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**A Comparison of Four Professional Groups' Support
for a Strengthened DUI Law**

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Abstract

This study examined support patterns among criminal justice professionals for an enhanced DUI law. We surveyed North Dakota's police, prosecutors, judges, and addiction counselors to measure their personal support and their perceptions of the support of others for the law. Respondents generally favored the strengthened law, but consistent with role theory, there were significant between group differences. There also were significant differences in personal versus perceived peer support and in perceived peer support versus the perceived support of other groups. Groups tended to agree in the differential levels of support they attributed to other groups. Implications for a coordinated system approach to combatting DUI are identified.¹

INTRODUCTION

Recent efforts to reduce DUI (Drinking Under the Influence) rely on the support of criminal justice professionals. Often, these professionals occupy roles with dissimilar, if

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not conflicting, expectations. Role theory predicts that individuals are likely to have attitudes consistent with their role expectations (Shaw and Costanzo, 1982), so there is reason to expect diverse levels of support for such system changes as an enhanced focus on DUI. The present study will examine four key roles within the criminal justice system (i.e., police officers, prosecutors, judges, and addiction counselors) and determine the extent to which these professional groups differ in their support for a strengthened DUI law.

These four groups clearly occupy roles with distinct expectations and divergent pressures (Preiss & Ehrlich, 1966; Skolnick, 1994; Radelet, 1986). Differences in expectations are apparent from the very beginning of members' socialization into their respective roles. For example, police officers receive their training in police academies and may or may not have a college degree. The educational background of judges varies from a high school degree to a law degree depending on the requirements of the judicial position (e.g., from municipal judge to district court judge). Both prosecutors and addiction counselors must achieve advanced degrees (a law degree or a master's degree, respectively), but the foci of these degrees differ dramatically.

In addition, occupants of these roles work in different sub-units of the criminal justice system which are subject to a variety of distinct, structural pressures (Welsh and Pontell, 1991). As an accused party moves through the system from police officer, to prosecutor, to judge, there is a gradual shift from emphasizing the state's interest in crime

repression to protecting the individual's interest in due process. Police officers are law enforcement officials and are expected to deter crime and arrest criminals. They must deal face-to-face with the accused party and are likely to have little doubt about the party's actual guilt. Prosecutors are both law enforcement officials and officers of the court, but their primary obligation is to represent the state against the individual. Judges must balance the law, that is, the state's interests against the defendant's rights. If the accused is convicted, addiction counselors are expected to diagnose whether the citizen has an alcohol problem, and if so, help to rehabilitate the individual. Thus, each of these roles place their occupants in different relationships to the accused party and to the criminal justice system. Police officers and counselors deal with people; prosecutors and judges deal with cases; police officers and prosecutors are law enforcement officers; prosecutors and judges are officers of the court; and counselors are outside the formal system, but they have clearly specified obligations. These different professional groups face clearly distinct expectations, and role theory suggests that different expectations will create different attitudes toward role-relevant issues.

We predict that support for enhanced DUI laws will be a role-relevant issue. Efforts to strengthen DUI laws directly affect occupants of each of the four professional groups identified previously. While all professionals are exposed to the negative consequences of DUI and are likely to offer at least minimal support for strengthened DUI

laws, we expect that the nature of professionals' contact with the DUI problem will trigger different degrees of support.

Specifically, we predict that the level of support for stronger DUI laws will decrease from police officer, to prosecutor, to judge. Police officers see drunk drivers while the drivers are still inebriated; they see, first-hand, the risky, if not fatal, consequences of drunk driving, and they must deal with intoxicated behavior during arrest and booking. We predict that police officers' direct experience with DUI will trigger the strongest support, among the four groups, for strengthened DUI laws. Prosecutors share a law enforcement perspective with police officers, but prosecutors do not have the same direct contact with DUIs as do police officers. We predict that prosecutors will be slightly less supportive than police officers of a stronger DUI law. Judges must balance the concerns of the state with the rights of the accused. To the extent that strengthened DUI laws include mandatory penalties reducing judicial discretion, we predict that judges' support for stronger DUI laws will rank somewhat behind that of prosecutors.

Finally, counselors' attitudes are more difficult to predict, but we expect that addiction counselors' support for enhanced DUI laws will fall between police officers' support and prosecutors' support. Counselors share with police officers a focus on the person, not the case. Both counselors and police officers have extended, first-hand contact with the individual and are vividly exposed to the consequences of the individual's behavior whether the consequences include a fatal accident or a destroyed marriage. In

addition, enhanced DUI laws typically contain provisions especially appealing to the practitioners in each group (e.g., per se provisions for police officers, and mandatory evaluation provisions for addiction counselors).

However, counselors' also face an expectation largely unique to their role, that is, they are expected to promote their client's rehabilitation. In this regard, some counselors may view another common provision of tougher DUI laws, mandatory penalties, as inconsistent with their rehabilitation efforts. Mandatory penalties make it more difficult for counselors to match therapy with individual needs. This reality may lessen counselors' support somewhat for tougher DUI laws, but we still expect counselors to be strong supporters, overall.

Thus, we predict that one's role in the criminal justice system will affect support for an enhanced DUI law. Specifically, we predict that police officers, counselors, prosecutors, and judges will evince decreasing levels of support, respectively, for such a law.

We will examine support from multiple perspectives. To begin, we will test our hypothesis of differential support. This simply requires asking professionals to indicate how much, if at all, they personally support an enhanced DUI law and determining if their support varies with their role.

If our hypothesis is supported, we will explore a number of additional research questions triggered by role theory. First, how close do professionals perceive their

individual attitudes to be to those of their peer group? Our thesis that role expectations generate role-related attitudes implies that most individuals will see their own attitudes as similar to those of others in their peer group. To see if this is so, we will compare respondents' personal support for an enhanced DUI law with respondents' perceptions of their peer group's support.

Second, do professionals, themselves, actually see the differential attitudes among groups that are predicted to exist by role theory? We will compare respondents' perceptions of their peer group's support for a strengthened DUI law with their perceptions of other groups' support. This analysis will provide a profile of each group's perceptions of their group's standing relative to others in the system and determine the extent of perceived disparity across roles.

Finally, to what extent do members of one group agree or disagree with members of other groups in their views of roles within the system? For example, do police and prosecutors share similar perceptions of the support afforded the law by judges and counselors? One expectation is that there should be agreement among groups in how they perceive one another if role expectations have the pervasive impact predicted by role theory. However, it is also plausible that perceptions of others within the system will be affected by one's position within the system. In order to determine how similar or dissimilar these group images of system support are, we will compare each group's perceptions of other group members' support.

The data to address these issues come from a three-year project which studied the impact in North Dakota of an enhanced DUI law. The law became effective July, 1983. This legislation made a blood alcohol content of .10 percent sufficient evidence per se of drunk driving, it instituted mandatory penalties for multiple violations of the DUI law, and it required evaluation (and possibly treatment) of offenders by an addiction counselor following each conviction. The present analysis examines survey data from various groups of practicing professionals throughout the state who work with the DUI problem and whose professional responsibilities were directly affected by the changes in the law.

METHODS

Questionnaires were mailed to all municipal and county prosecutors (N = 179), municipal and county judges (N = 164), and licensed addiction counselors (N = 169) in North Dakota. In addition, law enforcement officers were contacted across the state. Specifically, questionnaires were sent to all members of the North Dakota State Highway Patrol, all police personnel in each county sheriff's department, all municipal police departments in communities of 2,500 or more, and smaller police departments in one county which received intensive study in association with other research concerns. A total of 857 law enforcement officers were contacted.

Questionnaires were distributed to the four professional groups in March, 1986. This was nearly three years after the DUI law's enhancements became effective and provided substantial time for practicing professionals to gain familiarity with the law's

changes. During this period, professionals were made aware of the law through widespread publicity, numerous training workshops, the activities of various community task forces on DUI, and through the exercise of their own professional responsibilities associated with the DUI law.

After the initial mailing of the questionnaire, a follow-up postcard was mailed to non-respondents in April. In May, a second round of questionnaires was distributed. Additional reminders were sent in June. The response rates and the final number of respondents for each of the groups were as follows: judges (62%, N = 102), prosecutors (59%, N = 106), licensed addiction counselors (54%, N = 91), and law enforcement officers (71%, N = 605).

This report analyzes data from the following question asked of all groups: "In general, to what extent do you believe each of the following parties or groups in your community opposes or supports the current DUI law?" The parties or groups identified were: (1) self, (2) police officers, (3) prosecutors, (4) judges, and (5) alcohol treatment counselors. Respondents evaluated each group on a five-point scale ranging from "strongly opposes" to "strongly supports."

RESULTS

Overall Support: Personal and Perceived

The average levels of personal and perceived support of the strengthened DUI law are displayed in Table 1. All the means for respondents' personal support and for their

views of others' support are above the neutral point of the scale (3.00). Respondents clearly are supportive personally, and there is a general sense among respondents that others within the system are supportive.

Table 1. Means for Professionals' Personal Support (Self), Perceptions of Peer Support, and Perceptions of Other Support for the Strengthened DUI Law.

Perceptions	Professional Groups							
	Police		Prosecutors		Judges		Counselors	
	R	X	R	X	R	X	R	X
Self (N)		4.40 (601)		4.10 (105)		4.29 (99)		4.63 (88)
Police (N)	(1)	4.33 (597)	(2)	4.41 (104)	(1)	4.35 (98)	(3)	3.96 (84)
Prosecutors (N)	(3)	3.99 (570)	(3)	4.30 (102)	(3)	4.21 (88)	(2)	4.03 (75)
Judges (N)	(4)	3.73 (549)	(4)	3.95 (103)	(4)	4.11 (93)	(4)	3.69 (83)
Counselors (N)	(2)	4.16 (468)	(1)	4.43 (88)	(1)	4.35 (86)	(1)	4.57 (89)

Note: "R" refers to relative rankings of perceived peer support and other support. Group Differences in Personal Support

To what extent do respondents' roles affect their personal support? The results suggest that counselors are most supportive, followed by police, judges, and prosecutors (see the "Self" row in Table 1). These differences occur within a relatively short range on

our five point scale (4.10 to 4.83). However, a one-way ANOVA on group means reveals that these means are significantly different, $F(3, 889) = 20.03, p < .05$. Thus, consistent with role theory, there is significant (although modest) group-to-group disparity in support for the revised DUI law.

In order to more closely examine the nature of this disparity, Scheffe's a posteriori test was used to evaluate all pairwise comparisons among group means. Three sets of comparisons reveal significantly different levels of support. These sets include the following groups with the most supportive group listed first for each comparison: counselors versus judges, counselors versus prosecutors, and police versus prosecutors. Several other pairwise comparisons do not differ significantly. These include: counselors versus police, police versus judges, and judges versus prosecutors. Thus, as predicted, those professionals dealing directly with accused parties (counselors and police officers) were more supportive than those professionals dealing with DUI defendants as legal cases (judges and prosecutors). The pairwise differences across these two meta-groups of professionals are generally significant (except police officers vs. judges). We also predicted police officers would be more supportive than counselors and prosecutors would be more supportive than judges, but these pairwise differences are not significant.

Personal Versus Perceived, Peer-Group Support

Respondents also were asked about their perceptions of their own peer group's support for the statutory changes. The mean levels of support that police officers, prosecutors, judges, and counselors attribute to their respective peer groups are 4.33, 4.30, 4.11, and 4.57. These means can be seen in Table 1 along a diagonal from the police/police cell to the counselor/counselor cell.

By comparing perceived peer support (e.g., the police/police cell for police officers) with reported personal support (e.g., the "Self" row for police officers), the extent to which practitioners perceive themselves to be in-step with others in their own group can be assessed. These comparisons involve calculating a difference score for each practitioner by subtracting that practitioner's reported self support for the law from that practitioner's perception of his or her peer-group's support for the law. These difference scores were then averaged across practitioners within each group.

Actually, two averages were calculated for each group in an effort to measure total disparity and net disparity in personal support/peer support differences. The total disparity averages are based on the absolute values of the difference scores. They measure the total gap, if any, in perceived peer versus personal support.

The net disparity averages are based on the actual values of the difference scores. These averages assess both the direction and the magnitude of the net difference in perceived peer versus personal support. Positive averages indicate that respondents view their peer group as more supportive, on balance, than they are personally, and

Table 2. Average Difference Scores for Professionals' Perceptions of Self Versus Peer Support and of Peer Versus Other Groups' Support for the Strengthened DUI Law.

	Professional Groups											
	Police			Prosecutors			Judges			Counselors		
	D	D	(N)	D	D	(N)	D	D	(N)	D	D	(N)
Self	.27*	-.08*	(592)	.28*	.16*	(101)	.34*	-.19*	(92)	.17*	-.06	(89)
Police	-	-	-	.42*	-.11	(101)	.59*	-.30*	(92)	.74*	.61*	(85)
Prosecutors	.57*	.35*	(566)	-	-	-	.42*	-.12	(86)	.60*	.52*	(76)
Judges	.80*	.61*	(545)	.51*	.35*	(102)	-	-	-	.93*	.87*	(84)
Counselors	.58*	.19*	(464)	.48*	-.12	(87)	.62*	-.22*	(84)	-	-	-

*p < .05 (at least)

Note: The first column for each Professional Group presents absolute differences, and the second column displays real differences. The t tests for absolute differences were one-tailed, and the t tests for real differences were two-tailed.

negative averages indicate that the reverse. Mean levels of total and net disparity are presented for each group in the "Self" row of Table 2.

All group means for total disparity are modest. Nevertheless, each of the means differs significantly from zero (see Table 2). Practitioners in each group consistently see themselves to be at least somewhat out-of-step with their peers.

The net disparity means in Table 2 show the direction of this difference. Police officers, judges, and counselors report higher levels of personal support than they attribute to their respective peer groups. These differences are statistically significant for both police officers and judges. In contrast, prosecutors perceive their peers to be significantly more supportive than they are personally. All the net disparity means are relatively small.

Thus, both measures of total and net disparity reveal discrepancy in perceived peer support versus personal support, but the differences are modest. Professionals do not mimic what they perceive to be their peer group's attitudes. However, consistent with role theory, individual professionals also do not stray far from these perceived attitudes.

Professionals' Perceptions of Other Groups

Do professionals' perceptions of others vary systematically based on the roles occupied by others? To answer this question, respondents were asked to evaluate the support which other groups within the system give to the new law (see Table 1). These

data measure the extent to which practitioners see their peers' views to be different from the views of other professional groups.

Once again, two measures of discrepancy were used, perceived total disparity and perceived net disparity. This time, these measures reflect peer-group versus other-group comparisons rather than personal versus peer-group comparisons. Specifically, difference scores were calculated between each respondent's view of his or her peers' support for the revised law and each respondent's views of the support characteristic of some other, specified group. These difference scores were averaged for each peer- versus other-group comparison made by a particular group of practitioners (e.g., police officers).

As before, averages based on the actual value of these difference scores measure net disparity, while averages based on the absolute value of these scores measure total disparity. With 3 peer- versus other-group comparisons possible for each of 4 professional groups (e.g., for police officers, the comparisons are police vs. prosecutors, police vs. judges, and police vs. counselors), the result is 12 averages for total disparity (3 X 4) and 12 averages for net disparity. These 24 means are displayed in the rows and columns labelled police, prosecutors, judges, and counselors in Table 2. A *t test* was applied to each average to determine whether it differs significantly from zero.

T-tests for all 12, peer- versus other-group averages of total disparity are statistically significant (see Table 2). These results suggest that respondents see other groups' support

to be distinct from their own peers' support for the DUI law. The roles occupied by others do systematically affect professionals' perceptions of others.

T-tests for 9 of the 12 averages measuring perceived net disparity also are statistically significant (see Table 2). Two groups, counselors and police officers, account for 6 of these 9 significant comparisons. Both counselors and police attribute more support to their respective peer groups than they attribute to other groups. Thus members of both groups view their respective peers to be in the forefront of support for the statutory changes.

Table 3. Spearman's Rho Coefficients Assessing Consistency in Groups' Rankings of Other Groups.

Professional Groups				
	Police	Prosecutors	Judges	Counselors
Police	---			
Prosecutors	.80	---		
Judges	.80	.95	---	
Counselors	.40	.80	.75	---

The net disparity data for prosecutors are less striking (see Table 2). Only one comparison is significant. Prosecutors attribute more support to their peers for the strengthened DUI law than they attribute to judges.

Finally, two comparisons are significant for judges, and both show a pattern of net disparity which is the reverse of the earlier comparisons. Specifically, judges attribute less support to their fellow judges than they attribute to either police or counselors.

In summary, practitioners do appear to take the roles of others into account when assessing the likely support of others for the enhanced law. This is evident whether disparity is measured by calculating total or net disparity. The net disparity results indicate that practitioners' perceptions of others generally coincide with our predictions of relative support. We predicted that police officers and counselors would be most supportive, and these professionals see themselves as most supportive. Similarly, we expected prosecutors would be more supportive than judges, and prosecutors see that difference, themselves. Finally, we predicted judges would be less supportive than any of the other three groups, and judges generally perceive this, as well.

Comparisons Across Groups in Professionals' Perceptions of Others

The analysis above suggests that groups generally agree in how they view other groups. This observation can be directly tested. First, separate rankings of relative group support were calculated based on each group's perceptions of others. These rankings are shown in parentheses in Table 1. Second, these rankings were then compared by calculating a Spearman's rho for each of the possible pairwise comparisons of rankings among the four sets of practitioners. High rho's indicate consistency between groups in how the groups perceive role-related attitudes across the system.

The largest Spearman's rho is .95 between prosecutor's rankings and judges' rankings (see Table 3). Most of the remaining coefficients are also high including those between judges and police (.80), prosecutors and counselors (.80), police and prosecutors (.80) and counselors and judges (.75). Thus, respondents generally agree on the relative standing of other practitioners in the system. However, the coefficient for the rankings by police and by counselors is substantially smaller (.40) than the earlier noted coefficients. Counselors and police appear to be out-of-step with each other.

These rankings of the different groups based on perceived support compare favorably with the group ranking based on respondents' personal support for the law. As noted earlier, the personal support averages suggest that counselors are most supportive followed by police, judges, and prosecutors. Similarly, with respect to the perceived support rankings, professionals generally ranked counselors and police as most supportive, and judges and prosecutors as least supportive.

However, there are some discrepancies between perceived and personal support rankings. The ranking based on personal support puts counselors above police, but the police see the reverse and judges perceive a tie between counselors and police. Similarly, the personal support ranking places judges above prosecutors, but respondents consistently see the reverse. Nevertheless, professionals' perceptions of the relative levels of support are fairly accurate compared to the ranking of reported levels of actual support.

DISCUSSION

We hypothesized that support for an strengthened DUI law would vary by professional role and that this differential support would follow a pattern consistent with specific role-expectations. In addition, we inferred from role theory that personal support would coincide with perceived peer-group support, that professionals would see the same disparity in support we predicted to exist, and that this disparity would be sufficiently robust for members of different groups to agree on its nature. Overall, our predictions and inferences were supported. Role expectations can affect attitudes and the perceptions of others' attitudes.

These general conclusions cover several specific findings of interest about the nature of role relationships in the criminal justice system. First, police officers and addiction counselors consistently attributed more support to their respective peer groups than they assigned to other groups. These perceptions of disparity are consistent with their roles (see Preiss & Ehrlich, 1966; and Radelet, 1986; Skolnick, 1994). The positions occupied by police and counselors make these individuals intensely aware of the DUI offender's threat to public safety. Police officers are the first to come in contact with the DUI offender who is operating the vehicle in a dangerous fashion. Addiction counselors deal daily with the problems associated with alcohol and alcoholism, and they are directly involved in assessing the extent to which DUI offenders share these problems. In short, the nature of the experiences which these groups have with the DUI offender is different from those of the

other two professional groups, and the system disparity seen by police officers and by addiction counselors may reflect, in part, this difference.

Second, addiction counselors generally perceived more disparity between their colleagues and other groups than other professionals did. Addiction counselors no doubt spend more of their professional time with DUI offenders than is the case for others, and this focused concern may lead counselors to view themselves as especially strong advocates of the strengthened law. In addition, addiction counselors have responsibilities both within and outside the system. This dual role may encourage counselors to perceive themselves and their views as somewhat distinct from the criminal justice bureaucracy.

Finally, prosecutors and judges tended to embrace similar perspectives of the criminal justice system. Their perceptions of others' support for the strengthened law generally coincided. These findings are consistent with studies which conclude that the courtroom is an organization that is staffed by a workgroup sharing norms, objectives, and goal achievement (see Eisenstein & Jacob, 1977; Clynch & Neubauer, 1981). As a result, Cole (1986, p. 399) suggests that professional participants in the courtroom will "...eventually establish a network of roles that serves to differentiate this group from others."

These patterns of disparate attitudes and perceptions among police officers, prosecutors, judges, and counselors present a challenge for the enforcement of tougher DUI laws (see Ross 1976, 1982; Shover, Bankstron, & Gurley 1977; Williams, 1992).

Shover, Bankstron, and Gurley (1977: 497) argue that the failure of a Tennessee effort to reduce the DUI problem during the 1970's was, in part, due to the ". . . unique work problems and perspectives which operate on occasion to thwart, circumvent, or defeat legislative . . . edicts" (Shover et al., 1977). In response, a significant aspect of becoming tougher on the DUI offender has been the National Highway Traffic Safety Administration's (NHTSA's) advocacy of a systems approach to reducing DUI. The systems approach promotes coordination among various professional groups (NHTSA, 1983) in the belief that a unified front will increase system effectiveness.

NHTSA's concern with coordinating a loosely structured system is not unique to the criminal justice arena. Kahle and Sales (1982) expressed the same concern in studying the reaction of another imperfectly coordinated system, the mental health system, to new laws regulating the processing of patients. These researchers compared the attitudinal response of different professional groups within the system to this new legislation. The different professional groups were generally supportive of the revisions, but there were significant differences in the levels of support. The authors attributed this disparity to different training experiences and expressed the concern that uneven support could alter the intended legislative impact of the revised law.

Similarly, Hagan (1989) argues that the agencies of the United States criminal justice system tend to function as unevenly coupled or semi-autonomous units unless a politically and economically strong force is brought to bear on them and done in combination with

a policy focus on a particular aspect of the crime problem, such as, DUI. NHTSA followed this approach; it brought its DUI-related policy and program preferences to the state level via incentive grants. In turn, those states which became pro-active in the DUI effort formed both statewide and local task forces. Part of the agenda for these task forces was to organize and politically pressure local criminal justice agencies, previously functioning as loosely coupled units, into a systemic assault on the DUI problem.

Whether NHTSA has learned how to successfully generate a more tightly coupled criminal justice system for confronting the DUI problem and whether such a system will promote success awaits further research. Our findings show disparity existed, even after NHTSA's initial efforts. However, this disparity was consistently modest, professionals clearly supported the enhanced law, and they perceived others to be supportive, as well. In fact, a time series analysis of traffic fatalities in North Dakota found that traffic fatalities declined significantly after the legislature's enhancements became operational (McDonald, Larson, Wood, Rathge, Youngs, and Stead, 1987), and there has been a general stabilization of DUI crashes and fatalities during the late 1980s and into the early 1990s at the national level (Williams, 1992, p. 75). Perhaps, NHTSA's efforts sufficiently addressed the centrifugal forces of differential role expectations to ensure some degree of success in reducing DUI.

In summary, the overall system is supportive of the strengthened DUI law, but there are significant differences among the four professional groups both in terms of reported

support and perceived support. These findings suggest that policy makers and program managers need to be alert for the existence of disparate coupling even in a generally supportive environment. Given that disparity exists in the North Dakota criminal justice system which is relatively small and serves a rather homogeneous population, it is likely to also exist (and perhaps more intensely) in the more heavily populated, urbanized states which have larger criminal justice systems and a more heterogeneous clientele. Variance in system conditions and a population's demographic and behavioral profiles do connect to the ability of political leaders and program managers to mobilize loosely coupled system units into a reasonably well integrated, coherent, operational policy. Perhaps this challenge needs to be considered in attempting to explain the stabilization in the decline of DUI crashes and fatalities in recent years (Williams, 1992).

However, some system disparity is inevitable and acceptable. To completely eliminate all disparity might require such a rigidly integrated system that the effort to achieve uniformity would itself reduce the system's effectiveness and trigger resistance to the system's rigidity (Ross, 1976; Shover et al., 1977). The extent of symmetrical support and inter-agency cooperation which is needed to ensure program effectiveness merits research and attention from political leaders, administrators, and professionals associated with the criminal justice system.

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