

TO: Steven Krieser
FROM: Dale Simon
DATE: June 4, 2012
SUBJECT: Alcohol & Drug Review Unit and
Tribal participation in Intoxicated Driver Program

The Alcohol & Drug Review Unit (ADRU) processes Driver Safety Plan (DSP) assessment information and associated documentation for Wisconsin and out-of-state residents involved in an alcohol related driving incident in Wisconsin. The assessment is an examination of a person's use of alcohol and controlled substances through a process of classifying a client's problems in terms of a standardized procedure and the development of a DSP for the person based on the findings of the examination.

The department's administrative interpretation of the applicable statutes is found in:

- Transportation Rule 106 – Certification of Traffic Safety Programs and Instructors
- Transportation Rule 107 – Driver Licensing of Persons with Chemical Abuse or Dependency Problems

Primary functions of the unit:

- Work in concert with Wisconsin's 72 assessment agencies and assessment agencies throughout the country to ensure DSP compliance
- Process DSP information and administer corresponding licensing action if non-compliant
- Work with individuals in need of a DSP by answering questions and providing any information they require to comply with their DSP

Possible issues of concern and questions:

- How would courts know where to refer, tribal or selected/contracted agency for their county of residence?
Courts would be placed in a difficult situation of not knowing where to forward the court order.
Many times, especially first time offenders do not appear in court, so asking the defendant where he/she would be going for the assessment would not be occurring.
- If proper notifications are not made on a court level, tracing of the OWI referral cases would be hit and miss, although we would continue our follow up system for assessments.

- Many tribal OWI convictions are not reported to the Wisconsin DOT. When tribal courts order assessments, the assessment itself sometimes is not forwarded to the DOT. Would there be more consistency in reporting if tribes performed their own assessments?
- We are currently working with BITS in the development of a new online application for the electronic submittal of assessments and driver safety plans by agencies. The program is called the Wisconsin Assessment Program (WASP). Completion of the program is slated for late 2012. When fully implemented, this initiative will save 3 FTE. We would want any new assessment facility to be required to use this online application vs. sending paper assessments via fax or snail mail. Legislation requiring its usage would be a good avenue to pursue.

The Department of Health Services (DHS) oversees assessment agencies. The authorities are found in:

- DHS 62 Assessment of Drivers with Alcohol or Controlled Substance Problems
- DHS 75 Community Substance Abuse Service Standards