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Terry D. Stratton
University of North Dakota

James H. Larson
University of North Dakota

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**Gender and Perceived Severity of Informal Sanctions:
A Case Study of Convicted DUI Offenders in
Cass County, North Dakota¹**

Terry D. Stratton
*Rural Health Research Center
University of North Dakota*
James H. Larson
*Department of Sociology
University of North Dakota*

Introduction

Sanctions and Deviance

The use of informal sanctions as deterrents to socially undesirable behavior is not new. Particularly at a time when individuals (especially public figures) are subject to growing scrutinization, the breadth of public censure is expanding to envelop a seemingly wider array of moral and legal violations. Minor law-breakers, too, are being made increasingly aware of the public's social monitoring role a role which functions as a dynamic reference point by which individuals, on the basis of certain actions, are deemed to be "deviant" or "respectable" (Douglas, 1970).

What is relatively new, however, is the "formalization of the informal sanction"; that is, for less serious crimes, the formal imposition of what Garfinkel (1956) has termed "degradation ceremonies", using public recourse as the primary sanctioning agent. In colonial times, violators were publicly

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displayed in stocks, where social disapproval by one's peers could be visibly vented. Today, courts appear to be resurrecting the informal sanction to provide a second line of defense to supplement the formal system of surveillance and punishment (Snortum, 1988). As in earlier times, the function today is essentially twofold: to sanction the offender and to reinforce existing norms.

Of primary interest is the effect such sanctions have on various offenders, since each individual will be subjected to varying degrees of informal sanctioning based upon their own perception of how selected members of society (i.e., significant others, reference groups, etc.) view their offense (for a discussion of the looking glass self, see Cooley, 1902). Obviously, the nature of the violation also impacts how the actor will be perceived; situational contexts, such as the option of alternative actions, are also primary considerations (McHugh, 1970). However, among the most influential factors which initially impact the social construction of deviance are offender characteristics (Kitsuse, 1962; Becker, 1963). Of these, respectability, age, and sex are among the most studied, perhaps because they constitute the most observable attributes which comprise one's social identity (Goffman, 1963).

Gender and Deviance

With arrest statistics attesting to the vast over-representation of males in virtually all illegal forms of deviant behavior, to say that deviance is largely a male phenomenon merely understates the obvious. This vast discrepancy is commonly thought to exist due to the fact that females commit fewer legally sanctionable acts (Goldman, 1963), and when they do, police are less likely to arrest them (Goldman, 1963; Lundman, 1974). Furthermore, research has suggested that females, when arrested, are dealt with less severely by formal control agents than are males (Pollack, 1961; Reckless, 1961; Ward & Kassebaum, 1966).

Exactly why females engage less in deviant activity is not certain, although

Tittle's (1980:81) assessment which points to the "conforming roles, moral restraints, and more conservative life patterns traditionally associated with females" summarizes quite well the dominant school of thought. In fact, Schur (1969) has contended that the nature of gender-specific roles and situations has instilled a greater attitude of protectiveness toward females, allowing them to participate in various types of illegal behavior with little fear of detection or prosecution.

In general, it has been suggested that males are more tolerant of deviance than are females (Phillips, 1964; Williams, 1964), although other research has not entirely supported this notion (Whatley, 1959; Steffensmeier & Terry, 1973). As such, it would seem likely that females would, for most offenses, perceive the threat of informal sanctioning to be more severe than would males identified as having partaken in similar behavior. This paper, then, examines these gender-specific differences with respect to drinking-and-driving, a behavior which has undergone substantial social and legal transformations away from what Schur (1965) has termed a "victimless" crime.

Review of the Literature

Sanctions Defined

Tittle (1980:33) defines sanctions as "reactions by others that are unpleasant for the perpetrator of a deviant act regardless of whether those reactions are planned or whether they are intended to be unpleasant." Most frequently, sanctions are distinguished by the enforcing agent(s) and the effects. For instance, informal sanctions are those threatened or imposed by friends, relatives, or a personally relevant collective while formal sanctions are formalized penalties imposed by a court of law or by some routinized procedures (Tittle, 1980).

The effectiveness of formal versus informal sanctions continues to be a matter of some debate. While some research has suggested that formal sanctions may be most effective when enforced by informal sanctions, others

contend that the effects are relatively independent of one another (for a theoretical and empirical overview, see Tittle, 1980). . Clearly, no empirical evidence to date has definitively established the relationship between formal and informal sanctions.

Ideally, formal sanctions are designed to be value-free with regard to the offender, despite the fact that judges continue to maintain a fair amount of personal discretion in sentencing. In pursuit of greater sentencing uniformity, many states have formally adopted mandatory minimum sanctions for certain non-felonious offenses. For instance, as of 1990, 15 states had passed legislation which established mandatory minimum monetary fines for first-time DUI offenders, 15 have mandatory minimums regarding imprisonment or incarceration, and 10 require mandatory community service. Lastly, 26 states have mandatory minimum administrative licensing sanctions (U.S. Department of Transportation, NHTSA, 1990).

Although laws are formalized norms which are typically thought to be reflective of the societal populous, they are often in conflict with individual values, making it exceedingly difficult to determine if such formal guidelines are indeed representative of a societal majority. However, just as society has gauged the severity of formal sanctions to correspond with the severity of the offense, informal sanctions are more dynamic and less easily examined.

*DUI as a Public Problem*²

² Driving-While-Intoxicated (DWI), Driving-Under-the-Influence (DUI) and *driving-while-impaired* continue to be used in varying contexts, and in some states represent separate and very distinct offenses. In Colorado, for instance, statutory provisions create the legal presumption of **driving while impaired** at BAC \geq 0.05 percent and **Driving Under the Influence** at BAC \geq 0.10 percent. Maryland statutes, on the other hand, specify a legal presumption of **Driving Under the Influence** at BAC \geq 0.07 percent and **Driving While Intoxicated** at BAC \geq 0.10 percent (U.S. Department of Transportation, NHTSA, 1990).

Although the terminology and legal definitions of the offenses vary, the vast majority of states (including North Dakota) have amended "per se"

Drinking and driving in the United States is far from a recent development. That is, while the cultural presence of alcohol is a long-established predecessor to the automobile, widespread access to modern motorized technology has only recently placed a remarkable amount of individual power within the reach of the majority of adult Americans (Haddon & Blumenthal, forward in Ross, 1984a). Indeed, in addition to the well-publicized consequences of drinking-driving, the sheer scope of the problem has spawned much societal reaction.

Although research disputes exactly how strong an impact alcohol plays in traffic accidents, the fact that it exacerbates the frequency and severity of accidents is not a matter of debate (Roizen, 1982; Jones, 1977; U.S. Department of Transportation, 1968; Morris & Hawkins, 1970). Ross (1984a) estimates that alcohol typically plays a role in less than 10 percent of the run-of-the-mill automobile crashes, about 20 percent of the crashes resulting in serious injury, about 50 percent of all fatal crashes, and about 60 percent of all single-vehicle fatal crashes.

According to annual estimates by the National Safety Council (1987), 1985 data from the National Highway Traffic Safety Administration National Accident Sampling System revealed alcohol as a factor in 8 percent of the

statutes, which specify that a BAC ≥ 0.10 is conclusive (rather than presumptive) evidence of intoxication in a court of law. However, North Dakota law also maintains a very similar (indeed, the legal sanctions are virtually identical) yet distinct classification for persons with BAC levels ≥ 0.10 . Intended to fill a legal void which was perceived to exist between public intoxication and DUI, the charge of "actual physical control" (APC) is levied when a suspect is found to be legally intoxicated and in physical control of a motor vehicle (situated within the vehicle); what differentiates APC from DUI is that the arresting officer does not have to witness the suspect in actual operation (driving) of the motor vehicle.

To avoid confusion, the offense recognized in North Dakota (DUI) will be used to refer to the legal violation, and drinking-driving will be used in reference to the behavior.

property damage accidents and 27 percent of the serious injury accidents. This means that, in 1986, alcohol was a factor in at least 21,000 fatal accidents, and about 1.3 million property damage accidents (National Safety Council, 1987). In North Dakota, 63 percent of all North Dakota traffic fatalities from January, 1980, to December, 1989, registered some measurable BAC; over one-half (53%) registered BAC levels at or above the threshold ($BAC \geq 0.10$) specified to be legally conclusive of "intoxication" under North Dakota law (North Dakota Department of Transportation, 1990).

In addition to the cost of human life, monetary costs of drinking-driving (e.g., vehicle and property damage) are extensive (Cramton, 1968), with recent estimates placing the impact at about \$12 billion annually (National Safety Council, 1987). Many other less tangible effects can also be attributed directly or indirectly to drunk-driving, such as social stigmatization, loss of social status, and even potential loss of employment (Flygare, 1983).

Nationally, DUI is the most frequently processed offense in our lower courts (Jacobs, 1989). According to Uniform Crime Reporting (UCR) data assembled by the North Dakota Attorney General's Office, there were 5,523 arrests for DUI in 1986, 689 of which were made in the research areas by Fargo, West Fargo, and Cass County law enforcement agencies; this comprises 12.5 percent of the state total, or better than 1 out of every 10 DUI arrests made in North Dakota.

DUI as Deviant Behavior

Despite the obvious illegality of DUI, scholars remain uncertain as to its appropriate classification. For example, Ross (1960) identified DUI as a "folk crime", or one which shares similar characteristics with other deviant acts such as white-collar crime or welfare chiseling. As opposed to ordinary criminals, folk criminals are "relatively numerous, unstigmatized, and differentially treated in the legal process" (Ross, 1960:237). Expanding this classification, Gibbons (1983:213) characterizes Ross's "folk crime" within the broader

category of "mundane crime" "a variety of commonplace, low visibility, and often innocuous forms of lawbreaking found in abundance in American society."

A societal focus on the individual has been reflected by the change in public perception regarding the causal factors of DUI. Emphasizing implied intentionality and moral failure, the drunk as an offender was transformed from a repentant (or sick) deviant to a public enemy (Gusfield, 1963). Thus, over the period of automobile use in the United States, "the emphasis within the unsafe driver theory has shifted from careless but competent drivers to incompetent drivers to special categories of accident-prone drivers including the young, the very old, and the alcohol-impaired" (Gusfield, 1981:45).

Although public policy (i.e., license suspension) toward impaired drivers originates from a more punitive orientation (as opposed to sanctions against "incompetent" drivers, which are perceived to be preventive interventions), such an emphasis is evident of the general societal trend toward the use of increasingly severe punishments for rule violators (Gibbs, 1975; Ross, 1984b). As a result, our formalized means of normative enforcement (i.e., the legal system) typically punishes one for deviance rather than rewarding one for compliance (Schwartz & Orleans, 1967).

The dynamics of public sentiment are essential to evaluating the deterrent framework within which the issue of sanctions are most often dealt. For instance, Ross (1984a) attributes the recent deluge of deterrence-based DUI legislation as a direct result of the anti-drunk-driving movement, comprised of such organizations as MADD, SADD, REDDI, and RID. On this same point, other researchers argue that informal sanctions (e.g., negative public reactions, etc.) are an imperative prerequisite for effective legal sanctions (Gibbs, 1975; Jensen, 1969; Salem & Bowers, 1970; Tittle & Rowe, 1973).

In any case, it is generally conceded that individual perceptions of sanction characteristics are probably more important than the actual characteristics of sanctions (Geerken & Gove, 1975; Gibbs, 1975; Teevan, 1972; Tittle & Logan,

1973). As Tittle (1980:10) has stated, "people can and do misperceive reality and it follows that they are likely to act on what they believe to be true regardless of whether it is actually true." More importantly, Tittle & Logan (1973) suggest that these perceptions may vary from individual to individual and from social group to social group (for a discussion of social control theory, see Hirshi, 1969).

Indeed, studies of criminal sentencing (albeit usually involving felonies) have typically addressed racial and gender-related discrepancies through the application of formal sanctions. If the agent responsible for enforcing formalized sanctions does so based upon the social "acceptability" of the offender and the offense, similar variations might be expected to exist in the informal sanctioning process as well.

This paper examines the notion of informal sanctions as they pertain to gender and DUI; specifically, is there a measurable difference between males and females in the severity of informal sanctions related to DUI? The upcoming analyses will test the null hypothesis that no differences exist between male and female DUI offenders regarding the perceived severity of informal sanctioning. Ample empirical support has been provided, it is felt, to warrant formulation of a one-tailed, directional hypothesis as the alternative to the null; specifically, that females will perceive the severity of such sanctions as to be greater than will males. Formally stated,

$$(H_0: X_1 = X_2)$$

$$(H_1: X_1 < X_2)$$

where X_1 represents the mean informal sanctioning score for males and X_2 represents the mean score for females. Let alpha equal .05.

Methods and Procedures

Sample

The data for this study were collected from convicted violators of alcohol-related driving offenses required to participate in the Cass County First

Offender DUI Program. Held on an "on demand" basis, this two-day punitive/educative "counter-attack" program is designed as a supplement to the mandatory minimum punishment prescribed by North Dakota law.

From September, 1987, to May, 1988, 122 program participants were surveyed in eight separate sessions averaging 15 participants each. A six-page questionnaire was developed in collaboration with program staff and subsequently adopted as an official part of the program's curriculum. Confidentiality was guaranteed and respondents were encouraged to be honest in their responses.

Of these 122 participants, 12 respondents were enrolled in the program for offense(s) other than DUI while an additional 18 respondents declined to participate in the survey. Although 92 respondents were first-time DUI offenders, four respondents were participating for violations other than DUI despite prior DUI convictions. Because of their experience, they are included in the upcoming analyses. Hence, the final sample consisted of 96 respondents, represented by a response rate of 85.2 percent.

Scale Construction

Based upon informal sanctioning agents (i.e., family, friends, and colleagues) thought to impact the enforcement of normative behavior, 26 Likert-type scale items thought to validly represent the construct of informal sanctions were devised and formulated in the form of statements. Respondents were then asked to indicate their level of agreement/disagreement with each of the statements as they related to their individual DUI, with higher scores representing a greater perceived severity of DUI-related informal sanctioning. In addition, various possible consequences of informal sanctioning (i.e., loss of status, etc.) were also formulated into attitudinal statements.

Scale Reliability

In an effort to substantiate the validity of the scale, multiple items were

used to tap each individual domain within the construct. As a result, preliminary analysis of the scale using Cronbach's alpha verified concurrent measures, allowing the scale to be reduced to 13 items. Although it is difficult to specify what level is acceptable in all situations, it is believed that reliabilities should not be below .80 for widely used scales (Carmines & Zeller, 1979). Based upon these 13 items, the obtained alpha coefficient of .8123 is well within the accepted range.

Factor Analysis Interpretation

As a preliminary tool designed to filter out and group together underlying relationships, a factor analysis was conducted using the 13 established scale items. In an exploratory application, factor analysis is an expedient way of ascertaining the minimum number of hypothetical factors which can account for the observed co-variation, and as a means of exploring the data for possible data reduction (Kim & Mueller, 1978).

As shown in Table 1, the analysis extracted four underlying factors within the informal social sanctioning construct. While a general rule of thumb concerning factor analysis is to use only those factors which exhibit significant loadings on at least three variables, a similar rule states that, regardless of the number of significant variables, only those factors which can be reasonably identified should be utilized (Kim & Mueller, 1978).

Table 1. Factor Analysis of Informal Sanctioning Scale

Scale Items

1. Bothered me most was family's reaction
2. Don't care what others think about my DUI
3. Arrests would decline if names printed on the front page
4. No longer have the same relationship with co-workers
5. Damaging to obligation at work/home
6. Fine/loss of license not as great as effect on family
7. Fine/insurance rates not as bad as court appearance
8. Getting caught more embarrassing than legal impacts
9. My family was not surprised with my DUI
10. Would have paid extra to have name kept out of paper
11. DUI is more embarrassing socially than financially
12. Embarrassment hurts more than money
13. Afraid of being labeled a drunk/alcoholic by friends

Rotated Factor Matrix *

Item	Factor 1	Factor 2	Factor 3	Factor 4
1	.07082	.26632	.31897	.51252 *
2	.51529 *	-.05660	.20149	.47505 *
3	.22114	.50001 *	.09429	.02604
4	.05588	.01997	.83555 *	-.09794
5	.24551	.11507	.71299 *	.16415
6	.57549 *	.15100	.25621	.27936
7	.74137 *	.27149	-.14762	.06329
8	.16921	.70696 *	-.18387	.02652
9	.05327	.07102	-.16898	.84999 *
10	.30191	.70412 *	.12753	.15969
11	.69950 *	.16523	.27254	-.12301
12	.64878 *	.34114	.07073	.10995
13	.00288	.71507 *	.45045 *	.13764

* Principal Components (PC) extraction, Varimax rotation;

Factor Identification	Eigenvalue	% of Var	Cum. Var.
1 informal vs. formal	3.950	30.4	30.4
2 public exposure	1.438	11.1	41.4
3 secondary ref groups	1.140	8.8	50.2
4 primary ref groups	1.064	8.2	58.4

Factor one is comprised of 5 items dealing with informal sanctions (i.e., embarrassment, etc.) in relation to formalized ones (fines, license suspension, etc.). The one exception to this is item 2, which lacks any formalized comparison; it is, however, of such a general nature that it does not distract greatly from the other items.

The underlying theme in factor 2 is informal sanctioning associated with public exposure, particularly through local newspaper publicity. Item 13, in addition to reflecting an impact resulting from public exposure, contains a labeling component as well (i.e., that of being labeled an alcoholic by friends).

In this third factor, the items pertain primarily to the potential impact on existing social roles with regard to secondary reference groups. Item 13, which exhibits a significant loading on factors 2 and 3, fits arguably in either factor. While it does contain a public exposure component, it also includes offenders' friends as a reference group.

Factor 4 appears to be an extension of factor 3, with the emphasis being on primary reference groups, specifically the family. It should be noted that while we would expect primary reference groups to be among the strongest informal sanctioning agents, factor 4 accounts for the least variation; this may be due to the fact that convicted DUI offenders are vastly over-represented by 16-24 year-old males, who are least likely to be married. Indeed, only slightly more than one-quarter (25.7%) of the sample were married at the time of this study.

Keeping in mind the major research question of gender and perceived severity of DUI-related sanctions, the preceding sample characteristics further illustrate the relative homogeneity of the population of DUI offenders. Although attempts were initially made to examine other factors in relation to severity of informal sanctions, most lacked the variation to make such comparisons meaningful. Nonetheless, they will be given brief mention in the findings.

Findings

Characteristics of the Population

Participants ranged in age from 17 to 73 years, with the majority clustered in the 20-24 year-old age group. The mean age for the entire population was 29.10 years, with males and females averaging 29.05 and 29.77 years, respectively. Program participants consisted of 82 males and 14 females.

Only 25.7 percent of the respondents were married, with 57.4 percent being single and the remaining 16.9 percent being either divorced, separated, or widowed. Not surprisingly, 62.6 percent resided in the immediate area (25-100,000), with roughly equal percentages of the remaining sample spread equally across all other various-sized environments. Respondents reported having resided at their current location for an average of just over 13 years.

At the time of data collection, the majority of offenders (82.4%) indicated being employed: 41.7 percent held occupations in unskilled labor, 37.5 percent in skilled labor, and 20.8 in professional/managerial capacities. Respondent's annual family income was clustered in the \$10-20,000 range, with only 5 respondents reporting annual incomes in excess of \$40,000. Regarding educational levels, about one-third (29.6%) were high school graduates while 49.0 percent indicated some college and/or trade school training. Of the remainder, 14.3 were less than high school graduates; only 7.1 percent were college grads.

Respondents reported their arrest occurred an average of approximately 18 miles from their residence, although slightly over one-third (33.7%) were apprehended less than 1 mile from their home.

The mean blood-alcohol content (BAC) for the population was .1701, with males averaging .1673 and females averaging .1883.

Informal Sanctions and Gender

The possible scale range was from 13 (scoring 1 on all 13 items) to 65 (scoring 5 on all 13 items). Actual informal sanctioning scale scores ranged

from 16 to 61, with a mean score of 33.98. To preliminarily assess the relationship among offender characteristics and the perceived severity of informal DUI-related sanctions, a correlation matrix (not shown here) was constructed of all theoretically-pertinent variables. The two strongest correlations with the severity of informal sanctioning scale score are occupation ($r_s = .258, p = .015$) and gender ($r_s = .152, p = .066$).

**Table 2. Student's t Score for Males and Females
of Perception of Severity of Informal Sanctions**

Group	N	Mean	Standard Deviation	Standard Error
Males	76	33.3947	7.113	0.816
Females	14	37.7857	9.870	2.638

Variance Estimates			
	T Value	Degrees of Freedom	1-Tailed Probability
Pooled Variance Est.	-1.99	88	0.025
Separate Variance Est.	-1.59	15.58	0.061

The relationship between gender and perceived severity of informal DUI-related sanctions is hypothesized to relate to the notion of deviant behavior. Utilizing a Student's t test (see Table 2) for mean differences between two dichotomous groups, a one-tailed T value of -1.99 ($p = .025$) was obtained using pooled variance estimates. However, although pooled variance estimates yield a stronger probability, they are less accurate due to the large discrepancy in the population variance caused by the difference in respective sample sizes (82 males and 14 females). In essence, the assumption of equal variance in the population can be considered justified only when the sample sizes are approximately equal (Healey, 1984). As a result, the more accurate (albeit conservative) indicator is calculated using separate variance estimates

($t = -1.59, p = .061$). Although the alpha ($p = .061$) generated by these estimates falls just short of rejecting the null hypothesis, one's gender, it seems, appears to be a moderately significant factor in distinguishing the perceived severity of informal sanctioning as related to DUI. While this finding is encouraging, it may well be a conservative estimate due to the size and homogeneity of the sample. Nonetheless, as hypothesized, females do in fact perceive the severity of DUI-related informal sanctions to be greater than do males.

Summary

Although the data have discerned support for the general contention that females perceive informal sanctions to be more severe than do males, the prevalence of females in the DUI statistics (and most other offenses as well) limit the scope and subsequent practicality of their application. However, the comparatively lesser numbers of females (in both the target and sample populations) are themselves a result of the effectiveness of the informal sanctioning process (or, more appropriately, the threat of informal sanctioning).

As opposed to gender-specific roles associated with alcohol use or driving (see Snortum et al., 1986; Snortum et al., 1987; Pandiani & McGrath, 1986), the direct impact of informal sanctions on drinking-driving behavior is unknown, although such sanctions would likely exist to some degree for all related behaviors.

Clearly, enough of a variation exists among convicted offenders to warrant additional analyses which expand upon the effects of gender to include other socio-demographic factors. Again, however, the homogeneity of the population of convicted offenders poses some fundamental problems, with upper class, higher status offenders drastically under-represented in the arrest statistics (Wolfe, 1975). However, just as the relative lack of female offenders can be attributed in part to stringent informal sanctioning (as well as alleged biases in formal sanctioning), the under-representation of upper class

offenders could well be a function of selective apprehension and access to legal resources. In addition, as our own sample reflects, DUI continues to be an activity frequented overwhelmingly by young white males. [Although the racial composition of what could be reasonably assumed to be the geographic region of apprehension (e.g., Cass County, North Dakota) would logically dictate nothing to the contrary, national statistics do support the notion that white males are over-represented in overall DUI arrests].

That females tended to perceive informal sanctions as more severe than did males can be explained in part by gender roles related to the two components essential to DUI: drinking and driving. As Snortum et al. (1986) have pointed out, driving situations in American society that involve a man and a woman usually results in the man taking the wheel. These gender roles also extend to the consumption of alcoholic and non-alcoholic beverages (Snortum et al., 1987) as well as attempts to dissuade drinkers from driving (Pandiani & McGrath, 1986). Subsequently, the act of drinking alcohol and driving an automobile have translated into a DUI being a more socially prevalent and thus "tolerated" form of deviant behavior for males.

Discussion

The steadily declining number of DUI arrests nationally since 1985 has enticed a wide array of speculation regarding the cause(s) of such a trend. Clearly, given the amount of a societal emphasis afforded the drinking-driving issue, attributing these figures to any one specific type or form of sanction would be highly speculative at best. Indeed, issues of selective enforcement, access to legal defense, and variations in sentencing complicate matters further, suggesting that fluctuations in DUI arrests are perhaps better indicators of public sentiment rather than of actual drinking-driving behavior.

However, the emergence of numerous innovative approaches to the DUI problem should not be ignored. Proponents of the "preventive" perspective cite the increasing use of designated drivers, the growing acceptance of

alternative social activities, and the enormous breadth of public information campaigns stressing responsible moderation have undoubtedly had some impact, particularly among those nearing the population at greatest risk. While admirable, such attempts to alter drinking-driving behavior by first altering societal values toward alcohol are an arduous undertaking.

Reflective of the mandatory minimum guidelines established in many states, the legal system too has undergone changes in the manner in which it deals with DUI. Judges seem to be exercising their discretionary sentencing powers more frequently in DUI cases (within the mandatory guidelines specified), passing down sentences geared as much toward the offender as the offense. For offenders with high public visibility, these sanctions often take the form of some type of community service aimed at prevention through education rather than deterrence.

In other cases, judges purposely use public sentiment as the sanctioning agent, making the crime and the offender highly visible regardless of the offender's social status. For instance, a Pensacola, Florida judge recently began sentencing offenders convicted of drunken driving, solicitation for sex, and shoplifting to publish their photographs and information about their offense in the local newspaper. Defense lawyers have appealed the courts actions, stating such a punishment is "everything short of the death penalty", and offenders could lose "jobs, friends, and positions in the community" (Associated Press, 1990). Newspaper editors, too, are likely questioning what effects compliance with such "advertising" might have on readership as well as other advertisers.

However, particularly if perceived as effective deterrents, it seems likely that the increasingly intolerable costs incurred from property damage, rising insurance premiums and loss of life (as well as administrative costs of formal surveillance and enforcement) will dictate more of a future focus toward such alternative sanctions. Indeed, for certain offenders and offenses, the threat of public exposure and disapproval may well prove to be more effective (and,

compared with short-term incarceration, less costly) deterrents than formalized sanctions.

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