

A DEMOGRAPHIC ANALYSIS OF PERSONS SENTENCED TO
PROBATION FOR DRIVING UNDER THE
INFLUENCE OF ALCOHOL IN SUFFOLK COUNTY (NY)

NCJRS

AUG 10 1980

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To Margaret, for her unending encouragement and patience.

ABSTRACT

This study reports the results of a comprehensive, descriptive field research project describing the demographic characteristics of a one year sample of persons convicted of Driving While Intoxicated (DWI) and sentenced to Probation Supervision in Suffolk County, New York.

Suffolk County which represents 6% of the population of New York State, and a similar percentage of licensed operators, reported 11.9% of the convicted persons during 1974, for Driving While Intoxicated or Driving While Alcohol Impaired (DWAI).

A sample of 239 individuals is analysed by demographic characteristics of sex, age, ethnic background, marital status and occupation. Also described are reasons for police activity which resulted in arrest, levels of blood alcohol, prior drunk driving convictions, and prior conviction of crimes by several categories other including violent, non-violent types of crimes. Analysis of prior driver's license suspension/revocation is also submitted.

Assessment of Probation Supervision as an evaluative and rehabilitative treatment agent, for the alcoholic client, is considered.

Results are supportive of numerous studies which have been completed in other localities.

An abnormally high level of Blood/alcohol was resultant of those tested, and a precipitous number of persons (76.6%) had prior alcohol related driving convictions.

Assessment of the Probation Agency role in identification, assessment, and providing alternatives to these clients is considered and current programs are presented. Needs assessment is the final matter considered with the author suggesting modalities to be considered for future programming and further longitudinal study of this sample population.

ACKNOWLEDGEMENT

My appreciation is offered to the Suffolk County Probation Department without whose interest and support this study could not have been undertaken. Equal appreciation is expressed to Mr. Terry Conaty and Kevin Burger, teacher and student respectively of the South Campus, B.O.C.E.S., Lindenhurst, for their invaluable assistance in programming of raw data for data processing.

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INTRODUCTION

This study provides the initial analysis, by demographic terms, of a population of persons sentenced to Probation Supervision¹ in Suffolk County, New York, under the generic heading Driving While Intoxicated. The specific period under study was January 1, 1974 through December 31, 1974.

Similar studys have been undertaken by Hyman, (1962)² in Santa Clara County, California, and Columbus, Ohio of 1722 persons arrested for Driving While Intoxicated. A study of 310 convicted DWI's by Yoder, (1972)³ in El Cajon Court District, California and Sandler, (1974)⁴ 281 persons arrested for DWI and subsequently referred to an educational program about drunk driving.

Nationally, there were 616,549 arrests for "driving under the influence" during 1974.⁵ The New York State Motor Vehicle Department reported 31,570 convictions during the same period for charges of Driving While Intoxicated (DWI) or Driving While Impaired (DWAII)

Suffolk County, with approximately 6% (1,124,512) of the New York State Population surpassed all counties except Erie County in DWI-AI convictions with 3,758 (11.9%). Erie County (Buffalo) reported 4,149 convictions. Suffolk County was closely followed by neighboring Nassau County with 3,522 convictions. The Suffolk County Police Department reported 3,542 actual arrests for Driving While Intoxicated in 1974. Of these 40 persons were charged with Driving While Intoxicated as a Felony, an increase of 13 incidents over the previous year.⁶

Finally, the Suffolk County Traffic Safety Board report on 1974 Fatal Accidents in Suffolk County reported 195 fatalities in 183 individual motor vehicle accidents. The Suffolk County Medical Examiner reported that "53% of the operators killed in collisions in 1974, and on whom valid tests could be

performed, were positive of alcohol". Additionally, nearly 40% of the pedestrian fatalities involved alcohol.⁷

A prior study was conducted by the Traffic Safety Board through 1969, originally published in 1971. An updated report in May, 1974 included comprehensive statistics through 1972. These statistics reported an eight year average of 55.9% of operator victims having tested positive for alcohol by the County Medical Examiner's office. A 66.7% figure in 1967 is high, while in 1970, 49.4% were tested as positive for alcohol.⁸ These statistics compare with U.S. Department of Transportation figures of where more than 50% of all motor vehicle fatalities are alcohol related.⁹

According to the Suffolk Traffic Safety Board Reports of those arrested, and charged with Driving While Intoxicated (DWI), only one of three drivers charged was convicted. Of these, only 3% were confined at all, and only 6% were placed on Probation and/or required to receive treatment in 1972, the only year in which these statistics were retrieved.¹⁰

PURPOSE

This study provides a demographic profile of the DWI Probation Clients, by use of descriptive charts and descriptive analysis. It further provides a basis for evaluating the severity of this client group, and in a secondary fashion attempts to assess the treatment plan, or value of intervention as described by Probation Supervision.

The detail of this report does not explore the type of behavior immediately prior to arrest, nor does it go into detail assessment of the client's social adjustment in the areas of family or employment, nor were time and day of the week retrieved. As all data was coded and has been retained, more detailed

cross correlations may be obtained at a later date. Because of the lack of financial resources more extensive examination was not undertaken.

The present paper reports on a total DWI population sentenced to probation in 1974, with original arrests at some time during that year or the year prior (due to delays in the legal process).

The data collected, contributes to existing literature in that it:

- (A) provides initial data on a substantial population (n=239).
- (B) provides the basis for a comprehensive longitudinal study of Probation Supervision effectiveness, recidivism of Driving While Intoxicated, incidents of other criminal activity not related to driving, and program design.

METHOD

A person arrested for DWI - DWAI in Suffolk County, New York is cited under Section 1192, of the New York State Vehicle and Traffic Law.¹¹ Where there is a case of vehicular homicide (alcohol related) the person is charged under the criminal Statutes of the State.¹²

The breathalyzer is the recognized test for ascertaining a level of sobriety, or intoxication. In New York State the level of .10 of one percentum by weight of alcohol in the blood is sufficient evidence of intoxication. By virtue of being issued a license to operate a vehicle in the State of New York the driver, has given "implied consent"^{13,14} to be administered (by a designated person) a recognized test (the breathalyzer) so long as the arresting officer had "reasonable grounds to believe that such person was driving in an intoxicated condition."¹⁵

Thereafter the driver shall appear before the court in a "special traffic" part. Following a guilty finding by either plea bargaining agreement, or trial, a Probation Pre-sentence report is requested by the presiding judge. In cases

where the final charge is not a misdemeanor but a lesser charge a pre-sentence report is not required.

There are varying sentences which the court may impose at the time of sentence, ranging from a monetary fine to a period of incarceration. These differing alternatives will not be discussed as our primary concern at this time is that group sentenced to Probation Supervision. It is, however, necessary to identify an experimental program conducted by the New York State Department of Motor Vehicles. Between June, 1973 and April 15, 1974 the Suffolk County Driving While Intoxicated (DWI) Rehabilitation Project was conducted under Article 21 of the New York State Vehicle and Traffic Laws. It was a primarily educational program and is discussed in the results portion of this report. Candidates for the program were selection by means of a "lottery" system at the time of plea.

The first matter of concern was determining the size of sample to be surveyed. Review of Suffolk County Probation Department logs revealed seven hundred and twelve (712) referrals from the District and Justice (local) courts and the County (superior) court where the charge appeared to be related to drunk driving. Of these requests for pre-sentence investigation two hundred and forty-three (243) were "Lottery" screening cases.¹⁶ In view of the referral size, approximately four hundred and sixty-nine (469), a second review of agency records revealed a sample group of two-hundred and sixth-nine persons sentenced to Probation for charges believed to be related to drunk driving, including "reckless driving, driving with a revoked license, unauthorized use of motor vehicle, DWI, operating a motor vehicle under the influence (superior court) and criminally negligent homicide. After individual review of each case and accumulation of data, currently the subject of this report, twenty (20) cases were rejected because they were not alcohol related or not specifically drunk driving.

A sample questionnaire was designed to include demographic characteristics, information related to prior criminal conviction and motor vehicle revocation/suspension data. Data concerning assessment of client admission of an "alcohol problem", treatment status and follow-up assessment were included.

Selected cases were then reviewed (approximately fifteen) and it was determined that all data items were retrievable.

The final questionnaire (Appendix A) was prepared and duplicated for individual review of the total population. With the exception of 5% of the total, each case was reviewed by the researcher.

Having completed review of each case document, data was incomplete for items 12 through 14. This was the result of delay in recording updated case contacts of the assigned Probation Officer, with the Probation client. Each assigned Probation Officer maintains an ongoing record of his contacts, with the probation client, his family, and collateral agencies. This record indicates current progress areas of concern, and plans for future interaction. Twenty-eight (28) Probation Officers were interviewed concerning current client evaluation of an existing "alcohol problem", involvement (participation) in an outside treatment program, and the assigned Probation Officers assessment of the presence of an "alcohol problem." This answer related to a current problem, no problem at this time or the non-existence of a problem at any time during the supervision period.

In all, forty-nine (49) individual Probation Officers in four office locations were assigned to the sample cases based on the clients place of residence.

As client confidentiality is of the utmost importance in conducting any research of probation clients, each case had been coded prior to submission for computer programming.

For this report to have value there must be continuity of information. Fortunately, uniformity of information was available in the pre-sentence report (Appendix B) and this became the primary source of research information. The second source was the "police arrest report" which provided much raw data necessary to complete the demographic data collection. This was also the corroborative basis for information in the pre-sentence report (see Appendix C). The third resource form was the Department of Motor Vehicle operator's extract, which included each charged vehicle and traffic offense (excluding parking violations) and was the basis for establishing prior suspension and/or revocations of operator/chauffers license. This also provided a second verification of prior DWI/DWAI convictions (see Appendix D). The period of time covered for Motor Vehicle suspensions/revocations and criminal convictions was limited to 10 years prior to the date of the instant offense.

The basis for assessment by category was as follows:

DEMOGRAPHIC CHARACTERISTICS

1. Sex: The client's sex was obtained in all cases from the police arrest report.
2. Age: Age, is the number of years completed at the time of the arrest.
3. Ethnic Origin: A person's ethnologic character was determined through the police arrest report. It is acknowledged that there is a chance for percent of error in the "Hispanic" definition as the client's surname may tend to deceive. Hispanic includes any person acknowledging recent geneological emigration from Puerto Rico, or that locale to be his place of birth. The category of Other includes one South American and two Asiatic aliens.

4. Marital Status: Marital status is based on the data acquired at the time of the pre-sentence investigation. Married indicates the client to be in an intact family. Separated, indicates the client to be living in a residence other than with his spouse. Divorced, indicates the formal dissolution of a prior marriage relationship. Should the client be residing with a person other than his spouse; ie., a paramour, the legal definition of the prior relationship determined the category.

5. Occupation: Each case was reviewed again through use of the pre-sentence investigation (See Appendix B, page 2) and the client's employment immediately prior to the sentencing is designated. An unknown number in the unemployed group may be so unemployed because of the current offense. However, the usual procedure of license revocation is at the time of sentence, thereby negating this as a direct cause. The categories of Professional, Skilled-laborer, semi-skilled laborer, unskilled laborer, clerical/sales and student were established by the U. S. Department of Labor guidelines. In each case, the specific position of employment was listed in addition to the scoring and then designated after review by the researcher.

"Professional" includes those positions usually white-collar, where formal training (educational) is usually required. Among these are teacher, electrical engineer, managers.

"Skilled labor" includes all craftsmen, and trade union workers. Also included were middle management factory positions, and skilled mechanics, together with business operators.

5. Occupation: - (Continued)

"Semi-skilled labor" includes persons employed in higher than entry level production positions, truck drivers with no specific account responsibility and apprentice trade workers.

"unskilled labor" includes general entry-type factory (assembly) warehouse positions, maintenance type employment where no educational or work experience is required.

"Clerical/Sales" includes retail sales, and all clerical positions of secretary, accounts receivable, teller positions.

"Student" full-time or part-time attendance where primary support continues to be from family and the client is not self-supporting.

"Other" includes all those retired, disabled, or as "head of the household" (female), and receiving assistance from Social Security, or Social Service Agency.

6. PRIOR CRIMINAL CONVICTIONS

Information concerning prior convictions for 10 years is based on the arrest date, and does not include any charges as a juvenile. (Prior to sixteenth birthday in New York State).

The various categories include:

Misdemeanor: Violent, non-violent and motor vehicle

Violent - includes any charge relating to use or possession of a weapon, harm to another person and includes attempted Assault, Aggravated Harassment and Obstruction of Governmental Administration.

Non-Violent - includes Petit Larceny, Possession of Stolen Property, Unauthorized use of a Motor Vehicle.

6. PRIOR CRIMINAL CONVICTIONS - (Continued)

Motor Vehicle - Convictions specifically relate to prior DWI's or Driving While Impaired. (This does not include Reckless Driving, which is an allowable final charge.)¹⁷

Felony: Violent and non-violent

Violent - charges include Assault, Robbery (with a weapon), use of a Weapon, other ways of causing physical injury including vehicular homicide.

Non-Violent - includes all felony convictions when severity is based on value and not danger to human life. These include Grand Larceny, Burglary, etc.

As there were no prior Felony DWIs found in the survey, this category is not included.

7. PRIOR D.M.V. RECORD (Revocation/Suspension)

Data collected as to revocations and/or suspension of an operator's license were obtained directly from New York State Department of Motor Vehicle forms (also known as D.M.V. Extracts). The time period covered coincides with the prior category of Prior Criminal Convictions.

The basis for suspension or revocation has to do directly with the number of V & T convictions a driver obtains over a set period of time. This is also effected by the driver's actions, such as "failure to pay summons" and violations incurred during periods of suspension or revocation. In some cases revocation is automatic, while in others it is court imposed.

The specific reason for inclusion of this category is to determine whether a correlation exists between Driving While Intoxicated behavior, and abuse of the privilege to drive, by improper use of alcohol and other violations.

8. BLOOD/ALCOHOL LEVEL

The breathalyzer form of testing is generally accepted in all 50 states.

Failure to take the appropriate test within a designated period of two hours, for any reason can bring an automatic suspension of license for sixty-day period regardless of the final court finding. This factor is incorporated in a person's original agreement to accept the privilege of a license to operate a motor vehicle.

Known as "implied consent" it exists in each state, New York State Law being the established form upon which the other states have based their law.

In Suffolk County, the breathalyzer is administered by a certified technician, police officer, under strict rules established by the Suffolk County Police Laboratory, and approved by the Commissioner. These include periodic calibration of the testing equipment, and a test method to assure proper operation of the Breathalyzer.

Article 21, Section 1192 of the New York State Vehicle and Traffic Law defines 3 specific alcohol related offenses with which a driver may be charged.

Section 1192-1 - No person shall operate a motor vehicle while his ability to operate such motor vehicle is impaired by the consumption of alcohol. (A Traffic Infraction).

Section 1192-2 - No person shall operate a motor vehicle while he has .10 of one percentum or more by weight of alcohol in his blood as shown by chemical analysis of his blood, breath, urine or saliva. (A Misdemeanor)

Section 1192-3 - No person shall operate a motor vehicle while he is in an intoxicated condition. (A Misdemeanor)

The following descriptive effects of blood alcohol levels, as described in the American Medical Association Manual on Alcoholism, and printed in the Suffolk County Traffic Safety Board Report, "Alcohol Related Accidents in Suffolk County", (1974), are offered as an aid in interpreting the extremely serious nature of the drinking driver problem reflected by the tests:

- 0.00 - 0.05 - Mild effects - slight change in feeling existing mood (anger, elation, etc.) may be heightened.
- 0.05 - 0.10 - Exaggerated motion and behavior, less concern, mental relaxation. Decrease in finer skills of coordination.
- 0.15 or over - Gross intoxication, unmistakable impairment of all physical activity and mental faculties. Continued abusive drinking leads to alcoholic stupor, coma and death.

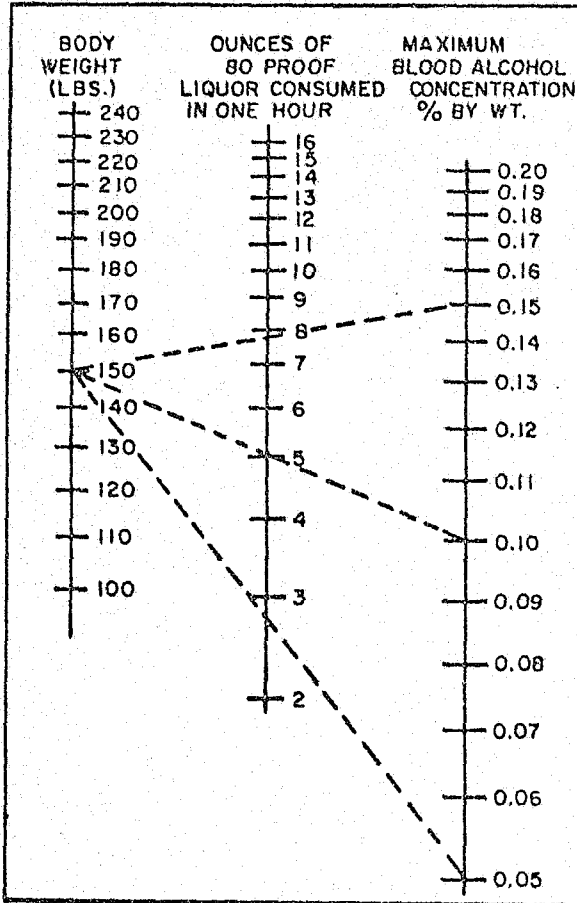
The description of effects of alcohol consumption which follows (Chart I) is also reprinted from the above report, and does not allude to prescribe a diagnostic method for safe limits of alcohol consumption, due to the many factors. Moderation is recommended in all cases.

CHART I**

ESTIMATED AMOUNT OF 80 PROOF LIQUOR NEEDED
REACH APPROXIMATE GIVEN LEVELS OF ALCOHOL IN THE BLOOD

"EMPTY STOMACH"

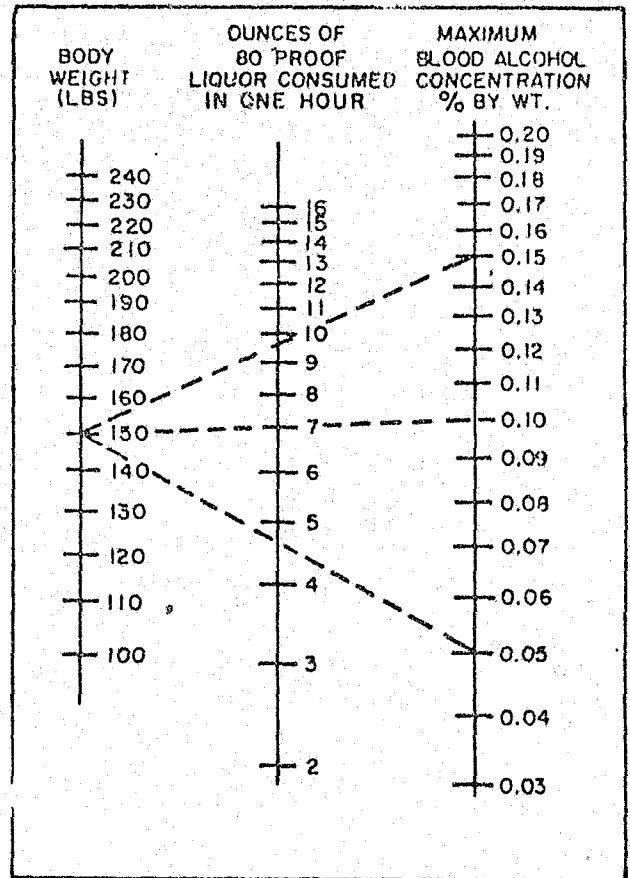
During A One-Hour Period* With Little
Or No Food Intake Prior To Drinking



Adapted From A Chart By U. S. Dept.
Of Health, Education And Welfare

"FULL STOMACH"

During A One-Hour Period* Occurring
Between One And Two Hours After An
Average Meal



Adapted From A Chart By Royal
Canadian Mounted Police

The examples above show the approximate average amount of 80 proof liquor a 150 lb. person would have to consume in a one-hour period to reach 0.10%, the percentage-weight of alcohol in the bloodstream which presumes a driver to be intoxicated.

To determine the approximate average number of ounces of 80 proof liquor needed in a one-hour period to reach 0.10%, draw a line from BODY WEIGHT to 0.10%. The line will intersect the average number of ounces needed to produce 0.10%. Follow the same procedure to determine the amount of liquor needed to reach other blood-alcohol concentrations, such as 0.05%, 0.15%, etc.

Charts show rough averages only. Many factors affect the rate of alcohol absorption into the bloodstream. Amount of food consumed, kind of food and drink consumed, and percentage of fatty tissue in the body, for example, can vary blood-alcohol concentration values.

* The rate of elimination of alcohol from the bloodstream is approximately 0.015% per hour. Therefore, subtract 0.015% from blood alcohol concentration indicated on above charts for each hour after the start of drinking.

** Reprinted from Suffolk County Traffic Safety Report "Alcohol Related Accidents in Suffolk County".

9. REASON FOR POLICE ACTIVITY:

As a matter of fact, in stating the allegations against the operator of a Motor Vehicle, the arresting officer must state the cause for his belief that the alleged offender has operated his vehicle so as to endanger himself or another person.

Because of his consumption of alcohol, his judgment may become impaired thus causing one of the following behaviors in the operation of his vehicle.

The major causes, simply stated, are "accident, weave, speed, crossing-over". Among the other reasons for causing the attention of local police authorities, are, driving too slowly; parked on a median or side of the road; inoperative items, such as head lights, signal lights; or observable drinking in the vehicle while moving.

It is important to identify the reason for arrest as the person operating a vehicle under the influence of alcohol becomes less responsible for his behavior the more alcohol he has consumed and thus a definite danger to his community. Particularly does he become an ominous threat to the "innocent operator" victim, the social drinker, the non-abuser who may become his fatal victim.

As the arrest is precipitated by a reason to believe the operator of a vehicle to be impaired the validity of the behavior described in the police report is assumed. Additionally, it is supported by the fact that usually several agility tests, ie. walking a straight line is requested of the driver. Finally, the results of the breathalyzer substantiate the arresting officers reason to believe an offense has occurred.

Categories #10 through #14, deal with the subjective analysis of the client's assessment of the existence of an alcohol problem, his involvement in specific programs at time of sentence and during Probation Supervision.

Category #14 is the Probation Officer's assessment of the client's functioning in relationship to alcohol abuse (active or dormant) at the time this data was retrieved. That period being between twenty-four months and twelve months after sentencing.

10. Client's Admission Of "Alcohol Problems" At The Time Of Sentence: Yes No

This data is obtained through analysis of the "Evaluation" narrative of the pre-sentence investigation. (Appendix "A" Page 4) Because of the nature of the charge, the investigator inquires of the client, concern regarding alcohol use which resulted in of the arrest. Occasionally, the direct confrontation occurs where the client is specifically asked, "Do you feel you have an alcohol problem (or, a problem with alcohol)? Other situational occurrences include the voluntary statements of the clients: "I haven't had a drink since the arrest", or, "I know I can't handle it."

Because of the limited scope allowed due to the pressures of the impending Court date, the investigator cannot always give sufficient time for proper analysis. ie: second interview or tests to measure serverity of alcohol use/abuse.

11. Participation In A Rehabilitation Program At The Time Of Sentence:

This data is gathered through the same contributory data of the client, or in some cases other interested parties, i.e., spouse, paramour.

The programs identified include:

A) Alcoholics Anonymous (A.A.)

B) Hospital Programs

Freeport Hospital, Freeport, N.Y.

Brunswick House, Brunswick Hospital, Amityville, N.Y.

Northport Veteran's Hospital, Northport, N.Y.

Central Islip State Hospital, C.K. Post Rehabilitation Program, (D-4), Central Islip, N.Y.

Pilgrim State Hospital, Brentwood, N.Y.

South Oaks Hospital, Amityville, N.Y.

11. Participation In A Rehabilitation Program At The Time Of Sentence:
(Continued)

C) Mental Health Service

Suffolk County Health Department Clinics

Babylon, N.Y.

Brentwood, N.Y.

Huntington, N.Y.

Riverhead, N.Y.

D) Other:

Other programs include:

Private Clinics

U.S. Post Office Employees Program (PAR)

Private therapy with either a psychiatrist or psychologist

Long Island Council on Alcoholism

E) None: this is not mutually exclusive of those indicating "No" in Category #10, but includes all persons assessed in question #10 where clients assessment was solicited at time of sentence.

12. Admission of "Alcohol Problem" At Present Time Or Time Of Discharge:

Assessment was drawn from the up-dated chronological recording by the assigned Probation Officer. Final figures do not reflect the total population due to the fact that a number of clients were no longer residing in the jurisdiction of Suffolk County, N.Y., and the information as to progress was not available.

In other cases the information may not have been clearly identified as client assessment and therefore not included.

13. Participation In A Rehabilitation Program During Probation Supervision:

This category assesses two factors:

First, how many clients were either participating in some form of alcohol rehabilitation program at the time data for this study was gathered, or had participated at some time during the foregone period of probation supervision? Answers include: Yes ___ Not Presently ___ Never ___.

The second factor assessed is the type of program participated in:

The only changes are in deleting the category "None" as it is already recorded.

The other alteration is changing "Mental Health Service" to "Clinic (out-patient)".

Under the revised heading, we now include one new program,

Bailey House, South Oaks Hospital, Amityville, N.Y.

14. Probation Officer's Assessment Of Existence Of An Alcohol Problem (At Present Or Time Of Discharge):

Three categories were indicated:

Yes _____

Not At Present _____

Never _____

Criteria for setting proper evaluation standards required a statement of the reviewer as to defining "alcohol problem". A person with a current alcohol problem is one who has been unable to: 1. continue use of alcohol without ongoing occurrences of abuse; 2. use alcohol for reasons of pleasure and sociability (that is, "he must drink to be sociable"); 3. has failed in efforts to terminate his use of alcohol, having acknowledged he is alcohol dependent or alcoholic.

Again, not a full population is available for assessment because of the fact that a number of probationers were no longer living in Suffolk County and therefore supervision had been transferred to other jurisdictions.

14. Probation Officer's Assessment of Existence Of An Alcohol Problem
(At Present Or Time Of Discharge): - (Continued)

In order to obtain this data, survey of current recorded progress was assessed and in addition, 28 interviews were conducted with assigned Probation Officers. These interviews attempted to deal specifically with the clients assesement of an alcohol problem, involvement in a specific collateral program and Probation Officers evaluation as to the current existence of an "alcohol problem" (as defined), no problem at present, or never a problem. There was however, a distinct individualized concept on the part of the group interviewed that the reviewer's definition was in some cases too broad or too limiting for their individual client.

RESULTS

OVERALL DEMOGRAPHIC PROFILE

The overall characteristic profile is found in Table I. The composite of the D.W.I. probation client is male (95.4%) between the ages of thirty and thirty-nine (34.3%) and being either of the skilled labor (26.8%) or the unskilled labor (28.9%) force.

While almost half (49%) were married, almost twenty-nine percent (69 clients) were either separated or divorced. Seventy-six percent of the group were caucasian, with almost sixteen percent being black, and six percent (6.3%) being hispanic. A precipitous percentage (76.6%) had prior convictions for driving and drinking charges and of those (79 clients), one out of three of the total sample were multiple offenders prior to the current offense. Department of Motor Vehicles suspension and/or revocations had been incurred by 72.4% of the total client group. Of these 69 persons (28.9%) of the total sample were multiple offenders. The above two categories while mutually exclusive can be assumed to have a substantial number of the same persons, as suspension/revocation is a frequent action by the Department of Motor Vehicles upon conviction of the Court. The exceptions may deal with those not having a license or operating a vehicle while a license is suspended. However, in both cases it further indicates impaired behavior and decision making.

Many of these findings parallel the study of Sandler (1974)¹⁸ of Convicted D.W.I. clients. He too, found the client group to be heavily concentrated in the skilled and unskilled labor grouping (77.4%). Of his sample of 281 convicted DWI's, 90% were male, with 31% separated or divorced.

TABLE 2

DISTRIBUTION BY SEX, AGE, MARITAL STATUS, ETHNIC AND
OCCUPATION CHARACTERISTICS: FOR TOTAL DWI POPULATION

VARIABLE	SUBJECTS (N-239)	
	#	%
SEX		
Male	228	95.4
Female	11	4.6
AGE		
< 20	9	3.8
20 - 29	52	21.8
30 - 39	82	34.3
40 - 49	57	23.8
50 - 59	35	14.6
> 60	4	1.6
MARITAL STATUS		
Single	48	20.0
Married	117	49.0
Separated	38	15.9
Divorced	31	13.0
Widowed	5	2.1
ETHNIC		
White	183	76.5
Black	38	15.9
Hispanic	15	6.3
Other	3	1.3
OCCUPATION		
Professional	16	6.7
Skilled Labor	64	26.8
Semi-Skilled Labor	37	15.5
Un-Skilled Labor	69	28.9
Clerical/Sales	4	1.6
Student	3	1.3
Unemployed	35	14.6
Other	11	4.6

AGE AND SEX:

In comparing the activity of the 228 male/11 female population the significant findings include: a higher median age of females (40.5 years) to the male group (37.8 years). The female group is further identified by the absence of members of hispanic origin and only one client who was black.

The female group also includes a higher percentage of clients involved in accidents (45.5%). Of these five clients, two were operators of vehicles causing deaths. Again, the incidents of divorce and separation were greatly increased over the male group where as the incident of separation/divorce for the total population was 28.9%, the female group reported 54.5%.

Limited access to data processing prohibited further analysis by age. It is however, significant that the median age for the sample group is at a point where stability in both familial and economic maturation is generally established, a finding which Hyman (1962)¹⁹ also reports.

Because this population is a discriminate one, it is difficult to compare with population surveys, as to probability factors or factors relative to total age groups of licensed drivers.

BAC FINDINGS:

Results of the breathalyzer are described in Table II, together with the reason for which the subject was believed to be impaired.

The median BAC for those tested (n=128) was .20 - .24, a figure twice the presumptive limit for driving while intoxicated, in excess of normal drinking patterns, and significantly impairing, both to sensory and motor skills. Surprisingly, that population involved in accidents, (n=73) showed a comparative median level of intoxication, and an increase of eight percent in refusal of the breathalyzer test (see Table III).

BAC FINDINGS: - (Continued)

TABLE II

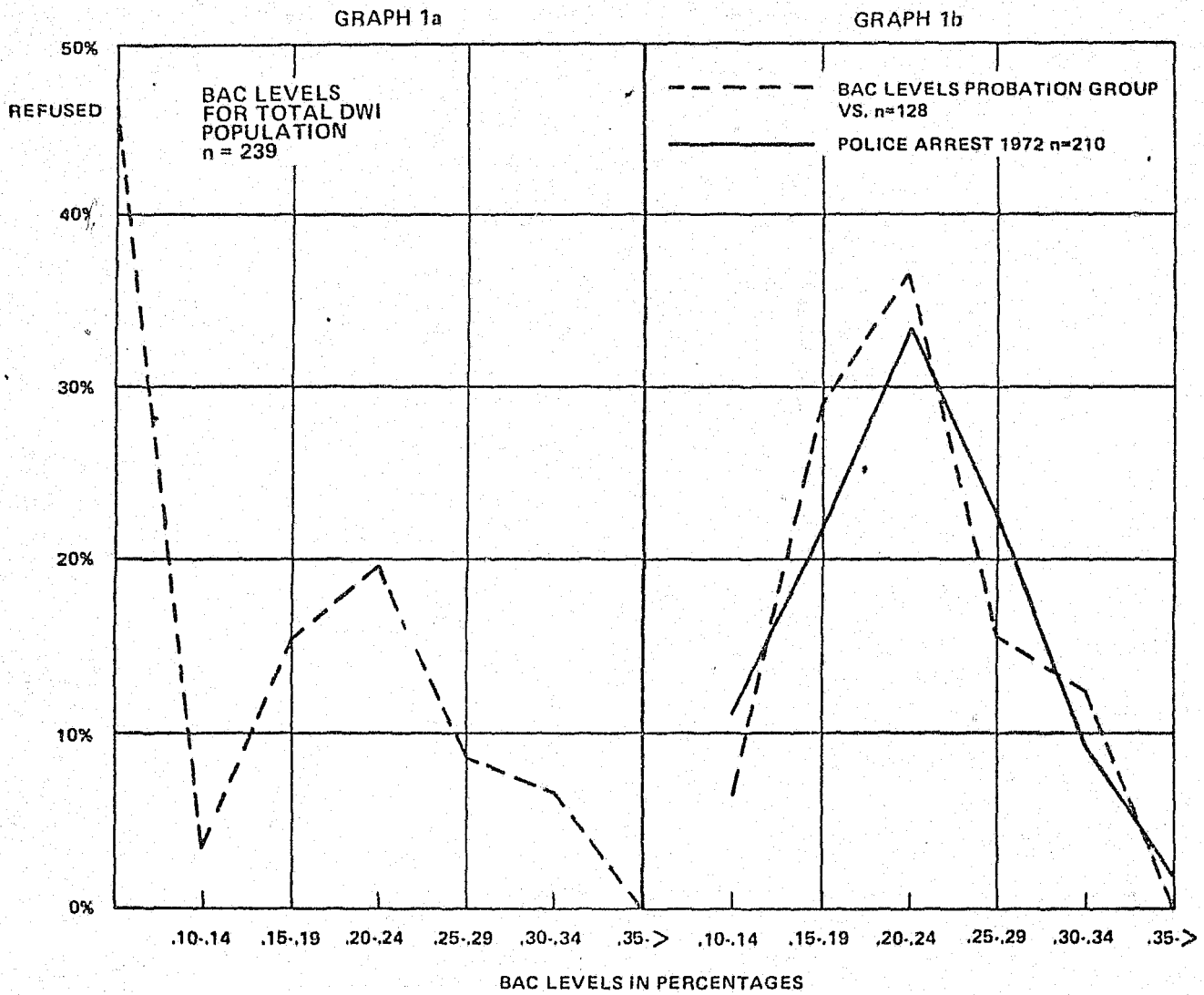
BLOOD ALCOHOL LEVELS AND ARREST BEHAVIOR FOR TOTAL DWI POPULATION

VARIABLE	SUBJECTS (N=239)	
	#	%
Blood/Alcohol Concentration (BAC)		
Refused test	111	46.4
.10-.14	8	3.3
.15-.19	37	15.5
.20-.24	47	19.7
.25-.29	20	8.4
.30-.34	16	6.7
.35	0	0.0
Reason for Police Activity: i.e. Arrest	N	%
Accident	73	30.5
Weave	101	42.3
Crossover	43	18.0
Speeding	13	5.4
Other	9	3.8

Among that group originally charged under Section 1192-3 of the Vehicle and Traffic Law (because of their refusal/failure to take the Breathalyzer test), there were ten (10) subjects for whom "refusal" was not listed as the specific reason for absence of the BAC data. In two cases the subject was "unconscious" while two other persons were hospitalized as a result of an accident.

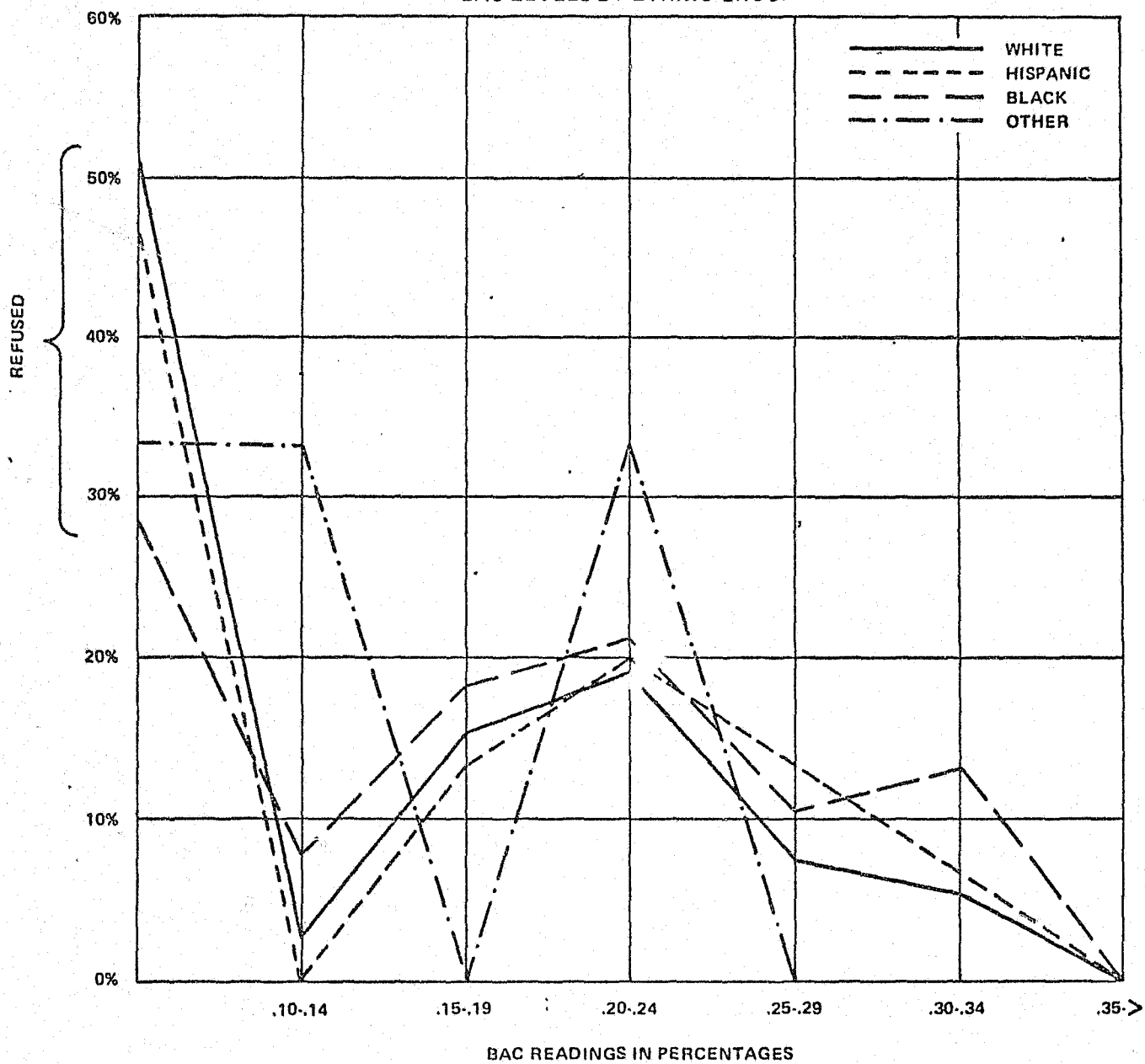
In the other six cases the specific reason was not retrieved. Ninety-two individuals (50.3%) of the white population refused the breathalyzer, while only 28.9% of the black sample refused.

Several descriptive charts are submitted to further describe this group as to substantiate a severity of abuse resultant in higher than safe BAC levels. Table III, depicts the accident group (n=73) in demographic characteristics and by comparison to % of the total population (n=239) by variable. Graph I compares the sample population as compared to a total arrest population by Suffolk County



GRAPH 2

BAC LEVELS BY ETHNIC GROUP



BAC FINDINGS: - (Continued)

Police, for the year 1972, (the only yearly statistic available). The median BAC of that group of 210 persons is identical (.22%), with the Police Department Sample reporting three BAC readings above .35%, and a higher percentage of sample between .25-29% BAC. Graph II records the BAC level by ethnic grouping. In each ethnic category (except OTHER, sample of 3 clients) there is a steady increase in percentage to the median .20-.24% BAC. The incidents rate then decreases except that the Black population shows a sharp increase between .30-.34% BAC. A person's impairment at such a level of BAC can cause failure of physiological process, even causing alcohol coma, pancreatitis and other progressive pathology, if this abusive intake has any frequency.²⁰

TABLE III

DEMOGRAPHIC CHARACTERISTICS FOR DWI ACCIDENT POPULATION

VARIABLE	SUBJECTS (N-73)		
	N	% of Acc. Sample	% of Total Population
SEX			
Male	68	93.2	29.8
Female	5	6.8	45.5
ETHNIC			
White	61	83.6	33.3
Black	9	12.3	23.7
Hispanic	3	4.1	20.0
Other	0	0.0	0.0
AGE			
20	4	5.5	44.4
20-29	21	28.0	40.4
30-39	23	31.5	28.4
40-49	11	15.1	19.3
50-59	11	15.1	31.4
60	3	4.1	75.0
BLOOD/ALCOHOL CONCENTRATION (BAC)			
Refused Test	40	54.8	36.0
.10-.14	2	2.7	25.0
.15-.19	13	17.8	35.1
.20-.24	10	13.7	21.3
.25-.29	7	9.6	35.0
.30-.34	1	1.4	6.3
.35	0	0.0	0.0
PRIOR DWI-DWAI CONVICTION (10 years)			
Multiple	19	26.0	24.1
Singular	32	43.8	30.8
None	22	30.1	39.3
PRIOR DEPT. M.V.-SUSP./REV. (10 years)			
Multiple	21	28.8	30.4
Singular	26	35.6	25.0
None	26	35.6	39.4

ACCIDENTS AND BLOOD/ALCOHOL LEVELS

The sample group to whom breathalyser tests were administered included 33 clients or 44.8% of the sample accident population (n=73). The overall profile of this group is described in Table III. Of this group which continued to be predominantly male (93.2%), 83.6% were white and the median age was 36.8 years.

Of those tested a median BAC level of 20.8% resulted. While lower than the total survey group by .012% this level of intoxication continues to exceed the New York State Standard for Intoxication by .10% BAC.

FATALITIES:

Of the seven cases where fatalities occurred, BAC readings were obtained in three cases. (See Table IV) Two were between .15-.19% BAC, while the other was .23% BAC. The test was refused by three clients and the last was incapable as a result of physical injury. This group consisted of 5 men and two women, and in only two cases had there been prior DWI/DWAI convictions. Six persons were white, and one male was black. The average age of the five male clients was 43 years while the female clients averaged 38 years. Both women were divorced and employed in unskilled labor. Of the men, three were skilled laborers, one unskilled and one a professional. Three were married, while one was separated and one was widowed. Personal interviews with assigned Probation Officers revealed an absence of any belief that at least two of this group had an "alcohol problem" and that the incident itself was isolated. In the one case a BAC reading of .16% was obtained, in the other the breathalyser was refused.

ACCIDENTS AND BLOOD/ALCOHOL LEVELS - (Continued)

TABLE IV

DEMOGRAPHIC CHARACTERISTICS FOR DWI FATALITY GROUP N=7

AGE	RACE	MARITAL	OCCUPATION	PRIOR CONVICTIONS			BLOOD ALCOHOL LEVEL
				MISD.	FEL.	DWI(A)	
M-37	W	M	Skill.	0	0	2	Ref.
M-31	W	Sep.	Prof.	0	0	0	.23
M-64	B	Wid.	Unskill.	0	0	0	.16
M-30	W	M	Skill	0	0	0	Ref.
M-33	W	M	Skill	0	0	0	.18
F-42	W	Div.	Unskill.	0	0	0	Ref.
F-34	W	Div.	Unskill.	0	0	1	Unable

PRIOR INCIDENTS OF DWI/DWAI CONVICTION:

Among the homicide sub-group there were as indicated above only two cases of prior DWI/DWAI convictions, one a singular conviction while the other was multiple.

In determining the severity of a client's abuse of alcohol, this analysis becomes a primary source. It is recognized that as a result of court action persons originally charged with DWAI (.08-.09% BAC) may plea to a lesser charge of Reckless Driving. Results of this study however only deal with specific charges of DWI.

TABLE V

PRIOR DWI, DWAI & SUSPENSION/REVOCATION RECORD:
PRIOR TEN YEARS FOR TOTAL DWI POPULATION

VARIABLES	n=239	
	#	%
PRIOR DWI-DWAI CONVICTION (10 years)		
Multiple	79	33.1
Singular	104	43.5
None	56	23.4
PRIOR DEPT. M.V.-SUSP./REV. (10 years)		
Multiple	69	28.9
Singular	104	43.5
None	66	27.6

PRIOR INCIDENTS OF DWI/DWAI CONVICTION: - (Continued)

Of the total sample group (n=239), frequency of prior DWI/DWAI convictions was extremely high in that seventy-six percent had at least one prior conviction, of these seventy-nine were convicted on more than one occasion. (See Table V) Those charged as a result of accidents (n=73) also had a high incidence of prior DWI/DWAI convictions except in the case of the fatality sub-group. (See Table IV)

Fifty-one persons had prior convictions of which thirty-seven percent of that group were multiple offenders. This is a decrease of 4% of the total sample. There was also an increase of 7% of those in the accident group not having any prior convictions, the homicide cases being a contributing factor to that decrease.

Ethnic analysis reveals an almost constant percentage of No Prior Convictions (23.5 to 26.7%) for each ethnic group. The category of Other is not included, as the sample of three persons gives cause for confusion statistically. Single convictions (40.0 to 44.4%) and multiple convictions (31.6 to 33.3%) also show a consistent pattern.

However, among those having prior Suspension/Revocation by the New York State Department of Motor Vehicles (DMV) for all causes, the Black population had the greatest incidence of suspension/revocation. Only twenty-one percent (21%) had no incidence, while twenty persons (52.6%) had singular cases of suspension/revocation. The ethnic group having highest incidence of multiple DMV suspension/revocation was "white" with almost 29.5%. The Hispanic group had 46.6% without DMV revocation/suspension prior to this offense.

PRIOR INCIDENTS OF CRIMINAL CONVICTIONS

The relationship of crime and alcohol has been the subject of numerous studies and a specific concern for the entire population.²¹⁻²³ "Alcohol, by lowering a person's self control level contributes to most disorderly conduct and assault charges." "Serious crimes such as robbery, burglary and larceny are often perpetrated by an intoxicated person, who when sober would never do so."²⁴

Of the current population under consideration 93 individuals have had criminal convictions prior to the current offense. This represents 38.9% of the sample population having had prior incidents of criminal behavior. As these figures were manually tabulated complete profiles of this sub-group is not available. However, it is known that 22 individuals did not have prior DWI/DWAI convictions. Of the accident sub-group (n=73), 25 individuals had prior criminal convictions.

It is not known if alcohol was a contributing factor in the prior convictions and would be a considered factor for retrieval in future studies.

Repeated convictions (multiple) were the case in 39 instances. Thirty-seven (39.7%) refused the breathalyzer and 27 persons (29%) were involved in accidents.

Among the 13 individuals having prior Felony convictions four had been convicted of at least one violent felony charge. Six of the 13 had prior misdemeanor convictions. The breathalyzer was administered to only four persons and only one was below the median BAC of .22%. The other three BAC's recorded were .24%, .25% and .30%. In both the area of refusal of the breathalyzer, and BAC results, this sub-group greatly exceeded the full sample having a higher incidence of refusal and higher BAC level when tested.

CLIENT/PROBATION OFFICER ASSESSMENT OF "ALCOHOL PROBLEM" AND PROBATION SUPERVISION EFFECTIVENESS.

In conducting the survey with respect to assessment of an existing "alcohol problem", as defined, subjectivity became apparent on the part of the client, and the Probation Officer. Because of the vulnerable status of the client at time of sentence, together with the manner of coping by "denial", a valid personal assessment by the client is difficult to obtain. When re-assessed, at the time of discharge, or between 12 to 24 months after sentencing, a secondary factor is introduced by the client, to dismiss the presence of an alcohol problem. In numerous cases the client chose to interpret his status as "dormant" or "alleviated." This is contradictory in many cases, to Alcoholics Anonymous philosophy of the "recovering alcoholic."

Finally, in conducting this assessment task by review of case records, or personal interview with the assigned officer, the absence of a definitive acceptance of the term "alcohol problem" was evident.

The results of question #10: revealed 45% of the total sample of 239 admitting to the existence of an "alcohol problem" at the time of sentence. At the time when this data was gathered, matter was available in 227 cases where 41.1% admitted to an "alcohol problem". The Accident sub-group of 73 persons revealed only 34.2% admissions at time of sentence and a 6.3% decrease "at the present", for a sample of 68 persons. The decrease of sample size in the second assessment period is due to clients moving from Suffolk County and current data not being available.

Comparative analysis was conducted among the DWI/DWAI (prior conviction) sub-groups with the results as follows:

CLIENT/PROBATION OFFICER ASSESSMENT OF "ALCOHOL PROBLEM" AND PROBATION SUPERVISION EFFECTIVENESS. - (Continued)

TABLE VI

CLIENT ASSESSMENT BY INCIDENT FREQUENCY OF PRIOR DWI/DWAI CONVICTIONS

At time of sentence	ADMIT/DENY	
Multiple n=79	59.5%	40.5%
Singular n=104	40.4%	59.6%
None n=56	32.1%	67.9%
Current assessment by client	ADMIT/DENY	
Multiple n=75	52%	48%
Singular n=99	39.4%	60.6%
None n=53	30.2%	69.8%

A definite correlation exists in that those clients with multiple prior DWI/DWAI convictions see themselves more frequently as having an "alcohol problem". The percentage of admission decreases to those who are "first offenders" and may be either social drinkers or prodromal alcoholics.²⁵

The Probation Officer's assessment of client's "alcohol problem" is described in three (3) categories: Yes, Not at present, never. Assessment of the total population surveyed, and from which data could be retrieved, accounted for 225 cases. Probation Officers responded, 44.4% Yes, 48.4% not at present, 7.2% never. Review of the accident sub-group reveals a higher incidence of never 9.1%, and 43.9% Yes, 47% not at present.

CLIENT/PROBATION OFFICER ASSESSMENT OF "ALCOHOL PROBLEM" AND PROBATION SUPERVISION EFFECTIVENESS. - (Continued)

Similar analysis of the sub-group of Prior DWI/DWAI convictions is reviewed:

TABLE VII

PROBATION OFFICER ASSESSMENT BY INCIDENT FREQUENCY OF PRIOR DWI/DWAI CONVICTIONS

	Yes	Not at Present	Never
Multiple n=75	47.5%	49.3%	2.7%
Singular n=99	47.5%	48.5%	4%
None n=51	33.3%	47.1%	19.6%

Again, a definite correlation is present, particularly in the category of "never" having an "alcohol problem." The multiple DWI offender has a mere 2.7% (2 clients) of whom it is felt a problem has not existed whereas the singular prior offender has a frequency of 4% (4 clients of 104).

Finally, of a sub-group of 56 clients who are first DWI offenders the percentage of this sub-group is 19.6% or 10 individuals were seen by the Probation Officer as never having an alcohol problem.

The concluding assessment category is that of client activity with respect to collateral treatment programs as previously described.

Initial retrieval of data shows a minimal participation (26%) of clients in treatment programs at time of sentence. Of the accident sub-group, the percentage in treatment is even less, 17.8%. Of the 226 cases where data was available at the time of the study, 78.4% of the total sample had participated in a treatment program. This means 115 clients participated in some treatment program in addition to Probation Supervision/counselling, who had not been in a program at the time of sentence. Of the Accident sub-group 76.1% or an increase of 31 clients were involved in some collateral alcohol related program. Correlative increases in participation follow in each of the Prior DWI/DWAI sub-groups. The highest incidence of participation in a treatment program being the "first offender" group, where a net increase of 64.8% involvement (17.9% to 82.7%) was recorded.

DISCUSSION

OVERVIEW

A major study of American drinking practices, revealed more than two-thirds of the adult population, or about 95 million people, drink alcoholic beverages at least occasionally. The over whelming majority of those who drink do so responsibly. But there are some, far too many, whose drinking gets out of hand, endangering themselves and those around them.

Among those with drinking problems are men and women from all socio-economic classes, back grounds, religions, races, and occupations.²⁶

The primary purpose of this study was to discover by social characteristics a profile of those persons sentenced to Probation Supervision over a one year period. Assessment of client interaction with the probation agency as a means of rehabilitation, and needs assessment for future program planning is a natural out growth.

Interest in this client population was generated by the continuing increase in public awareness, and annual increases in arrests for drunk driving behavior within the geographic area of Suffolk County. Additionally, as numerous studys indicate, at state and national levels,²⁷ interest is at a new high as to methods to curtail the carnage of alcohol involved motor vehicle fatalities.²⁸

This matter is particularly relevant in a suburban-rural area such as Suffolk County where there exist 338 communties²⁹ lacking either centrally located urban area, ie cities; or a system of mass transportation. It, therefore, becomes incumbent upon the residents to use personal conveyance as their primary mode of transportation.

Results of this study are comparative to studies of Hyman, Sandler, Yoder as to sex, predominantly male (95.4%): age, median age for total population 37.9 years (males 37.8, females 40.5); martial status, percentage of seperated/divorced

OVERVIEW - (Continued)

28.9%; occupation, heavy emphasis in skilled and unskilled labor forces, a combined 55% of the total sample. In addition, an unemployment rate of 14.6% existed for the client population, much in excess of prevalent figures for the region.

Several aspects of the data are particularly worthy of emphasis.

1. The median blood-alcohol level of 0.22% is indicative of alcohol consumption much above that consumed by the social drinker. It is, in fact, considered to be that of an acute alcoholic, particularly when correlated by prior convictions for alcohol related offenses.³⁰⁻³²

2. The high percentage (46.4%) of clients who "refused the breathalyzer" may be indicative of one or more of the following reasons: a) lack of knowledge of the "implied consent" factor of the law, b) lack of insight in the manner by which one obtains an illegal level of blood-alcohol³³, see Chart I; c) or he/she is among that group of alcoholics whose rationalization process is causing poor judgement behavior, coupled with a personality resistive to authority.

Incidence of refusal among those with prior felony convictions and of the vehicular homicide clients was much in excess of other subgroups identified in the results portion of this report.

3. The high percentage 76.6% of prior DWI/AI convictions combined with the fact of 93 individuals having prior misdemeanor/felony convictions, is cause for concern as to the nature of prior attempts to curtail deviant behavior, ie: fines, probation, incarceration. Each ethnic group experienced relatively the same ratio of prior DWI/AI convictions

The recidivist behavior requires closer analysis to identify underlying involvement of alcohol in other crimes committed by this client group. There also appears to be a need for decisive criteria to evaluate the effectiveness of current supervision techniques.

OVERVIEW - (Continued)

4. Probation supervision is viewed as an active "change agent" in the rehabilitative process as evidenced by the 115 clients referred to community service agents; i.e., AA, community mental health clinics, and residential alcohol rehabilitation programs while on probation. This activity may be a partial cause for a negative conclusion of the DWI Rehabilitation Program (lottery) which reported that "no significant differences were found in post-release driving behavior of Experimental and Control Groups."³⁴ Because of the manner in which the "Lottery" was conducted an unknown member of those in the Control Group were concurrently under Probation Supervision. Whereas the evaluating team indicated no important effect by the "Lottery" educational program it may well have failed to identify the effectiveness of Probation Supervision as a treatment agent. It is relevant to note that the Probation Agency is among the few service agencies afforded the mobility of entering a clients home. While not reported in this study, involvement of the spouse and family in al-anon other appropriate services is often encouraged.

5. Assessment by the Probation Officer assigned a case, tended to have a very high incident rate 48.4% in classifying the client as "not having an alcohol problem at present." This may be related to a lack of confidence, knowledge, or acceptance on the part of the professional to see alcoholism as a progressive disease. Further leading to this conclusion is the absence of test instruments; i.e. criteria for documenting clients severity level of alcohol abuse.

Due to limitations of expertise in computer programming and analysis, time and resources, more "in depth analysis" has not been undertaken. It is however, apparent that identification of various sub-groups, by age, sex and ethnic background is indicated. While not included in the results, descriptive analysis charts are provided for the "Female" Population (Appendix E), and by "Ethnic Background" (Appendix F).

CURRENT PROGRAMS:

At the time this client group was sentenced to Probation Supervision there was no active program established in the Suffolk County Probation Department to classify, identify, or educate either the client or the Probation Officer.

Commencing July 1, 1975, through a grant from the Law Enforcement Assistance Administration (L.E.A.A.), an Alcohol Abuse Identification and Treatment Program for Probationers was established. This program was refunded for a second year in October, 1976. At present more than 50% of the Probation Officers assigned to all areas of the agency have received training in a 35 hour course dealing with, the nature of the disease, client identification, and counselling techniques.

At this time there are several "in house" programs of an A.A. format which are ongoing in community based offices of the agency.

An objective study of the effectiveness of the above funded program is currently in progress. The specific area under study is to assess the pre-and post attitudinal level of awareness of Probation Officers receiving training.

PROJECTED PROGRAM NEEDS:

Aside from future longitudinal analysis of this sample population for recidivism, it is strongly indicated that, for program effectiveness there are several actions which must be undertaken.

1. In view of the high incidents of prior DWI/AI convictions early identification methods must become a part of court procedure. It is noted that the State of New York has enacted legislation providing for an Alcohol and Drug Rehabilitation Program under Article 21, of the New York State Vehicle and Traffic Law, effective September 24, 1975. This program is self supportive by the offenders and allows for a "conditional license" and enrollment in an educational rehabilitative program under the direction of the Department of Motor Vehicles. ³⁵

PROJECTED PROGRAM NEEDS: - (Continued)

2. At present there is no designated form by which to assess a Probation clients abuse of, and or knowledge of alcohol and its effects. Minimal field testing has been undertaken by the author utilizing the Michigan Alcohol Screening Test (MAST),³⁶ and a self devised "Knowledge Survey." Initial results, while not conclusive as to levels of clients severity of abuse have provided a basis for concrete interview process. The establishment of a definitive knowledge of alcohol (its' nature and effects) has also been useful in dealing with "conning", "manipulative activites" and "denial" on the clients part.

3. Specific analysis of the effects of alcohol upon an individual should become an active tool of the professional. The fact of Blood Alcohol Concentration (BAC) while frequently referred to is too often discounted as a specific tool for assessment of a persons consumption.

Referring to Chart I, it is important to recognize that, a 150-pound man would have to conumes 11 drinks within an hour on an empty stomach in order to reach the median average BAC (.22%) of those tested in this study.

4. Since recognizing the severity of the problem, of the drinking driver, in the 1968 Alcohol and Highway Safety Report, numerous studies and programs have been initiated.

Through the National Institute on Alcohol Abuse and Alcoholism (NIAAA) and the National Highway Traffic Safety Administration of the Department of Transportation, programs and funding have been established to provide, prevention, educational progress, treatment programs and research.

Under programs such as Countermeasures, and Alcohol Safety Action Projects, (ASAP), the public and the drinking drivers have received information and evaluative tools by which to understand the effects of alcohol and reasons for its use.

PROJECTED PROGRAM NEEDS: - (Continued)

Also, included in this funding have been programs to unify a system of delivery of services.³⁷

The present New York State Alcohol and Drug Rehabilitation Program³⁸ is modelled after the countermeasures educational program. The prior studies of Yoder³⁹ and Sandler⁴⁰ were validation studies of experimental countermeasures programs.

Future programming of the Probation Department should ideally include an educative tool for those Probation Officers dealing with DWI clients both in pre-sentence and supervisory capacities. An educative component directed at the alcohol client based of proven countermeasure programs should also be instituted. The DWI client is unlike any other offender (except those alcoholics committing other crimes), he is the subject of a progressive physical and behavioral disease which is causing him to make irrational decisions frequently causing harm to himself and others, physically, emotionally and spiritually.

SUMMARY:

This study has reported the results of a study of 239 persons convicted of drunk driving. The highlights have included, the abnormally high levels Blood Alcohol Concentrations, frequency of incidents of both prior DWI convictions and other criminal convictions, and given significant recognition of the fatalities and accidents incurred by this sample group.

More importantly an assessment of Probation Supervision as a rehabilitative tool, and its potential for effectiveness have been discussed. There is obviously need for more study, not only of the current sample group (longitudinally) but of a comparative sample.

SUMMARY: - (Continued)

Alcohol abuse, drunk driving, and alcoholism, are a major cause of lost lives, lost families; and great financial expenses, personally, to industry and government. Public attitudes continue to be called the greatest single obstacle to a successful attack on the problem.⁴¹ These attitudes can only be calmed by use of professional assessment tools, understandable criteria, and coordinated delivery of knowledge and services.

FOOTNOTES

1. Probation Supervision is a Court service to those individuals who are given the opportunity to remain in the community. Each is assigned a Probation Officer to whom he or she reports regularly, and agrees to a specific schedule of conditions by which to govern his behavior as to associates, employment, and the means by which he can avoid behavior which would cause future violations of laws.
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5. Kelley, Clarence M., Director, F.B.I.
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6. Suffolk County Police Department, Annual Report, 1974
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7. Suffolk County Traffic Safety Board, 1974 Fatal Accidents in Suffolk County
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8. Suffolk County Traffic Safety Board, Alcohol Related Motor Vehicle Accidents in Suffolk County, Hauppauge, N.Y., pg 3-, 1974.
9. U.S. Dept of Transportation, 1968 Alcohol and Highway Safety Report,
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FOOTNOTES
(Continued)

10. Suffolk County Traffic Safety Board, Alcohol Related Accidents in Suffolk County, pp 11-13.
11. New York State Department of Motor Vehicles, Vehicle and Traffic Law 1974-75, Edition, Article 21, Section 1192, pp 300-306.
12. Penal Law of the State of New York, Section 125.10, pg 46,
13. N.Y.S. Dept of Motor Vehicles, Vehicle and Traffic Law, Article 21, Section 1194, pg 302.
14. U.S. Dept of Transportation, 1968 Alcohol and Highway Safety Report, pp 109-113.
15. ibid, pg 110.
16. note: Suffolk County Probation Department provided the courts with brief verification as to the offenders meeting the necessary criteria set forth in design of the Department of Motor Vehicles, DWI Rehabilitation Project.
17. N.Y.S. Dept. of Motor Vehicles, Vehicle and Traffic Law, Article 21, Section 1196, pg 306.
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19. Hyman, op cit., pp 142-143.
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34. Suffolk County Traffic Safety Board; Final Report, DWI rehabilitation Program Evaluation, the Stony Brook Foundation, was published 1976, pp 3 & 17.
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37. National Institute of Mental Health, NIAAA op cit., pp 27-35.
38. N.Y.S. Dept. of Motor Vehicles
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GLOSSARY OF ABBREVIATIONS

BAC - Blood Alcohol Concentration

CONV - Conviction

C.P.L. - Criminal Procedure Law

Crim - Criminal

D.M.V. - Department of Motor Vehicles

D.W.A.I. - Driving While Alcohol Impaired

D.W.I. - Driving While Intoxicated

Fel. - Felony

Misd. - Misdemeanor

n - The number of cases in sample group

Rev. - Revocation

Susp. - Suspension

V&T (VTL) - Vehicle and Traffic Law

Viol. - Violation

APPENDIX A

SAMPLE QUESTIONNAIRE FORM

CASE # _____ NAME: _____

CODE # _____ TOWNSHIP: _____

1. Sex Male _____ Female _____
2. Age: -20 _____ 20-29 _____ 30-39 _____ 40-49 _____ 50-59 _____ 60+ _____
3. Ethnic: White _____ Black _____ Hispanic _____ Other _____
4. Marital: Sing. _____ Married _____ Separated _____ Divorced _____ Widowed _____
5. Occupation: Prof. _____ Skilled Lab. _____ Semi-Skill Lab. _____ Unskilled _____
 Cleric/Sales _____ Student _____ Unemployed _____ Other _____
6. Previous Convections: (Prior 10 years)

MISDEMEANOR: VIOL. _____ NON-VIOL (CRIM.) _____ NON-VIOL. (M.V.) _____
 _____ Mult. _____ Sing. _____ None _____ Mult. _____ Sing. _____ None _____ Mult. _____ Sing. _____ None _____

FELONY: VIOLENT _____ NON-VIOLENT _____
 _____ Mult. _____ Sing. _____ None _____ Mult. _____ Sing. _____ None _____

7. Prior D.M.V. Record (Revocation/Suspension) _____ Mult. _____ Sing. _____ None _____
8. Blood/Alcohol Level: _____ Refused _____ .10-.14, _____ .15-.19, _____ .20-.24, _____ .25-.29, _____ .30-.34, _____ .35+

9. Reason for Causing Police Activity: ie. arrest: _____ Accident _____
 _____ Weave, _____ Cross/Over, _____ Speed, _____ Slow

10. Admission of alcohol problem at time of sentence: _____ Yes _____ No

11. Participation in rehabilitation program at time of sentence:

_____ AA _____ Hosp. _____ H.H. Serv. _____ Other _____ None

12. Admission of alcohol problem at present time or time of discharge:

_____ YES _____ NO

13. Participating in a rehabilitation program: _____ Yes _____ Not presently _____ No

_____ AA _____ Hosp. program _____ Clinic (Out-Patient) _____ Other

14. Probation Officers assessment of existence of an alcohol problem:

_____ Yes _____ Not at present _____ Never

- Justice Court
- District Court
- County Court

APPENDIX B

PROBATION DEPARTMENT
 COUNTY OF SUFFOLK, N. Y.

DCI No. _____
 Case No. _____
 Docket No. _____
 Indict. No. _____

SHORT FORM PRE-SENTENCE REPORT

Defendant _____ Age _____ D/O/B _____

Convicted of _____ P.L. ()

Custody Status Bail (\$) R.O.R. () Jail ()

Jail Time Credit _____ As of _____

Counsel _____

Original Charge _____ Date of Arrest _____

Other Charges Pending (including probation and parole violations):

<u>Charge</u>	<u>Court/Agency</u>	<u>Status</u>

(Attach Fingerprint Sheet for Additional Items)

Prior Record: Adult () Juvenile () None ()

No. Arrests _____ No. Conviction(s) _____ No. JD/PINS Adjudications _____

No. Family Offense(s)/Support _____

<u>Most Recent Other Offenses</u>	<u>Disposition</u>	<u>Date of Disposition</u>

PROBATION DEPARTMENT
COUNTY OF SUFFOLK, N. Y.

Defendant _____

Address _____
(Street) (Apt. No.) (City/Village/Town)

_____ (State) (Zip) (Phone No.)

Time at Present Address _____ No. of Addresses past 2 yrs. _____

Resides With _____ Marital Status _____

Number of Children _____ Age Range _____

Provides Support (or care) for _____

Occupation _____ Wkly. Wage \$ _____

Present Employer _____ How long? _____

Address _____

Phone No. _____

Last Two Years: No. Employers _____ Amount of Time Unemployed _____

Other Source of Support _____

Education: Highest Grade _____ Spec. Tng./Skill _____

Current Ed./Voc./Other Program _____

Military: Draft Status _____ Branch _____ Type of Disch. _____ Date _____

Y.O.: Eligible () Required ()

Certificate of Relief from Disabilities; Eligible () Ineligible ()

PROBATION DEPARTMENT
COUNTY OF SUFFOLK, N. Y.

NAME: _____

INFORMATION VERIFIED: Age: _____ Other Charges Pending _____ Prior Record _____

Address _____ Present Empl. _____ Education _____ Vocation/Other Program _____

Military _____ Comments on Verification _____

DESCRIPTION OF PRESENT OFFENSE

CO-DEFENDANTS

(Name) (Status)

(Name) (Status)

(Name) (Status)

PROBATION DEPARTMENT
COUNTY OF SUFFOLK, N. Y.

NAME: _____

EVALUATION

RECOMMENDATIONS (OPTIONAL): Youthful Offender: Yes () No ()
Certificate of Relief From Disability: Grant () Refuse () Defer ()
SENTENCE: Uncond. Disch. () Cond. Disch. () Fine () Prob. () Commitment ()

Special Conditions: _____

DATE PREPARED: _____ SIGNED: _____
Probation Officer

APPROVED: _____
Director/Supervisor

SENTENCE AND DATE: _____

JUDGE: _____ COURT: _____

CENTRAL COMPLAINT NO.		DATE OF ARREST		POLICE DEPARTMENT COUNTY OF SUFFOLK ARREST REPORT			COMMAND REPORTING		IDENT. NO.		
CLASSIFICATION		CODE					PCT. OF ARREST		SECTOR		GRID
CHARGE (STATUTE)				TIME OF ARREST		<input type="checkbox"/> - SIGHT <input type="checkbox"/> - WARRANT		<input type="checkbox"/> - REARREST <input type="checkbox"/> - FOR OTHER AUT.			
LAST NAME			FIRST	MIDDLE		PLACE OF ARREST			<input type="checkbox"/> INSIDE <input type="checkbox"/> OUTSIDE		
						NICKNAMES/ALIASES		OCCUPATION			<input type="checkbox"/> STUDENT
ADDRESS						EMPLOYER - NAME & ADDRESS - (SCHOOL & ADDRESS)					
COMPLAINANT			PHONE		BIRTHPLACE		CITIZEN		SOCIAL STATUS		
ADDRESS						SOCIAL SECURITY NO.		RELIGION		EDUCATION	
ARRESTING OFFICER		RANK		SHIELD NO.		GOVERNMENT SERVICE		MOTHER'S MAIDEN NAME			
VEHICLE OWNED/USED BY ARRESTEE						FATHER'S NAME		WIFE'S MAIDEN NAME			
DISPOSITION OF VEHICLE				PHOTO & PRINTS			CONNECTED C.C.NO'S				
				<input type="checkbox"/> - YES <input type="checkbox"/> - NO							
OPER. LIC. NO.			STATE		USES DRUGS		LIQUOR		DATE & TIME BOOKED		
					(YES) (NO)		(YES) (NO)				
ACCOMPLICES/KNOWN COMPANIONS											
PERSONAL APPEARANCE DATA (USE DEPT. OF CORR. GUIDE)											
D.O.B.	AGE	SEX	COLOR	HEIGHT	WEIGHT	BUILD	COMPLEXION		HAIR	HAIR TYPE	EYES
EYE DEFECTS	VISIBLE SCARS & MOLES			AMPUTATIONS & DEFORMITIES			TEETH		SPEECH		
DRESS		TATTOO MARKS					MUSTACHE - BEARD			RACE	
WITNESSES - NAMES/ADDRESSES/PHONE NOS.						PREVIOUS CONVICTIONS - ARRESTS					
BRIEF DETAILS OF OFFENSE											
A brief statement by the arresting officer indicates reason for initial action (manner of vehicle operation), physical indications of intoxication, and results of breathalyzer test.											
TELETYPE MESSAGE NO.			DATE			REPORTING OFFICER					

APPENDIX D

State of New York DEPARTMENT OF MOTOR VEHICLES The South Mall, Albany, New York 12220
ABSTRACT OF OPERATING RECORD

REQUEST CODE
 50

In accordance with Section 354 of the Vehicle and Traffic Law, I hereby certify that I have searched to be made of the records of the Department of Motor Vehicles, with respect to:

UU

SMITH, JOHN
 SMITH ST
 ABYLN NY

11702

VIS
 Date of Birth
 Sex
 Print Data

1/12/43
 MALE
 7/24/74

Identification No
 Type of license
 Expiration Date
 Date of Issuance
 Requested

D-0164789534 171505-43
 7/4/74
 2/20/77

Date of Viol Or Acc	Case Number or Conviction Date	Order No. or Location of Accident or Court	Description	Pts.	FINE \$	Remarks	Batch Number
7/11/72	10/17/72	SUFF 54	SPEED IN ZONE	3	15		21109113
6/01/73	10/15/73	SUFF 54	DRVG WHILE IMPAIRED		50		31029996
11/12/73	0000000	A311010	DRVG WHILE IMPAIRED	()			
1/11/74	0000000	A311010	SUSP PERIOD COMPLETE				

VIOLATION REPORTS LISTED ABOVE OCCURRED ON OR AFTER SEPTEMBER 1, 1965. VIOLATION REPORTS WITH INSUFFICIENT INFORMATION ARE NOT RECORDED. THIS MAY NOT BE THE COMPLETE LIST OF THE ACCIDENTS THE PERSON HAS BEEN INVOLVED IN SINCE SEPTEMBER 1, 1965. POINT VALUES OF CERTAIN VIOLATIONS WERE CHANGED AS OF DECEMBER 1, 1966. THIS ACCOUNT FOR DIFFERENCES IN POINT VALUES SHOWN ABOVE.

SS - Suspended Sentence
 BF - Bond Forfeiture
 P - Police Report Filed

UD - Unconditional Discharge
 CD - Conditional Discharge
 3 - Not to be considered in Re-education Program

VINCENT L. TOFANY COMMISSIONER

Certified By _____
 Certification Clerk or other Authorized Signature

APPENDIX E

CHARACTERISTICS OF THE FEMALE DWI PROBATION SAMPLE POPULATION

VARIABLE	SUBJECTS (N-11)	
	#	%
<u>ETHNIC</u>		
White	10	90.9
Black	1	9.1
Hispanic	0	0.0
Other	0	0.0
<u>AGE</u>		
<20	0	
20-29	0	
30-39	6	54.5
40-49	4	36.4
50-59	1	9.1
>60	0	0.0
<u>MARITAL STATUS</u>		
Single	2	18.2
Married	2	18.2
Separated	1	9.1
Divorced	5	45.4
Widowed	1	9.1
<u>OCCUPATION</u>		
Professional	0	0.0
Skilled Labor	0	0.0
Semi-Skilled Labor	0	0.0
Clerical/Sales	3	27.3
Student	0	0.0
Unemployed	2	18.2
Other (Homemaker)	3	27.3
UnSkilled Labor	3	27.3
<u>REASON FOR POLICE ACTIVITY ie. ARREST</u>		
Accident	5	45.5
Weave	3	27.3
Crossover	3	27.3
Spreading	0	0.0
Other	0	0.0
<u>BLOOD/ALCOHOL CONCENTRATION (BAC)</u>		
Refused Test	5	45.5
.10 - .14	0	
.15 - .19	0	
.20 - .24	4	36.4
.25 - .29	0	
.30 - .34	2	18.2
.35 >	0	

DEMOGRAPHIC PROFILE BY ETHNIC DISTINCTION (BACKGROUND)

TABLE	WHITE		BLACK		HISPANIC		OTHER		TOTAL	
	N = 183		N = 38		N = 15		N = 3		N = 239	
	N	%	N	%	N	%	N	%	N	%
Male	173	94.5	37	97.4	15	100.0	3	100.0	228	95.4
Female	10	5.5	1	2.6	0	0	0	0	11	4.6
<u>AGE</u>										
- 20	8	4.4	1	2.6	0	0	0	0	9	3.8
20-29	48	26.2	3	7.9	1	6.7	0	0	52	21.8
30-39	61	33.3	12	31.5	7	46.6	2	66.7	82	34.3
40-49	34	18.6	15	39.5	7	46.6	1	33.3	57	23.9
50-59	30	16.4	5	13.2	0	-	0	-	35	14.5
60+	2	1.1	2	5.3	0	-	0	-	4	1.7
<u>STATUS</u>										
Single	41	22.4	4	10.5	2	13.3	1	33.3	48	20.1
Married	85	46.4	22	57.9	8	53.3	2	66.7	117	49.0
Separated	27	14.8	7	18.4	4	26.6	0	-	38	15.9
Divorced	27	14.8	3	7.9	1	6.7	0	-	31	13.0
Widowed	3	1.6	2	5.3	0	-	0	-	5	2.0
<u>OCCUPATION</u>										
Professional	13	7.1	1	2.6	1	6.7	1	33.3	16	6.7
Skilled Labor	57	31.1	3	7.9	4	26.7	-	-	64	26.8
Unskilled Labor	26	14.2	6	15.8	4	26.7	1	33.3	37	15.5
Unskilled Labor	47	25.7	18	47.4	4	26.7	-	-	69	28.9
Clerical/Sales	4	2.2	-	-	-	-	-	-	4	1.7
Student	3	1.6	-	-	-	-	-	-	3	1.3
Unemployed	27	14.8	5	13.2	2	13.3	1	33.3	35	14.6
Other	6	3.3	5	13.2	-	-	-	-	11	4.6
<u>DWI-AI (Prior)</u>										
Multiple	61	33.3	12	31.6	5	33.3	1	33.3	79	33.1
Singular	79	43.2	17	44.7	6	40.0	2	66.7	104	43.5
None	43	23.5	9	23.7	4	26.7	0	-	56	23.4
<u>DMV SUSP./REV. (Prior)</u>										
Multiple	54	29.5	10	26.3	4	26.7	1	33.3	69	28.9
Singular	79	43.2	20	52.6	4	26.7	1	33.3	104	43.5
None	50	27.3	8	21.1	7	46.6	1	33.3	66	27.6
<u>CRIM. (NON-VIOL.)</u>										
...-Misd.										
Multiple	23	12.6	2	5.3	0	0	-	-	25	10.5
Singular	28	15.3	8	21.0	4	26.7	-	-	40	16.7
None	132	72.1	28	73.7	11	73.3	3	100.0	174	72.8
<u>CRIM. VIOL.</u>										
...Misd. Prior										
Multiple	2	1.1	3	7.9	0	0	-	-	5	2.1
Singular	16	8.7	6	15.8	2	13.3	-	-	24	10.0
None	165	90.2	29	76.3	13	86.7	3	100.0	210	87.9
<u>REASON FOR ARREST</u>										
Accident	61	33.3	9	23.7	3	20.0	0	0	73	30.5
Weave	75	41.0	15	39.5	9	60.0	2	66.7	101	42.3
Crossover	30	16.4	10	26.3	3	20.0	0	0	43	18.0
Speeding	10	5.5	2	5.2	0	0	1	33.3	13	5.4
Other	7	3.8	2	5.2	0	0	0	0	9	3.8

DEMOGRAPHIC PROFILE BY ETHNIC DISTINCTION (BACKGROUND) (cont'd)

BAC LEVEL	WHITE		BLACK		HISPANIC		OTHER		TOTAL	
	N = 183		N = 38		N = 15		N = 3		N = 239	
	N	%	N	%	N	%	N	%	N	%
Confused Test	92	50.3	11	28.9	7	46.7	1	33.3	111	46.4
10-.14	4	2.2	3	7.9	0	.0	1	33.3	8	3.3
15-.19	28	15.3	7	18.4	2	13.3	0	-	37	15.5
20-.24	35	19.1	8	21.1	3	20.0	1	33.3	47	19.7
25-.29	14	7.7	4	10.5	2	13.3	0	-	20	8.4
30-.34	10	5.4	5	13.1	1	6.7	0	-	16	6.7
.35	-	-	-	-	-	-	-	-	-	-

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