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Tabled by Chair

Date June 4, 2013

**Presentation for the Special Committee on Traffic Safety  
June 4, 2013, 10:00 a.m., Saskatoon, Travelodge – 106 Circle Drive W.**

**Representing the SGI sponsored Driving Without Impairment Program**

**Fay Rorke**

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*Fay Rorke*

Presenter Representing the SGI sponsored Driving Without Impairment Program  
(hereinafter the “DWI Program”)  
Fay Rorke

**Fay Rorke** – Coordinator of the DWI Program for North Battleford/Lloydminster.  
DWI Program instructor since 1986. In a contract agreement with SGI to act as the Coordinator of the DWI Program since 1995.  
Lead Trainer for new DWI Instructors since 2000.  
Third Stream Development Working Group member August 2003 – April 2005

**Summary:**

- Immediate roadside suspensions for any drinking and driving activity (length of suspension determined by type of driver and whether or not the driver had any previous occurrences)
- Vehicle seizure for any drinking and driving activity (length of vehicle seizure determined by type of driver and whether or not the driver had any previous occurrences)
- Mandatory Ignition Interlock for Criminal Code offences
- Eliminate existing Addictions Screening process. Replace with a progressive sanctioning process consisting of a series of prescribed programs that depend on the number of offences a driver has had. DWI then Alcohol and Drug Education (ADE) and finally Assessment/Treatment
- each of these sanctions would be paid for by the offender.

**Presentation Notes:**

**Background of DWI**

The content and structure of the DWI program provides each course participant with the opportunity to examine his own attitude and practices as they relate to drinking, in a non-threatening, positive, supportive environment. The Driving Without Impairment Program is an educational experience, not a treatment or punitive rehabilitation program.

The aims of the program are:

1. To provide information on the consequences of drinking and driving, with specific focus on individual differences in tolerance to alcohol; and
  2. To consider both the reasons why people drink and drive and to induce offenders to develop counter-measures to completely SEPARATE THE ACTS OF DRINKING AND DRIVING.
- (The chart at the end of this document shows when an offender would attend DWI currently and our proposed changes.)

### **Rationale for presentation today**

The changes to the legislation in 1996 were very welcome to the DWI community. Many DWI participants prior to that time said, “I wish I had this information before I was arrested because then I wouldn’t have been”. That need was addressed by making attendance in the program a requirement for new drivers with BAC’s over .00 and experienced drivers after their second occurrence of having a BAC over .04.

The other change that we hoped would benefit us was having those with criminal code convictions and repeat roadside offenders required to undergo an addictions screening with Addictions Counselors in the Health Regions. This process was to have filtered out participants who had chemical dependencies leaving for DWI only those individuals who needed education to make better choices to separate drinking from driving. Very quickly complaints about this process were voiced. The process available to screeners tied their hands somewhat and as time went on the standards of the screenings in various Health Regions became vastly different. As a DWI group we felt that we were still getting too many participants who needed more than our education program could offer. They were not meeting the criteria of chemical dependency but their alcohol and drug use warranted more intensive intervention than a DWI program could offer.

In the summer of 2003 a working group was formed to develop a third option. The group was made up of Addictions Counselors, representatives from Sask. Health and SGI and DWI. A

complete program was developed and very successfully piloted in the spring of 2005. There is a great need for this program.

Representatives from SGI discussed this program at a DWI Coordinators conference in 2009 with hopes that it would be implemented by 2011. That year has come and gone. The program was called Alcohol and Drug Education (ADE). The need for this program has been apparent for the last fifteen years and the chart at the end of this document shows when an offender would attend ADE as a proposed change to this Committee.

The other proposals outlined on the chart are to catch us up with our neighbouring provinces in terms of immediate suspensions, vehicle seizures and mandatory Ignition Interlock.

#### **Additional Points for Discussion**

- Increased provincial policing (also development of systems to allow them less time on paperwork)
- Automation of court processes so that information can immediately be sent to SGI electronically
- Development of education programs especially targeting underage drinking and driving
- Look at drinking and driving legislation in other provinces ie. P. E. I. Anyone convicted of driving while impaired must enroll in the ignition interlock program for one year. If a child under age 16 was in the car with the driver at the time of arrest, the driver must enroll for two years.
- Promotion of safe ride alternatives ie. Zero 8 Designated Drivers in Regina and Saskatoon, Operation Red Nose, etc.

**\*\*Proposed changes are in red text.**

Type of Offence/Occurrence	Current Suspension & Program	Proposed Changes
<b>1<sup>st</sup> Occurrence</b>		
GDL driver (over Zero BAC)	- 30 day roadside suspension - DWI Course within 90 days	- 30 day roadside suspension - <b>7 day vehicle seizure</b> - DWI Course within 90 days
Experience driver (over .04 but under .08 BAC)	- 24 hour roadside suspension - No Program	- 24 hour roadside suspension - <b>3 day vehicle seizure</b> - No Program
All drivers (Failing or refusing Standard Filed Sobriety Test (SFST) (Alcohol/Drugs)	- 24 hour roadside suspension	- 24 hour roadside suspension - <b>3 day vehicle seizure</b>
All drivers (Criminal Code and D&D conviction)	- 24 hour roadside suspension/7 day Driving Permit/90 day suspension  After conviction - 1 year licence suspension - Addiction Screening *	- <b>Immediate licence suspension which is sustained until the criminal charge is resolved</b> - <b>3 day vehicle seizure</b>  After conviction - <b>DWI Course</b> - 1 year licence suspension <b>and MANDATORY 1 year Ignition Interlock (after the absolute prohibition is served and the required programs are completed)</b>
<b>2<sup>nd</sup> Occurrence</b>		
GDL driver (over Zero BAC)	- 90 day roadside suspension - Addiction Screening	- 90 day roadside suspension - <b>7 day vehicle seizure</b> - <b>Alcohol and Drug Education (ADE) Course</b>
Experience driver (over .04 but under .08 BAC)	- 15 day roadside suspension - DWI Course	- 15 day roadside suspension - <b>7 day vehicle seizure</b> - DWI Course
All drivers (Failing or refusing Standard Filed Sobriety Test (SFST) (Alcohol/Drugs)	- 24 hour roadside suspension	- <b>15 day roadside suspension</b> - <b>7 day vehicle seizure</b> - DWI Course
All drivers (Criminal Code and D&D conviction)	- 24 hour roadside suspension/7 day Driving Permit/90 day suspension  After conviction - 3 year licence suspension - Addiction Screening *	- <b>Immediate licence suspension which is sustained until the criminal charge is resolved</b> - <b>7 day vehicle seizure</b>  After conviction - <b>ADE Course</b> - 3 year licence suspension <b>and MANDATORY 3 year Ignition Interlock (after the absolute prohibition is served and the required programs are completed)</b>

<b>3<sup>rd</sup> Occurrence</b>		
GDL driver (over Zero BAC)	- 90 day roadside suspension - Addiction Screening	- 90 day roadside suspension - 7 day vehicle seizure - Assessment - Treatment
Experience driver (over .04 but under .08 BAC)	- 90 day roadside suspension - DWI Course	- 90 day roadside suspension - 7 day vehicle seizure - ADE Course
All drivers (Failing or refusing Standard Field Sobriety Test (SFST) (Alcohol/Drugs)	- 24 hour roadside suspension	- 90 day roadside suspension - 7 day vehicle seizure - ADE Course
All drivers (Criminal Code and D&D conviction)	- 24 hour roadside suspension/7 day Driving Permit/90 day suspension  After conviction - 3 year licence suspension - Addiction Screening *	- Immediate licence suspension which is sustained until the criminal charge is resolved - 7 day vehicle seizure  After conviction - Assessment - Treatment - 5 year licence suspension and MANDATORY 5 year Ignition Interlock (after the absolute prohibition is served and the required programs are completed)
<b>Subsequent Occurrences</b>		
GDL driver (over Zero BAC)	- 90 day roadside suspension - Addiction Screening	- 90 day roadside suspension - 7 day vehicle seizure - Assessment - Treatment
Experience driver (over .04 but under .08 BAC)	- 90 day roadside suspension - Addiction Screening	- 90 day roadside suspension - 7 day vehicle seizure - Assessment - Treatment
All drivers (Failing or refusing Standard Filed Sobriety Test (SFST) (Alcohol/Drugs)	- 24 hour roadside suspension	- 90 day roadside suspension - 7 day vehicle seizure - Assessment - Treatment
All drivers (Criminal Code and D&D conviction)	- 24 hour roadside suspension/7 day Driving Permit/90 day suspension  After conviction - 3 year licence suspension - Addiction Screening *	- Immediate licence suspension which is sustained until the criminal charge is resolved - 7 day vehicle seizure  After conviction - Assessment - Treatment - 5 year licence suspension and MANDATORY 5 year Ignition Interlock (after the absolute prohibition is served and the required programs are completed)

\*SGI's statistics indicate that 75-77 % of Addiction Screenings are streamed to DWI.

\*\*Programs and Screenings are to be paid for by the offender.