor or group leader.**

PERSONS AFFECTED	THEIR RESPONSES, HOW THEY WERE AFFECTED
Spouse/intimate partner	
Minor children	
Adult children	
Parent(s)	
Close friend(s)	
Boss or employer	
Neighbors	
Other drivers	
Passenger (s)	
Other	



D. Exercise: You are asked to talk to a group of 16-year-olds in a Driver's Education class about DWI. Write down two important thoughts you would tell them.

TWO IMPORTANT THOUGHTS YOU WOULD TELL A 16-YEAR-OLD ABOUT THE RISK OF IMPAIRED DRIVING

Now, share these with the group.

E. HERE IS ONE ACCOUNT OF A VICTIM FROM A DUI CRASH.

Eighteen-year-old Paul had just graduated from high school. He had great promise to be a star on the swimming team at the college he was to attend. The summer before going to college, he was riding his bicycle to the swimming pool. Without warning, a car pulled out in front of him and slammed into him. The driver had been drinking. Paul's leg was severely broken, and there was some concern that it might have to be amputated. He spent the following year in a cast and on crutches. Recovery from the injury was slow, and there was bone infection. After 1 year, the bone finally mended. Today, he has 60% use of that leg. It is difficult for him to take part in what were his favorite pastimes, skiing and hiking. And he often wonders what it would have been like to have been on that swim team during his college years. His life was changed by a drunk driver.

WRITE DOWN SOME OF YOUR THOUGHTS AND FEELINGS ABOUT THIS STORY.

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YOUR CLASS OR HOMEWORK ASSIGNMENT

- A. You completed the TAP Chart at the start of this lesson for the past week. At the start of next week's lesson, you will be asked to do the same.
- B. Complete the Driving Risk Survey, Worksheet 2.
- C. Complete Worksheet 3, "Changing Driving Skills, Attitudes, and Patterns."
- D. Complete Worksheet 4, "Your Legal Obligations."
- E. Highlight or circle all of the blocks in Figure 2.1 that were affected by your DWI.
- F. Rate yourself as to your understanding of what you must do to meet all of what the court is requiring you to do:

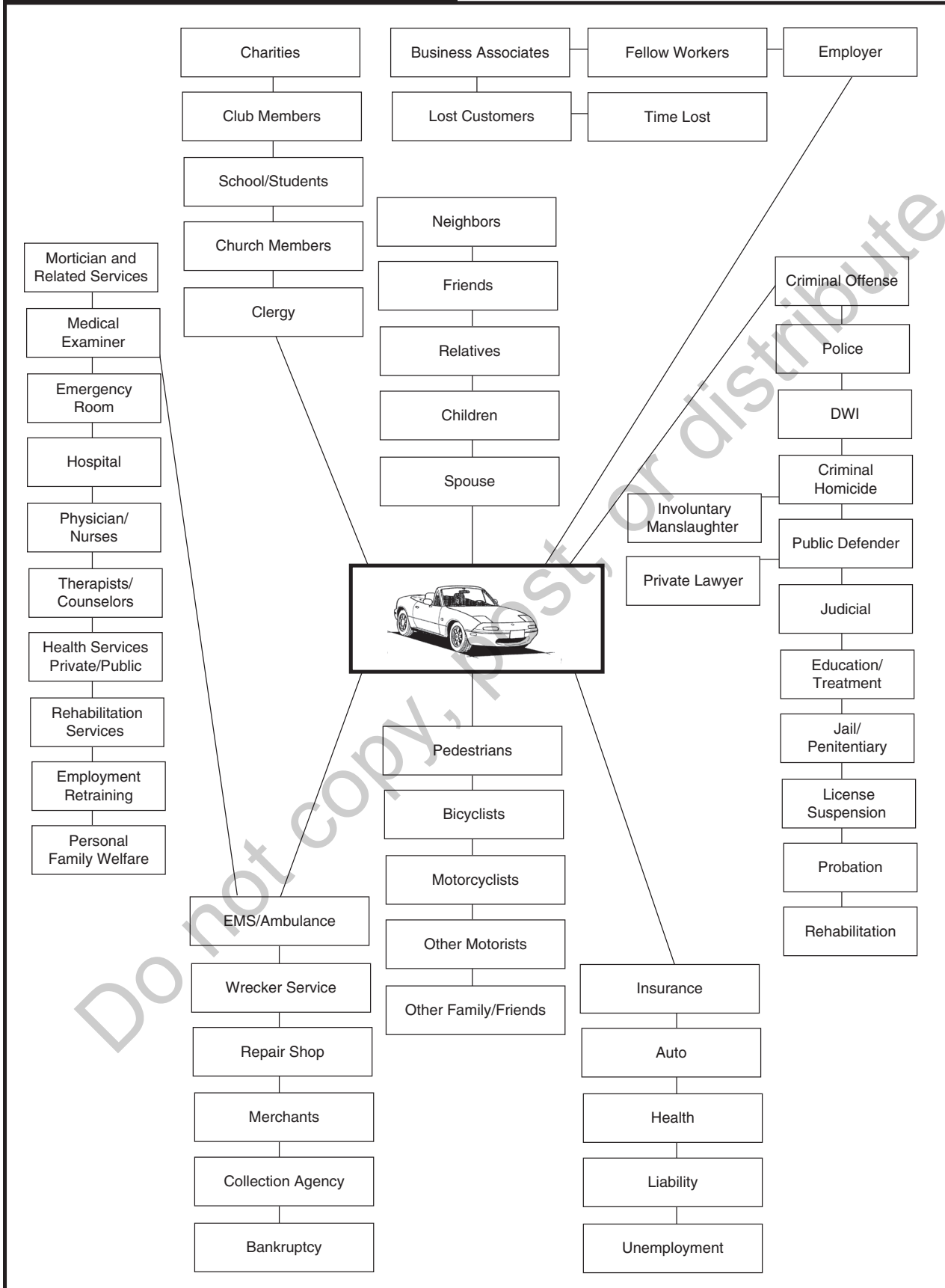
1		2		3		4		5		6		7		8		9		10
POOR				FAIR				GOOD				VERY GOOD						

Rate your understanding as to how well you understand who are the victims of your impaired driving:

1		2		3		4		5		6		7		8		9		10
POOR				FAIR				GOOD				VERY GOOD						

FIGURE 2.1

Who or What in the Community Might Be Affected by DWI Offense



QU: OK?
Many of these are not "who" items.

W O R K S H E E T 2

The Driving Risk Survey (DRS): For each question, choose the answer that best fits you by circling "a," "b," "c," or "d." Then give yourself a one for each "b," a two for each "c" and a three for each "d." Add up your scores.

1. I EXCEED THE SPEED LIMIT IF ROAD CONDITIONS ARE SAFE.
A. Never B. Seldom C. Often D. Very often
2. I HAVE FOUND MYSELF DRIVING FAST WITHOUT REALIZING IT.
A. Never B. Seldom C. Often D. Very often
3. WHEN OTHER DRIVERS DO STUPID THINGS, I LOSE MY TEMPER.
A. Never B. Seldom C. Often D. Very often
4. I DRIVE FAST AND TAKE MY CHANCES OF GETTING CAUGHT.
A. Never B. Seldom C. Often D. Very often
5. HIGH-SPEED DRIVING GIVES ME A SENSE OF POWER.
A. Never B. Seldom C. Often D. Very often
6. I HAVE TAKEN A RISK WHEN DRIVING JUST FOR THE SAKE OF IT.
A. Never B. Seldom C. Often D. Very often
7. I SWEAR OUT LOUD OR UNDER MY BREATH AT OTHER DRIVERS.
A. Never B. Seldom C. Often D. Very often
8. I HAVE OUTFRAN OTHER DRIVERS.
A. Never B. Seldom C. Often D. Very often
9. I PASS OTHER DRIVERS WHEN NOT IN A HURRY.
A. Never B. Seldom C. Often D. Very often
10. I AM A DRIVER WHO LIKES TO STAY AHEAD OF OR OUT IN FRONT OF TRAFFIC.
A. Never B. Seldom C. Often D. Very often
11. I HAVE TRIED TO BEAT A RED LIGHT.
A. Never B. Seldom C. Often D. Very often
12. I DODGE AND WEAVE THROUGH TRAFFIC.
A. Never B. Seldom C. Often D. Very often

TOTAL SCORE:

W O R K S H E E T 3

Changing Driving Skills, Attitudes and Patterns. Describe your overall driving attitude, behaviors, and habits. Then list the skills you need to improve on and the attitudes and habits you feel you need to change.

DESCRIBE YOUR OVERALL DRIVING ATTITUDE:

DESCRIBE YOUR DRIVING BEHAVIOR AND HABITS:

LIST THREE DRIVING SKILLS YOU WANT TO IMPROVE:

LIST THREE DRIVING HABITS YOU FEEL YOU SHOULD CHANGE:

LIST THREE DRIVING ATTITUDES YOU FEEL YOU SHOULD CHANGE:

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WORKSHEET 4

Here are some legal obligations that are given by the court for a DWI conviction. In the second column, check if it applies to you. In the third column, write down what those requirements are. Then, in the last column, check if you have met that obligation.

YOUR LEGAL OBLIGATION	CHECK IF APPLIES	WRITE IN THE AMOUNT/TERMS	CHECK IF DONE
1. Fines and penalties			
2. Restitution			
3. Jail sentence			
4. Persistent drunk driver funds			
5. Community service			
6. Probation			
7. Revocation of license			
8. Suspension of license			
9. Proof of insurance			
10. Education			
11. Therapy or treatment			
12. Mental health evaluation			
13. Antabuse or other medication			
14. Random urine/breath testing			
15. Victim impact panel			
16. Ignition interlock			
17. Vehicle impounding			
18. Sell car			
19. Self-help (AA, NA, CA)			
20. Intensive outpatient therapy			
21. Halfway house			
22. Hospital treatment			
23. Residential treatment			
24. Therapeutic community			