

ITSMR Research Note



A Study on Drinking and Driving in New York State: A Focus Group Approach

ABSTRACT

The Institute for Traffic Safety Management and Research (ITSMR) recently completed an impaired driving research study to establish an estimate of how many motorists drink and drive and how often, and what would influence drinking drivers to change their behavior. The study involved a telephone survey of New York drivers and focus groups of drivers convicted of drinking and driving. The focus groups addressed three specific topics: 1) the participants' frequency of drinking and driving, 2) what, if anything, would have prevented them from drinking and driving, and 3) what sanctions/penalties did they think should be imposed for repeat offenses. Analyses of the information gathered from the focus group participants resulted in the identification of seven key themes related to the drinking and driving behavior of convicted offenders and what might influence such drivers to change their behavior. The seven key themes are noted in the box on the left.

KEY FINDINGS

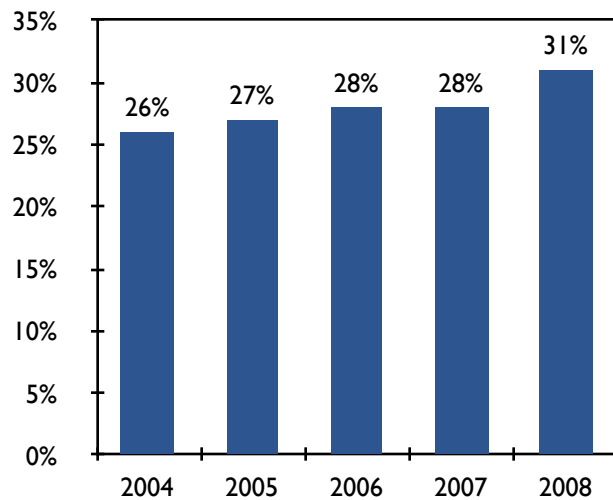
- ❖ There was an extremely high frequency of drinking and driving among convicted offenders.
- ❖ The perception of risk of arrest for DWI is low.
- ❖ Knowing others who have had a DWI is not a deterrent.
- ❖ The penalties for 1st time offenders are too lenient.
- ❖ The penalties for repeat offenders should be stricter.
- ❖ Treatment, if appropriate, should be mandatory.
- ❖ Public information and education efforts need to be changed.

INTRODUCTION

Significant progress has been made over the last 25 years in reducing the incidence of drinking and driving on New York's roadways. Between 1984 and 2008, the number of alcohol-related fatalities dropped from 750 to 381, a decline of 49%. Despite this success, the proportion of fatalities that are alcohol-related has been increasing in recent years, rising from 26% in 2004 to 31% in 2008 (Graph 1).

To address continuing concerns related to impaired driving, the New York Governor's Traffic Safety Committee (GTSC) recently funded the Institute for Traffic Safety Management and Research (ITSMR) to conduct a study to estimate how many motorists drink and drive and how often, and what would influence drinking drivers to change their behavior. The study involved a telephone survey of New York drivers and focus groups of drivers convicted of drinking and driving. This research note reports on the key findings from the focus groups.

Graph 1: Percent of Crash Fatalities that are Alcohol-Related



FOCUS GROUP METHODOLOGY

Focus groups were conducted using two different populations of convicted impaired drivers:

1) first-time offenders who had completed the state's Drinking Driver Program (DDP), and 2) repeat offenders on probation. Specific topics addressed in the focus group discussions included: 1) how often they drank and drove before they got caught, 2) what, if anything, would have prevented them from drinking and driving, and 3) what penalties did they think should be imposed for repeat offenses.

To establish the focus groups, the directors of the state's 70 DDP programs and the state's 62 county probation departments were invited to participate in a focus group.

Of those who indicated an interest in participating, nine DDP programs and nine county probation departments were selected for inclusion in the study. They were selected from around the state to ensure that the focus groups would represent various geographical regions of the state (urban, suburban, and rural). The directors of the selected DDP programs and county probation departments were responsible for identifying 6-12 volunteers from their program or department to participate in the focus group. All focus groups were facilitated by a member of the ITSMR project staff; each focus group met for one 90 minute session and the

session was audio-recorded. To show appreciation for their participation in the project, each participant was given a \$25 gas card and a \$10 Dunkin Donuts card.

Because the participants from the DDP programs were primarily first time offenders, while the participants from the county probation departments were primarily repeat offenders, separate questionnaires were designed for the DDP focus groups and for the Probation focus groups. Each questionnaire was designed and pilot-tested by the ITSMR project staff and each contained nine questions.

ANALYSES AND FINDINGS

The audio-recordings from each focus group session were transcribed by a professional transcription service. Using qualitative methods, the transcriptions were analyzed to identify the major themes from the 18 focus group discussions. Seven key themes emerged from the analysis.

Theme 1: High Frequency of Drinking and Driving

All of the focus group participants were asked about their drinking and driving behavior. For the DDP groups, participants were asked how often they drank and drove before they got caught, while the probation groups were asked how often they drank and drove before the event that resulted in their sentence to probation.

Probation Focus Groups

The probation group participants indicated that they drank anywhere from several times a week to daily before the event that resulted in their sentence to probation. In general, they drank every day after work and then drove home. They also reported drinking heavily on weekends. Specific comments from probation participants included:

"I think it's a large number of people who drink and drive all the time."

"...very scary thought to have a number of how many people actually do drink and drive every day."

“Every day – I have a brother-in-law that if he got pulled over at any given time he would be arrested for DWI.”

“Daily – I was not comfortable driving, when I was younger, without a beer between my legs.”

Some drivers reported that even though their license had been suspended or revoked for a prior DWI offense, they continued to drink and drive without a license. Others reported that they know of people who had lost their license yet continued to drink and drive. In addition, many in the probation focus groups stated that they were recovering alcoholics.

DDP Focus Groups

While many of the DDP group participants also reported that they had been drinking and driving daily or several times a week before they got caught, some reported drinking and driving less frequently (1-2 times a week or 1-2 times a month). Those who reported drinking and driving less frequently indicated that it most often happened on the weekends. Specific comments from DDP participants included:

“We take turns being the designated driver, but it doesn’t always work. Don’t know how many times, but it’s been quite a few.”

“...it’s astronomical as to how many times I was drinking and driving before I got caught. I mean it was crazy.”

“Well, I used to drink for nine years every day, and I had been arrested maybe six times before, but never got a DWI. Then I got married, I had kids, so it would be like a weekend thing.”

Theme 2: Perception of Risk of Arrest for DWI is Low

The DDP focus groups were asked about their knowledge and perceptions related to being stopped and arrested for DWI. Their comments with regard to the likelihood of being stopped and arrested for DWI can be summarized as follows:

- Participants thought the risk of arrest was low, characterizing the risk as “quite negligible,” “slim to none,” or “not a chance”.

- None of the participants thought they would ever get stopped. Despite knowing many family members and friends who had been arrested for DWI, they just didn’t think it would happen to them. Many reported that since they had been drinking and driving for so long without getting stopped, they never expected to get stopped. One participant summed it up this way – *“I drank and drove thousands of times before being caught; could probably drink and drive that many times again before getting caught.”*

When they did get stopped, they usually looked at it as just being unlucky that time. A few participants said that they had been drinking and driving for years and had been stopped multiple times without ever getting arrested.

- Many participants felt their driving was fine, so they didn’t think about or worry about being stopped or arrested. They said they were more careful when they had been drinking. As an example, one participant said he was *“more careful when I had the kids in the car...”* Other participants with similar perceptions said:

“...thought that, okay, when I drink, I would just drive the speed limit, keep the windows open...just focus on the road...then one isolated incident, I just became reckless and got arrested.”

“I was drunk, but I was completely able to drive and one of the reasons I drove was that I know that I was not going to get into a car accident...unless someone else was at fault, because I am in complete control...”

“I didn’t think I’d get stopped because I am a damn good driver, drunk or sober.”

- Although almost all of the participants thought the risk of arrest was low, some did acknowledge there was a slim chance it would happen, as reflected in one participant’s comment that *“I think a 40 year record [sic: of drinking and driving] of never getting stopped shows that I must have been doing something right never to get pulled over. So I figured I’m still that talented, but there’s that one in a million...and I’m afraid of that.”*

Theme 3: Knowing Others Who Have Had a DWI is Not a Deterrent

Participants in the DDP focus groups were asked that prior to their arrest did they know anybody

(family/friend/work colleague) who had gotten arrested for a DWI, and if they did, why they thought that failed to stop them from putting themselves at risk for a DWI?

Almost all of the participants said that they had family members and/or friends who had been arrested for DWI prior to their own arrest for DWI. Despite knowing someone who had been arrested for DWI, participants gave a variety of answers when asked why that personal knowledge failed to deter them:

"I did it because I was stupid, young and dumb."

"Why did I fail to stop? Alcoholic...I'm an alcoholic...full blown alcoholic."

"I assumed he got DWIs because he was drinking and driving all the time. I wasn't, so I figured it wouldn't happen to me."

"I don't think hearing about anybody who has a DWI has an effect on anybody until it happens to them."

Theme 4: Penalties for 1st Time Offenders Are Too Lenient

Participants in both the DDP and probation focus groups were asked why they thought people drink and drive again after they have already been convicted of DWI.

Probation Focus Groups

The penalty for a first offense was described as being no more than a slap on the wrist, with one participant stating that the *"consequences are so mild"* and another saying it was *"too easy the first time."* Participants said the consequences need to be tougher in order to *"wake up"* people and get them to change their lifestyle and their drinking and driving behavior.

Some participants suggested that there should be no negotiation on the penalties or sanctions, that there should be one set of sanctions for all first-time DWI offenders. One participant said *"I don't know what the answer is...I knew what would happen...and I continued to do it."*

Probation and DDP Focus Groups

Participants in both the DDP and probation focus groups considered the costs associated with DWI arrest manageable. Although one participant commented *"How serious are you gonna take it... \$300? Even a kid can throw that out and not care"*, Most agreed that increasing the fine, and the total cost in general, is not a deterrent to drinking and driving. They believed that most offenders can come up with the money in one way or another and that although it seems painful at the time, the pain is quickly forgotten.

Theme 5: Penalties for Repeat Offenders Should Be Stricter

Participants in both the DDP and probation focus groups were asked what sanctions or penalties should be imposed for a second or third offense. The DDP participants indicated that the penalties should *"make punishment more of a punishment"*; i.e., stiffer penalties are needed. However, some DDP participants and some probation participants said that stiffer penalties such as increased fines, longer periods of license suspension/revocation or jail sentences are not effective.

Some DDP participants said the second offense should be a felony. However, some probation participants said a felony is too severe a penalty because it affects getting a job and will likely result in more people fighting the charge, which will burden the courts.

On the issue of jail as an effective penalty or sanction, many DDP and probation group participants said that jail is not a deterrent, noting that jail makes people worse – it makes them angry and it usually does not provide any education or treatment to get drivers to change their behavior.

The probation group participants believed that probation was a positive penalty or sanction for second or third offenses. Almost all of the probation group participants said an ignition interlock should be a sanction for a second offense; some said it should be imposed after a first offense. One participant said *"If we look back...seat belts were not required. The government came and said 'We will save lives, including your own...you must wear a seat belt.' If we truly want to do away*

with DWIs and not just play the statistics game, the political game, why shouldn't it [sic: an ignition interlock] be mandatory in every car?"

Theme 6: Treatment (if appropriate) Should Be Mandatory

Almost all DDP participants and many of the probation participants said that treatment should be mandatory. Some participants said that if the driver is an alcoholic, they will continue to drink and drive. A few participants said that *"nothing is going to change behavior unless the person is ready to change."*

Referring to a second offense, typical comments from DDP participants were:

"I mean... if it's your second time, obviously there's a major problem with alcohol..."

"Yeah, that's what it should be, mandatory treatment."

"...well, I don't know. I think inpatient treatment is needed. I think more treatment for people with addiction is needed..."

"Treatment...I think it's better than prison or jail."

Many of the participants from the probation groups had contact with treatment. They argued that it would only work if the person participating desired to change their behavior, but they were advocates of treatment and/or a combination of treatment and probation.

Typical probationer comments include:

"I gotta say if I was forced into treatment, I never would have gotten a second one. You could put me in prison, I'd have come out and done the same damned thing."

"The only thing that's going to work to decrease repeat DWIs is a strong, mandatory treatment program..."

Theme 7: Public Information and Education Efforts Need To Be Changed

All of the focus group participants were asked what they thought would be the most effective

"message" to stop motorists from drinking and driving and what is the best way to communicate that message. They had definite ideas about what would be effective, including:

- Provide education at all levels, beginning in school well before kids are old enough to drive and then at key points in their driving history, including at the time of permit test, road test, full licensure, and when they turn 21
- Revamp current public information messages (PSAs) to target several different audiences
- Use all forms of media, from television and radio to the internet, for public information messages
- Be accurate in all messages when telling motorists what will happen to them if they drink and drive
- Involve real victims of alcohol-related crashes in messages
- Use real people in messages to tell what really happens when you get arrested and convicted for drinking and driving
- Limit alcohol advertisements

SUMMARY

Since the focus groups involved drivers who had been convicted of drinking and driving, the key findings from the focus group discussions make a valuable contribution to the comprehensive overview on impaired driving by providing information on drivers' reported attitudes, perceptions, knowledge, and personal experiences related to drinking and driving. The findings from the focus groups should provide opportunities to develop and implement new programs and policies designed to reduce drinking and driving among New York's motorists.

Note: A separate research note on the primary focus of this study, which was establishing an estimate of how many New Yorkers drink and drive and how often, was published in November 2009 and is available on the Institute's website (www.itsmr.org). A research note on the telephone survey that was conducted as part of this study will be available on the website in February.

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