

# Perceptions of Drug Recognition Experts (DREs) and DRE Evidence: A Qualitative Analysis of the Police, Prosecution, and Defense

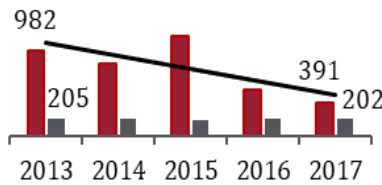
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Access the full report here:  
<https://bit.ly/3wMOOeR>

**Study goal:** Identify effects of DRE and DRE evaluations on DUID case adjudication within Washington state  
**Case study location:** Spokane, Washington

- DRE evaluations decreased from 982 to 391 between 2013 and 2017
- DRE evaluators only decreased from 205 to 202<sup>2</sup>



**Billions of dollars and thousands of lives are lost in the United States from crashes involving impaired drivers each year**

**There is an increasing concern in driving under the influence of drugs other than alcohol (DUID) cases**

**The Drug Recognition Program trains officers to conduct DRE evaluations, a twelve-step examination to detect drug impairment**

**Main research goal**

- Document perceptions of DREs and the DRE program across different stakeholders

**Research Question 1**  
How is the DRE program and DRE-related evidence viewed by criminal justice actors and court systems?

**Follow-up research goal**

- Identify perceptions of the significant decrease in annual DRE evaluations conducted

**Research Question 2**  
How do individuals involved with the DRE program explain the decline in DRE evaluations?

	21 Interviews	Observation and Content Analysis
Methodology	<ul style="list-style-type: none"> <li>• Interviews were conducted virtually between July-November 2020</li> <li>• Interviews lasted between 20 minutes to over an hour</li> </ul> <p><b>9 Law Enforcement Officers</b></p> <p><b>6 Prosecutors</b></p> <p><b>6 Defense Attorneys</b></p>	<ul style="list-style-type: none"> <li>• DUI trial involving alcohol with DRE witness</li> <li>• DUID trial transcripts involving DRE testimony</li> <li>• Washington case appeals related to DRE testimony</li> </ul> <p>Additional methodological details available in the full report</p>

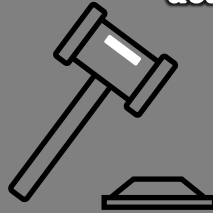
# Findings

## Finding 1: Absence of DREs in Trials

DREs, Prosecutors, and Defense Attorneys noted several reasons for the lack of DRE testimony in trials

### *Lack of Trial Opportunity*

DUI cases often resolve in plea deals



### *Primacy of Blood Evidence*

Blood warrants are considered easier and faster than DREs



### *ARIDE Training*

Other drug impairment training may decline callouts for DREs



## Finding 2: Shortcomings of the DRE Program

Limitations reveal a need for DREs both within and outside trials

### *Shortage of DRE Officers*

Limited DREs cap evaluation totals and broader use



### *Incomplete Evaluations*

Partial evaluations are valid but discounted by attorneys

### *Lack of Communication*

DREs desire feedback on their work from prosecutors

### *Lack of Scientific/Legal Rigor*

Defense attorneys attack DRE validity despite case law

## Finding 3: Indirect Benefits of the DRE Program

DREs serve important functions outside DUI cases

### *Enhanced Efficiency*

DRE training may enhance overall

- Report quality
- Communication skills
- Testimony skills

### *Resource Beyond the Scope of DUI cases*

DREs additionally

- Assist prosecutors on complex drug cases
- Instruct other professions on recognizing drug intoxication

### *Effective Recruitment*

Officers within the DRE program

- Showed passion for DUIs and road safety
- Instructed SFST, ARIDE, and DRE training

# Policy Recommendations and Future Research

- 1) Explore whether DRE evidence influences guilty pleas or verdicts in Spokane, Washington
- 2) Enhance data collection and availability to conduct a formal statewide outcome analysis
- 3) Conduct an independent needs assessment and develop an ongoing evaluation of Washington's Drug Evaluation and Classification Program
- 4) Develop strategies to address program shortcomings, including:
  - Asses how DRE resources are distributed and incentivize DRE-usage
  - Implement communication practices between DREs and prosecutors
  - Develop strategies to reduce misunderstanding of partial evaluations

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*COVID-19 Statement:* The COVID-19 pandemic shifted data collection methods. However, these data are still well-suited for research goals. All data collected as part of this study followed safe data collection practices set by Washington State University during the COVID-19 pandemic.

<sup>2</sup>Washington Traffic Safety Commission. (2018). *Washington Drug Evaluation and Classification Program Review*.