RECIDIVISM AMONG DRUNKEN AND DRUGGED DRIVERS IN NORWAY

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Abstract — The prevalence of re-arrest among drunken drivers in relation to different blood alcohol concentrations (BAC) at the time of the offences was studied. Between 38 and 50% of arrested drunk drivers were re-arrested for similar offences. The frequency of re-arrests was, however, reduced during 1992 compared with 1986, but only significantly for those with a low BAC interval (60-90 mg/dl). We conclude that drivers with high re-arrest rates have a careless attitude to the Road Traffic Act and require a different treatment and follow-up programme.

INTRODUCTION

The Norwegian Road Traffic Act prohibits driving under the influence of alcohol and/or other psychoactive drugs. Norway was the first country in the world to introduce a fixed blood alcohol concentration (BAC) level (0.05%; 50 mg/dl) in 1936 as the legal limit. Until 1988, all arrested drunken drivers were sentenced to at least 3 weeks unconditional imprisonment. The law was then changed, so that drunken drivers were fined and sentenced to conditional or unconditional imprisonment, normally connected to BACs in the following way: conditional imprisonment with a BAC between 0.051 and 0.100% (51-100 mg/dl), conditional or unconditional between 0.101 and 0.150% (101-150 mg/dl) and unconditional for BACs >0.150% (>150 mg/dl). The driving licence is suspended for at least 2 years, which is a continuation of the earlier law.

It is well known that a large proportion of the arrested drunken drivers are repeat offenders. Their rate of re-arrests is correlated to BACs at the time of the offence (Gjerde and Mørland, 1990). It has also been found that the rate of repeat offences is probably greater among heavy drinkers (Gjerde, 1987).

From 1986 to 1992, the number of Norwegian drivers suspected of driving under the influence of alcohol alone decreased by >40%. However, during the same time period, the number of drivers suspected of driving under the influence of drugs other than alcohol, or combined with alcohol, increased by ~30%.

The purpose of the present investigation was to study the prevalence of re-arrest among drunken drivers in relation to different BAC levels at the time of the offences, for drivers apprehended in 1986, 1989, 1991 and 1992. The drivers were followed retrospectively and prospectively during the 11-year period from 1984 to 1994. Thus, possible influences on the frequency of re-arrests, connected to the change of sentences and the decrease of drunken driving cases in Norway, could be followed.

SUBJECTS AND METHODS

Blood samples from all Norwegian drivers apprehended on the suspicion of driving under the influence of alcohol or other drugs were analysed at the National Institute of Forensic Toxicology (NIFT) in Oslo. The cases included in this study were randomly selected from the following years, 1986, 1989, 1991 and 1992. During these years, NIFT received 11779, 8842, 7816 and 6637 samples, respectively, from drivers suspected of driving under the influence of alcohol alone. From each year, 200 cases from each of the three following BAC intervals were selected: 0.06-0.09% (60-90 mg/dl), 0.13-0.16% (130-160 mg/dl) and 0.26-0.29% (260-290 mg/dl). Thus, 2400 drunken drivers were included in the study, 600 from each year, representing a spread in
driving under the influence of alcohol and/or other drugs during the 11-year period. These 1080 drivers accounted for 3629 re-arrests for drunken or drugged driving, or a mean of 3.4 re-arrests per driver. The percentages of re-arrests for the selected drunken drivers in relation to the BAC intervals are presented in Fig. 1. Drugs other than alcohol were suspected in 25% (n = 893) of the re-arrest cases and detected in 35% (n = 318).

The frequencies of re-arrests of drivers during the two years after apprehension, divided on the different BAC levels at selection, are presented in Table 1. The total relative re-arrest rate declined gradually from 27% in 1986 to 17% in 1992. The re-arrest rate was most markedly reduced in the group with low BAC at selection. No significant change was observed for those included with BACs of 0.26–0.29% (260–290 mg/dl).

The frequency of re-arrest of female drivers (32%) was significantly lower than for male drivers (55%) (P < 0.01). For both groups, the re-arrest rate increased with increasing BAC. For the highest BAC interval, the re-arrest rates among female and male drivers were comparable.

DISCUSSION

Our results show that 38–50% of arrested drunken drivers selected from 1986 to 1992 were re-arrested for similar offences. As documented in previous studies (Gjerde and Mørland, 1990), we also found that the frequency of re-arrests seemed to be higher for drivers with higher BAC levels at the time of selection. The frequency of re-arrests was reduced for drivers selected in 1992, compared to those from 1986. However, these changes were significantly only for drivers selected from the low BAC interval (0.06–0.09%; 60–90 mg/dl), whereas similar re-arrest rates were found for drivers selected with high BACs. The high frequency of repeated offenders among drivers

<table>
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<th>BAC levels %</th>
<th>Number of re-arrests and re-arrest rate (%) 2 years after selection in</th>
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<tr>
<td>0.06–0.09</td>
<td>49 (24.5%)</td>
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<td>0.13–0.16</td>
<td>58 (28%)</td>
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<tr>
<td>0.26–0.29</td>
<td>58 (29%)</td>
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<tr>
<td>All</td>
<td>165 (27%)</td>
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selected from the high BAC interval may indicate that these drivers have a different attitude, in spite of unconditional prison sentences.

The prospective study of re-arrest rates during 2 years after selection confirmed the reduction in re-arrest rates from 1986 to 1992, which was also most significant for drivers selected from the low BAC interval. However, drivers selected from the high BAC interval at the time of offence showed the same re-arrest rate when 1986 was compared to 1992. It is noteworthy that the relatively high frequency of re-arrests was observed in spite of at least a 2-year driving licence suspension.

A large proportion of arrested drunken drivers also use drugs other than alcohol, or are later arrested because of the influence of such compounds. In a study from 1987 to 1988, drugs other than alcohol were found in 38% of the samples from drivers suspected to be influenced by alcohol only (Christophersen et al., 1990) and in 15% of the corresponding samples from 1993 (Mørland et al., 1995). On the basis of a new study now in progress covering the same time period as the present study, the re-arrest rate for drivers with drugs other than alcohol detected in their blood samples at the time of offence, is significantly higher (>70%) than those arrested due to alcohol alone. The re-arrest rates are highest among multi-drug users (drugs/alcohol or more than one drug) and among men (>70%) compared to women (~50%).

On the basis of results from this study, we conclude that a high proportion of drunken drivers have earlier been arrested or will be arrested again, indicating that these drivers have a careless attitude to the Road Traffic Act. A treatment and follow-up programme, different from imprisonment and fines, should therefore be considered.

REFERENCES


