

**Evaluation of the North Carolina
Habitual Offender Law**

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The UNC Highway Safety Research Center was created by an act of the 1965 North Carolina General Assembly. A three-point mandate issued by the Governor authorized HSRC to 1) evaluate the state's highway safety programs, 2) conduct research, and 3) instruct and train other working professionals in highway safety.

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ABSTRACT

The present study was undertaken to evaluate the effectiveness of legislation passed by the North Carolina General Assembly in 1969 to deal with the traffic habitual offender (HO). Under the legislation, persons accumulating within a seven-year period since June 19, 1969, as many as 12 moving violations that would result in license suspension or revocation or three major violations would be identified as eligible for HO status and referred by the Division of Motor Vehicles (DMV) to the court for action. The court may confirm the person as an HO, dismiss the case, or return the materials to DMV because the court was not able to locate the driver. The court may also fail to take any action so that the case remains pending.

The North Carolina driver history file was searched in 1975 to identify drivers who since the inception of the HO legislation had been referred by DMV to court as being eligible for HO status. There were 6987 such drivers located, representing 0.19 percent of the total licensed population. This group of drivers provided the basis for this study. Among this group of drivers, 98 percent of them were eligible for HO status because of three major violations as contrasted with only two percent because of 12 moving violations. On the basis of the HO's subsequent driving records and our conversations with personnel processing HO cases, it appears that alcohol may play a major role in the driving problems of the HO's.

Compared to the general driving population, the HO group has a higher proportion of males, nonwhites, middle-aged persons and persons holding chauffeur licenses. Males, especially those with a chauffeur license, may drive more than other segments of the general population, and may therefore accumulate more violations on their driving records. Socioeconomic differences between whites and nonwhites may be a contributing factor in determining driving habits as well as how driving infractions are processed. It has been demonstrated that middle-aged persons have more convictions of drunk driving and are more often involved in alcohol-related crashes, possibly making this group of drivers more eligible for HO referral.

Because some district attorneys tend not to prosecute HO cases, there was an opportunity to use the Pending cases as a control with which to compare those cases in which the court had acted. When the

length of time elapsed since HO referral or HO court action was controlled, no consistent significant differences were found between Pending cases and cases acted upon by the court (Confirmed, Dismissed or Unable to Locate) on the basis of subsequent driver record. Confirmed HO's were similar to Unable to Locate and Pending HO's on the basis of infractions occurring subsequent to HO court action. At least 20 percent of Confirmed HO's drove within one year after HO court action and 35 percent within the first two years, as evidenced by their infractions during this period. This represents a conservative estimate of the number actually driving, since it represents only those convicted of infractions during this period.

An examination of the prison records of the HO population referred to court in 1973 showed that 37 percent of the drivers had at least one imprisonment between 1968 to 1975*. Most of them had been admitted to prison for traffic crimes, but approximately 20 percent of those with prison records were imprisoned for nontraffic crimes. This relationship supports other reports that persons with numerous traffic convictions show evidence of problems in other areas of their lives as well. Of those imprisoned for traffic offenses since HO referral, practically none was in prison for violating the HO statute. Rather their imprisonment resulted from other traffic offenses.

Personal visits and telephone conversations were conducted with personnel from DMV, the court system, and the Department of Correction in an attempt to describe the operational procedures used by these agencies in implementing the HO status. Presently, implementation is far from uniform from one court district to another. Cost estimates were provided for some of the activities involved, but, with the exception of costs for maintaining persons in prison, the estimates were considered very rough by those supplying the information.

The record of the HO population subsequent to HO referral was compared with available information from the general driving population. It was found that the HO's had a higher violation rate after HO referral than was characteristic of the driving population as a whole, but that their accident rate was lower. The lower accident rate may in part be a result of possible lower reporting rates for this population. However, 67 percent of the HO population was violation free in the two-year period following referral to court, indicating that the majority do surprisingly well when one considers the extreme characteristics of this population.

*Available records were complete back to the beginning of 1968 and included all releases and admissions since that date.

Generally the response of those district attorneys who tend not to process the H0 referrals from DMV was that the State does not need the H0 statute to restrict these drivers. There are alternative laws that provide for license revocation and even imprisonment should the revocation not be observed. Indeed the prison records indicated that those imprisoned for traffic related offenses were rarely incarcerated for violations of the H0 statute. Thus the district attorneys' complaint that the H0 statute is redundant was confirmed by the available evidence.

In summary, there was no evidence found that the H0 cases processed through the court system show better subsequent driving performance as indicated by convictions and crashes reported on the driving record than H0 cases not processed through the court system.

While the cost data are not complete, the total lack of evidence for a beneficial effect of the H0 statute suggests that the time and effort being expended on this program might better be redirected to other driver improvement activities.

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I. INTRODUCTION

The accident prone person was first described by Greenwood and Woods in their 1919 study of industrial accidents with British munition workers. In that study, a small number of individuals was shown to accumulate a greater proportion of accidents than would have been accounted for by chance alone; and furthermore, these "high accident" individuals possessed certain personality characteristics in common such as aggression or intolerance for authority. Although the number of accident prone individuals was small, the high frequency of accidents incurred by this group of workers led the authors to suggest that special attention be directed toward the accident prone individual. Since its inception, the concept of accident proneness has become the focus of much research in the fields of industrial and traffic safety.

Twenty years after the Greenwood and Woods' study, Forbes (1939) found that it was the normal driver instead of the accident prone driver who was accounting for the major bulk of traffic accidents. His findings indicated that more than 95 percent of all the accidents were accounted for by those with one accident; and conversely, less than five percent of the accidents involved individuals with multiple accidents for a given time period. Therefore, if safety efforts were directed only toward the accident prone individuals or the accident repeaters, the overall accident picture would be affected very little because less than five percent of the accidents were incurred by this group.

Using quite a different approach, Tillman and Hobbs (1949) interviewed both "high" and "low" accident taxi drivers and on the basis of their reports found the two groups to differ from each other in family history, childhood adjustment, school history, work record, social adjustment, sexual adjustment, previous health, behavioral patterns, driving habits, and philosophical outlook as well as in their traffic accident involvement. Based on such clinical observations, Tillman and Hobbs concluded that the possession of certain common personality or social characteristics among the "high" accident taxi drivers made them liable to accumulate frequent accidents. Thus, the accident proneness concept reemerged with the findings of Tillman and Hobbs.

A recent effort to resolve the accident proneness controversy is provided by McGuire in his 1970 article on "A Typology of Accident Proneness." In that article, McGuire incorporated data from Forbes,

and Tillman and Hobbs into a new conceptual schema: accident proneness exists in various types and degrees in different individuals; and also within the same individual, accident proneness varies in type and degree at different times. Short term and long term are the two basic types of accident proneness. In short term accident proneness, the person is reacting to a transient disruptive influence (such as marital crisis) in a nonproductive manner. The long term type of accident proneness, by definition, is a more enduring trait and may stem from physical, mental or psychological conditions. Both types of accident proneness are subject to change under the influences of time, environmental pressures or treatments. McGuire's schema for accident proneness seems to reflect more accurately the dynamic as well as the static aspects of human behavior and characteristics. Another advantage in McGuire's schema for accident proneness lies in its implication for safety efforts. If accident proneness does not exist, that is, if accidents are distributed equally among all segments of the population, then many educational efforts in safety may be futile since accidents may be strictly chance events. However, if one accepts the dynamic as well as the static notion of accident proneness, then remedial strategies can be directed toward the different types of accident prone individuals. The choice of strategy is, of course, dependent on the type or degree of accident proneness. For example, one might want to limit the exposure of long term accident prone drivers, while a driver improvement program may be more beneficial for the short term accident prone drivers.

The past decade of research on traffic accidents reflects a shift from a theoretical to a more pragmatic orientation. Emphasis is currently placed on the effectiveness of several major types of traffic safety remedial strategies to deal with the different types of accident proneness problems rather than on providing empirical support for the conflicting theories of accident proneness. In research on driver improvement, most efforts have focused on the warning letter and the interview phases (Henderson & Koler, 1966; House & Waller, 1975; Kaestner & Syring, 1967; Kaestner et al., 1967; Kaestner, 1968; Li & Waller, 1975; McBride & Peck, 1970; Waller & Padgett, 1975) while little attention has been directed toward what is often regarded as the last alternative in driver improvement--suspension or revocation of driving privileges when all prior remedial measures have failed to raise the driving performance of the "high risk" drivers back to acceptable levels. Of two studies (Coppin & Van Oldenbeek, 1965; Kaestner & Speight, 1974) evaluating the effectiveness of suspension in reducing subsequent violations or accidents, both reported negligible, if any, reductions in subsequent driving incidents. In addition, both studies reported that many suspended or revoked drivers were convicted for driving during their suspension or revocation. Indeed, they were

detected as a result of traffic infractions during the period they were not supposed to be driving. Since it may be assumed that the probability of being apprehended on any one trip is quite low, there is every reason to suspect that a higher proportion of such drivers were driving than was actually detected.

The Kaestner and Speight study is a systematic comparison of the effectiveness of suspension with four other remedial strategies on subsequent driving incidents. In that study, drivers eligible for suspension were randomly assigned to the five conditions of no contact, last warning letter, probationary license, a Defensive Driving Course, or suspension. The data analysis indicated that the probationary license and the Defensive Driving Course were more effective than suspension, in that a higher proportion of drivers subsequently drove one full year without a moving violation or a chargeable accident.

Based on the above two studies, the failure of suspension to reduce subsequent violations or accidents might be attributed to several factors. First, drivers who would be likely to observe the conditions of suspension are highly unlikely to find themselves with their license suspended. That is, drivers who became eligible for suspension or revocation are frequently drivers who have already shown themselves to be unintimidated by the threat of apprehension and conviction. Second, the suspension period may not have been long enough to produce a measurable effect. Suspensions of 30 or 60 days may not produce long lasting effects in subsequent driving. Third, suspension frequently was not strictly enforced and therefore not observed by these drivers. Fourth, even if suspension is fully enforced, the chance of being apprehended is very small. Fifth, once apprehended, the punishment is seldom severe enough to deter these drivers from further infractions; and finally, one could question (as has Kaestner) whether one should expect a "time out" from a skill (driving) to improve performance in that skill.

The purpose of the present study is fourfold. First, we were attempting to determine the effectiveness of a recently initiated long term (five years) revocation program upon subsequent driving behaviors of problem drivers. This long term revocation program was authorized by legislation concerning traffic habitual offenders (HO). Under this legislation, only repeated traffic habitual offenders (12 moving violations, each of which would authorize a 30-day mandatory or discretionary suspension or revocation; or three major violations, within a seven-year period after the effective date of the HO statute of June 19, 1969) would be eligible for the five-year revocation (see Appendix A). If revocation itself is effective, then a five-year revocation program may have a better chance of resulting in violation

or accident reductions than a much shorter length suspension program. The second objective was to record both one and two year prospective driving infractions in order to assess the duration of the revocation effect, if any. The third objective was to determine the extent to which HO's are imprisoned for traffic and nontraffic (criminal) infractions. Finally, because the law on traffic habitual offender was not passed until recently, much is still unclear as to the procedures used by the Division of Motor Vehicles (DMV) or the court system in implementing this new law; thus, the fourth task of the present study is to summarize the procedures used by the two agencies in implementing the traffic habitual offender statute.

II. METHOD

Data Collection and Data Processing Procedures

Personal communication with representatives from the DMV, the court system and the Department of Corrections.

Meetings were held with the North Carolina DMV personnel in charge of processing hard copies of transactions concerning the traffic habitual offender and those responsible for maintaining computer records on the traffic habitual offender. In addition, personal visits or telephone surveys (see Appendix B) were conducted with clerks of court, district attorneys or their assistants and one superior court judge. These efforts provided information concerning procedures used by DMV and the court system in processing the traffic habitual offender as summarized in later sections of this report.

Creation of the computerized traffic habitual offender file.

Each driver record in DMV's driver history file for over 3.5 million drivers was searched for a transaction code for traffic habitual offenders referred to court (796) with a related date between January 1, 1972 and March 31, 1975. All such cases were stored on magnetic tape. Records prior to 1972 were not searched because only a few drivers were eligible for the DMV's referral to court prior to 1972 even though the HO statute became effective in 1969. Because of the time required to process violations through the court, a conviction may not appear on the record until several

weeks after the violation occurred. Since the driver history file was searched in July, 1975, only records up to March 31, 1975 would have been included in the analyses.

Background variables (age at referral, race, sex, county of residence, type of license) and prospective first and second year driving records following date of earliest HO referral or court action (see Appendix C) were retrieved for every case with an HO referral. Several other variables were derived from the existing variables in the driver history file: type of HO court action (Confirmed, Dismissed, Unable to Locate, Pending, or combination of HO court actions); urban-rural residence; court district; location in the state (Mountain, Piedmont, or Coastal regions); days from earliest referral to first violation, accident, or either; days from earliest HO court action to first violation, accident, or either. The HO file including the above information constituted the HO data used in all subsequent analyses.

Linkage of the prison records with the HO file.

Certain drivers within the HO file may have accumulated a prison record either for being convicted of either violating the HO revocation (one to five years of prison may be authorized by the court if an HO is convicted of operating a motor vehicle while the judgment of the court prohibiting such operation is in effect) or other traffic or nontraffic (criminal) offenses. Because of this, records from the Department of Correction were perused and if a name-birthdate-race-sex match between the 1973 referred HO's (a total of 2009) and the active or inactive record files at the Department of Corrections occurred, information was obtained on both active and inactive prison records and added to the HO file. An active record is one in which a person is still being monitored by the Department of Correction (in prison, on parole or being released on conditional terms only). An inactive record would refer to past prison term(s). Thus, if a person had been in prison on four separate occasions and had been released from all four, then his name would appear four times on the inactive record. The 1973 sample was selected because it represented cases processed a full year after DMV initiated their procedures. Thus, any major difficulties in the system should have been resolved. In addition, enough time had elapsed for these cases to clear through DMV or court procedures since the passage of the HO statute in 1969. At the same time, these drivers would have about 1-1/4 to 2-1/4 years to accumulate HO violations which might put them in prison. For the purposes of this study, for each person any active record and up to two inactive records were captured. If an HO had

more than two inactive prison admissions, then admission for traffic crimes would take precedence over nontraffic crimes; within the two types of crimes (traffic or nontraffic), the most recent ones were selected. From each record so captured, the following information was recorded for use: date of prison admission, date of final release from prison, current prison crime, crime category (felony or misdemeanor), total prison sentence occurring before or after the referral date and type of release (see Appendix D). Every fifth record was then checked for coding errors and less than one percent error was found for the prison record search. For those HO's who had been in prison for driving while license revoked after their HO referral date, the prison history was further examined to determine whether the driving while license revoked prison crime is related to the violation of the HO revocation.

Data Analyses

Analyses were performed on the HO file to yield frequency distributions for all the variables in the HO file as well as crosstabulations of the background and subsequent driving variables by the different types of HO court action (Confirmed, Unable to Locate, and Pending). For the HO's referred to court during 1973, those with prison records were compared to those without prison records by HO types and on prospective (subsequent) driving records.

Chi square and sometimes F statistics were used to compare the background and driving differences of the various groups (Confirmed with Unable to Locate with Pending; Acted with Not Acted-whether there was any court action; No Prison Record with Up to Three Prison Records). The significance level for differences was set at .10 and the desired power at .90. That is, if a true difference among groups exists, it should be detected 90 percent of the time. The 10 percent level, rather than the more traditional 5 percent level of confidence was chosen because it was considered important not to reject a real difference even if it means running a greater risk of judging a chance difference significant. For example, 104 comparisons on prospective driving records were performed in this study. With the 10 percent significance level, about 10 of these 104 comparisons would be expected to appear significant by chance alone. It is also important to mention here that analyses were not totally independent of each other as about half of them involved combinations of groups (as in acted versus not acted comparisons) or used a slightly different anchor date in retrieving prospective driving records.

III. RESULTS

The Process of Handling Traffic Habitual Offenders in North Carolina

Procedures used by the Division of Motor Vehicles.¹

New convictions come into DMV in the form of court reports. These court reports are then checked and coded (certain convictions are not recordable by law, and these are tallied separately). After coding, the court reports are keypunched and entered into the data processing system. Certain types of violations (driving under the influence, excessive speeding and reckless driving, driving during suspension or revocation) cause the computer to generate copies of the entire driving history (review sheets), and these review sheets are then transmitted to the reviewing officers under the direction of the Chief Hearing Officer. The reviewing officers screen each review sheet to determine whether additional Division actions such as warning letters, hearings, revocations, suspensions or habitual offender actions, are appropriate. In cases of warning, revocation, or suspension, an action card is also filled out by the reviewing officer in charge, describing the type of action and the dates during which such action is in effect. The action card is then keypunched and eventually input into the system.

During the review, if a driving record shows 12 moving violations, each of which would authorize a 30-day mandatory or discretionary suspension, or three major violations within a seven-year period and after the effective date of the traffic habitual offender statute of June 19, 1969, then the driver is considered as eligible for HO referral and the record is transmitted to the persons in charge of maintaining the HO files. These persons again check the complete driver history thoroughly to make sure that the driver can be classified as an HO. Violations incurred must be for distinct events and must be at least six hours apart from each other. When there is doubt, the original court reports are consulted.

If it is determined that the driver is eligible as an HO, three copies of the petition, court order, judgment, and driver history are sent to the district attorneys in the county of residence for that driver so that court action can be initiated for his case. At the same

¹ For a diagrammatic presentation of this process, refer to Figure 1.

time, a code of 796 (referred to court) is entered into the computer system. However, if the driver history does not fulfill the requirements under the H0 statute, then the copy of the driver history is destroyed and no further H0 action is taken on the driver until the next time the computer flags his driver history. Meantime, DMV waits for the different types of court responses (see section on court procedures).

After the court confirms the driver as an H0, the court sends back the judgment and the driver's license (in most of these cases, the driver has already turned in his license as he is probably already under suspension or permanent revocation). A code of 95 is then put on his record, generating a mandatory revocation letter. At the data processing stations, a transaction code of 800 (Confirmed by court as H0) is added to the action code of 95, and both codes are entered on the driver record. The judgment paper is then kept in a special "Confirmed H0" file.

If the court dismisses the case, an 808 code goes on the driver's record instead, and it also goes to keypunch and system input. However, his judgment paper is kept in DMV's correspondence file.

If the court sends back all the materials on the driver (possibly with the exception of the judgment) and declares the driver as Unable to Locate (with the Sheriff's stamp and signature), a code of 789 goes to keypunch and system input and all the other documents go to DMV's correspondence file. As new convictions or communications with the driver arrive, they are checked for address changes. Should a new address be detected, a copy of the driving record with the new address on it is recycled to the persons in charge of the H0 files. In checking for address changes from new convictions, the computer searches for the "Stop. Check Correspondence" transaction in the driver history; the presence of such a transaction in the record would generate the printing of the entire driving record for the office of the Assistant Director of Driver Licensing who brings it to the attention of the persons in charge of the H0 files. A new address may also be identified by two other routes: by the reviewing officers as they peruse the records for additional actions or by any DMV personnel who have direct or indirect communication with the driver. As a new address becomes available, the documents on the Unable to Locate H0's are pulled from DMV's correspondence file and sent back to court again, this time with a more recent address. An additional dated code of 796 is input into the driver's record with each new referral to court.

The first large group of HO's referred to court occurred in early 1972; thus in terms of clearing any HO after five years of "good behavior," nobody will be eligible for HO clearance until the beginning of 1977. For clearing the HO status, some preliminary procedures have already been established.

First, the driver must file a petition to the court in which he was confirmed as an HO, and it is up to the court's discretion to grant or deny his petition. Once court clearance is obtained, the driver may then reapply for a driver's license from DMV. If the driver had a second or third DUI on his prior record, then a medical clearance is also necessary. A hearing conducted by DMV personnel is usually required before a license is reissued to the "cleared" HO (DMV hearing cannot take place prior to court clearance). The license may be given back to the driver after the hearing; if medical clearance is also required in the case of DUI convictions, a doctor's report form is given to the driver to be filled out by his family physician. In this medical report, the driver's physician has to state that the driver's drinking has been under control for the past 12 months. The completed medical report is then subject to review by the Medical Review Board affiliated with DMV. If the recommendation is unfavorable (that is, the license should not be reinstated based on medical grounds), then the license is again taken away from the driver.

Procedures used by the court system.²

As the packet (petition, court order, judgment and driver record) for an eligible HO arrives at the district attorney's office, the HO packet must be prepared as a court case before it can be scheduled for a court hearing. Once a date for the court hearing has been set, an order to appear in court can then be issued and delivered to the driver at his place of residence by the local sheriff. If the sheriff is unable to deliver the court order to the driver by the date of the court hearing, the sheriff then sends back the court order to the district attorney's office who then sends these cases back to DMV as Unable to Locate the driver at the address furnished by DMV.

²Based on personal communication and telephone conversations with clerks of court, district attorneys or their assistants, and one superior court judge. For a diagrammatic presentation of this process, refer to Figure 2.

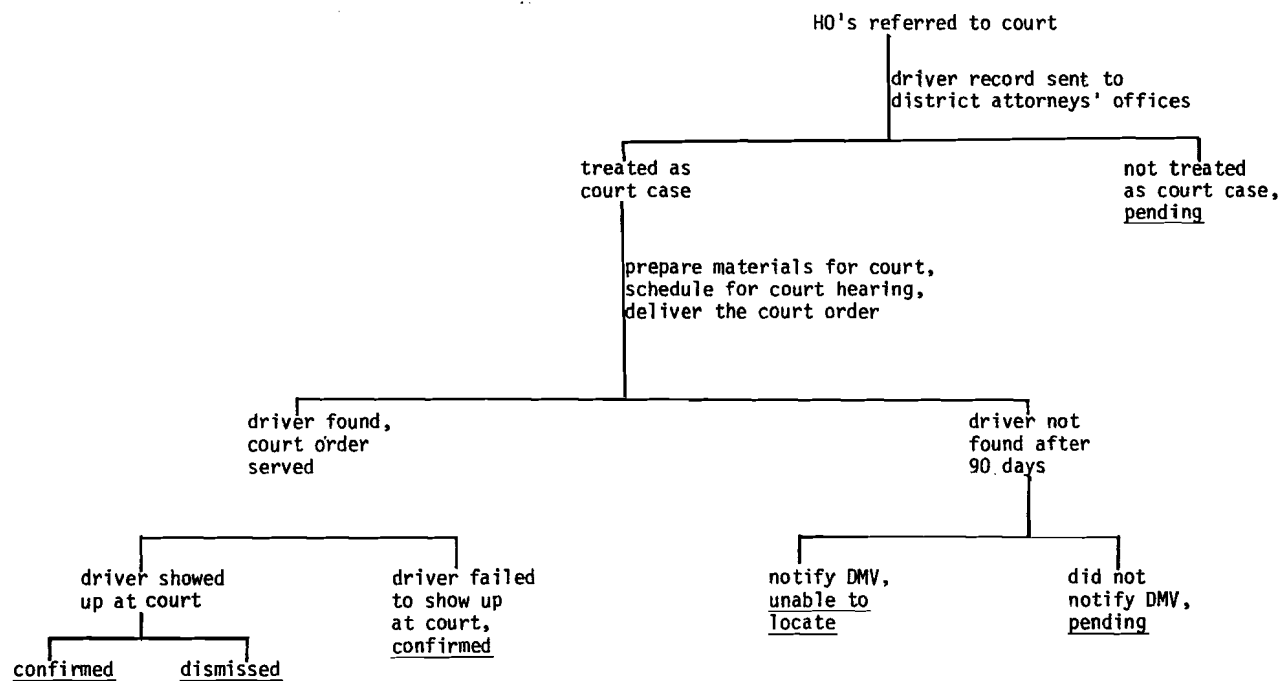


Figure 2. Process of handling traffic habitual offenders: Court procedures.

If the sheriff is successful in delivering the court order to the driver, the court hearing is usually held on the date designated on the court order, with the judge presiding (but no jury), and the driver is given a chance to defend himself as an HO. The average time spent on these traffic cases is quite brief, about fifteen minutes, as it mainly pertains to identifying the driver as the person named on the court order and linking this person to the activities on the copy of driver record provided to the judge. Most of the HO cases that result in court action are confirmed by court. In some instances there may be discrepancies in names, license numbers or activity dates, and these cases may eventually be dismissed if the driver produces evidence supporting his defense. Probably the most frequent reason for a case being dismissed is when two people have the same name (e.g., a father and son) and there is evidence that not all of the offenses involved were incurred by the same person. However, if the driver receives the court order but does not show up in court, he is automatically confirmed as a traffic habitual offender. If the driver appears in court he is either confirmed or dismissed by the judge as an HO.

The results of the telephone survey with eight court districts³ indicated that many HO cases are never treated as court cases, and subsequently never reach the sheriff or the court and are never reported back to DMV. This group of HO cases constitutes the Pending group in the DMV HO file, as DMV has not heard anything back from the court since the HO packets were sent out to the court districts.

Many HO cases were not treated as court cases as a result of the voluminous work load in the district attorney's office or the lower priority assigned to HO cases as compared to the nontraffic cases such as robbery, assault, or murder. Assignment of low priority to HO cases also stems from the belief among some district attorneys that handling HO's through the court system is a duplication of effort and therefore an unnecessary procedure. Frequently, these HO's have already lost their license to drive. Even without HO revocation, procedures already exist for imposing longer term revocations or even imprisonment.

³Ten out of 30 districts were included in the telephone survey. They were selected on the basis of representing different parts of the state and different HO confirmation rates. Information reported is based on only eight districts, as the person in charge in two districts could not be reached even after numerous attempts.

To summarize, court districts in North Carolina vary in their efforts to confirm the HO's referred to them by DMV, as a function of differences in procedures, work loads, and the priority ranking assigned to HO's by the various districts.

Description of Traffic Habitual Offender (HO) Population

As a result of the driver record search, 6987 (0.19 percent of 3,660,548 records searched) were identified as HO's referred to court. Once the driver's record has been referred, the court may confirm the person as an HO (Confirmed), dismiss the case (Dismissed), or return the driver's record to DMV because the court was not able to locate the driver (Unable to Locate). The court system may also fail to take any action so that the case remains pending (Pending) or the court may have acted on the case more than once (Mixed). Of the 6987 HO's referred by DMV to court, 23 percent were Confirmed, one percent was Dismissed, 11 percent were Unable to Locate, 3 percent had been acted on by the court more than once (Mixed), while 62 percent remained Pending as of March 31, 1975 (see Table 1). Confirmation rates varied widely with location in the state, urban or rural residence, and court district. Higher percentages of Confirmed HO's were found in the coastal regions of the state, and more Unable to Locate HO's occurred in urban areas (see Table 2). As can be seen in Table 3, differences were also noted between court districts. (Note that in some tables Dismissed and Mixed are not considered.)

When comparing the HO population with the 1974 general driving population on certain major background variables, it was found that the HO's contained a higher proportion of nonwhites, males, middle aged persons (26 to 45 years old) and persons holding a chauffeur license (see Table 4). Table 5 shows that a higher percent of Indians referred to court were subsequently confirmed as HO's.

As noted earlier, a driver becomes eligible for HO status if, within any seven-year period after the effective date of the HO statute of June 19, 1969, he has 12 moving violations, each of which would authorize a 30-day mandatory or discretionary suspension or three major violations (see Appendix A). In the present study, 98 percent of HO's were eligible because of three major violations and the remaining two percent were eligible because of 12 moving violations. There were slightly more Confirmed HO's (99%) who became eligible because of three major violations (see Table 6). Since violations during suspension or revocation (50 percent) and alcohol violations (30 percent) were the two most frequent types of total violations for the HO's, as borne out

Table 1. Cumulative distribution of traffic
habitual offender types*, N (row %).

	<u>Confirmed</u>	<u>Dismissed</u>	<u>Unable to Locate</u>	<u>Pending</u>	<u>Mixed</u>	<u>Total Referred</u>
Up through 1972	103 (7)	0 (0)	145 (10)	1176 (82)	18 (1)	1442 (100)
Up through 1973	802 (24)	31 (1)	386 (11)	2011 (59)	168 (5)	3398 (100)
Up through 1974	1201 (29)	73 (2)	617 (15)	2041 (50)	176 (4)	4108 (100)
Up through 1975	1572 (23)	84 (1)	798 (11)	4357 (62)	176 (3)	6987 (100)

* In this study, all referred HO's were classified into one of the five types based on the kind of court action (including no court action) as of March 31, 1975.

Table 2. Location in the state and urban-rural residence by three traffic habitual offender types, N (row %).

	<u>Confirmed</u>	<u>Unable to Locate</u>	<u>Pending</u>	<u>Total</u>
<u>Location in the state</u>				
Mountain	194(22)	74(8)	625(70)	893(100)
Piedmont	491(15)	316(10)	2420(75)	3227(100)
Coastal	865(36)	379(16)	1161(48)	2405(100)
Missing	22	29	151	202
Total	1572(23)	798(12)	4357(65)	6727(100)

χ^2 is 461; df = 4; p < .001

Residence

Urban	994(23)	575(14)	2670(63)	4239(100)
Rural	556(24)	194(9)	1536(67)	2286(100)
Missing	22	29	151	202
Total	1572(23)	798(12)	4357(65)	6727(100)

χ^2 is 37; df = 2; p < .001

Table 3. Court districts by three traffic habitual offender types, N (row %).

<u>Court Districts</u>	<u>Confirmed</u>	<u>Unable to Locate</u>	<u>Pending</u>	<u>Total</u>
1	7 (18)	9 (24)	22 (58)	38 (100)
2	18 (20)	5 (6)	66 (74)	89 (100)
3	49 (25)	47 (24)	102 (51)	198 (100)
4	122 (35)	8 (2)	217 (63)	347 (100)
5	77 (41)	70 (37)	42 (22)	189 (100)
6	19 (20)	1 (1)	76 (79)	96 (100)
7	19 (9)	24 (11)	167 (80)	210 (100)
8	85 (50)	9 (5)	78 (45)	172 (100)
9	1 (1)	0 (0)	141 (99)	142 (100)
10	18 (6)	53 (17)	237 (77)	308 (100)
11	163 (50)	74 (22)	93 (28)	330 (100)
12	122 (36)	87 (26)	131 (38)	340 (100)
13	77 (29)	16 (6)	171 (65)	264 (100)
14	25 (11)	21 (9)	174 (79)	220 (100)
15	52 (20)	33 (12)	183 (68)	268 (100)
16	144 (53)	39 (14)	91 (33)	274 (100)
17	14 (7)	0 (0)	188 (93)	202 (100)
18	126 (41)	74 (24)	110 (35)	310 (100)
19	0 (0)	5 (1)	354 (99)	359 (100)
20	23 (11)	6 (3)	178 (86)	207 (100)
21	18 (15)	3 (2)	99 (83)	120 (100)
22	80 (29)	38 (14)	160 (57)	278 (100)
23	25 (18)	4 (3)	113 (79)	142 (100)
24	1 (2)	2 (4)	53 (94)	56 (100)
25	43 (16)	42 (16)	184 (68)	269 (100)
26	47 (17)	40 (14)	189 (69)	276 (100)
27	40 (12)	12 (3)	292 (85)	344 (100)
28	32 (24)	32 (24)	69 (52)	133 (100)
29	60 (31)	6 (3)	125 (66)	191 (100)
30	43 (28)	9 (6)	101 (66)	153 (100)
Missing	22	29	151	202
Total	1572 (23)	798 (12)	4357 (65)	6727 (100)

χ^2 is 1579; df = 58; p < .001

Table 4. Background comparisons of traffic habitual offenders referred to court with the general population.

<u>Variables</u>	<u>Traffic Habitual Offenders Referred to Court</u>		<u>1974 Total General Population*</u>	
	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
A. <u>Race</u>				
White	4517	65	2643959	84
Black	2265	33	517187	16
Indian	165	2		
Other	7	0		
Missing	33	--	--	--
Total	6987	100	3161146	100
B. <u>Sex</u>				
Male	6805	98	1701665	54
Female	149	2	1459481	46
Missing	33	--	--	--
Total	6987	100	3161146	100
C. <u>Age</u>				
Under 21 years old	341	5	504226	16
22 to 25 years old	897	13	371801	12
26 to 30 years old	1260	18	415946	13
31 to 45 years old	2992	43	859338	27
Over 46 years old	1450	21	1009835	32
Missing	47	--	0	--
Total	6987	100	3161146	100
D. <u>Residence</u>				
Urban cities	4435	65	N/A	
Rural towns	2359	35		
Missing	193	--		
Total	6987	100		
E. <u>Location in the State</u>				
Mountain	900	13	N/A	
Piedmont	3340	49		
Coastal	2554	38		
Missing	193	--		
Total	6987	100		
F. <u>Type of License</u>				
Operator only	3695	90	3015907	95
Chauffeur	217	5	145239	5
Both operator and chauffeur	182	5		
Missing	2893	--		
Total	6987	100	3161146	100

Table 4 (Continued)

<u>Variables</u>	<u>Traffic Habitual Offenders Referred to Court</u>		<u>1974 Total General Population*</u>	
	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
G. <u>Restriction on Operator License</u>				
None	3558	92		
Corrective lenses	284	7		N/A
All others	35	1		
Total with operator license	3877	100		
H. <u>Restriction on Chauffeur License</u>				
None	364	91		
Corrective lenses	31	8		N/A
All others	4	1		
Total with chauffeur license	399	100		
I. <u>Reasons for Being Referred to Court</u>				
Three major violations	6872	98		
Twelve moving violations@	115	2		N/A
Total	6987	100		
J. <u>Earliest Year Referred to Court</u>				
1972	1442	21		
1973	1956	28		
1974	709	10		N/A
1975	2867	41		
Missing	13	--		
Total	6987	100		
K. <u>Earliest Year of Court Action</u>				
1972	266	18		
1973	1121	42		
1974	680	19		N/A
1975	563	21		
Missing (pending)	4357			
Total	6987			
L. <u>Type of Court Action</u>				
Confirmed	1572	23		
Dismissed	84	1		
Unable to locate	798	11		N/A
Pending	4357	62		
Mixed (more than one action)	176	3		
Total	6987	100		

*A computer printout of all North Carolina drivers on the driver license file as of January 1974

@Each of the 12 violations would authorize a 30-day mandatory or discretionary suspension

N/A - not applicable or not available

Table 5. Race and sex by three traffic habitual offender types, N (row %).

<u>Variables</u>	<u>Confirmed</u>	<u>Unable to Locate</u>	<u>Pending</u>	<u>Total</u>
<u>Race</u>				
White	951(22)	525(12)	2876(66)	4352(100)
Black	533(25)	245(11)	1410(64)	2188(100)
Indian	83(52)	17(11)	60(37)	160(100)
Missing	5	11	11	27
Total	1572(23)	798(12)	4357(65)	6727(100)

χ^2 is 81; df = 4; p < .001

<u>Sex</u>				
Male	1538(23)	769(12)	4248(65)	6555(100)
Female	29(20)	18(12)	98(68)	145(100)
Missing	5	11	11	27
Total	1572(23)	798(12)	4357(65)	6727(100)

χ^2 is nonsignificant at .10 level

Table 6. Reasons for referral by three traffic habitual offender types, N (column %).

<u>Reasons for Referral</u>	<u>Confirmed</u>	<u>Unable to Locate</u>	<u>Pending</u>	<u>Total</u>
3 major violations*	1558 (99)	776 (99)	4282 (98)	6616 (98)
12 moving violations	14 (1)	12 (1)	73 (2)	99 (2)
Missing	0	10	2	12
Total	1572 (100)	798 (100)	4357 (100)	6727 (100)

χ^2 is 5; df = 2; p < .10

* Major violations include the following: driving under the influence (DUI); driving while license is suspended or revoked; voluntary or involuntary manslaughter; failure to stop and render aid; failure to stop and report an accident of more than \$100 in damage; violation committed during suspension or revocation; any motor vehicle felony.

by their subsequent driving records (see Appendix C) and by conversations with personnel processing the HO cases, it is therefore reasonable to expect that a substantial percent of HO's became eligible for HO status due to their violations during suspension or revocation and alcohol violations.

Analyses of Prospective Driving Records

While differences in biographic and demographic variables are important, perhaps even more important in terms of effect are the prospective driving records of the HO's. Here the question of the program's effectiveness in "improving" subsequent driving is being studied.

Driving records of HO's with adult drivers in North Carolina.

Table 7 compares the two year prospective (since HO referral) violations or accidents of the HO's with two year driving records of the adult drivers in North Carolina. The HO records represent the two years since HO referral, while the population records are based on the 1968 to 1970 period (the latest published figure in North Carolina). As indicated on that table, the HO's had more violations but fewer accidents (in terms of percent with a record as well as in terms of number of incidents per 1000 drivers) than the population in general. It may be argued that there was more driving from 1972 to 1974 when the HO records were analyzed than from 1968 to 1970, but whatever the difference in driving exposure may be in the two time periods, it could not have accounted for both a violation increment and a concomitant accident decrement. Therefore, the question still remains as to the possible reasons for the observed differential violation and accident rates for the HO's and the population.

However, considering that HO's had such a poor prior violation record (the criteria used to identify them for HO referral), their violation record still shows that 67 percent were "clean" (no recidivism) during the next two years, a figure comparable to the one reported by Stewart and Campbell (1972) with the population. The conclusion at this point is that the proportion of repeaters remains small even within the traffic habitual offender population.

Table 7. Comparison of violation and accident involvement of the traffic habitual offenders with adult driving population in North Carolina.

<u>Two Year Traffic Involvement</u>	<u>Traffic Habitual Offenders^a</u>	<u>Adult Drivers in North Carolina^b</u>
<u>Violations</u>		
None	67%	84%
One	13%	12%
Two	12%	3%
Three or more	8%	1%
Rate per 1000 drivers	717	225
<u>Accidents</u>		
None	94%	89%
One	5%	10%
Two	1%	1%
Three or more	0%	0%
Rate per 1000 drivers	65	130

^aIncludes all five HO types whose referral was before 1973

^bData abstracted from Stewart & Campbell (1972)

Prospective driving
records by HO types.⁴

The major purpose of this study is to evaluate the effectiveness of the HO statute. This was possible because of variation among court districts in implementing the HO statute: some district attorneys tend not to act upon HO referrals from DMV, thus creating a large group of pending cases. This Pending group of HO's provided a built-in control group to be compared with the Confirmed and the Unable to Locate HO's in this study. If the law has the intended effect, the Confirmed HO's should have the "cleanest" prospective driving records, especially after the HO court action date (when their licenses had been revoked), followed by the Pending HO's. The Unable to Locate HO's might be expected to have the worst records since they have proved to be difficult to reach. Therefore, in an attempt to examine the effects of the HO statute, prospective driving records (both after the HO referral date and after the HO court action date) were compared among the Confirmed, Unable to Locate and the Pending HO's in addition to the previous analysis of subsequent driving record for all referred HO's.

Six major variables (alcohol violations, suspension or revocation violations,⁵ total violations, total accidents, suspensions, and revocations) were selected from a pool of 20 driving variables in the North Carolina driver history file for comparison purposes. All prospective driving record analyses involving HO types focused on these six variables because they occurred more frequently than the other 14 driving variables for the HO population (see Appendix C).

Fifteen of the 18 analyses involving referral date (see Tables 8, 9 and 10) were nonsignificant at the 10 percent level. Nonsignificant overall χ^2 implies independence of the cross-tabulated variables. To illustrate, in Table 8, total violations are independent of HO type membership; or to state it in a slightly different way, there is no statistical significant difference in total violations among the Confirmed, Unable to Locate and Pending HO's. The remaining three analyses in Tables 8, 9 and 10 (first

⁴All 6987 referred HO's were classified into one of the five types of HO court action as of the day of the record search (March 31, 1975): Confirmed, Dismissed, Unable to Locate, Pending, and Mixed.

⁵These were violations occurring while the driver was under license suspension or revocation.

Table 8. Prospection driving record after traffic habitual offender referral by three traffic habitual offender types, first year, N (column %).*

	<u>Confirmed</u>	<u>Unable to Locate</u>	<u>Pending</u>	<u>Total</u>
<u>Alcohol Violations</u>				
No	925 (90)	474 (87)	1451 (91)	2850 (90)
Yes	103 (10)	69 (13)	142 (9)	314 (10)
Total	1028 (100)	543 (100)	1593 (100)	3164 (100)

χ^2 is 7; df = 2; p < .05

<u>Suspension, Revocation Violations</u>				
No	871 (85)	452 (83)	1352 (85)	2675 (85)
Yes	157 (15)	91 (17)	241 (15)	489 (15)
Total	1028 (100)	543 (100)	1593 (100)	3164 (100)

χ^2 is nonsignificant at .10 level

<u>Total Violations</u>				
No	827 (80)	424 (78)	1279 (80)	2530 (80)
Yes	201 (20)	119 (22)	314 (20)	634 (20)
Total	1028 (100)	543 (100)	1593 (100)	3164 (100)

χ^2 is nonsignificant at .10 level

<u>Accidents</u>				
No	997 (97)	530 (98)	1550 (97)	3077 (97)
Yes	31 (3)	13 (2)	43 (3)	87 (3)
Total	1028 (100)	543 (100)	1593 (100)	3164 (100)

χ^2 is nonsignificant at .10 level

<u>Suspensions</u>				
No	990 (96)	515 (95)	1522 (95)	3027 (96)
Yes	38 (4)	28 (5)	71 (5)	137 (4)
Total	1028 (100)	543 (100)	1593 (100)	3164 (100)

χ^2 is nonsignificant at .10 level

<u>Revocations</u>				
No	55 (5)	385 (71)	1106 (69)	1546 (49)
Yes	973 (95)	158 (29)	487 (31)	1618 (51)
Total	1028 (100)	543 (100)	1593 (100)	3164 (100)

χ^2 is 1154; df = 2; p < .001

*3164 referred before 1974, had at least one full year since referral: excludes dismissed and mixed types.

Table 9. Prospective driving record after traffic habitual offender referral by three traffic habitual offender types, second year, N (column %).*

	<u>Confirmed</u>	<u>Unable to Locate</u>	<u>Pending</u>	<u>Total</u>
<u>Alcohol Violations</u>				
No	379 (91)	244 (94)	588 (91)	1211 (91)
Yes	35 (9)	17 (6)	61 (9)	113 (9)
Total	414 (100)	261 (100)	649 (100)	1324 (100)

χ^2 is nonsignificant at .10 level

<u>Suspension, Revocation Violations</u>				
No	348 (84)	232 (89)	565 (87)	1145 (87)
Yes	66 (16)	29 (11)	84 (13)	179 (13)
Total	414 (100)	261 (100)	649 (100)	1324 (100)

χ^2 is nonsignificant at .10 level

<u>Total Violations</u>				
No	344 (83)	222 (85)	539 (83)	1105 (83)
Yes	70 (17)	39 (15)	110 (17)	219 (17)
Total	414 (100)	261 (100)	649 (100)	1324 (100)

χ^2 is nonsignificant at .10 level

<u>Accidents</u>				
No	399 (96)	250 (96)	631 (97)	1280 (97)
Yes	15 (4)	11 (4)	18 (3)	44 (3)
Total	414 (100)	261 (100)	649 (100)	1324 (100)

χ^2 is nonsignificant at .10 level

<u>Suspensions</u>				
No	409 (99)	252 (97)	634 (98)	1295 (98)
Yes	5 (1)	9 (3)	15 (2)	29 (2)
Total	414 (100)	261 (100)	649 (100)	1324 (100)

χ^2 is nonsignificant at .10 level

<u>Revocations</u>				
No	332 (80)	212 (81)	526 (81)	1070 (81)
Yes	82 (20)	49 (19)	123 (19)	254 (19)
Total	414 (100)	261 (100)	649 (100)	1324 (100)

χ^2 is nonsignificant at .10 level

*1324 referred to court before 1973, had at least two full years since referral: excludes dismissed and mixed types.

Table 10. Prospective driving record after traffic habitual offender referral by three traffic habitual offender types, both years, N (column %).*

	<u>Confirmed</u>	<u>Unable to Locate</u>	<u>Pending</u>	<u>Total</u>
<u>Alcohol Violations</u>				
No	339 (82)	206 (79)	533 (82)	1078 (81)
Yes	75 (18)	55 (21)	116 (18)	246 (19)
Total	414 (100)	261 (100)	649 (100)	1324 (100)

χ^2 is nonsignificant at .10 level

<u>Suspension, Revocation Violations</u>				
No	303 (73)	196 (75)	474 (73)	973 (73)
Yes	111 (27)	65 (25)	175 (27)	351 (27)
Total	414 (100)	261 (100)	649 (100)	1324 (100)

χ^2 is nonsignificant at .10 level

<u>Total Violations</u>				
No	280 (68)	173 (66)	431 (66)	884 (67)
Yes	134 (32)	88 (34)	218 (34)	440 (33)
Total	414 (100)	261 (100)	649 (100)	1324 (100)

χ^2 is nonsignificant at .10 level

<u>Accidents</u>				
No	388 (94)	244 (93)	616 (95)	1248 (94)
Yes	26 (6)	17 (7)	33 (5)	76 (6)
Total	414 (100)	261 (100)	649 (100)	1324 (100)

χ^2 is nonsignificant at .10 level

<u>Suspensions</u>				
No	394 (95)	246 (94)	610 (94)	1250 (94)
Yes	20 (5)	15 (6)	39 (6)	74 (6)
Total	414 (100)	261 (100)	649 (100)	1324 (100)

χ^2 is nonsignificant at .10 level

<u>Revocations</u>				
No	3 (1)	142 (54)	336 (52)	481 (36)
Yes	411 (99)	119 (46)	313 (48)	843 (64)
Total	414 (100)	261 (100)	649 (100)	1324 (100)

χ^2 is 331; df = 2; p < .001

*1324 referred to court before 1973, had at least two full years since referral: excludes dismissed and mixed types.

year alcohol violations, first year revocation, and both years revocations) were all significant beyond the 10 percent level. Slightly more of the Unable to Locate HO's had alcohol violations one year after they had been referred, but this difference diminished in the second year and both years' (first and second years) alcohol violations. Ninety-five percent of the Confirmed HO's had a revocation in their first year record as compared to only 29 percent of the Unable to Locate and 31 percent of the Pending groups. This difference may be considered an artifact since the Confirmed HO's would have their license revoked under the HO statute. No difference could be observed when the second year revocations were used, but the both years revocations remained significant, probably due to the contribution made by the first year revocations.

Identical analyses were performed by focusing on whether the court had acted or whether the case was still pending. The Confirmed were combined with the Dismissed and the Unable to Locate HO's (Acted) and compared to the Pending (Not Acted) HO's. These results are highly similar to findings before combining Confirmed, Dismissed, and Unable to Locate HO's: the same 15 of the 18 analyses involving referral data were nonsignificant at the .10 level. First year alcohol violations, first year revocations and both years' revocations remained significant. Revocations are probably artifacts since the Confirmed within the Acted group were more likely to be revoked under the HO statute (see Tables 11, 12 and 13).

Comparisons of prospective driving record among the three major HO types and between the Acted and Not Acted groups were repeated using the HO court action date. Since the Pending group had not been acted on by the court yet, their HO referral date was used in place of the HO court action date. The subsequent first year record shows that the Confirmed HO's were "cleanest" in terms of total violations and suspensions, and, as expected, had the highest proportion of persons with revocations. Suspension or revocation violations and accidents were nonsignificant in this analysis even for the Confirmed group. In the second year driving record, the Unable to Locate HO's were "cleanest" on suspension or revocation violations, and total violations, while the Confirmed HO's were "cleanest" on alcohol violations and revocations. When the first and second year records were grouped together for analysis, all of the comparisons were nonsignificant except for the revocation artifact, which remained highest for Confirmed HO's (see Tables 14, 15 and 16).

As soon as the Confirmed HO's were grouped with the Dismissed and the Unable to Locate HO's to form the Acted-Not Acted comparison

Table 11. Prospective driving record after traffic habitual offender referral by presence or absence of court action, first year, N (column %).*

	<u>Acted</u>	<u>Not Acted</u>	<u>Total</u>
<u>Alcohol Violations</u>			
No	1464 (89)	1451 (91)	2915 (90)
Yes	178 (11)	142 (9)	320 (10)
Total	1642 (100)	1593 (100)	3235 (100)
χ^2 is 3.15; df = 1; p < .10			
<u>Suspension, Revocation Violations</u>			
No	1386 (84)	1352 (85)	2738 (85)
Yes	256 (16)	241 (15)	497 (15)
Total	1642 (100)	1593 (100)	3235 (100)
χ^2 is nonsignificant at .10 level			
<u>Total Violations</u>			
No	1312 (80)	1279 (80)	2591 (80)
Yes	330 (20)	314 (20)	644 (20)
Total	1642 (100)	1593 (100)	3235 (100)
χ^2 is nonsignificant at .10 level			
<u>Accidents</u>			
No	1596 (97)	1550 (97)	3146 (97)
Yes	46 (3)	43 (3)	89 (3)
Total	1642 (100)	1593 (100)	3235 (100)
χ^2 is nonsignificant at .10 level			
<u>Suspensions</u>			
No	1571 (96)	1522 (96)	3093 (96)
Yes	71 (4)	71 (4)	142 (4)
Total	1642 (100)	1593 (100)	3235 (100)
χ^2 is nonsignificant at .10 level			
<u>Revocations</u>			
No	488 (30)	1106 (69)	1594 (49)
Yes	1154 (70)	487 (31)	1641 (51)
Total	1642 (100)	1593 (100)	3235 (100)
χ^2 is 508; df = 1; p < .001			

*3235 referred before 1974, had at least one full year since referral, excludes mixed type.

Table 12. Prospective driving record after traffic habitual offender referral by presence or absence of court action, second year, N (column %).*

	<u>Acted</u>	<u>Not Acted</u>	<u>Total</u>
<u>Alcohol Violations</u>			
No	664 (92)	588 (91)	1252 (91)
Yes	58 (8)	61 (9)	119 (9)
Total	722 (100)	649 (100)	1371 (100)

χ^2 is nonsignificant at .10 level

<u>Suspension, Revocation Violations</u>			
No	622 (86)	565 (87)	1187 (87)
Yes	100 (14)	84 (13)	184 (13)
Total	722 (100)	649 (100)	1371 (100)

χ^2 is nonsignificant at .10 level

<u>Total Violations</u>			
No	604 (84)	539 (83)	1143 (83)
Yes	118 (16)	110 (17)	228 (17)
Total	722 (100)	649 (100)	1371 (100)

χ^2 is nonsignificant at .10 level

<u>Accidents</u>			
No	696 (96)	631 (97)	1327 (97)
Yes	26 (4)	18 (3)	44 (3)
Total	722 (100)	649 (100)	1371 (100)

χ^2 is nonsignificant at .10 level

<u>Suspensions</u>			
No	707 (98)	634 (98)	1341 (98)
Yes	15 (2)	15 (2)	30 (2)
Total	722 (100)	649 (100)	1371 (100)

χ^2 is nonsignificant at .10 level

<u>Revocations</u>			
No	580 (80)	526 (81)	1106 (81)
Yes	142 (20)	123 (19)	265 (19)
Total	722 (100)	649 (100)	1371 (100)

χ^2 is nonsignificant at .10 level

*1371 referred before 1973, had at least two full years since referral, excludes mixed type.

Table 13. Prospective driving record after traffic habitual offender referral by presence or absence of court action, both years, N (column %).*

	<u>Acted</u>	<u>Not Acted</u>	<u>Total</u>
<u>Alcohol Violations</u>			
No	584 (81)	533 (82)	1117 (82)
Yes	138 (19)	116 (18)	254 (18)
Total	722 (100)	649 (100)	1371 (100)

χ^2 is nonsignificant at .10 level

<u>Suspension, Revocation Violations</u>			
No	536 (74)	474 (73)	1010 (74)
Yes	186 (26)	175 (27)	361 (26)
Total	722 (100)	649 (100)	1371 (100)

χ^2 is nonsignificant at .10 level

<u>Total Violations</u>			
No	485 (67)	431 (66)	916 (67)
Yes	237 (33)	218 (34)	455 (33)
Total	722 (100)	649 (100)	1371 (100)

χ^2 is nonsignificant at .10 level

<u>Accidents</u>			
No	679 (94)	616 (95)	1295 (95)
Yes	43 (6)	33 (5)	76 (5)
Total	722 (100)	649 (100)	1371 (100)

χ^2 is nonsignificant at .10 level

<u>Suspensions</u>			
No	684 (95)	610 (94)	1294 (94)
Yes	38 (5)	39 (6)	77 (6)
Total	722 (100)	649 (100)	1371 (100)

χ^2 is nonsignificant at .10 level

<u>Revocations</u>			
No	173 (24)	336 (52)	509 (37)
Yes	549 (76)	313 (48)	862 (63)
Total	722 (100)	649 (100)	1371 (100)

χ^2 is 112; df = 1; p < .001

*1371 referred before 1973, had at least two full years since referral, excludes mixed type.

Table 14. Prospective driving record after traffic habitual offender action by three traffic habitual offender types, first year, N (column %).*

	<u>Confirmed</u>	<u>Unable to Locate</u>	<u>Pending</u>	<u>Total</u>
<u>Alcohol Violations</u>				
No	731 (91)	334 (86)	1451 (91)	2516 (91)
Yes	71 (9)	52 (14)	142 (9)	265 (9)
Total	802 (100)	386 (100)	1593 (100)	2781 (100)

χ^2 is 8; df = 2; p < .05

<u>Suspension, Revocation Violations</u>				
No	685 (85)	315 (82)	1352 (85)	2352 (85)
Yes	117 (15)	71 (18)	241 (15)	429 (15)
Total	802 (100)	386 (100)	1593 (100)	2781 (100)

χ^2 is nonsignificant at .10 level

<u>Total Violations</u>				
No	655 (82)	292 (76)	1279 (80)	2226 (80)
Yes	147 (18)	94 (24)	314 (20)	555 (20)
Total	802 (100)	386 (100)	1593 (100)	2781 (100)

χ^2 is 6; df = 2; p < .05

<u>Accidents</u>				
No	773 (96)	377 (98)	1550 (97)	2700 (97)
Yes	29 (4)	9 (2)	43 (3)	81 (3)
Total	802 (100)	386 (100)	1593 (100)	2781 (100)

χ^2 is nonsignificant at .10 level

<u>Suspensions</u>				
No	782 (98)	373 (97)	1522 (96)	2677 (96)
Yes	20 (2)	13 (3)	71 (4)	104 (4)
Total	802 (100)	386 (100)	1593 (100)	2781 (100)

χ^2 is 6; df = 2; p < .10

<u>Revocations</u>				
No	0 (0)	283 (73)	1106 (69)	1389 (50)
Yes	802 (100)	103 (27)	487 (31)	1392 (50)
Total	802 (100)	386 (100)	1593 (100)	2781 (100)

χ^2 is 1126; df = 2; p < .001

*2781 classified by court before 1974, had at least one full year since HO action, excludes dismissed and mixed types.

Table 15. Prospective driving record after traffic habitual offender action by three traffic habitual offender types, second year, N (column %).*

	<u>Confirmed</u>	<u>Unable to Locate</u>	<u>Pending</u>	<u>Total</u>
<u>Alcohol Violations</u>				
No	99 (96)	138 (95)	588 (91)	825 (92)
Yes	4 (4)	7 (5)	61 (9)	72 (8)
Total	103 (100)	145 (100)	649 (100)	897 (100)

χ^2 is 6; df = 2; p < .05

<u>Suspension, Revocation Violations</u>				
No	88 (85)	141 (97)	565 (87)	794 (89)
Yes	15 (15)	4 (3)	84 (13)	103 (11)
Total	103 (100)	145 (100)	649 (100)	897 (100)

χ^2 is 13; df = 2; p < .01

<u>Total Violations</u>				
No	87 (85)	133 (92)	539 (83)	759 (85)
Yes	16 (15)	12 (8)	110 (17)	138 (15)
Total	103 (100)	145 (100)	649 (100)	897 (100)

χ^2 is 7; df = 2; p < .05

<u>Accidents</u>				
No	102 (99)	139 (96)	631 (97)	872 (97)
Yes	1 (1)	6 (4)	18 (3)	25 (3)
Total	103 (100)	145 (100)	649 (100)	897 (100)

χ^2 is nonsignificant at .10 level

<u>Suspensions</u>				
No	103 (100)	142 (98)	634 (98)	897 (98)
Yes	0 (0)	3 (2)	15 (2)	18 (2)
Total	103 (100)	145 (100)	649 (100)	897 (100)

χ^2 is nonsignificant at .10 level

<u>Revocations</u>				
No	92 (89)	125 (86)	526 (81)	743 (83)
Yes	11 (11)	20 (14)	123 (19)	154 (17)
Total	103 (100)	145 (100)	649 (100)	897 (100)

χ^2 is 6; df = 2; p < .10

*897 classified by court before 1973, had at least two full years since HO action, excludes dismissed and mixed types.

Table 16. Prospective driving record after traffic habitual offender action by three traffic habitual offender types, both years, N (column %).*

	<u>Confirmed</u>	<u>Unable to Locate</u>	<u>Pending</u>	<u>Total</u>
<u>Alcohol Violations</u>				
No	89 (86)	116 (80)	533 (82)	738 (82)
Yes	14 (14)	29 (20)	116 (18)	159 (18)
Total	103 (100)	145 (100)	649 (100)	897 (100)

χ^2 is nonsignificant at .10 level

<u>Suspension, Revocation Violations</u>				
No	74 (72)	111 (77)	474 (73)	659 (73)
Yes	29 (28)	34 (23)	175 (27)	238 (24)
Total	103 (100)	145 (100)	649 (100)	897 (100)

χ^2 is nonsignificant at .10 level

<u>Total Violations</u>				
No	70 (68)	100 (69)	431 (66)	601 (67)
Yes	33 (32)	45 (31)	218 (34)	296 (33)
Total	103 (100)	145 (100)	649 (100)	897 (100)

χ^2 is nonsignificant at .10 level

<u>Accidents</u>				
No	98 (95)	134 (92)	616 (95)	848 (95)
Yes	5 (5)	11 (8)	33 (5)	49 (5)
Total	103 (100)	145 (100)	649 (100)	897 (100)

χ^2 is nonsignificant at .10 level

<u>Suspensions</u>				
No	98 (95)	140 (97)	610 (94)	848 (95)
Yes	5 (5)	5 (3)	39 (6)	49 (5)
Total	103 (100)	145 (100)	649 (100)	897 (100)

χ^2 is nonsignificant at .10 level

<u>Revocations</u>				
No	0 (0)	85 (59)	336 (52)	421 (47)
Yes	103 (100)	60 (41)	313 (48)	476 (53)
Total	103 (100)	145 (100)	649 (100)	897 (100)

χ^2 is 105; df = 2; p < .001

*897 classified by court before 1973, had at least two full years since HO action, excludes dismissed and mixed types.

(see Tables 17, 18, 19), all the previous first year's significant findings disappeared except for suspensions and revocations, but the second year record retained its earlier pattern of significance: the Acted group is "cleaner" on alcohol violations, suspension or revocation violations, total violations, and revocations. Again, most variables failed to reach significance when the records from the first and second year were combined.

Further analyses examined subsequent violations and/or accidents (infractions) without regard for violation type, but none of the comparisons was significant at the .10 level (see Tables 20, 21 and Figures 3, 4). About 79 percent were infraction-free in the one-year prospective records and 66 percent were infraction-free in the two-year time periods. There were no significant differences among the three HO types nor did the two types of analyses (using two different anchor dates) yield appreciably different results. Confirmed HO's were similar to the Unable to Locate and the Pending HO's on the basis of infractions subsequent to the HO court action date, indicating that the HO statute did not deter the Confirmed HO's from driving during the HO revocation period. At least 20 percent of the Confirmed HO's had been driving within one year after HO court action, evidenced by their infractions during this time period. This represents a conservative estimate of the Confirmed HO's who had been driving during the first year of their HO revocation (35 percent within the first two years), as the percent of HO's who had been driving without subsequent infraction is not known.

For HO's with subsequent infractions (first year driving record averaged about 20 percent for the Confirmed, 24 percent for the Unable to Locate, and 21 percent for the Pending; both years driving record averages were 34 percent, 35 percent and 34 percent for the Confirmed, Unable to Locate and Pending HO's, respectively), the number of days from HO referral or HO court action date to first infraction was examined by the three HO types as well as for the Acted and the Not Acted HO's (see Tables 22 to 25). When the HO referral date was used as an anchor date for examining subsequent infractions, and when exposure was controlled by including only those HO's who had been referred to court before 1974 (at least one year elapsed after referral) or before 1973 (at least two years elapsed after referral), the significant comparisons consisted of those between the Confirmed and Unable to Locate HO's: the Unable to Locate HO's had a better record (longer delay) with subsequent accidents. If the HO court action date was used, the picture changed dramatically. The Pending HO's had the longest delay to first infraction, followed by the Confirmed and lastly, the Unable to Locate

Table 17. Prospective driving record after traffic habitual offender action by presence or absence of court action, first year, N (column %).*

	<u>Acted</u>	<u>Not Acted</u>	<u>Total</u>
<u>Alcohol Violations</u>			
No	1094 (90)	1451 (91)	2545 (91)
Yes	125 (10)	142 (9)	267 (9)
Total	1219 (100)	1593 (100)	2812 (100)
χ^2 is nonsignificant at .10 level			
<u>Suspension, Revocation Violations</u>			
No	1029 (84)	1352 (85)	2381 (85)
Yes	190 (16)	241 (15)	431 (15)
Total	1219 (100)	1593 (100)	2812 (100)
χ^2 is nonsignificant at .10 level			
<u>Total Violations</u>			
No	973 (80)	1279 (80)	2252 (80)
Yes	246 (20)	314 (20)	560 (20)
Total	1219 (100)	1593 (100)	2812 (100)
χ^2 is nonsignificant at .10 level			
<u>Accidents</u>			
No	1180 (97)	1550 (97)	2730 (97)
Yes	39 (3)	43 (3)	82 (3)
Total	1219 (100)	1593 (100)	2812 (100)
χ^2 is nonsignificant at .10 level			
<u>Suspensions</u>			
No	1184 (97)	1522 (96)	2706 (96)
Yes	35 (3)	71 (4)	106 (4)
Total	1219 (100)	1593 (100)	2812 (100)
χ^2 is 4; df = 1; p < .05			
<u>Revocations</u>			
No	308 (25)	1106 (69)	1414 (50)
Yes	911 (75)	487 (31)	1398 (50)
Total	1219 (100)	1593 (100)	2812 (100)
χ^2 is 537; df = 1; p < .001			

*2812 classified by court before 1974, had at least one full year since HO action, excludes mixed type.

Table 18. Prospective driving record after traffic habitual offender action by presence or absence of court action, second year, N (column %).*

	<u>Acted</u>	<u>Not Acted</u>	<u>Total</u>
<u>Alcohol Violations</u>			
No	237 (96)	588 (91)	825 (92)
Yes	11 (4)	61 (9)	72 (8)
Total	248 (100)	649 (100)	897 (100)

χ^2 is 5; df = 1; p < .05

<u>Suspension, Revocation Violations</u>			
No	229 (92)	565 (87)	794 (89)
Yes	19 (8)	84 (13)	103 (11)
Total	248 (100)	649 (100)	897 (100)

χ^2 is 4; df = 1; p < .05

<u>Total Violations</u>			
No	220 (89)	539 (83)	759 (85)
Yes	28 (11)	110 (17)	138 (15)
Total	248 (100)	649 (100)	897 (100)

χ^2 is 4; df = 1; p < .05

<u>Accidents</u>			
No	241 (97)	631 (97)	872 (97)
Yes	7 (3)	18 (3)	25 (3)
Total	248 (100)	649 (100)	897 (100)

χ^2 is nonsignificant at .10 level

<u>Suspensions</u>			
No	245 (99)	634 (98)	897 (98)
Yes	3 (1)	15 (2)	18 (2)
Total	248 (100)	649 (100)	897 (100)

χ^2 is nonsignificant at .10 level

<u>Revocations</u>			
No	217 (88)	526 (81)	743 (83)
Yes	31 (12)	123 (19)	154 (17)
Total	248 (100)	649 (100)	897 (100)

χ^2 is 5; df = 1; p < .05

*897 classified by court before 1973, had at least two full years since H0 action, excludes mixed type.

Table 19. Prospective driving record after traffic habitual offender action by presence or absence of court action, both years, N (column %).*

	<u>Acted</u>	<u>Not Acted</u>	<u>Total</u>
<u>Alcohol Violations</u>			
No	205 (83)	533 (82)	738 (82)
Yes	43 (17)	116 (18)	159 (18)
Total	248 (100)	649 (100)	897 (100)

χ^2 is nonsignificant at .10 level

<u>Suspension, Revocation Violations</u>			
No	185 (75)	474 (73)	659 (74)
Yes	63 (25)	175 (27)	238 (26)
Total	248 (100)	649 (100)	897 (100)

χ^2 is nonsignificant at .10 level

<u>Total Violations</u>			
No	170 (68)	431 (66)	601 (67)
Yes	78 (32)	218 (34)	296 (33)
Total	248 (100)	649 (100)	897 (100)

χ^2 is nonsignificant at .10 level

<u>Accidents</u>			
No	232 (93)	616 (95)	848 (94)
Yes	16 (7)	33 (5)	49 (6)
Total	248 (100)	649 (100)	897 (100)

χ^2 is nonsignificant at .10 level

<u>Suspensions</u>			
No	238 (96)	610 (94)	848 (94)
Yes	10 (4)	39 (6)	49 (6)
Total	248 (100)	649 (100)	897 (100)

χ^2 is nonsignificant at .10 level

<u>Revocations</u>			
No	85 (34)	336 (52)	421 (47)
Yes	163 (66)	313 (48)	476 (53)
Total	248 (100)	649 (100)	897 (100)

χ^2 is 21; df = 1; p < .001

*897 classified by court before 1973, had at least two full years since H0 action, excludes mixed type.

Table 20. Traffic infractions by three traffic habitual offender types within four time frames, N (column %).

	<u>Confirmed</u>	<u>Unable to Locate</u>	<u>Pending</u>	<u>Total</u>
<u>First Year After H0 Referral</u>				
None	818 (80)	419 (77)	1267 (79)	2504 (79)
Violation Only	179 (17)	111 (20)	283 (18)	573 (18)
Accident Only	9 (1)	5 (1)	12 (1)	26 (1)
Both	22 (2)	8 (2)	31 (2)	61 (2)
Total	1028 (100)	543 (100)	1593 (100)	3164 (100)

χ^2 is nonsignificant at .10 level

<u>First Year After H0 Action</u>				
None	645 (81)	290 (75)	1267 (79)	2202 (79)
Violation Only	128 (16)	87 (22)	283 (18)	498 (18)
Accident Only	10 (1)	2 (1)	12 (1)	24 (1)
Both	19 (2)	7 (2)	31 (2)	57 (2)
Total	802 (100)	386 (100)	1593 (100)	2781 (100)

χ^2 is nonsignificant at .10 level

<u>First Two Years After H0 Referral</u>				
None	275 (67)	168 (64)	426 (66)	869 (66)
Violation Only	113 (27)	76 (29)	190 (29)	379 (29)
Accident Only	5 (1)	5 (2)	5 (1)	15 (1)
Both	21 (5)	12 (5)	28 (4)	61 (5)
Total	414 (100)	261 (100)	649 (100)	1324 (100)

χ^2 is nonsignificant at .10 level

<u>First Two Years After H0 Action</u>				
None	67 (65)	97 (67)	426 (66)	590 (66)
Violation Only	31 (30)	37 (25)	190 (29)	258 (29)
Accident Only	3 (3)	3 (2)	5 (1)	11 (1)
Both	2 (2)	8 (6)	28 (4)	38 (4)
Total	103 (100)	145 (100)	649 (100)	897 (100)

χ^2 is nonsignificant at .10 level.

Table 21. Traffic infractions by presence or absence of court action within four time frames, N (column %).

	<u>Acted</u>	<u>Not Acted</u>	<u>Total</u>
<u>First Year After H0 Referral</u>			
None	1298 (79)	1267 (79)	2565 (79)
Violation Only	298 (18)	283 (18)	581 (18)
Accident Only	14 (1)	12 (1)	26 (1)
Both	32 (2)	31 (2)	63 (2)
Total	1642 (100)	1593 (100)	3235 (100)

χ^2 is nonsignificant at .10 level.

<u>First Year After H0 Action</u>			
None	961 (79)	1267 (79)	2228 (79)
Violation Only	219 (18)	283 (18)	502 (18)
Accident Only	12 (1)	12 (1)	24 (1)
Both	27 (2)	31 (2)	58 (2)
Total	1219 (100)	1593 (100)	2812 (100)

χ^2 is nonsignificant at .10 level.

<u>First Two Years After H0 Referral</u>			
None	475 (66)	426 (66)	901 (66)
Violation Only	204 (28)	190 (29)	394 (29)
Accident Only	10 (1)	5 (1)	15 (1)
Both	33 (5)	28 (4)	61 (4)
Total	722 (100)	649 (100)	1371 (100)

χ^2 is nonsignificant at .10 level.

<u>First Two Years After H0 Action</u>			
None	164 (66)	426 (66)	590 (66)
Violation Only	68 (28)	190 (29)	258 (29)
Accident Only	6 (2)	5 (1)	11 (1)
Both	10 (4)	28 (4)	38 (4)
Total	248 (100)	649 (100)	897 (100)

χ^2 is nonsignificant at .10 level.

Table 22. Elapsed days from traffic habitual offender referral to first driving infraction by three traffic habitual offender types, N (mean elapsed days).*

	<u>Confirmed</u>	<u>Unable to Locate</u>	<u>Pending</u>	<u>Total</u>
<u>For HO's Referred Before 1974</u>				
Days to First Violation	328 (328)	189 (335)	532 (333)	1049 (332)
Days to First Accident t between Confirmed and Unable to Locate is significant at .10	67 (391)	36 (489)	90 (406)	193 (416)
Days to First Infraction	344 (328)	199 (338)	549 (333)	1092 (332)
<u>For HO's Referred Before 1973</u>				
Days to First Violation	149 (365)	106 (386)	253 (372)	508 (373)
Days to First Accident t between Confirmed and Unable to Locate is significant at .05	31 (407)	25 (576)	46 (507)	102 (494)
Days to First Infraction	155 (360)	114 (392)	261 (375)	530 (374)

*Driving records cover period from HO referral date to March, 1975. Only those HO's with subsequent infractions are included in this analysis. Overall F statistics for all comparisons among the three HO types are nonsignificant at .10.

Table 23. Elapsed days from traffic habitual offender action to first driving infraction by three traffic habitual offender types, N (mean elapsed days).*

	<u>Confirmed</u>	<u>Unable to Locate</u>	<u>Pending</u>	<u>Total</u>
<u>For HO's Acted Before 1974</u>				
Days to First Violation	223 (304)	132 (289)	532 (333)	887 (319)
Days to First Accident	49 (349)	26 (447)	90 (406)	165 (396)
Days to First Infraction	237 (301)	138 (295)	549 (333)	924 (319)
t between Confirmed and Pending is significant at .10				
t between Unable to Locate and Pending is significant at .10				
<u>For HO's Acted Before 1973</u>				
Days to First Violation	38 (387)	57 (359)	253 (372)	348 (372)
Days to First Accident	6 (365)	15 (476)	46 (507)	67 (487)
Days to First Infraction	41 (372)	61 (366)	261 (375)	363 (373)

*Driving records cover period from HO action date to March 1975. Only those HO's with subsequent infractions are included in this analysis. F statistics for all comparisons among three HO types are nonsignificant at .10.

Table 24. Elapsed days from traffic habitual offender referral to first driving infraction by presence or absence of court action, N (mean elapsed days).*

	<u>Acted</u>	<u>Not Acted</u>	<u>Total</u>
<u>For HO's Referred Before 1974</u>			
Days to First Violation	540 (333)	532 (333)	1072 (333)
Days to First Accident	109 (435)	90 (406)	199 (422)
Days to First Infraction	570 (338)	549 (333)	1119 (335)
<u>For HO's Referred Before 1973</u>			
Days to First Violation	272 (375)	253 (372)	525 (374)
Days to First Accident	60 (507)	46 (507)	106 (507)
Days to First Infraction	290 (382)	261 (375)	551 (378)

*Driving records cover period from HO referral to March, 1975. Only those HO's with subsequent infractions are included in this analysis. Statistical tests were nonsignificant at .10 level.

Table 25. Elapsed days from traffic habitual offender action to first driving infraction by presence or absence of court action, N (mean elapsed days).*

	<u>Acted</u>	<u>Not Acted</u>	<u>Total</u>
<u>For HO's Acted Before 1974</u>			
Days to First Violation@	364 (300)	532 (333)	896 (320)
Days to First Accident	77 (384)	90 (406)	167 (396)
Days to First Infraction@	385 (301)	549 (333)	934 (320)
<u>For HO's Acted Before 1973</u>			
Days to First Violation	95 (370)	253 (372)	348 (372)
Days to First Accident	21 (444)	46 (507)	67 (487)
Days to First Infraction	102 (369)	261 (375)	363 (373)

*Driving records cover period from HO action date to March, 1975. Only those HO's with subsequent infractions are included in this analysis.

@F is significant at .05.

HO's; this was true only for HO's who had at least one year elapse since HO action date. Since the Pending had not been acted on by the courts yet, their referral date was also their HO action date. Therefore, in the above comparison, by definition, the Pending HO's might be expected to have the longest delay between court action date (i.e., referral date) and subsequent infractions. However, overall F statistics comparing the three HO types did not reach significance for any of the above comparisons.

In the Acted and the Not Acted comparisons, the only significant differences that persisted after exposure had been controlled were for those acted upon before 1974 and when the HO court action date was used as the anchor. The Acted HO's had a shorter delay than the Not Acted HO's in violations and in infractions; this again might be a reflection of the artifact effect reported above for Pending or the Not Acted HO's (Not Acted HO's had a longer delay because their referral date was used in place of their HO court action date).

Involvement of Traffic Habitual Offenders with Nontraffic Crimes

The names of those HO's referred to court in 1973 were checked with the records at the Department of Correction to estimate the extent of prison involvement for the HO population. Of the 2009 HO's first referred to court in 1973, 757 (37 percent) were found to have at least one prison admission (prison records were complete from 1968 to 1975, including discharges and admissions occurring since 1968). These 757 HO's had been in prison for both traffic as well as nontraffic crimes, and they had been admitted to prison either before or after their HO referral (see Tables 26 and 27). A higher percentage of the Unable to Locate HO's had been in prison and they also had been in prison more frequently, as compared to the Pending or the Confirmed HO's (see Tables 28 and 29). The mean number of prison admissions is .79 for the Unable to Locate, .62 for the Pending and .49 for the Confirmed HO's ($F=9.97$, $df=2/1879$; $p<.005$). The Unable to Locate HO's, because of their overrepresentation in prison admissions, had the worst records on all the prison variables (see Appendix E, 1). Again, as in the prospective driving records, the Confirmed HO's were combined with Dismissed, Unable to Locate (Acted) and compared with the Pending HO's (Not Acted). Most of the differences on prison variables disappeared, suggesting that the Confirmed, the Dismissed and the Unable to Locate combined represent the same population as the Pending (see Appendix E, 2). In essence, the court separates the Pending into Confirmed, Dismissed and Unable to Locate.

Table 26. Prison involvement of traffic habitual offenders referred to court in 1973, N (column %).*

<u>Number of Prison Admissions</u>	<u>Traffic Habitual Offenders</u>
None	1252 (63)
One	470 (23)
Two	176 (9)
Three or More	111 (5)
Total	2009 (100)

*Available records are complete back through 1968 and include discharges and admissions occurring since

Table 27. Type of prison crime by three traffic
habitual offender types, N (column %).

	<u>Confirmed</u>	<u>Unable to Locate</u>	<u>Pending</u>	<u>Total</u>
<u>Type of prison crime</u>				
No Prison Record	426 (68)	161 (53)	591 (61)	1178 (63)
Nontraffic	38 (6)	31 (10)	67 (7)	136 (7)
Traffic	158 (26)	110 (37)	300 (32)	568 (30)
Total	622 (100)	302 (100)	958 (100)	1882 (100)

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<u>Type of prison crime</u>				
No Prison Record	426 (68)	161 (53)	591 (61)	1178 (63)
Before HO Referral	127 (20)	92 (30)	251 (26)	470 (25)
After HO Referral	69 (12)	49 (17)	116 (13)	234 (12)
Total	622 (100)	302 (100)	958 (100)	1882 (100)

<u>Type of prison crime</u>				
No Prison Record	426 (68)	161 (53)	591 (61)	1178 (63)
All Other Crimes	145 (24)	104 (34)	274 (29)	523 (28)
Post HO Referral Traffic	51 (8)	37 (13)	93 (10)	181 (9)
Total	622 (100)	302 (100)	958 (100)	1882 (100)

Table 28. 1973 traffic habitual offenders referred to court and their prison records by three traffic habitual offender types, N (column %).

<u>Variables</u>	<u>Confirmed</u>	<u>Unable to Locate</u>	<u>Pending</u>	<u>Total</u>
A. <u>Number of Prison Admissions</u>				
No prison record	426 (68)	161 (53)	591 (61)	1178 (63)
One	127 (21)	81 (27)	228 (24)	436 (23)
Two	44 (7)	37 (12)	83 (9)	164 (9)
Three or more	25 (4)	23 (8)	56 (6)	104 (5)
Total	622 (100)	302 (100)	958 (100)	1882 (100)
χ^2 is 23; df = 6; p < .001				
B. <u>Number with Active Record</u>				
No	584 (94)	274 (91)	903 (94)	1761 (94)
Yes	38 (6)	28 (9)	55 (6)	121 (6)
Total	622 (100)	302 (100)	958 (100)	1882 (100)
χ^2 is 5; df = 2; p < .10				
C. <u>Number with First Inactive Record</u>				
No	445 (72)	171 (57)	616 (64)	1232 (66)
Yes	177 (28)	131 (43)	342 (36)	650 (34)
Total	622 (100)	302 (100)	958 (100)	1882 (100)
χ^2 is 21; df = 2; p < .001				
D. <u>Number with Second Inactive Record</u>				
No	564 (91)	249 (83)	835 (87)	1648 (88)
Yes	58 (9)	53 (17)	123 (13)	234 (12)
Total	622 (100)	302 (100)	958 (100)	1882 (100)
χ^2 is 13; df = 2; p < .001				

Table 29. 1973 traffic habitual offenders referred to court and their prison records by presence or absence of court action, N (column %).

<u>Variables</u>	<u>Acted</u>	<u>Not Acted</u>	<u>Total</u>
A. <u>Number of Prison Admissions</u>			
No prison record	605 (64)	591 (62)	1196 (63)
One	213 (22)	228 (24)	441 (23)
Two	83 (9)	83 (9)	166 (9)
Three or more	49 (5)	56 (6)	105 (5)
Total	950 (100)	958 (100)	1908 (100)
χ^2 is nonsignificant at .10			
B. <u>Number with Active Record</u>			
No	882 (93)	903 (94)	1785 (94)
Yes	68 (7)	55 (6)	123 (6)
Total	950 (100)	958 (100)	1908 (100)
χ^2 is nonsignificant at .10			
C. <u>Number with First Inactive Record</u>			
No	635 (67)	616 (64)	1251 (66)
Yes	315 (33)	342 (36)	657 (34)
Total	950 (100)	958 (100)	1908 (100)
χ^2 is nonsignificant at .10			
D. <u>Number with Second Inactive Record</u>			
No	836 (88)	835 (87)	1671 (88)
Yes	114 (12)	123 (13)	237 (12)
Total	950 (100)	958 (100)	1908 (100)
χ^2 is nonsignificant at .10			

One year prospective driving records were analyzed according to the extent of prison involvement. There was a high association between traffic convictions and prison involvement. The group with the most prison admissions (three or more) also had the worst traffic records, as indicated in Tables 30, 31 and 32. Many comparisons were significant at the .001 level. Also, 136 HO's (19 percent of 704 Confirmed, Unable to Locate and Pending HO's with prison record) went to prison for nontraffic convictions; thus it is not solely traffic crimes that put these HO's in prison (see Table 27).

Ninety-nine of the 757 HO's⁶ had been or are in prison because of convictions for driving while license revoked after their HO referral. Only three of the total 79 checked (20 records were signed out due to parole hearing or correspondence on the HO) were actually convicted of violating the HO revocation. Most of the remaining (76) had lost their license for driving while under the influence (DUI) and were later imprisoned for driving with license revoked.

Two additional comparisons were performed on the 1973 HO sample and these are presented in Table 33. HO's who were more than thirty years old at the time of referral were more likely to be admitted to prison for traffic crimes, whereas the under thirty HO's mostly went to prison for nontraffic crimes. The race variable was not of crucial importance in determining traffic prison crime membership.

Time and Expense Estimates in Processing the Traffic Habitual Offenders

Information concerning time and expense involved in the processing of HO's was obtained from the telephone survey with eight court districts and from the accounting division of the Department of Correction. The obtained information does not include cost of processing the HO's within the Division of Motor Vehicles.

Time estimate.

Very rough time estimates were provided by a few court districts in terms of processing the HO's. The most time consuming task (two to three hours) involves locating the driver, especially if he has

⁶Based on a manual search of prison records for the 757 HO's who had been imprisoned at least once.

Table 30. Prospective driving record after traffic habitual offender referral by extent of prison involvement, first year, N (column %).

	No Prison Record	One	Two	Three or more	Total
<u>Alcohol Violations</u>					
No	1163 (93)	409 (87)	201 (83)	30 (79)	1803 (90)
Yes	89 (7)	59 (13)	43 (17)	8 (21)	199 (10)
Total	1252 (100)	468 (100)	244 (100)	38 (100)	2002 (100)
χ^2 is 36; df is 3; $p < .001$					
<u>Suspension, Revocation Violations</u>					
No	1106 (88)	379 (81)	174 (71)	27 (71)	1686 (84)
Yes	146 (12)	89 (19)	70 (29)	11 (29)	316 (16)
Total	1252 (100)	468 (100)	244 (100)	38 (100)	2002 (100)
χ^2 is 55; df is 3; $p < .001$					
<u>Total Violations</u>					
No	1040 (83)	366 (78)	170 (70)	24 (63)	1600 (80)
Yes	212 (17)	102 (22)	74 (30)	14 (37)	402 (20)
Total	1252 (100)	468 (100)	244 (100)	38 (100)	2002 (100)
χ^2 is 31; df is 3; $p < .001$					
<u>Accidents</u>					
No	1224 (98)	455 (97)	231 (95)	37 (97)	1947 (97)
Yes	28 (2)	13 (3)	13 (5)	1 (3)	55 (3)
Total	1252 (100)	468 (100)	244 (100)	38 (100)	2002 (100)
χ^2 is 7; df is 3; $p < .10$					
<u>Suspensions</u>					
No	1188 (95)	452 (97)	233 (95)	37 (97)	1910 (95)
Yes	64 (5)	16 (3)	11 (5)	1 (3)	92 (5)
Total	1252 (100)	468 (100)	244 (100)	38 (100)	2002 (100)
χ^2 is non significant at .10 level					
<u>Revocations</u>					
No	631 (50)	251 (54)	140 (57)	23 (60)	1045 (52)
Yes	621 (50)	217 (46)	104 (43)	15 (40)	957 (48)
Total	1252 (100)	468 (100)	244 (100)	38 (100)	2002 (100)
χ^2 is non significant at .10 level					

Table 31. Prospective driving record after traffic habitual offender action by extent of prison involvement, first year, N (column %).

	No Prison Record	One	Two	Three or more	Total
<u>Alcohol Violations</u>					
No	1167 (93)	412 (88)	209 (86)	30 (79)	1818 (91)
Yes	85 (7)	56 (12)	35 (14)	8 (21)	184 (9)
Total	1252 (100)	468 (100)	244 (100)	38 (100)	2002 (100)
χ^2 is 27; df is 3; $p < .001$					
<u>Suspension, Revocation Violations</u>					
No	1113 (89)	386 (82)	182 (75)	27 (71)	1708 (85)
Yes	139 (11)	82 (18)	62 (25)	11 (29)	294 (15)
Total	1252 (100)	468 (100)	244 (100)	38 (100)	2002 (100)
χ^2 is 44; df is 3; $p < .001$					
<u>Total Violations</u>					
No	1053 (84)	375 (80)	178 (73)	22 (58)	1628 (81)
Yes	199 (16)	93 (20)	66 (27)	16 (42)	374 (19)
Total	1252 (100)	468 (100)	244 (100)	38 (100)	2002 (100)
χ^2 is 32; df is 3; $p < .001$					
<u>Accidents</u>					
No	1225 (98)	457 (98)	232 (95)	37 (97)	1951 (97)
Yes	27 (2)	11 (2)	12 (5)	1 (3)	51 (3)
Total	1252 (100)	468 (100)	244 (100)	38 (100)	2002 (100)
χ^2 is 6; df is 3; $p < .10$					
<u>Suspensions</u>					
No	1199 (96)	454 (97)	235 (96)	37 (97)	1925 (96)
Yes	53 (4)	14 (3)	9 (4)	1 (3)	77 (4)
Total	1252 (100)	468 (100)	244 (100)	38 (100)	2002 (100)
χ^2 is non significant at .10 level					
<u>Revocations</u>					
No	629 (50)	262 (56)	135 (55)	20 (53)	1046 (52)
Yes	623 (50)	206 (44)	109 (45)	18 (47)	956 (48)
Total	1252 (100)	468 (100)	244 (100)	38 (100)	2002 (100)
χ^2 is non significant at .10 level					

Table 32. Traffic infractions by extent of prison involvement within two time frames, N (column %).

	<u>None</u>	<u>One</u>	<u>Two</u>	<u>Three or more</u>	<u>Total</u>
<u>First Year After HO Referral</u>					
None	1034 (83)	361 (77)	167 (69)	24 (63)	1586 (79)
Violation Only	190 (15)	94 (20)	64 (26)	13 (34)	361 (18)
Accident Only	6 (0)	5 (1)	3 (1)	0 (0)	14 (1)
Both	22 (2)	8 (2)	10 (4)	1 (3)	41 (2)
Total	1252 (100)	468 (100)	244 (100)	38 (100)	2002 (100)

χ^2 is 37; df is 9, $p < .001$

First Year After HO Action

None	1045 (83)	368 (79)	177 (73)	22 (58)	1612 (80)
Violation Only	180 (14)	89 (19)	55 (22)	15 (39)	339 (17)
Accident Only	8 (1)	7 (1)	1 (1)	0 (0)	16 (1)
Both	19 (2)	4 (1)	11 (4)	1 (3)	35 (2)
Total	1252 (100)	468 (100)	244 (100)	38 (100)	2002 (100)

χ^2 is 45; df is 9; $p < .001$

Table 33. Age and race by traffic prison crime types for the traffic habitual offenders referred to court in 1973, N (row %).

	No prison crime	Non traffic prison crime	At least one traffic prison crime	Total
<u>Age</u>				
Under 30	478(63)	71(9)	209(28)	758(100)
Over 30	766(62)	74(6)	399(32)	1239(100)
Total	1244(62)	145(7)	608(30)	1997(100)

χ^2 is 11; df=2; p<.01

<u>Race</u>				
White	797(61)	101(8)	412(31)	1310(100)
Black	417(65)	43(7)	182(28)	642(100)
Indian	35(66)	2(4)	16(30)	53(100)
Total	1249(62)	146(7)	610(31)	2005(100)

χ^2 is nonsignificant at .10 level.

moved from the address supplied by DMV. Preparing the HO packet for court hearing and the actual court time seldom require more than fifteen minutes each.

Expense estimate.

Mailing cost from DMV to the court districts average about one dollar per HO case; court fee is about \$25 and either the driver pays (if he shows up at court) or the county pays (if he does not show up at court after he has been served the court order). On the basis of one court district's experience, the operating cost for the superior court is in the neighborhood of \$1200 per day. Assuming an eight hour working day and 15 minutes per HO case, it would cost approximately \$40 to process each HO case in the superior court.

The latest figure reported by the Department of Correction for keeping a person in prison is about \$13 per day which includes subsistence, rehabilitation, security or custody, and administration (see Table 34). Since only a small number of HO's (three out of 79) were serving time in prison for violating the HO revocation, and traffic crime usually involves a shorter prison term than nontraffic crime (see Table 35), the prison costs probably represent only a small portion of the total costs incurred as a result of implementing the HO statute.

Presently, the total cost of processing the HO's through DMV, the court system and the Department of Correction is still uncertain because so much pertinent information that is essential for estimating costs is still unknown. For example, there is no current information as to the number of HO's that fail to appear at court hearing, the number of Confirmed HO's who drive but are not detected, the number of Confirmed HO's who are arrested but not convicted, and finally the number of HO's who are convicted of violating the HO revocation but not imprisoned. Except for the costs of maintaining inmates in the prison system, the cost and time estimates provided were considered extremely tentative by those supplying the information.

Table 34. Average per day dollar
cost for operating the
prison in North Carolina.

<u>Item</u>	<u>Cost</u>
Housing	\$.92
Food, Clothing, Personal	2.13
Medical	.87
Total Subsistence	3.92
Psychological Treatment	.68
Education	.24
Social Program	.53
Community Based Programs	.33
Total Rehabilitation	1.78
Security or Custody	7.05
Administration	.37
Total	\$13.12

Table 35. Comparison of the length of prison sentence by type of prison crime for those traffic habitual offenders referred to court in 1973.

<u>Length of prison sentence</u>	<u>Traffic Crime</u>	<u>Nontraffic Crime</u>	<u>t value¹</u>
Active record (N=120)	597 days	1793 days	4.60*
First inactive record (N=690)	298 days	961 days	3.62*
Second inactive record (N=2492)	132 days	952 days	4.28*

¹ t for separate variance is used because the test for the homogeneity of the variances between the two comparison groups (traffic and nontraffic) is significant at $p < .001$.

* $p < .001$.

IV. DISCUSSION AND RECOMMENDATIONS

The HO population in the present study is overrepresented by males, nonwhites, middle-aged persons, and persons holding chauffeur licenses. Males, especially those with a chauffeur license, may drive more than other segments of the general population, and may therefore accumulate more violations on their driving records (Li and Waller, 1975). The nonwhite overrepresentation in the HO population, especially among Confirmed HO's, may be partially accounted for by the dense Indian population in District 16, which had the highest confirmation rate. Also, socioeconomic differences between whites and nonwhites may be a contributing factor in determining driving habits as well as how driving infractions are processed. It has been demonstrated that middle-aged persons (especially those who are 25 to 44 years old) have more convictions of drunk driving (Pollack et al., 1973) and are more often involved in alcohol-related crashes (Borkenstein et al., 1964; House & Waller, 1975; Perrine et al., 1971), thus making this group of drivers more likely for an HO referral.

Using the two years prospective (since HO referral) driving record and controlling for exposure (only those with at least two years elapsed since referral), the HO's had more violations but fewer accidents than the adult drivers in North Carolina. The superiority of the HO group over the adult drivers on accidents may be attributed partly to a possible tendency among HO's to underreport their accidents as they are already in serious trouble with DMV on account of their violations (House, Waller, & Koch, 1974). A recent study conducted by Robertson and Baker (1975) on fatal crashes also found that drivers with extremely deviant driving records (habitual offenders, using the Virginia Motor Vehicular Code) were only a small proportion of drivers involved in fatal crashes and did not have involvement rates as high as some other groups such as young drivers with fewer convictions. However, considering that HO's had such a poor prior violation record, a surprisingly large proportion of them remain violation-free for the next two years after HO referral; thus, the proportion of repeaters is still small even among the HO population.

The major purpose of this study was to evaluate the effectiveness of the HO statute. This was possible because of variation among court districts in implementing the HO statute: some district attorneys tend not to act upon HO referrals from DMV, thus creating a large group of Pending cases. This Pending group of HO's provided a built-in control group to be compared with the Confirmed and the Unable to Locate HO's in this study. If the law has the intended effect, the Confirmed HO's should have the "cleanest" prospective driving records,

especially after the HO court action date, followed by the Pending HO's. The Unable to Locate HO's might be expected to have the worst records since they have proved to be difficult to reach. Drivers with the poorest records are especially difficult to locate, as documented by the overrepresentation of the Unable to Locate HO's in prison and by a prior study conducted by Waller, et al. (1972). Since no consistent significant differences could be demonstrated among the three HO types or between the Acted and the Not Acted HO's on prospective driving records across the six time periods (first, second, or both years after DMV referral or HO court action), the present study does not provide support for the HO statute as being effective in deterring the recalcitrant drivers from further infractions. The effectiveness of any deterrent measure (such as the HO revocation program) aimed at changing driving behavior depends on the interaction of a multitude of objective as well as subjective factors. Factors which may influence administrative success of the deterrent measure or the perception of the driver (e.g., likelihood of apprehension, likelihood of punishment if apprehended, severity of punishment, attractiveness of deviant behavior, availability of alternative behavior, absence of other considerations which might inhibit the deviant behavior) whose driving is being influenced would also affect the final outcomes derived from the evaluation of such a program (see Klein and Waller, 1970; Robertson and Baker, 1975).

There are reports in the literature suggesting that problem drivers may also be problem people who get into trouble in other areas of their lives; that is, a man drives as he lives (Carlson & Klein, 1970; Kraus, et al., 1970; Tillman & Hobbs, 1949). Data from this study show an association between prison and DMV convictions. However, caution should be exercised in drawing inferences from such data. HO's may be more likely to be in prison because of their traffic crimes; HO's may also be more likely to be sent to prison for their non-traffic crimes because of their prior traffic crimes. Lastly, since prison data on the general driving population were not obtained, any conclusion as to whether the HO population is overrepresented in the prison population would be premature at this point.

Based on personal communication with personnel from DMV, the court system and the Department of Correction, implementing the HO statute is no simple or inexpensive administrative endeavor. Furthermore, it is felt by some that the state does not need the HO statute to restrict these drivers. There are alternative laws that provide for license revocation and even imprisonment should the revocation not be observed. Indeed the prison records indicated that those imprisoned for traffic related offenses were rarely incarcerated for violations of the HO statute.

In the present study, the benefits of the H0 statute were examined in terms of prospective driving records of drivers for whom the statute was implemented (Confirmed or Unable to Locate H0's) and drivers for whom it was not implemented (Pending H0's). Since no additional benefits were evident from implementing the statute above and beyond those derived from no implementation, the choice of action or no action should then be made on the basis of costs. Information on the total implementation cost is still incomplete and difficult to obtain. However, the efforts currently being expended by personnel in DMV and the court system cannot be justified on the basis of the available evidence on the effectiveness of the H0 program. One might argue that while the program does not lead to demonstrable improvement in those drivers confirmed as habitual offenders, it may still be worth retaining for whatever salutary effects it may have on the rest of the driving population, especially those drivers who are on the borderline of becoming eligible for H0 status. This position requires the assumption that borderline drivers are more affected by the threat the H0 program poses than are those drivers who have actually become eligible for H0 status but who have not been processed by the courts. The authors feel that this is unlikely.

The legislation was undoubtedly passed in an attempt to "crack down" on a population of drivers that have failed to respond to other rehabilitative procedures. While it is discouraging to find that the intended benefits were not realized, it would be futile to continue a program that cannot be justified simply because we have no promising alternative approaches.

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APPENDIX A

The Traffic Habitual Offender Statute in North Carolina

ARTICLE 8.

Habitual Offenders.

§ 20-220. **Declaration of policy.** — It is hereby declared to be the policy of North Carolina:

- (1) To provide maximum safety for all persons who travel or otherwise use the public highways of this State; and
- (2) To deny the privilege of operating motor vehicles on such highways to persons who by their conduct and record have demonstrated their indifference to the safety and welfare of others and their disrespect for the laws of this State, the orders of its courts, and the statutorily required acts of its administrative agencies; and
- (3) To discourage repetition of criminal acts by individuals against the peace and dignity of this State and her political subdivisions and to impose increased and added deprivation of the privilege to operate motor vehicles upon habitual offenders who have been convicted repeatedly of violations of the traffic laws. (1969, c. 867.)

§ 20-221. **Habitual offender defined.** — An habitual offender shall be any person, resident or nonresident, whose record, as maintained in the office of the Department of Motor Vehicles, shows that such person has accumulated the convictions for separate and distinct offenses described in subdivisions (1), (2), or (3), of this section, committed after June 19, 1969, and within a seven-year period, provided, that where multiple convictions result from a series of offenses committed within a six-hour period, only one conviction shall be recorded for the purposes of this Article, as follows:

- (1) Three or more convictions arising from separate acts of any one or more of the following offenses, either singularly or in combination:
 - a. Voluntary and involuntary manslaughter resulting from the operation of a motor vehicle;
 - b. Driving a motor vehicle while under the influence of intoxicating liquor or a narcotic drug;
 - c. Driving a motor vehicle while operator's or chauffeur's license is suspended or revoked;
 - d. Any offense punishable as a felony under the motor vehicle laws of North Carolina or any felony in the commission of which a motor vehicle is used;
 - e. Failure to stop and render aid as required under the laws of this State in the event of a motor vehicle accident;
 - f. Failure of the driver of a motor vehicle involved in an accident resulting only in damage to an attended or unattended vehicle or other property in excess of one hundred dollars (\$100.00) to stop close to the scene of such accident and report his identity or otherwise report such accident in violation of law.
 - g. Any motor vehicle moving violation committed during a period of suspension or revocation.

- (2) Twelve or more convictions of any separate and distinct offenses in the operation of a motor vehicle which are required to be reported to the Department of Motor Vehicles and the conviction whereof authorizes or requires the Department of Motor Vehicles to suspend or revoke the privilege to operate motor vehicles on the highways of this State for a period of thirty days or more and such convictions shall include those offenses enumerated in subdivision (1) above when taken with and added to those offenses described herein.
- (3) The offenses included in subdivisions (1) and (2) hereof shall be deemed to include offenses under any valid town, city or county ordinance paralleling and substantially conforming to the State's statutory provisions concerning such offenses and all changes in or amendments thereto and any federal law, any law of another state or any valid town, city or county ordinance of another state substantially conforming to the aforesaid State's statutory provisions.
- (4) For the purpose of this Article, the term "conviction" shall mean a final conviction. Also for the purposes of this Article a forfeiture of bail or collateral deposited to secure a defendant's appearance in court in North Carolina, which forfeiture has not been vacated, shall be equivalent to a conviction. (1969, c. 867.)

§ 20-222. Commissioner to certify record to superior court. — The Commissioner of Motor Vehicles shall certify, substantially in the manner provided for in G.S. 20-42 (b) three abstracts of the conviction record as maintained in his office of any person whose record appears to bring him within the definition of an habitual offender, as defined in G.S. 20-221, to the superior court solicitor of the judicial district in which such person resides according to the records of the Department of Motor Vehicles or to the superior court solicitor for the county of Wake if such person is not a resident of this State. Such abstract may be admitted as evidence as provided in G.S. 20-42(b). Such abstract shall be competent evidence that the person named therein was duly convicted by the court wherein such conviction or holding was made of each offense shown by such abstract. (1969, c. 867.)

§ 20-223. Solicitor to initiate court proceeding, petition. — The solicitor, upon receiving the aforesaid abstract from the Commissioner, shall forthwith file a petition against the person named therein in the superior court division of the county wherein such person resides or, in the case of a nonresident, in the Superior Court Division of Wake County. The petition shall request the court to determine whether or not the person named therein is an habitual offender. (1969, c. 867.)

§ 20-224. Service of petition, order to show cause. — Upon the filing of the petition, any superior court judge having jurisdiction over criminal cases within the county shall enter an order incorporating by attachment the aforesaid abstract and directed to the person named therein to appear at the next criminal session of the court and show cause why he should not be barred from operating a motor vehicle on the highways of this State. A copy of the petition, the show cause order and the abstract shall be served upon the person named therein in the manner prescribed by law for the service of process. Service thereof on any nonresident of this State may be made in the same

manner as in any action or proceeding arising out of a collision on the highways in this State in the manner provided in G.S. 1-105 which is hereby made applicable to these proceedings except that any fee for such service shall be taxed against the person named in the petition as a part of the cost of such proceeding. (1969, c. 867.)

§ 20-225. Hearing, procedure. — The matter shall be heard at the criminal session of the court by the judge without a jury. If such person denies that he was convicted of any offense shown in the abstract and necessary for a holding that he is an habitual offender, and if the court cannot, on the evidence available to it, determine the issue, the court may require of the Department of Motor Vehicles certified copies of such records respecting the matter as it may have in its possession. If, upon an examination of such records, the court is still unable to make such determination, it shall certify the decision of such issue to the court in which such conviction was reportedly made. The court to which such certification is made shall forthwith conduct a hearing to determine such issue and send a certified copy of its final order determining such issue to the court in which the petition was filed. (1969, c. 867.)

§ 20-226. Court's findings, judgment. — If the court finds that such person is not the same person named in the aforesaid abstract, or that he is not an habitual offender under this Article, the proceeding shall be dismissed, but if the court finds that such person is the same person named in the abstract and that such person is an habitual offender, the court shall so find and by appropriate judgment shall direct that such person not operate a motor vehicle on the highways of the State of North Carolina and to surrender to the court all licenses or permits to operate a motor vehicle upon the highways of this State. The clerk of the court shall forthwith transmit a copy of such judgment together with any licenses or permits surrendered to the Department of Motor Vehicles. (1969, c. 867.)

§ 20-227. No new license issued for five years. — No license to operate a motor vehicle in North Carolina shall be issued to an habitual offender.

- (1) For a period of five years from the date of the judgment of the court finding such person to be an habitual offender and
- (2) Until the privilege of such person to operate a motor vehicle in this State has been restored by judgment of the superior court division. (1969, c. 867.)

§ 20-228. Driving after judgment prohibited. — It shall be unlawful for any person to operate any motor vehicle in this State while the judgment of the court prohibiting the operation remains in effect. Any person found to be an habitual offender under the provisions of this Article who is thereafter convicted of operating a motor vehicle in this State while the judgment of the court prohibiting such operation is in effect, shall be guilty of a misdemeanor and imprisoned for not less than one year nor more than five years or by fine or imprisonment in the discretion of the court.

For the purpose of enforcing this section, in any case in which the accused is charged with driving a motor vehicle while his license, permit or privilege to drive is suspended or revoked or is charged with driving without a license, the court before hearing such charge shall require the solicitor to determine whether such person has been adjudged an habitual offender and by reason of such judgment is barred from operating a motor vehicle on the highways of this State. If the solicitor determines that the accused has been so held, he shall cause the appropriate criminal charges to be lodged against the accused. (1969, c. 867.)

§ 20-229. Restoration of driving privilege. — At the expiration of five years from the date of any final judgment of the court entered under the provisions of this Article finding a person to be an habitual offender and directing him not to operate a motor vehicle in this State, such person may petition the court in which he was found to be an habitual offender, or the superior court division of any county in this State having criminal jurisdiction over the place in which such person then resides, for restoration of his privilege to operate a motor vehicle in this State. Upon such petition, the court shall restore to such person the privilege to operate a motor vehicle in this State. (1969, c. 867.)

§ 20-230. Appeals. — An appeal may be taken from any final action or judgment entered under the provisions of this Article in the same manner and form as appeals in civil actions. (1969, c. 867.)

§ 20-231. No existing law modified. — Nothing in this Article shall be construed as amending, modifying or repealing any existing law of North Carolina or any existing ordinance of any political subdivision relating to the operation of motor vehicles, the licensing of persons to operate motor vehicles or providing penalties for the violation thereof; or shall be construed so as to preclude the exercise of the regulatory powers of any division, agency, department or political subdivision of this State having the statutory authority to regulate such operation and licensing. (1969, c. 867.)

APPENDIX B

Letter to the District Attorneys on the
Court Districts' Procedures in Processing
the Traffic Habitual Offenders

**THE UNIVERSITY OF NORTH CAROLINA
HIGHWAY SAFETY RESEARCH CENTER
CHAPEL HILL, NORTH CAROLINA 27514**

September 15, 1975

Dear

The Honorable Judge Bailey has suggested to me that you may be able to provide certain information on the costs of locating, processing and judging traffic habitual offenders in your district.

We are conducting an evaluation of the traffic habitual offender law in North Carolina. This study is being conducted under subcontract to Public Systems, Inc. in California who is doing a larger study on driver improvement for the National Highway Traffic Safety Administration. We have been asked to look at the situation in North Carolina because our law was one of the earliest to be passed, and information as to its effectiveness will be helpful to other states considering similar procedures. The Division of Motor Vehicles (DMV) has provided us with access to the main body of information we will need. We are examining all cases where the person was deemed a traffic habitual offender by DMV and referred to the courts for confirmation. As you know, in some cases such confirmation occurs, while in others the court is unable to locate the person. In still other cases there is no action taken at the court level. Those cases that are confirmed will be followed to identify those persons who experience subsequent accidents and/or violations.

If it will be all right with you, I would like to give you a call within the next two weeks and talk to you more on the above subject matter. I would like to find out from you about the following questions:

1. How is it determined in your district whether a traffic habitual offender case will be pursued?
2. If you are unable to locate the person, do you usually dismiss the case?
3. If a person cannot be located and thus cannot be served papers, do you usually notify the Division of Motor Vehicles that you were not able to locate that person?

THE UNIVERSITY OF NORTH CAROLINA - William C. Friday, President

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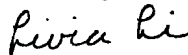
4. About how much time would you estimate is spent, on the average, trying to locate a person to serve the papers on him?
5. Considering the time spent by you, by the clerk of court, by the sheriff and other persons in your district, could you make a very rough estimate of the amount of money it costs to process one of these cases?
6. In your district, how serious are traffic habitual offenders considered, that is, do you give them high priority or do you consider them of relatively low priority?
7. On the basis of your personal experience, how effective do you feel the traffic habitual law is?
8. Do you have any suggestions as to how the State might improve its procedures for dealing with the traffic habitual offender?

Any information which you furnished to us will be extremely helpful for our study and will be held in the strictest confidence. We would be happy to provide you with a copy of the report when it is available should you be interested.

Please call me collect at (919) 933-2202 if you have any questions you want to raise before I call you. I will be looking forward to talking with you.

We very much appreciate your help.

Sincerely,



Livia Li
Research Associate

LL/bc

APPENDIX C

Driving Records for 14 Time Frames

Table C-1. Date of H0 referral and prospective first six month driving records.*

	<u>None</u>	<u>One</u>	<u>Two</u>	<u>Three or More</u>	<u>Total</u>
Speeding Violations (52)	6941 (99)	42 (1)	2 (0)	2 (0)	6987 (100)
Stop Violations (18)	6969 (100)	18 (0)	0 (0)	0 (0)	6987 (100)
Moving Violations (11)	6976 (100)	11 (0)	0 (0)	0 (0)	6987 (100)
Reckless Violations (24)	6963 (100)	24 (0)	0 (0)	0 (0)	6987 (100)
Alcohol Violations (249)	6748 (97)	230 (3)	8 (0)	1 (0)	6987 (100)
Administrative Violations (65)	6929 (99)	52 (1)	5 (0)	1 (0)	6987 (100)
Accidents at Fault (45)	6942 (99)	45 (1)	0 (0)	0 (0)	6987 (100)
Suspension, Revocation Violations (422)	6607 (95)	341 (5)	36 (0)	3 (0)	6987 (100)
Equipment Violations (3)	6984 (100)	3 (0)	0 (0)	0 (0)	6987 (100)
Total Violations (845)	6480 (93)	247 (3)	208 (3)	52 (1)	6987 (100)
Accident Violations (67)	6942 (99)	25 (1)	18 (0)	2 (0)	6987 (100)
Accidents (90)	6898 (99)	88 (1)	1 (0)	0 (0)	6987 (100)
Four Point Letters (2)	6985 (100)	2 (0)	0 (0)	0 (0)	6987 (100)
Seven Point Letters (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Suspensions (173)	6824 (98)	153 (2)	10 (0)	0 (0)	6987 (100)
Revocations (2521)	4828 (69)	1843 (26)	276 (4)	41 (1)	6987 (100)
Conferences (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Hearings (32)	6960 (100)	22 (0)	5 (0)	0 (0)	6987 (100)
Preliminary Hearings (1)	6986 (100)	1 (0)	0 (0)	0 (0)	6987 (100)
Accidents Not at Fault (45)	6942 (99)	45 (1)	0 (0)	0 (0)	6987 (100)

*Number enclosed in parentheses under each type of driving record is the total number of that activity for the 6987 H0's.

Table C-2. Date of HO referral and prospective second six month driving records.*

	<u>None</u>	<u>One</u>	<u>Two</u>	<u>Three or More</u>	<u>Total</u>
Speeding Violations (30)	6958 (100)	28 (0)	1 (0)	0 (0)	6987 (100)
Stop Violations (18)	6971 (100)	14 (0)	2 (0)	0 (0)	6987 (100)
Moving Violations (14)	6973 (100)	14 (0)	0 (0)	0 (0)	6987 (100)
Reckless Violations (25)	6964 (100)	21 (0)	2 (0)	0 (0)	6987 (100)
Alcohol Violations (222)	6775 (97)	203 (3)	8 (0)	1 (0)	6987 (100)
Administrative Violations (60)	6931 (99)	52 (1)	4 (0)	0 (0)	6987 (100)
Accidents at Fault (28)	6959 (100)	28 (0)	0 (0)	0 (0)	6987 (100)
Suspension, Revocation Violations (370)	6655 (95)	299 (4)	30 (1)	3 (0)	6987 (100)
Equipment Violations (2)	6985 (100)	2 (0)	0 (0)	0 (0)	6987 (100)
Total Violations (741)	6567 (94)	187 (3)	174 (2)	59 (1)	6987 (100)
Accident Violations (59)	6959 (100)	9 (0)	11 (0)	8 (0)	6987 (100)
Accidents (62)	6929 (99)	54 (1)	4 (0)	0 (0)	6987 (100)
Four Point Letters (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Seven Point Letters (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Suspensions (94)	6897 (99)	86 (1)	4 (0)	0 (0)	6987 (100)
Revocations (1013)	6092 (87)	798 (11)	77 (1)	20 (1)	6987 (100)
Conferences (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Hearings (29)	6960 (100)	26 (0)	0 (0)	1 (0)	6987 (100)
Preliminary Hearings (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Accidents Not at Fault (34)	6954 (99)	32 (1)	1 (0)	0 (0)	6987 (100)

*Number enclosed in parentheses under each type of driving record is the total number of that activity for the 6987 HO's.

Table C-3. Date of H0 referral and prospective one year driving records.*

	<u>None</u>	<u>One</u>	<u>Two</u>	<u>Three or More</u>	<u>Total</u>
Speeding Violations (82)	6916 (99)	64 (1)	4 (0)	3 (0)	6987 (100)
Stop Violations (36)	6953 (99)	32 (1)	2 (0)	0 (0)	6987 (100)
Moving Violations (25)	6962 (100)	25 (0)	0 (0)	0 (0)	6987 (100)
Reckless Violations (49)	6941 (99)	43 (1)	3 (0)	0 (0)	6987 (100)
Alcohol Violations (471)	6549 (94)	407 (6)	29 (0)	2 (0)	6987 (100)
Administrative Violations (125)	6873 (98)	104 (2)	9 (0)	1 (0)	6987 (100)
Accidents at Fault (73)	6914 (99)	73 (1)	0 (0)	0 (0)	6987 (100)
Suspension, Revocation Violations (792)	6312 (90)	575 (8)	86 (1)	14 (1)	6987 (100)
Equipment Violations (5)	6982 (100)	5 (0)	0 (0)	0 (0)	6987 (100)
Total Violations (1586)	6127 (88)	366 (5)	350 (5)	144 (2)	6987 (100)
Accident Violations (126)	6914 (99)	34 (1)	29 (0)	10 (0)	6987 (100)
Accidents (152)	6842 (98)	139 (2)	5 (0)	1 (0)	6987 (100)
Four Point Letters (2)	6985 (100)	2 (0)	0 (0)	0 (0)	6987 (100)
Seven Point Letters (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Suspensions (267)	6745 (97)	219 (3)	21 (0)	2 (0)	6987 (100)
Revocations (3534)	4177 (60)	2216 (32)	489 (7)	105 (1)	6987 (100)
Conferences (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Hearings (61)	6934 (99)	47 (1)	4 (0)	2 (0)	6987 (100)
Preliminary Hearings (1)	6986 (100)	1 (0)	0 (0)	0 (0)	6987 (100)
Accidents Not at Fault (79)	6910 (99)	75 (1)	2 (0)	0 (0)	6987 (100)

*Number enclosed in parentheses under each type of driving record is the total number of that activity for the 6987 H0's.

Table C-4. Date of H0 referral and prospective third six month driving records.*

	<u>None</u>	<u>One</u>	<u>Two</u>	<u>Three or More</u>	<u>Total</u>
Speeding Violations (28)	6962 (100)	22 (0)	3 (0)	0 (0)	6987 (100)
Stop Violations (20)	6968 (100)	18 (0)	1 (0)	0 (0)	6987 (100)
Moving Violations (7)	6980 (100)	7 (0)	0 (0)	0 (0)	6987 (100)
Reckless Violations (22)	6966 (100)	20 (0)	1 (0)	0 (0)	6987 (100)
Alcohol Violations (180)	6823 (98)	153 (2)	8 (0)	3 (0)	6987 (100)
Administrative Violations (32)	6957 (100)	28 (0)	2 (0)	0 (0)	6987 (100)
Accidents at Fault (24)	6964 (100)	22 (0)	1 (0)	0 (0)	6987 (100)
Suspension, Revocation Violations (295)	6723 (96)	238 (3)	21 (1)	5 (0)	6987 (100)
Equipment Violations (1)	6986 (100)	1 (0)	0 (0)	0 (0)	6987 (100)
Total Violations (585)	6665 (95)	138 (2)	139 (2)	45 (1)	6987 (100)
Accident Violations (43)	6964 (100)	13 (0)	4 (0)	6 (0)	6987 (100)
Accidents (51)	6939 (99)	45 (1)	3 (0)	0 (0)	6987 (100)
Four Point Letters (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Seven Point Letters (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Suspensions (63)	6928 (99)	55 (1)	4 (0)	0 (0)	6987 (100)
Revocations (655)	6392 (91)	543 (8)	46 (1)	6 (0)	6987 (100)
Conferences (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Hearings (28)	6960 (100)	26 (0)	1 (0)	0 (0)	6987 (100)
Preliminary Hearings (1)	6986 (100)	1 (0)	0 (0)	0 (0)	6987 (100)
Accidents Not at Fault (27)	6960 (100)	27 (0)	0 (0)	0 (0)	6987 (100)

*Number enclosed in parentheses under each type of driving record is the total number of that activity for the 6987 H0's.

Table C-5. Date of H0 referral and prospective fourth six month driving records.*

	<u>None</u>	<u>One</u>	<u>Two</u>	<u>Three or More</u>	<u>Total</u>
Speeding Violations (28)	6960 (100)	26 (0)	1 (0)	0 (0)	6987 (100)
Stop Violations (8)	6979 (100)	8 (0)	0 (0)	0 (0)	6987 (100)
Moving Violations (7)	6980 (100)	7 (0)	0 (0)	0 (0)	6987 (100)
Reckless Violations (14)	6973 (100)	14 (0)	0 (0)	0 (0)	6987 (100)
Alcohol Violations (124)	6876 (98)	100 (2)	9 (0)	2 (0)	6987 (100)
Administrative Violations (42)	6948 (99)	36 (1)	3 (0)	0 (0)	6987 (100)
Accidents at Fault (28)	6960 (100)	26 (0)	1 (0)	0 (0)	6987 (100)
Suspension, Revocation Violations (204)	6809 (98)	157 (2)	17 (0)	4 (0)	6987 (100)
Equipment Violations (1)	6986 (100)	1 (0)	0 (0)	0 (0)	6987 (100)
Total Violations (428)	6747 (97)	120 (2)	82 (1)	38 (0)	6987 (100)
Accident Violations (52)	6960 (100)	16 (0)	3 (0)	8 (0)	6987 (100)
Accidents (44)	6944 (99)	42 (1)	1 (0)	0 (0)	6987 (100)
Four Point Letters (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Seven Point Letters (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Suspensions (48)	6941 (99)	44 (1)	2 (0)	0 (0)	6987 (100)
Revocations (513)	6529 (93)	409 (6)	43 (1)	6 (0)	6987 (100)
Conferences (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Hearings (37)	6951 (99)	35 (1)	1 (0)	0 (0)	6987 (100)
Preliminary Hearings (2)	6985 (100)	2 (0)	0 (0)	0 (0)	6987 (100)
Accidents Not at Fault (16)	6971 (100)	16 (0)	0 (0)	0 (0)	6987 (100)

*Number enclosed in parentheses under each type of driving record is the total number of that activity for the 6987 H0's.

Table C-6. Date of HO referral and prospective second year driving records.*

	<u>None</u>	<u>One</u>	<u>Two</u>	<u>Three or More</u>	<u>Total</u>
Speeding Violations (56)	6936 (99)	46 (1)	5 (0)	0 (0)	6987 (100)
Stop Violations (28)	6960 (100)	26 (0)	1 (0)	0 (0)	6987 (100)
Moving Violations (14)	6973 (100)	14 (0)	0 (0)	0 (0)	6987 (100)
Reckless Violations (36)	6952 (99)	34 (1)	1 (0)	0 (0)	6987 (100)
Alcohol Violations (304)	6722 (96)	236 (3)	23 (1)	6 (0)	6987 (100)
Administrative Violations (74)	6919 (99)	62 (1)	6 (0)	0 (0)	6987 (100)
Accidents at Fault (52)	6938 (99)	47 (1)	1 (0)	1 (0)	6987 (100)
Suspension, Revocation Violations (499)	6570 (94)	356 (5)	46 (1)	15 (0)	6987 (100)
Equipment Violations (2)	6985 (100)	2 (0)	0 (0)	0 (0)	6987 (100)
Total Violations (1010)@	6465 (92)	224 (3)	200 (3)	98 (2)	6987 (100)
Accident Violations (95)	6938 (99)	29 (1)	7 (0)	13 (0)	6987 (100)
Accidents (95)	6897 (99)	86 (1)	3 (0)	1 (0)	6987 (100)
Four Point Letters (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Seven Point Letters (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Suspensions (111)	6884 (99)	95 (1)	8 (0)	0 (0)	6987 (100)
Revocations (1168)	5994 (86)	847 (12)	122 (2)	24 (0)	6987 (100)
Conferences (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Hearings (65)	6926 (99)	57 (1)	4 (0)	0 (0)	6987 (100)
Preliminary Hearings (3)	6984 (100)	3 (0)	0 (0)	0 (0)	6987 (100)
Accidents Not at Fault (43)	6944 (99)	43 (1)	0 (0)	0 (0)	6987 (100)

*Number enclosed in parentheses under each type of driving record is the total number of that activity for the 6987 HO's.

@This total is 3 less than sum of 3rd and 4th 6 months due to a ceiling code (9) used for records with sum greater than 9.

Table C-7. Date of HO referral and prospective first and second years driving records.*

	<u>None</u>	<u>One</u>	<u>Two</u>	<u>Three or More</u>	<u>Total</u>
Speeding Violations (138)	6874 (98)	98 (2)	10 (0)	5 (0)	6987 (100)
Stop Violations (64)	6928 (99)	55 (1)	3 (0)	1 (0)	6987 (100)
Moving Violations (39)	6949 (99)	37 (1)	1 (0)	0 (0)	6987 (100)
Reckless Violations (85)	6906 (99)	77 (1)	4 (0)	0 (0)	6987 (100)
Alcohol Violations (775)	6323 (91)	576 (8)	72 (1)	16 (0)	6987 (100)
Administrative Violations (199)	6809 (98)	160 (2)	16 (0)	2 (0)	6987 (100)
Accidents at Fault (125)	6867 (98)	116 (2)	3 (0)	1 (0)	6987 (100)
Suspension, Revocation Violations (1291)	5989 (86)	777 (11)	167 (2)	54 (1)	6987 (100)
Equipment Violations (7)	6980 (100)	7 (0)	0 (0)	0 (0)	6987 (100)
Total Violations (2590)@	5750 (82)	475 (7)	454 (7)	308 (4)	6987 (100)
Accident Violations (221)	6867 (98)	59 (1)	38 (1)	23 (0)	6987 (100)
Accidents (247)	6759 (97)	212 (3)	13 (0)	3 (0)	6987 (100)
Four Point Letters (2)	6985 (100)	2 (0)	0 (0)	0 (0)	6987 (100)
Seven Point Letters (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Suspensions (378)	6675 (95)	256 (4)	46 (1)	10 (0)	6987 (100)
Revocations (4702)	3709 (53)	2259 (32)	714 (10)	305 (5)	6987 (100)
Conferences (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Hearings (126)	6881 (99)	89 (1)	15 (0)	2 (0)	6987 (100)
Preliminary Hearings (4)	6983 (100)	4 (0)	0 (0)	0 (0)	6987 (100)
Accidents Not at Fault (122)	6870 (98)	112 (2)	5 (0)	0 (0)	6987 (100)

*Number enclosed in parentheses under each type of driving record is the total number of that activity for the 6987 HO's.

@This total is 6 less than sum of first and second year because a ceiling code of 9 is used for records with sum greater than 9.

Table C-8. Date of HO court action and prospective first six month driving records.*

	<u>None</u>	<u>One</u>	<u>Two</u>	<u>Three or More</u>	<u>Total</u>
Speeding Violations (50)	6943 (99)	38 (1)	6 (0)	0 (0)	6987 (100)
Stop Violations (18)	6969 (100)	18 (0)	0 (0)	0 (0)	6987 (100)
Moving Violations (11)	6976 (100)	11 (0)	0 (0)	0 (0)	6987 (100)
Reckless Violations (21)	6966 (100)	21 (0)	0 (0)	0 (0)	6987 (100)
Alcohol Violations (263)	6737 (97)	241 (3)	8 (0)	1 (0)	6987 (100)
Administrative Violations (72)	6920 (99)	63 (1)	3 (0)	1 (0)	6987 (100)
Accidents at Fault (34)	6953 (99)	34 (1)	0 (0)	0 (0)	6987 (100)
Suspension, Revocation Violations (417)	6612 (95)	345 (5)	22 (0)	8 (0)	6987 (100)
Equipment Violations (3)	6984 (100)	3 (0)	0 (0)	0 (0)	6987 (100)
Total Violations (852)	6492 (93)	234 (3)	204 (3)	57 (1)	6987 (100)
Accident Violations (54)	6953 (99)	17 (1)	15 (0)	2 (0)	6987 (100)
Accidents (76)	6911 (99)	76 (1)	0 (0)	0 (0)	6987 (100)
Four Point Letters (2)	6985 (100)	2 (0)	0 (0)	0 (0)	6987 (100)
Seven Point Letters (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Suspensions (150)	6847 (98)	130 (2)	10 (0)	0 (0)	6987 (100)
Revocations (2709)	4585 (66)	2124 (30)	251 (4)	27 (0)	6987 (100)
Conferences (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Hearings (33)	6958 (100)	25 (0)	4 (0)	0 (0)	6987 (100)
Preliminary Hearings (3)	6984 (100)	3 (0)	0 (0)	0 (0)	6987 (100)
Accidents Not at Fault (42)	6945 (99)	42 (1)	0 (0)	0 (0)	6987 (100)

*Number enclosed in parentheses under each type of driving record is the total number of that activity for the 6987 HO's.

Table C-9. Date of HO court action and prospective second six month driving records.*

	<u>None</u>	<u>One</u>	<u>Two</u>	<u>Three or More</u>	<u>Total</u>
Speeding Violations (29)	6959 (100)	27 (0)	1 (0)	0 (0)	6987 (100)
Stop Violations (21)	6968 (100)	17 (0)	2 (0)	0 (0)	6987 (100)
Moving Violations (13)	6974 (100)	13 (0)	0 (0)	0 (0)	6987 (100)
Reckless Violations (27)	6964 (100)	19 (0)	4 (0)	0 (0)	6987 (100)
Alcohol Violations (177)	6818 (98)	161 (2)	8 (0)	0 (0)	6987 (100)
Administrative Violations (46)	6946 (99)	36 (1)	5 (0)	0 (0)	6987 (100)
Accidents at Fault (30)	6957 (100)	30 (0)	0 (0)	0 (0)	6987 (100)
Suspension, Revocation Violations (341)	6676 (96)	285 (4)	24 (0)	2 (0)	6987 (100)
Equipment Violations (3)	6984 (100)	3 (0)	0 (0)	0 (0)	6987 (100)
Total Violations (657)	6607 (95)	179 (3)	153 (2)	48 (0)	6987 (100)
Accident Violations (62)	6957 (100)	12 (0)	8 (0)	10 (0)	6987 (100)
Accidents (67)	6924 (99)	59 (1)	4 (0)	0 (0)	6987 (100)
Four Point Letters (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Seven Point Letters (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Suspensions (78)	6911 (99)	74 (1)	2 (0)	0 (0)	6987 (100)
Revocations (679)	6391 (92)	527 (7)	55 (1)	14 (0)	6987 (100)
Conferences (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Hearings (33)	6957 (100)	28 (0)	1 (0)	1 (0)	6987 (100)
Preliminary Hearings (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Accidents Not at Fault (37)	6951 (99)	35 (1)	1 (0)	0 (0)	6987 (100)

*Number enclosed in parentheses under each type of driving record is the total number of that activity for 6987 HO's.

Table C-10. Date of H0 court action and prospective first year driving records.*

	<u>None</u>	<u>One</u>	<u>Two</u>	<u>Three or More</u>	<u>Total</u>
Speeding Violations (79)	6916 (99)	63 (1)	8 (0)	0 (0)	6987 (100)
Stop Violations (39)	6950 (99)	35 (1)	2 (0)	0 (0)	6987 (100)
Moving Violations (24)	6964 (100)	22 (0)	1 (0)	0 (0)	6987 (100)
Reckless Violations (48)	6943 (99)	40 (1)	4 (0)	0 (0)	6987 (100)
Alcohol Violations (440)	6581 (94)	378 (5)	25 (1)	3 (0)	6987 (100)
Administrative Violations (118)	6879 (98)	99 (2)	8 (0)	1 (0)	6987 (100)
Accidents at Fault (64)	6923 (99)	64 (1)	0 (0)	0 (0)	6987 (100)
Suspension, Revocation Violations (758)	6339 (91)	560 (8)	72 (1)	16 (0)	6987 (100)
Equipment Violations (6)	6981 (100)	6 (0)	0 (0)	0 (0)	6987 (100)
Total Violations (1509)	6169 (88)	357 (5)	327 (5)	134 (2)	6987 (100)
Accident Violations (116)	6923 (99)	29 (1)	23 (0)	12 (0)	6987 (100)
Accidents (143)	6850 (98)	132 (2)	4 (0)	1 (0)	6987 (100)
Four Point Letters (2)	6985 (100)	2 (0)	0 (0)	0 (0)	6987 (100)
Seven Point Letters (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Suspensions (228)	6778 (97)	191 (3)	17 (0)	1 (0)	6987 (100)
Revocations (3388)	4188 (60)	2303 (33)	420 (6)	76 (1)	6987 (100)
Conferences (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Hearings (66)	6930 (99)	50 (1)	5 (0)	2 (0)	6987 (100)
Preliminary Hearings (3)	6984 (100)	3 (0)	0 (0)	0 (0)	6987 (100)
Accidents Not at Fault (79)	6910 (99)	75 (1)	2 (0)	0 (0)	6987 (100)

*Number enclosed in parentheses under each type of driving record is the total number of that activity for the 6987 H0's.

Table C-11. Date of HO court action and prospective third six month driving records.*

	<u>None</u>	<u>One</u>	<u>Two</u>	<u>Three or More</u>	<u>Total</u>
Speeding Violations (22)	6965 (100)	22 (0)	0 (0)	0 (0)	6987 (100)
Stop Violations (14)	6974 (100)	12 (0)	1 (0)	0 (0)	6987 (100)
Moving Violations (4)	6983 (100)	4 (0)	0 (0)	0 (0)	6987 (100)
Reckless Violations (15)	6972 (100)	15 (0)	0 (0)	0 (0)	6987 (100)
Alcohol Violations (150)	6849 (98)	127 (2)	10 (0)	1 (0)	6987 (100)
Administrative Violations (24)	6965 (100)	20 (0)	2 (0)	0 (0)	6987 (100)
Accidents at Fault (22)	6965 (100)	22 (0)	0 (0)	0 (0)	6987 (100)
Suspension, Revocation Violations (248)	6765 (97)	200 (3)	18 (0)	4 (0)	6987 (100)
Equipment Violations (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Total Violations (477)	6716 (96)	122 (2)	111 (2)	38 (0)	6987 (100)
Accident Violations (34)	6965 (100)	15 (0)	3 (0)	4 (0)	6987 (100)
Accidents (48)	6940 (99)	46 (1)	1 (0)	0 (0)	6987 (100)
Four Point Letters (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Seven Point Letters (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Suspensions (63)	6930 (99)	51 (1)	6 (0)	0 (0)	6987 (100)
Revocations (541)	6504 (93)	431 (6)	47 (1)	5 (0)	6987 (100)
Conferences (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Hearings (32)	6955 (100)	32 (0)	0 (0)	0 (0)	6987 (100)
Preliminary Hearings (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Accidents Not at Fault (26)	6961 (100)	26 (0)	0 (0)	0 (0)	6987 (100)

*Number enclosed in parentheses under each type of driving record is the total number of that activity for the 6987 HO's.

Table C-12. Date of court action and prospective fourth six month driving records.*

	<u>None</u>	<u>One</u>	<u>Two</u>	<u>Three or More</u>	<u>Total</u>
Speeding Violations (21)	6968 (100)	17 (0)	2 (0)	0 (0)	6987 (100)
Stop Violations (6)	6981 (100)	6 (0)	0 (0)	0 (0)	6987 (100)
Moving Violations (5)	6982 (100)	5 (0)	0 (0)	0 (0)	6987 (100)
Reckless Violations (12)	6976 (100)	10 (0)	1 (0)	0 (0)	6987 (100)
Alcohol Violations (83)	6909 (99)	74 (1)	3 (0)	1 (0)	6987 (100)
Administrative Violations (36)	6953 (99)	32 (1)	2 (0)	0 (0)	6987 (100)
Accidents at Fault (17)	6971 (100)	15 (0)	1 (0)	0 (0)	6987 (100)
Suspension, Revocation Violations (122)	6876 (98)	101 (2)	9 (0)	1 (0)	6987 (100)
Equipment Violations (1)	6986 (100)	1 (0)	0 (0)	0 (0)	6987 (100)
Total Violations (285)	6826 (98)	76 (1)	64 (1)	21 (0)	6987 (100)
Accident Violations (33)	6971 (100)	9 (0)	2 (0)	5 (0)	6987 (100)
Accidents (31)	6957 (100)	29 (0)	1 (0)	0 (0)	6987 (100)
Four Point Letters (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Seven Point Letters (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Suspensions (36)	6951 (99)	36 (1)	0 (0)	0 (0)	6987 (100)
Revocations (451)	6571 (94)	385 (5)	27 (1)	4 (0)	6987 (100)
Conferences (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Hearings (37)	6951 (99)	35 (1)	1 (0)	0 (0)	6987 (100)
Preliminary Hearings (1)	6986 (100)	1 (0)	0 (0)	0 (0)	6987 (100)
Accidents Not at Fault (14)	6973 (100)	14 (0)	0 (0)	0 (0)	6987 (100)

*Number enclosed in parentheses under each type of driving record is the total number of that activity for the 6987 HO's.

Table C-13. Date of HO court action and prospective second year driving records.*

	<u>None</u>	<u>One</u>	<u>Two</u>	<u>Three or More</u>	<u>Total</u>
Speeding Violations (43)	6946 (99)	39 (1)	2 (0)	0 (0)	6987 (100)
Stop Violations (20)	6968 (100)	18 (0)	1 (0)	0 (0)	6987 (100)
Moving Violations (9)	6978 (100)	9 (0)	0 (0)	0 (0)	6987 (100)
Reckless Violations (27)	6961 (100)	25 (0)	1 (0)	0 (0)	6987 (100)
Alcohol Violations (233)	6777 (97)	190 (3)	17 (0)	3 (0)	6987 (100)
Administrative Violations (60)	6933 (99)	48 (1)	6 (0)	0 (0)	6987 (100)
Accidents at Fault (39)	6949 (99)	37 (1)	1 (0)	0 (0)	6987 (100)
Suspension, Revocation Violations (370)	6670 (95)	275 (4)	32 (1)	10 (0)	6987 (100)
Equipment Violations (1)	6986 (100)	1 (0)	0 (0)	0 (0)	6987 (100)
Total Violations (762)	6577 (94)	181 (3)	162 (2)	67 (1)	6987 (100)
Accident Violations (67)	6949 (99)	24 (0)	5 (0)	9 (0)	6987 (100)
Accidents (79)	6910 (99)	75 (1)	2 (0)	0 (0)	6987 (100)
Four Point Letters (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Seven Point Letters (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Suspensions (99)	6897 (99)	81 (1)	9 (0)	0 (0)	6987 (100)
Revocations (992)	6129 (88)	745 (11)	95 (1)	18 (0)	6987 (100)
Conferences (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Hearings (69)	6921 (99)	63 (1)	3 (0)	0 (0)	6987 (100)
Preliminary Hearings (1)	6986 (100)	1 (0)	0 (0)	0 (0)	6987 (100)
Accidents Not at Fault (40)	6947 (99)	40 (1)	0 (0)	0 (0)	6987 (100)

*Number enclosed in parentheses under each type of driving record is the total number of that activity for the 6987 HO's.

Table C-14. Date of H0 court action and prospective first and second year driving records.*

	<u>None</u>	<u>One</u>	<u>Two</u>	<u>Three or More</u>	<u>Total</u>
Speeding Violations (122)	6882 (99)	90 (1)	13 (0)	2 (0)	6987 (100)
Stop Violations (59)	6933 (99)	50 (1)	3 (0)	1 (0)	6987 (100)
Moving Violations (33)	6955 (99)	31 (1)	1 (0)	0 (0)	6987 (100)
Reckless Violations (75)	6917 (99)	65 (1)	5 (0)	0 (0)	6987 (100)
Alcohol Violations (673)	6397 (92)	523 (7)	56 (1)	11 (0)	6987 (100)
Administrative Violations (178)	6831 (98)	138 (2)	15 (0)	3 (0)	6987 (100)
Accidents at Fault (103)	6887 (99)	98 (1)	1 (0)	1 (0)	6987 (100)
Suspension, Revocation Violations (1128)	6086 (87)	730 (10)	127 (2)	44 (1)	6987 (100)
Equipment Violations (7)	6980 (100)	7 (0)	0 (0)	0 (0)	6987 (100)
Total Violations (2271)	5866 (84)	453 (6)	421 (6)	247 (4)	6987 (100)
Accident Violations (183)	6887 (99)	51 (1)	29 (0)	20 (0)	6987 (100)
Accidents (222)	6778 (97)	198 (3)	9 (0)	2 (0)	6987 (100)
Four Point Letters (2)	6985 (100)	2 (0)	0 (0)	0 (0)	6987 (100)
Seven Point Letters (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Suspensions (327)	6717 (96)	222 (3)	39 (1)	9 (0)	6987 (100)
Revocations (4380)	3775 (54)	2340 (33)	642 (9)	230 (4)	6987 (100)
Conferences (0)	6987 (100)	0 (0)	0 (0)	0 (0)	6987 (100)
Hearings (135)	6870 (98)	102 (2)	13 (0)	2 (0)	6987 (100)
Preliminary Hearings (4)	6983 (100)	4 (0)	0 (0)	0 (0)	6987 (100)
Accidents Not at Fault (119)	6872 (98)	111 (2)	4 (0)	0 (0)	6987 (100)

*Number enclosed in parentheses under each type of driving record is the total number of that activity for the 6987 H0's.

APPENDIX D

Prison Records for 1973 Referred HO's

Table D-1. Description of prison record variables for traffic habitual offenders referred to court in 1973, N (column %).*

<u>Variables</u>	<u>Active</u>	<u>First Inactive</u>	<u>Second Inactive</u>
A. <u>Extent of Prison Involvement</u>			
First Inactive	N/A	408 (59)	N/A
Active	59 (45)	N/A	N/A
Both Inactives	N/A	212 (31)	212 (84)
Active & First Inact.	33 (25)	33 (5)	N/A
All Three	39 (30)	39 (5)	39 (16)
Unspecified	0	6	0
Total	131 (100)	698 (100)	251 (100)
B. <u>Type of Crime</u>			
Driving while Lic. Revoked	38 (29)	202 (30)	43 (17)
Driving Drunk/ Narcotics	41 (31)	314 (45)	90 (36)
Auto Larcency & Misc. Traffic	1 (1)	17 (2)	4 (2)
Manslaughter	3 (2)	1 (0)	1 (0)
Hit and Run, Reckless, etc.	2 (2)	22 (3)	9 (4)
Prison Escape	1 (1)	34 (5)	22 (9)
Nontraffic	45 (34)	102 (15)	81 (32)
Unspecified Crime	0	6	1
Total	131 (100)	698 (100)	251 (100)
C. <u>Crime and referral date</u>			
Before 796	29 (22)	537 (77)	237 (94)
After 796	102 (78)	160 (23)	13 (5)
Same as 796	0 (0)	1 (0)	1 (1)
Total	131 (100)	698 (100)	251 (100)
D. <u>Traffic or Nontraffic And referral date</u>			
Before 796 & Traffic	12 (9)	425 (61)	141 (57)
Before 796 & Nontraf.	17 (13)	108 (16)	96 (38)
After 796 & Traffic	73 (56)	130 (19)	5 (2)
After 796 & Nontraf.	29 (22)	28 (4)	7 (3)
Unspecified Crime	0	7	2
Total	131 (100)	698 (100)	251 (100)

Table D-1 (Continued)

<u>Variables</u>	<u>Active</u>	<u>First Inactive</u>	<u>Second Inactive</u>
E. <u>Escape or Abscond Attempts</u>			
None	98 (75)	618 (89)	227 (90)
Escaped	12 (9)	0 (0)	0 (0)
Absconded	5 (4)	0 (0)	0 (0)
Escaped or Absconded	16 (12)	80 (11)	24 (10)
Total	131 (100)	698 (100)	251 (100)
F. <u>Class of Crime</u>			
Felony	38 (29)	37 (5)	19 (8)
Misdemeanor	93 (71)	656 (94)	227 (90)
Safekeeper	0 (0)	3 (1)	3 (1)
Diagnostic	0 (0)	2 (0)	2 (1)
Total	131 (100)	698 (100)	251 (100)
G. <u>Prison Release</u>			
Not Released	86 (66)	0 (0)	0 (0)
Paroled	31 (24)	1 (0)	0 (0)
Conditional Release	1 (1)	19 (3)	11 (4)
Escaped	13 (9)	0 (0)	0 (0)
Released from Prison	0 (0)	434 (62)	192 (77)
To Court Again	0 (0)	19 (3)	7 (3)
Termination of Sent.	0 (0)	223 (32)	41 (16)
Dead	0 (0)	2 (0)	0 (0)
Total	131 (100)	698 (100)	251 (100)
H. <u>Length of Sentence</u>			
One Year	44 (34)	525 (76)	187 (75)
Two Years	42 (32)	127 (18)	43 (17)
Three Years	11 (9)	25 (4)	4 (2)
Four or More Years	33 (25)	19 (2)	16 (6)
Unspecified Time	1	2	1
Total	131 (100)	698 (100)	251 (100)

*Entries in this table are number of records and not number of people

APPENDIX E

Analyses of Prison Record Variables
by HO Types

Table E-1. 1973 traffic habitual offenders referred to court and their prison records by three traffic habitual offender types, N (column %).

<u>Variables</u>	<u>Confirmed</u>	<u>Unable to Locate</u>	<u>Pending</u>	<u>Total</u>
A. <u>Number of Prison Admissions</u>				
No prison record	426 (68)	161 (53)	591 (61)	1178 (63)
One	127 (21)	81 (27)	228 (24)	436 (23)
Two	44 (7)	37 (12)	83 (9)	164 (9)
Three or more	25 (4)	23 (8)	56 (6)	104 (5)
Total	622 (100)	302 (100)	958 (100)	1882 (100)

χ^2 is 23; df = 6; p < .001

B. Active Record

1. Type of crime

No active prison record	584 (94)	274 (91)	903 (94)	1761 (94)
Driving with license revoked	11 (2)	7 (2)	16 (2)	34 (2)
Driving drunk/narcotics	14 (2)	6 (2)	16 (2)	36 (2)
Other traffic crimes	1 (0)	2 (1)	2 (0)	5 (0)
Nontraffic crimes	12 (2)	13 (4)	21 (2)	46 (2)
Total	622 (100)	302 (100)	958 (100)	1882 (100)

χ^2 is nonsignificant at .10

2. Crime category

No active prison record	584 (94)	274 (91)	903 (94)	1761 (94)
Felony	9 (1)	11 (3)	17 (2)	37 (2)
Misdemeanor	29 (5)	17 (6)	38 (4)	84 (4)
Total	622 (100)	302 (100)	958 (100)	1882 (100)

χ^2 is nonsignificant at .10

Table E-1 (Continued)

<u>Variables</u>	<u>Confirmed</u>	<u>Unable to Locate</u>	<u>Pending</u>	<u>Total</u>
B. (Cont'd)				
3. <u>Attempt to escape or abscond</u>				
No active prison record	584 (94)	274 (91)	903 (94)	1761 (94)
No attempt	31 (5)	18 (6)	41 (4)	90 (5)
Escaped or absconded	7 (1)	10 (3)	14 (2)	31 (1)
Total	622 (100)	302 (100)	958 (100)	1882 (100)
χ^2 is nonsignificant at .10				
4. <u>Prison crime relative to date of HO referral</u>				
No active prison record	584 (94)	274 (91)	903 (94)	1761 (94)
Before or same as HO referral	8 (1)	10 (3)	11 (1)	29 (1)
After HO referral	30 (5)	18 (6)	44 (5)	92 (5)
Total	622 (100)	302 (100)	958 (100)	1882 (100)
χ^2 is 9; df = 4; p < .10				
C. <u>Number of Inactive Prison Sentences</u>				
No inactive prison record	445 (72)	171 (57)	616 (64)	1232 (66)
One	119 (19)	78 (26)	216 (23)	413 (22)
Two	36 (6)	37 (12)	78 (8)	152 (8)
Three or more	21 (3)	16 (5)	48 (5)	85 (4)
Total	622 (100)	302 (100)	958 (100)	1882 (100)
χ^2 is 25; df = 6; p < .01				

Table E-1 (Continued)

<u>Variables</u>	<u>Confirmed</u>	<u>Unable to Locate</u>	<u>Pending</u>	<u>Total</u>
<u>D. First Inactive Record</u>				
1. <u>Type of crime</u>				
No inactive prison record	445 (72)	171 (57)	616 (64)	1232 (66)
Driving with license revoked	51 (8)	39 (13)	101 (11)	191 (10)
Driving drunk/narcotics	80 (13)	54 (18)	155 (16)	289 (15)
Other traffic crimes	9 (2)	7 (2)	22 (2)	38 (2)
Nontraffic crimes	34 (5)	29 (10)	63 (7)	126 (7)
Unspecified crime	3	2	1	6
Total	622 (100)	302 (100)	958 (100)	1882 (100)
χ^2 is 23; df = 8; p < .01				
2. <u>Crime category</u>				
No inactive prison record	445 (72)	171 (57)	616 (64)	1232 (66)
Felony	11 (2)	8 (3)	14 (2)	33 (2)
Misdemeanor	166 (26)	121 (40)	326 (34)	613 (32)
Unspecified crime	0	2	2	4
Total	622 (100)	302 (100)	958 (100)	1882 (100)
χ^2 is 22; df = 4; p < .001				
3. <u>Attempt to escape or abscond</u>				
No inactive prison record	445 (72)	171 (57)	616 (64)	1232 (66)
No attempt	159 (26)	110 (36)	304 (32)	573 (30)
Escaped or absconded	18 (2)	21 (7)	38 (4)	77 (4)
Total	622 (100)	302 (100)	958 (100)	1882 (100)
χ^2 is 25; df = 4; p < .001				

Table E-1 (Continued)

<u>Variables</u>	<u>Confirmed</u>	<u>Unable to Locate</u>	<u>Pending</u>	<u>Total</u>
D. (Cont'd)				
4. <u>Prison crime relative to date of HO referral</u>				
No inactive prison record	445 (72)	171 (57)	616 (64)	1232 (66)
Before or same as HO referral	137 (22)	99 (33)	266 (28)	502 (27)
After HO referral	40 (6)	32 (10)	76 (8)	148 (7)
Total	622 (100)	302 (100)	958 (100)	1882 (100)

χ^2 is 22; df = 4; p < .001

E. Second Inactive Record

1. Type of crime

No second inactive prison record	564 (91)	249 (83)	835 (87)	1648 (88)
Driving with license revoked	6 (1)	13 (4)	20 (2)	39 (2)
Driving drunk/narcotics	19 (3)	14 (5)	51 (5)	84 (4)
Other traffic	8 (1)	1 (0)	5 (1)	14 (1)
Nontraffic	25 (4)	24 (8)	47 (5)	96 (5)
Unspecified crime	0	1	0	1
Total	622 (100)	302 (100)	958 (100)	1882 (100)

χ^2 is 27; df = 8; p < .001

2. Crime category

No second inactive prison record	564 (91)	249 (83)	835 (87)	1648 (88)
Felony	3 (1)	7 (2)	7 (1)	17 (1)
Misdemeanor	54 (8)	45 (15)	113 (12)	212 (11)
Unspecified crime	1	1	3	5
Total	622 (100)	302 (100)	958 (100)	1882 (100)

χ^2 is 17; df = 4; p < .001

Table E-1 (Continued)

<u>Variables</u>	<u>Confirmed</u>	<u>Unable to Locate</u>	<u>Pending</u>	<u>Total</u>
E. (Cont'd)				
3. <u>Attempt to escape or abscond</u>				
No second inactive prison record	564 (91)	249 (83)	835 (87)	1648 (88)
No attempt	54 (9)	44 (15)	115 (12)	213 (11)
Escaped or absconded	4 (0)	9 (2)	8 (1)	21 (1)
Total	622 (100)	302 (100)	958 (100)	1882 (100)
χ^2 is 20; df = 4; p < .001				
4. <u>Prison crime relative to date of H0 referral</u>				
No second inactive prison record	564 (91)	249 (83)	835 (87)	1648 (88)
Before or same as H0 referral	54 (9)	48 (16)	121 (13)	223 (12)
After H0 referral	4 (0)	5 (1)	2 (0)	11 (0)
Total	622 (100)	302 (100)	958 (100)	1822 (100)
χ^2 is 20; df = 4; p < .001				
F. <u>Number with Active Record</u>				
No	584 (94)	274 (91)	903 (94)	1761 (94)
Yes	38 (6)	28 (9)	55 (6)	121 (6)
Total	622 (100)	302 (100)	958 (100)	1882 (100)
χ^2 is 5; df = 2; p < .10				

Table E-1 (Continued)

<u>Variables</u>	<u>Confirmed</u>	<u>Unable to Locate</u>	<u>Pending</u>	<u>Total</u>
G. <u>Number with First Inactive Record</u>				
No	445 (72)	171 (57)	616 (64)	1232 (66)
Yes	177 (28)	131 (43)	342 (36)	650 (34)
Total	622 (100)	302 (100)	958 (100)	1882 (100)
χ^2 is 21; df = 2; p < .001				
H. <u>Number with Second Inactive Record</u>				
No	564 (91)	249 (83)	835 (87)	1648 (88)
Yes	58 (9)	53 (17)	123 (13)	234 (12)
Total	622 (100)	302 (100)	958 (100)	1882 (100)
χ^2 is 13; df = 2; p < .001				
I. <u>Extent of Prison Involvement</u>				
None	426 (69)	161 (54)	591 (62)	1178 (63)
Active only	19 (3)	10 (3)	25 (3)	54 (3)
First inactive only	106 (17)	69 (23)	205 (21)	380 (20)
First & second inactives	50 (8)	41 (14)	106 (11)	197 (10)
Active & first inactive	11 (2)	7 (2)	13 (1)	31 (2)
All three	7 (1)	11 (4)	17 (2)	35 (2)
Unspecified	3	3	1	7
Total	622 (100)	302 (100)	958 (100)	1882 (100)
χ^2 is 28; df = 10; p < .01				

Table E-2. 1973 traffic habitual offenders referred to court and their prison records by presence or absence of court action, N (column %).

<u>Variables</u>	<u>Acted</u>	<u>Not Acted</u>	<u>Total</u>
A. <u>Number of Prison Admissions</u>			
No prison record	605 (64)	591 (62)	1196 (63)
One	213 (22)	228 (24)	441 (23)
Two	83 (9)	83 (9)	166 (9)
Three or more	49 (5)	56 (6)	105 (5)
Total	950 (100)	958 (100)	1908 (100)
χ^2 is nonsignificant at .10			
B. <u>Active Record</u>			
1. <u>Type of crime</u>			
No active prison record	882 (93)	903 (94)	1785 (94)
Driving with license revoked	19 (2)	16 (2)	35 (2)
Driving drunk/narcotics	21 (2)	16 (2)	37 (2)
Other traffic crimes	3 (0)	2 (0)	5 (0)
Nontraffic crimes	25 (3)	21 (2)	46 (2)
Total	950 (100)	958 (100)	1908 (100)
χ^2 is nonsignificant at .10			
2. <u>Crime category</u>			
No active prison record	882 (93)	903 (94)	1785 (94)
Felony	20 (2)	17 (2)	37 (2)
Misdemeanor	48 (5)	38 (4)	86 (4)
Total	950 (100)	958 (100)	1908 (100)
χ^2 is nonsignificant at .10			

Table E-2 (Continued)

<u>Variables</u>	<u>Acted</u>	<u>Not Acted</u>	<u>Total</u>
B. (Cont'd)			
3. <u>Attempt to escape or abscond</u>			
No active prison record	882 (93)	903 (94)	1785 (94)
No attempt	51 (5)	41 (4)	92 (5)
Escaped or absconded	17 (2)	14 (2)	31 (1)
Total	950 (100)	958 (100)	1908 (100)
χ^2 is nonsignificant at .10			
4. <u>Prison crime relative to date of HO referral</u>			
No active prison record	882 (93)	903 (94)	1785 (94)
Before or same as HO referral	18 (2)	11 (1)	29 (1)
After HO referral	50 (5)	44 (5)	94 (5)
Total	950 (100)	958 (100)	1908 (100)
χ^2 is nonsignificant at .10			
C. <u>Number of Inactive Prison Sentences</u>			
No inactive prison record	635 (67)	616 (64)	1251 (66)
One	201 (21)	216 (23)	417 (22)
Two	77 (8)	78 (8)	155 (8)
Three or more	37 (4)	48 (5)	85 (4)
Total	950 (100)	958 (100)	1908 (100)
χ^2 is nonsignificant at .10			

Table E-2 (Continued)

<u>Variables</u>	<u>Acted</u>	<u>Not Acted</u>	<u>Total</u>
D. <u>First Inactive Record</u>			
1. <u>Type of crime</u>			
No inactive prison record	635 (67)	616 (64)	1251 (66)
Driving with license revoked	91 (10)	101 (11)	192 (10)
Driving drunk/narcotics	136 (14)	155 (16)	291 (15)
Other traffic crimes	16 (2)	22 (2)	38 (2)
Nontraffic crimes	67 (7)	63 (7)	130 (7)
Unspecified crime	5	1	6
Total	950 (100)	958 (100)	1908 (100)
χ^2 is nonsignificant at .10			
2. <u>Crime category</u>			
No inactive prison record	635 (67)	616 (64)	1251 (66)
Felony	22 (2)	14 (2)	36 (2)
Misdemeanor	291 (31)	326 (34)	617 (32)
Unspecified crime	2	2	4
Total	950 (100)	958 (100)	1908 (100)
χ^2 is nonsignificant at .10			
3. <u>Attempt to escape or abscond</u>			
No inactive prison record	635 (67)	616 (64)	1251 (66)
No attempt	275 (29)	304 (32)	579 (30)
Escaped or absconded	40 (4)	38 (4)	78 (4)
Total	950 (100)	958 (100)	1908 (100)
χ^2 is nonsignificant at .10			

Table E-2 (Continued)

<u>Variables</u>	<u>Acted</u>	<u>Not Acted</u>	<u>Total</u>
D. (Cont'd)			
4. <u>Prison crime relative to date of H0 referral</u>			
No inactive prison record	635 (67)	616 (64)	1251 (66)
Before or same as H0 referral	243 (25)	266 (28)	509 (27)
After H0 referral	72 (8)	76 (8)	148 (7)
Total	950 (100)	958 (100)	1908 (100)

χ^2 is nonsignificant at .10

E. Second Inactive Record1. Type of crime

No second inactive prison record	836 (88)	835 (87)	1671 (88)
Driving with license revoked	19 (2)	20 (2)	39 (2)
Driving drunk/narcotics	33 (3)	51 (5)	84 (4)
Other traffic	9 (1)	5 (1)	14 (1)
Nontraffic	52 (6)	47 (5)	99 (5)
Unspecified crime	1	0	1
Total	950 (100)	958 (100)	1908 (100)

χ^2 is nonsignificant at .10

2. Crime category

No second inactive prison record	836 (88)	835 (87)	1671 (88)
Felony	10 (1)	7 (1)	17 (1)
Misdemeanor	102 (11)	113 (12)	215 (11)
Unspecified crime	2	3	5
Total	950 (100)	958 (100)	1908 (100)

χ^2 is nonsignificant at .10

Table E-2 (Continued)

<u>Variables</u>	<u>Acted</u>	<u>Not Acted</u>	<u>Total</u>
E. (Cont'd)			
3. <u>Attempt to escape or abscond</u>			
No second inactive prison record	836 (88)	835 (87)	1671 (88)
No attempt	100 (10)	115 (12)	215 (11)
Escaped or absconded	14 (2)	8 (1)	22 (1)
Total	950 (100)	958 (100)	1908 (100)
χ^2 is nonsignificant at .10			
4. <u>Prison crime relative to date of H0 referral</u>			
No second inactive prison record	836 (88)	835 (87)	1671 (88)
Before or same as H0 referral	105 (11)	121 (13)	226 (11)
After H0 referral	9 (1)	2 (0)	11 (1)
Total	950 (100)	958 (100)	1908 (100)
χ^2 is 5; df = 2; p < .10			
F. <u>Number with Active Record</u>			
No	882 (93)	903 (94)	1785 (94)
Yes	68 (7)	55 (6)	123 (6)
Total	950 (100)	958 (100)	1908 (100)
χ^2 is nonsignificant at .10			

Table E-2 (Continued)

<u>Variables</u>	<u>Acted</u>	<u>Not Acted</u>	<u>Total</u>
G. <u>Number with First Inactive Record</u>			
No	635 (67)	616 (64)	1251 (66)
Yes	315 (33)	342 (36)	657 (34)
Total	950 (100)	958 (100)	1908 (100)
χ^2 is nonsignificant at .10			
H. <u>Number with Second Inactive Record</u>			
No	836 (88)	835 (87)	1671 (88)
Yes	114 (12)	123 (13)	237 (12)
Total	950 (100)	958 (100)	1908 (100)
χ^2 is nonsignificant at .10			
I. <u>Extent of Prison Involvement</u>			
None	605 (64)	591 (62)	1196 (63)
Active only	30 (3)	25 (3)	55 (3)
First inactive only	179 (19)	205 (21)	384 (20)
First & second inactives	93 (10)	106 (11)	199 (10)
Active & first inactive	18 (2)	13 (1)	31 (2)
All three	19 (2)	17 (2)	36 (2)
Unspecified	6	1	7
Total	950 (100)	958 (100)	1908 (100)
χ^2 is nonsignificant at .10			