



REPEAT DWI OFFENDERS INVOLVEMENT IN FATAL CRASHES

Drivers with prior DWI convictions are overrepresented in fatal crashes and the relative risk of fatal crash involvement is greater for these repeat offenders. Only about 3 percent of all licensed drivers have a prior arrest for DWI within the past three years, yet over 13 percent of intoxicated drivers involved in fatal crashes have had at least one prior DWI conviction in the past three years. While repeat DWI offenders are at a substantially higher risk of fatal crash involvement, the vast majority of intoxicated drivers in fatal crashes do not have a DWI conviction in the past three years (6 out of 7) according to available records.

In 1988, more people were arrested in the U.S. for driving under the influence (DUI) or driving while intoxicated (DWI) than any other reported criminal infraction. Almost 1.8 million drivers were arrested for DUI or DWI compared to 1.6 million people for larceny or theft and 1.2 million people for drug abuse violations. Ignoring repeat offenders, this means that approximately 1 out of every 100 licensed drivers in the U.S. is arrested for DUI or DWI in any given year. We cannot ignore repeat offenders, however, because there is convincing evidence that repeat offenders as a group are high risk problem drinker drivers.

Table 1 shows the population-at-risk for licensed drivers in 1988 with a prior DUI-DWI arrest within the past three years. Table 2 shows data from the Fatal Accident Reporting System in 1988 of the number and proportion of drivers involved in fatal crashes with at least one prior DUI-DWI conviction within the past three years. Table 2 also indicates prior DWIs for drivers in fatal crashes according to their blood alcohol concentration (BAC) level at the time of the crash.

Based upon these data, we conclude that drivers with prior DWI convictions are overrepresented as drivers in fatal crashes. While the population-at-risk indicated that at most 3.3% of all licensed drivers had a prior DWI arrest within the past three years, 5.7% of drivers in fatal crashes had at least one prior DWI conviction within the past three years.

Table 1. Population-at-Risk, 1988

Drivers Arrested for DUI-DWI in Past 3 Years	5,313,000	(3.3%)
Drivers with No Prior DUI-DWI Arrests in Past 3 Years	157,540,255	(96.7%)
Total Licensed Drivers	162,853,255	

Drivers with prior DWIs are overrepresented in fatal crashes by a factor of 1.8 (e.g., 5.7% divided by 3.3%, excluding rounding). Similarly, drivers with prior DWIs are also overrepresented as drinking drivers in fatal crashes: those with low BACs (.01-.09) by a factor of 2.0 and with high BACs (.10+) by a factor of 4.1.

Table 2. Drivers Involved in Fatal Crashes, 1988

	Number of Drivers	Driver BAC Level		
		.00	.01-.09	.10+
Prior DUI-DWI Convictions in Past 3 Years	3,574 (5.7%)	1,218 (2.9%)	320 (6.5%)	2,036 (13.3%)
No Prior DUI-DWIs in Past 3 Years	58,663 (94.3%)	40,792 (97.1%)	4,597 (93.5%)	13,274 (86.7%)
Total drivers involved	62,237	42,010	4,917	15,310

The relative risk of fatal crash involvement is also higher for drivers with prior DUI-DWI convictions. Relative risks are calculated from probabilities of fatal crash involvement that are derived from data contained in Tables 1 and 2.

As indicated in Table 2, these overrepresentations and increased risks of repeat offenders are due entirely to the drinking drivers involved in fatal crashes. Sober drivers in fatal crashes with prior DWI convictions are actually underrepresented.

Certain limitations in the data should be noted. For the population-at-risk data, we only have information on prior DWI arrests within the past three years. For fatal crash





involved drivers, we only have prior DWI *convictions* within the past three years from the State where the driver was licensed. This excludes most of the drivers with prior DWI convictions in other States. This renders the estimate of overrepresentation and relative risk calculations conservative since all DWI arrests do not result in DWI convictions. In some U.S. jurisdictions only about 20-30% of DWI arrests lead to a conviction. Other jurisdictions report an 80-90% conviction rate. Consequently, these overrepresentations and relative risks should be qualified by the statement: "At a minimum....". If the nationwide conviction rate for DWI arrests were 50%, the relative risk of being involved in a fatal crash for repeat offenders would be more than double the risk calculated using DWI arrest data only.

Finally, while it is true that drivers with prior DWIs most certainly are overrepresented as drinking drivers in fatal crashes and have a much greater risk of fatal crash

involvement than drivers without prior DWI's, it is also clear that the vast majority of intoxicated drivers involved in fatal crashes do not have prior DWI convictions, at least within the past three years. The data indicate that about 6 out of 7 intoxicated drivers in fatal crashes have no reported DWI convictions within the past three years. It is likely that the proportion of intoxicated drivers involved in fatal crashes with prior DWI's would increase if we looked at records for the past 5 or 10 years, all out of State records for each driver, and if we looked at DWI arrests rather the convictions. Unfortunately, these data are not available on a national basis.

For further information on this subject, including more detail on how relative risks are calculated, contact: James C. Fell, Science Advisor, Office of Alcohol and State Programs, NTS-20, NHTSA, 400 Seventh St. S.W., Washington, DC 20590.

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of Transportation

**National Highway
Traffic Safety
Administration**

400 Seventh St., S.W.
Washington, DC 20590

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