

**HB**

**373**

<TARGET><BILL>HB 373</BILL><SUBJECT>HB  
373</SUBJECT><COMM>HJUD28</COMM></TARGET>

# ALASKA STATE LEGISLATURE

**Rep. Wes Keller, Chairman**  
**State Capitol Building**  
**Room 120**  
**Juneau, AK 99801**  
**(907) 465-2186**



**Rep. Bob Lynn, Vice-Chair**  
**State Capitol Building**  
**Room 108**  
**Juneau, AK 99801**  
**(907) 465-4931**

## House Judiciary Committee

### SPONSOR STATEMENT House Bill 373

Alaska's traditional criminal justice model of incarceration is ill-suited to effectively deter and reform criminal behavior. Alaska leads the nation in prisoner recidivism with two out of three prisoners returning to prison within three years. Our prison population is growing at three times the rate of the State's population and by 2016, Alaska's prisons will be at maximum capacity. Central to this problem is an overreliance on prison sentences rather than active and accountable monitoring and swift and certain punishment to reverse criminal behavior. If a person reoffends, it may be weeks or months before they are held accountable for their actions and the punishment meted out is often ineffective in successfully encouraging positive behavior and personal life choices.

House Bill (HB) 373 opens a new path for Alaska. Drawing from established programs in South and North Dakota and Montana, HB 373's 24/7 Sobriety Monitoring Program establishes a twice-a-day monitoring and accountability program for certain Alaska drug and alcohol related offenses as well as establishing a responsible means to grant misdemeanor DUI offenders with limited driving licenses. Instead of perpetually revolving in and out of the prison system, Alaskans participating in 24/7 can continue to live their normal everyday lives so long as they comply with active sobriety testing. Failure to do so results in swift yet measured sanctions. HB 373 gives Alaskans who commit alcohol or drug related crimes an alternative to prison and the opportunity to freely live their lives. H 373 also demands accountability until positive change and sobriety takes hold and the public's trust in the individual is restored.

# ALASKA STATE LEGISLATURE

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**Juneau, AK 99801**  
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## House Judiciary Committee

### HB 373 Sectional Analysis

**Section 1:** Establishes the 24/7 Sobriety Program (see Sec. 10) as another tool judicial officers may use in establishing a defendant's conditions of release before trial. The defendant must have been charged with an alcohol or substance abuse related offense that is an unclassified felony, class A felony, a sexual felony, or crime involving domestic violence.

**Section 2:** Establishes the 24/7 Sobriety Program as another tool judicial officers may use in establishing a defendant's conditions of release before trial in cases involving manufacturing or sale of alcoholic beverages (AS 4.11.010), importation of alcoholic beverages into dry villages (AS 4.11.499), DUIs (28.35.030), or DUI chemical test refusals (AS 28.35.032).

**Section 3:** Establishes the 24/7 Sobriety Program as another tool judicial officers may use in establishing a defendant's conditions of release before trial in cases involving controlled substances (AS 11.71) or imitation controlled substances (AS 11.73).

**Section 4:** Establishes the 24/7 Sobriety Program as a condition of probation for alcohol and substance abuse related offenses.

**Section 5:** Modifies Alaska's limited driver's license statute to give the Court System or the Department of Administration the option of granting a limited license to a convicted misdemeanor DUI driver (AS 28.35.030) on the condition they participate in the 24/7 Sobriety Program. In addition to meeting AS 28.15.201(d)'s limited driver's license requirements, the driver must also meet 24/7's requirements of twice a day testing. Drivers who violate 24/7 will be placed back on ignition interlocks.

**Section 6:** Reinserts back into statute the language deleted in Section 5 regarding the affidavit that drivers who are on ignition interlock devices must sign.

**Section 7:** Deletes language in AS 28.35.030(b) to allow the Court System or Department of Administration the option of placing under the 24/7 Sobriety Program drivers with limited licenses.

**Section 8:** Allows limited license drivers who are on the 24/7 Sobriety Program to remain on 24/7 once they regain their normal driving privileges rather than having to switch over to an

E-Mail: [Representative Wes Keller@legis.state.ak.us](mailto:Representative_Wes_Keller@legis.state.ak.us)  
Call Juneau Toll free: (800) 468-2186  
Website: [www.akrepublicans.org/keller/](http://www.akrepublicans.org/keller/)

ignition interlock device as mandated under AS 28.35.030(b). Drivers who violate 24/7 will go back to an ignition interlock.

**Section 9:** Allows the courts the discretion of placing drivers who regain their driving privileges after being convicted of a misdemeanor chemical test refusal (AS 28.35.032) under the 24/7 Sobriety Program rather than the mandatory ignition interlock. Violations result in dismissal from 24/7 and the imposition of an ignition interlock device.

**Section 10:** Establishes the 24/7 Sobriety Program under the Alaska Department of Health and Social Services, 24/7's swift and certain punishment provisions, and the requirement that 24/7 participants pay for testing services.

**Section 11:** The amendments made to statutes in Sections 1, 2, 3, 5, 6, 7, 8, and 9 apply to offenses occurring on or after the July 1, 2014 effective date of HB 373. Changes made in Section 4 and the establishment of 24/7 in Section 10 apply to offenses occurring before, on or after HB 373's July 1, 2014 effective date.

**Section 12:** Allows the Department of Health and Social Services to establish regulations to implement the 24/7 Sobriety Program.

**Section 13:** HB 373's July 1, 2014 effective date.

# Fiscal Note

State of Alaska  
2014 Legislative Session

Bill Version: HB 373  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: HB373-ACS-TRC-03-14-14  
Title: 24/7 TESTING; IGNITION INTERLOCKS  
Sponsor: JUDICIARY  
Requester: House Judiciary

Department: Alaska Court System  
Appropriation: Alaska Court System  
Allocation: Trial Courts  
OMB Component Number: 768

**Expenditures/Revenues**

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2015 Appropriation Requested	Included in Governor's FY2015 Request	Out-Year Cost Estimates					
			FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
<b>Total Operating</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Fund Source (Operating Only)**

None								
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Positions**

Full-time								
Part-time								
Temporary								

<b>Change in Revenues</b>								
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**Estimated SUPPLEMENTAL (FY2014) cost:** 0.0 *(separate supplemental appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**Estimated CAPITAL (FY2015) cost:** 0.0 *(separate capital appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**ASSOCIATED REGULATIONS**

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No  
If yes, by what date are the regulations to be adopted, amended or repealed?

**Why this fiscal note differs from previous version:**

Initial version.

Prepared By: <u>Nancy Meade, General Counsel</u>	Phone: <u>(907)463-4736</u>
Division: <u>Alaska Court System</u>	Date: <u>03/14/2014 12:00 PM</u>
Approved By: <u>Nancy Meade for Christine Johnson, Administrative Director</u>	Date: <u>03/14/14</u>
Agency: <u>Alaska Court System</u>	

## FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2014 LEGISLATIVE SESSION

BILL NO. HB373

### Analysis

House Bill 373 is not expected to have a fiscal impact on the Alaska Court System, which submits this zero fiscal note.

Sections 1-3 allow a judicial officer to impose an additional specific condition on defendants who are released on bail if they are charged with serious crimes that are alcohol or drug-related, crimes involving domestic violence, drug crimes, or crimes of driving under the influence or refusal to take a chemical breath test. The condition would require the defendant to comply with a program established by the Department of Health and Social Services (Section 10, new AS 47.38.010-.020.) for daily testing of the person for alcohol or substance abuse (sometimes referred to as a "24/7 program"). Similarly, Section 4 allows a new condition of probation that would require the defendant to comply with the DHSS's 24/7 testing program. Imposing this as a bail condition or condition of probation for appropriate defendants would not have a fiscal impact on the court system.

Sections 5-7 of HB 373 establish a means for defendants charged with misdemeanor DUI, and who therefore have their driver's licenses revoked, to have the court or the Division of Motor Vehicles grant a limited license. This can be done under current law after a set time period (page 5, lines 26-29) if the person uses an ignition interlock device, and completes other requirements. These sections of the bill would provide the court or DMV with the discretion to allow the limited license as long as the defendant complies with daily testing and other requirements under the 24/7 monitoring program, as an alternative to the requirement for an ignition interlock device. The court can implement these new provisions without fiscal impact.

Sections 8 and 9 give the court authority to waive the existing requirement that defendants use an ignition interlock device after they regain the privilege to drive after a conviction for DUI (section 8) or refusal to take a breath test (section 9). The court may waive the ignition interlock requirement if the court requires the person to comply with the 24/7 monitoring program. The court can apply this provision without fiscal impact.

# Fiscal Note

State of Alaska  
2014 Legislative Session

Bill Version: HB 373  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: HB373-DOA-DMV-03-14-2014  
Title: 24/7 TESTING; IGNITION INTERLOCKS  
Sponsor: JUDICIARY  
Requester: House Judiciary

Department: Department of Administration  
Appropriation: Motor Vehicles  
Allocation: Motor Vehicles  
OMB Component Number: 2348

**Expenditures/Revenues**

Note: Amounts do not include inflation unless otherwise noted below.

(Thousands of Dollars)

	FY2015 Appropriation Requested	Included in Governor's FY2015 Request	Out-Year Cost Estimates					
			FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Services	5.7							
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
<b>Total Operating</b>	<b>5.7</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Fund Source (Operating Only)**

1005 GF/Prgm	5.7							
<b>Total</b>	<b>5.7</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Positions**

Full-time								
Part-time								
Temporary								

<b>Change in Revenues</b>								
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**Estimated SUPPLEMENTAL (FY2014) cost:** 0.0 (separate supplemental appropriation required)  
(discuss reasons and fund source(s) in analysis section)

**Estimated CAPITAL (FY2015) cost:** 0.0 (separate capital appropriation required)  
(discuss reasons and fund source(s) in analysis section)

**ASSOCIATED REGULATIONS**

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No  
If yes, by what date are the regulations to be adopted, amended or repealed?

**Why this fiscal note differs from previous version:**

Not applicable, initial version.

Prepared By:	Amy Erickson, Director	Phone:	(907)269-5574
Division:	Motor Vehicles	Date:	03/14/2014 10:00 PM
Approved By:	Curtis Thayer, Commissioner	Date:	03/14/14
Agency:	Department of Administration		

## FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2014 LEGISLATIVE SESSION

BILL NO. HB 373

### Analysis

This bill will create a new 24/7 program that will be run by the Department of Health and Social Services (DHSS). People who participate in the program may qualify to receive a limited license issued by DMV or the Court. Upon notification from DHSS, the DMV will be required to cancel the limited license of participants who fail to comply with the requirements of the 24/7 program. The person will then be required to use the traditional limited license and an ignition interlock device (IID).

#### Expenditures:

The DMV database will need to have additional programming to create a field for expiration dates for limited licenses related to the 24/7 program.

Estimated programming hours: 40

Cost per hour: \$143

Total programming cost:  $40 \times \$143 = \$5,720$

# Fiscal Note

State of Alaska  
2014 Legislative Session

Bill Version: HB 373  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: HB373-DHSS-ASAP-03-14-14  
Title: 24/7 TESTING; IGNITION INTERLOCKS  
Sponsor: JUDICIARY  
Requester: House Judiciary Committee

Department: Department of Health and Social Services  
Appropriation: Behavioral Health  
Allocation: Alcohol Safety Action Program (ASAP)  
OMB Component Number: 305

**Expenditures/Revenues**

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2015 Appropriation Requested	Included in Governor's FY2015 Request	Out-Year Cost Estimates				
			FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
<b>OPERATING EXPENDITURES</b>							
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Fund Source (Operating Only)**

None							
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Positions**

Full-time							
Part-time							
Temporary							

<b>Change in Revenues</b>							
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**Estimated SUPPLEMENTAL (FY2014) cost:** 0.0 *(separate supplemental appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**Estimated CAPITAL (FY2015) cost:** 0.0 *(separate capital appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**ASSOCIATED REGULATIONS**

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No  
If yes, by what date are the regulations to be adopted, amended or repealed?

**Why this fiscal note differs from previous version:**

Not applicable, initial version.

Prepared By:	Barbara Henjum	Phone:	(907)269-3410
Division:	Behavioral Health	Date:	03/14/2014 03:00 PM
Approved By:	Sarah Woods, Deputy Director, Finance & Management Services	Date:	03/14/14
Agency:	Health & Social Services		

FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2014 LEGISLATIVE SESSION

BILL NO. HB373

**Analysis**

AS 47.38.020 would require the commissioner of the Department of Health & Social Services (DHSS), in cooperation with the commissioner of Corrections (DOC) to establish a twice-daily alcohol testing and random controlled substances testing program for defendants with release conditions, offenders with conditions of probation or parole, and offenders required to participate in an alcohol or other controlled substances testing program as a condition of receiving a limited license in place of using an interlock device. This testing program will monitor for any use of controlled substances or alcoholic beverages by participants of this program and report back to the Alaska Court System, Dept. of Motor Vehicles, or the Alcohol Safety Action Program.

This bill will create some additional monitoring and reporting activities of the testing activities for ASAP offices, similar to the current process with substance abuse treatment requirements. No additional staffing should be required. Fiscal impact is not anticipated.

# Fiscal Note

State of Alaska  
2014 Legislative Session

Bill Version: HB 373  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: HB373-DOA-PDA-03-14-14  
Title: 24/7 TESTING; IGNITION INTERLOCKS  
Sponsor: JUDICIARY  
Requester: House Judiciary

Department: Department of Administration  
Appropriation: Legal and Advocacy Services  
Allocation: Public Defender Agency  
OMB Component Number: 1631

**Expenditures/Revenues**

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2015	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2015 Request	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
<b>OPERATING EXPENDITURES</b>	<b>FY 2015</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Fund Source (Operating Only)**

None							
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Positions**

Full-time							
Part-time							
Temporary							

**Change in Revenues**

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**Estimated SUPPLEMENTAL (FY2014) cost:** 0.0 *(separate supplemental appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**Estimated CAPITAL (FY2015) cost:** 0.0 *(separate capital appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**ASSOCIATED REGULATIONS**

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No  
If yes, by what date are the regulations to be adopted, amended or repealed?

**Why this fiscal note differs from previous version:**

Not applicable, initial version

Prepared By:	Quinlan Steiner, Public Defender	Phone:	(907)334-4414
Division:	Public Defender Agency	Date:	03/14/2014 04:12 PM
Approved By:	Curtis Thayer, Commissioner	Date:	03/14/14
Agency:	Department of Administration		

**FISCAL NOTE ANALYSIS**

**STATE OF ALASKA  
2014 LEGISLATIVE SESSION**

**BILL NO.** HB373

**Analysis**

HB373 establish a substance abuse treatment and monitoring program for offenders on probation and defendants released on bail. Additionally, this bill allows courts to require daily testing in lieu of the required use of an ignition interlock device.

This bill is not expected to have a fiscal impact on the Public Defender Agency. The agency, therefore, submits a zero fiscal note.

# Fiscal Note

State of Alaska  
2014 Legislative Session

Bill Version: HB 373  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: HB373-LAW-CRIM-03-14-14  
Title: 24/7 TESTING; IGNITION INTERLOCKS  
Sponsor: JUDICIARY  
Requester: (H) JUDICIARY

Department: Department of Law  
Appropriation: Criminal Division  
Allocation: Criminal Justice Litigation  
OMB Component Number: 2202

**Expenditures/Revenues**

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2015	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2015 Request					
<b>OPERATING EXPENDITURES</b>	<b>FY 2015</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Fund Source (Operating Only)**

None							
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Positions**

Full-time							
Part-time							
Temporary							

**Change in Revenues**

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**Estimated SUPPLEMENTAL (FY2014) cost:** 0.0 *(separate supplemental appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**Estimated CAPITAL (FY2015) cost:** 0.0 *(separate capital appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**ASSOCIATED REGULATIONS**

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No  
If yes, by what date are the regulations to be adopted, amended or repealed?

**Why this fiscal note differs from previous version:**

Initial version, not applicable.

Prepared By:	Loretta Withington, Division Operations Manager	Phone:	(907)465-5427
Division:	Department of Law	Date:	03/14/2014 05:00 PM
Approved By:	Michael C. Geraghty, Attorney General	Date:	03/14/14
Agency:	Department of Law		

FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2014 LEGISLATIVE SESSION

BILL NO. HB 373

**Analysis**

This bill creates a 24/7 alcohol testing program which can be imposed as a condition of bail release. The program shall be run by the Department of Health and Social Services. The bill also changes the law regarding revocation limitations on licenses.

The Department of Law does not anticipate a fiscal impact.

# Fiscal Note

State of Alaska  
2014 Legislative Session

Bill Version: HB 373  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: HB373-DOC-OC-03-14-14  
Title: 24/7 TESTING; IGNITION INTERLOCKS  
Sponsor: JUDICIARY  
Requester: House Judiciary

Department: Department of Corrections  
Appropriation: Administration and Support  
Allocation: Office of the Commissioner  
OMB Component Number: 694

**Expenditures/Revenues**

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2015 Appropriation Requested	Included in Governor's FY2015 Request	Out-Year Cost Estimates					
			FY 2015	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
<b>Total Operating</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Fund Source (Operating Only)**

None								
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Positions**

Full-time								
Part-time								
Temporary								

<b>Change in Revenues</b>								
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**Estimated SUPPLEMENTAL (FY2014) cost:** 0.0 *(separate supplemental appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**Estimated CAPITAL (FY2015) cost:** 0.0 *(separate capital appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**ASSOCIATED REGULATIONS**

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No  
If yes, by what date are the regulations to be adopted, amended or repealed?

**Why this fiscal note differs from previous version:**

This is the original version of the bill.

Prepared By: <u>April Wilkerson, Director</u>	Phone: <u>(907)465-3460</u>
Division: <u>Administrative Services - Department of Corrections</u>	Date: <u>03/14/2014 05:00 PM</u>
Approved By: <u>Leslie Houston, Deputy Commissioner</u>	Date: <u>03/14/14</u>
Agency: <u>Department of Corrections</u>	

FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2014 LEGISLATIVE SESSION

BILL NO. HB 373

**Analysis**

This legislation requires the Department of Corrections to work cooperatively with the Department of Health and Social Services to establish a program which requires twice a day testing for alcohol or random testing for controlled substances. This program could be used as a condition of probation, a condition of receiving a limited license, or in place of using an interlock device.

The Department is familiar with programs such as the one described in the legislation and establishing such a program in cooperation with the Department of Health and Social Services would not have a fiscal impact on the Department.

**ALASKA 24/7 Sobriety Program**  
PARTICIPANT AGREEMENT, WAIVER, CONSENT,  
AND RELEASE OF INFORMATION FORM

Participant: \_\_\_\_\_ Date: \_\_\_\_\_

Program Start Date: \_\_\_\_\_ Anticipated Completion Date: \_\_\_\_\_

Agency: \_\_\_\_\_ Court Case Number: \_\_\_\_\_

Offense: \_\_\_\_\_ Days Assigned to Program: \_\_\_\_\_

I \_\_\_\_\_ agree to my placement in the Alaska 24/7 Sobriety Program (hereinafter referred to as "24/7 Program").

As a condition of being placed in this Program, I agree to strictly comply with all Program and Alaska Pretrial Services (APS) requirements and APS may \_\_\_check or may not \_\_\_check be ordered to serve as my Court Ordered Third Party Custodian. I further agree to follow the instructions of my court order, probation/parole officer, case worker or law enforcement representative (hereinafter referred to as "Contact Person"). I further agree to assist in my enrollment in the 24/7 Program and execute all documents that are part of the enrollment process.

I understand I **MAY NOT** consume, possess or enter ANY establishment that serves or sells alcohol. I further understand I **MAY NOT** have any alcohol on my person or in my residence at any time. Any violation of these conditions will constitute a violation of this Agreement and/or my conditions of release, probation, parole or placement, and I understand I may be remanded or taken into custody for the violation.

\* \_\_\_check **TWICE DAILY ON-SITE BREATH TESTING PROGRAM**

I am required to complete two breath tests daily, once in the morning and again in the evening at the following test site:

Location: \_\_\_\_\_

**Hours are 7 days a week, 365 days a year**

Morning test: 0600 -1000

Evening test: 1700-2100

I understand that 15 minutes prior to testing I **WILL NOT** consume any food, beverage, gum, toothpaste, or tobacco products. I **WILL NOT** put anything in my mouth 15 minutes prior to testing.

I understand that tests performed at another facility DO NOT count for this Program; unless, prior arrangements have been made with my Contact Person or their designee at my testing facility. Unauthorized tests at another facility will be considered violations. If I must leave the area, I will coordinate with my attorney, probation/parole officer or case worker as well as the Alaska Pretrial Services 24/7 Sobriety Program testing facility to make sure that the facility has the appropriate paperwork no less than one week before I leave.

\* \_\_\_\_\_ check **REMOTE/MEMS ELECTRONIC ALCOHOL TESTING DEVICE PROGRAM**  
(Participant MUST reside more than 25 miles one-way from a testing facility)

I agree to use a remote/mobile electronic alcohol breath testing device, i.e.; MEMS 3000 Facial Recognition PBT, for the duration of my participation in the Program, I will follow the Program's and vendor's conditions of use for any devices. I understand that the remote/mobile electronic alcohol testing device, at pre-programmed and/or scheduled intervals, will test me for the presence of alcohol by measuring breath alcohol concentration. When the remote/mobile electronic alcohol testing device detects the presence of alcohol, it will record, store, or forward a positive reading and will transmit an alcohol alert to a designated testing center. The remote/mobile electronic alcohol testing device also contains systems designed to detect interference or tampering and will also record, store and transmit a tampering alert to the designated testing center.

I understand that tampering with the remote/mobile electronic alcohol testing device or any other interference with the taking of samples and download of information will constitute a violation of this Agreement and/or my conditions of release, probation, parole or placement.

I understand that a remote/mobile electronic alcohol testing device will record a photo image of me and transmit it via an analog, digital or cellular signal.

I understand that anyone else captured on the facial recognition system taking an alcohol test in my place will be considered an immediate violation.

**If I am using a remote/mobile breath testing device, I WILL NOT consume any food, beverage, gum, toothpaste, or tobacco products at least 15 minutes prior to testing. I will not put anything in my mouth 15 minutes prior to testing.**

I understand that my daily remote/mobile ELECTRONIC ALCOHOL TESTING device schedule will be determined by my Alaska Pretrial Services Case Officer.

I understand that I may be alerted to take random remote/mobile electronic testing samples at any time.

\* \_\_\_\_\_ check **URINALYSIS/DRUG PANEL OR DRUG TESTING PROGRAM**

I agree to follow the instructions and procedures of the court, test site officers, and equipment providers when participating in drug testing. I understand that the test site officers require a valid urine sample that has not been tampered. I am required to report to Alaska Pretrial Services \_\_\_\_\_ times per week for

testing. A week is considered Sunday thru Saturday. A valid urine sample must be supplied no later than 20 minutes after arrival at the testing facility. The sample may or may not be witnessed by an Alaska Pretrial Services Case Officer. I understand that if I am on prescription medications the following conditions apply to my 24/7 Program: (1) a prescription is valid only if issued within 30 days of the testing date; (2) the prescription bottle (no paperwork) must be presented; and (3) the pill count MUST match the prescription instructions on the label for a positive result to be accepted.

- **Drug Testing Hours** – Sunday thru Saturday 10:00a to 3:30p 7 days a week

### **GENERAL CONDITIONS**

I agree to not participate in the following restricted activities, and understand that a violation of any of the 24/7 Program provisions constitutes a violation of this Agreement and/or my conditions of release, probation, parole or placement and I understand I may be remanded or taken into custody for the violation.

- **No Non-Prescribed Drugs**—I agree that I will not possess or consume any non-prescribed marijuana, or other drugs, nor will I knowingly be present where other persons are doing so.
- **No Alcohol**—I understand that I am not to consume, use or possess any product containing alcohol, including, but not limited to: alcoholic beverages, mouthwash, medicinal alcohol, household cleaners and disinfectants, lotions, body washes, perfumes, colognes, or other hygiene products that contain alcohol.
- **No Bars / Liquor Stores**—I agree I will not enter any bar or other establishment where alcohol or marijuana is offered for sale or consumption on the premises.

I understand that my APS Case Officers may use telephone calls, the alcohol/drug testing equipment, software, monitoring centers, and personal visits to evaluate my compliance with this Agreement. Therefore, when I am at home, I agree to promptly answer my telephone or door. I further understand and agree that all telephone calls between my Contact Person and I may be recorded.

I agree to allow my assigned APS Case Officer or their designee the right to inspect and maintain the electronic alcohol testing device and base station, if applicable, and further agree to meet my APS Case Officer or designee at the time and place requested for this purpose.

If I am unable to personally reach my APS Case Officer, I agree to leave notification on the message service or by other documented means. I will include my name, date, time, and the nature of my problem.

## CONSEQUENCES

If the testing device or drug screening tool indicates the presence of alcohol, marijuana and/or drugs, I may go to jail.

I will not miss a test. A No-Show during my designated testing hours is a violation of the 24/7 Program and I may go to jail.

Failure to pay will be considered a violation of my bail condition, condition of release or judgment, and I may go to jail pending additional court action. I understand that non-payment is considered failure to test as no credit is afforded on this pay-as-you-go Program and I may go to jail.

I understand that if I violate the 24/7 Program and I am incarcerated and/or a warrant is issued for my arrest, I may be subject to warrant service and incarceration fees. Warrant service and/or incarceration fees will be assessed by the court.

I understand that if APS, Probation/Parole, the Alaska Court System, Law Enforcement, or the designee of APS, Probation/Parole, the Alaska Court System, Law Enforcement who has probable cause to believe that I have violated the terms of participation in the 24/7 Program or if I have not paid the required fees or associated costs, shall immediately take me into custody and cause me to be held until an appearance before a judge.

Any violation of this Agreement WILL BE reported to my Contact Person, law enforcement, my court service officer, my parole officer or the judge as appropriate for additional consequences.

## FEES

I will pay all user and participation fees set by this Alaska Pretrial Services Agreement for the testing I have been placed on. I understand these fees may change while I am on the 24/7 Program. The current user and participation fees are:

- \$20.00 enrollment
- \$2.50 per on-site breath test
- \$10.00 per day for any other remote/mobile alcohol testing device
- \$10.00 per test for drug urinalysis

\_\_\_\_\_ initials The minimum due on the day of enrollment for the TWICE DAILY ON-SITE BREATH TESTING PROGRAM will be \$55.00 (enrollment and 1 week testing). The minimum payment that will be accepted for daily testing is \$20.00 (4 days testing). No credit will be afforded to participants, this is a pay-as-you-go Program.

\_\_\_\_\_ initials The minimum due on the day of enrollment for REMOTE/MEMS ELECTRONIC ALCOHOL TESTING DEVICE PROGRAM will be \$160.00 (enrollment and 2 weeks of testing). The minimum payment that will be accepted for remote testing is \$70.00 (1 week of testing). Payment is due

weekly, every Friday no later than 4:00p. No credit will be afforded to participants, this is a pay-as-you-go program. I understand that the remote testing equipment is "loaned" to me and I must return it to Alaska Pretrial Services on the day of 24/7 Program release. \_\_\_\_\_ initials Non-return of the equipment will result in me agreeing to pay a \$1,400.00 replacement cost of the equipment. The individual equipment fees are: Bag \$400.00, Cords \$100.00, Stem \$20.00, Unit \$880.00.

\_\_\_\_\_ signature

\_\_\_\_\_ initials The minimum due on the day of enrollment for the URINALYSIS/DRUG PANEL OR DRUG TESTING PROGRAM be \$\_\_\_\_\_ (enrollment and 4 weeks of testing). The minimum payment that will be accepted for drug testing is \$\_\_\_\_\_ (2 weeks of testing). No credit will be afforded to participants, this is a pay-as-you-go Program. The fee to have a urine sample sent out to Redwood Toxicology for independent testing is \$50.00 and must be paid prior to being sent out.

\_\_\_\_\_ signature

I will also pay the fees associated with the rental/lease, laboratory, handling, and monitoring of the devices used in testing.

I will pay my fees in advance or at the time of testing and I will not be afforded any credit. I also understand that I will be held responsible for any repair or replacement costs for loss or damage to the testing equipment assigned to me that is not due to normal use.

### **PARTICIPANT ACKNOWLEDGEMENT**

I hereby acknowledge that I have read this Participation Agreement and understand its terms. I agree to comply with each of the conditions of my participation in the 24/7 Program. I also authorize the disclosure and exchange of information relating to my participation in the 24/7 Program among the agencies associated with the Program.

Additionally, I grant permission for these agencies to release, disclose and exchange information, including, but not limited to, enrollment, reporting, infractions or violations, and other information collected during my participation in the 24/7 Program; information contained in my criminal records; and other information maintained by law enforcement agencies.

Participation in the 24/7 Program may be used by the above-listed agencies for authorized government and law enforcement activities. These activities include, but are not limited to, determining whether I used alcohol while in the 24/7 Program; monitoring my compliance with the order placing me in the 24/7 Program; and investigating whether I violated the 24/7 Program's conditions and taking appropriate action. This information may also be used to evaluate the effectiveness of the 24/7 Program.

This Release of Information remains in effect and cannot be revoked while I am a participant in the 24/7 Program. This Release of Information will expire when I complete the 24/7 Program. All information obtained during my participation in the Program may be used for statistical purposes and may be disclosed and exchanged among the above listed agencies if I am again placed in the 24/7 Program.

I may be contacted for follow-up interviews to provide information for statistical purposes, which may include information related to my sobriety.

Removal from the 24/7 Program for a violation does not constitute completion of the Program.

In the event I am placed in jail on a violation of the 24/7 Program, I am required to immediately resume testing upon release from custody unless ordered differently by a judge.

**Participant's Name:** \_\_\_\_\_

**Participant's Signature:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Date of Birth:** \_\_\_\_\_ **OBSCIS:** \_\_\_\_\_ **ADL:** \_\_\_\_\_ **Drive:** \_\_\_ Y \_\_\_ N

**SSN:** \_\_\_\_\_ **Contact Person:** \_\_\_\_\_

**Home Phone:** \_\_\_\_\_ **Cell Phone/other:** \_\_\_\_\_

**Employer Name, Address, Phone:** \_\_\_\_\_

**Date:** \_\_\_\_\_

\_\_\_\_\_  
**APS Case Officer Signature**

\_\_\_\_\_  
**APS Case Officer Printed Name**

I certify that a copy of this agreement was delivered to the Participant on \_\_\_/\_\_\_/\_\_\_:

**ID/ADL Photo Copy Below:**

- \_\_\_ At the 24/7 APS Office in person
- \_\_\_ First Class Mail (Address) \_\_\_\_\_  
\_\_\_\_\_ on \_\_\_/\_\_\_/\_\_\_
- \_\_\_ By the Department of Corrections by delivering a copy to \_\_\_\_\_  
on \_\_\_/\_\_\_/\_\_\_ at \_\_\_:\_\_\_ am / pm at (facility) \_\_\_\_\_
- \_\_\_ By the Department of Corrections by facsimile (number) \_\_\_\_\_  
on \_\_\_/\_\_\_/\_\_\_ at \_\_\_:\_\_\_ am / pm at (facility) \_\_\_\_\_

\_\_\_\_\_  
Delivery Person Signature

## 24x7 SOBRIETY MONITORING PROGRAM

1. Use of the 24x7 monitoring program is a growing trend in criminal justice initiatives across the United States and abroad. Alcohol and drug offenders are monitored in 24/7 by a variety of testing methodologies with the goal of long term positive behavior change achieved by extended sobriety. The program represents a commitment to working with chronic DUI and substance abusers and is an alternative to jail and prison incarceration saving millions in tax dollars each year.
  2. **The model for 24x7 Sobriety Monitoring is an evidence-based abstinence program\*\***, that includes:
    - a. A focus on personal responsibility and accountability of the offender,
    - b. A focus on change, behavior modification, and choices made by the offender,
    - c. Continued poly-substance use testing and monitoring of the offender,
    - d. Daily data collection and communication, using web-based client management software,
    - e. Uses predetermined, immediate, measured, and sure consequences for non-compliance by the offender,
    - f. All testing fees paid by the participant are low and affordable making indigency inconsequential for courts,
    - g. 24/7 is self funding and also qualifies for NHTSA (MAP 21) grants funds through the Office of Highway Safety to help grow programs. 24x7 became an approved NHTSA program in the 2014 federal highway bill.
  3. The 24x7 Sobriety Program is being used by the courts in several states as a condition of bond, sentencing, as a condition of probation, use by family courts, in cases of domestic violence, child welfare, parole services, and driver license reinstatements.
    - 24x7 statewide programs have been established in South Dakota, North Dakota and Montana through demonstration programs and passing legislation.
    - Demonstration program(s) are currently in operation in Missouri, Arkansas, Washington, Iowa, Wisconsin, and some jurisdictions in the United Kingdom.
    - Demonstration programs and/or legislation are pending in: Alaska, Nebraska, Idaho, Utah, New Mexico, Wyoming, Minnesota, Missouri, Hawaii, Georgia, and Florida.
  4. The 24x7 Sobriety Monitoring Program provides less opportunity for tampering and manipulating the system because in this program, the monitoring operator is not the user for the vast majority of the participants. The monitoring options used in this program require face-to-face observation of the conducted test or are testing methodologies that remotely monitor sobriety if the offender cannot present to the testing site.
  5. The 24x7 program uses several approved testing methodologies to measure use of alcohol or drugs to make sure that the participants are following the program guidelines. The tools include:
    - Personal breath testing (PBT) or evidentiary devices, recommended for twice-daily (seven days a week) for alcohol
    - Trans-dermal alcohol monitoring
    - Drug sweat patches
    - Urine or blood tests (random or scheduled)Additionally, participants may be required by the court to use more than one testing/monitoring method.
- \*\*Of the tools available, PBTx2 is the most common monitoring tool used (85% of all alcohol testing).**
6. While on the program: participants remain in society, conduct their daily lives, work, pay their fees, and fulfill their responsibilities, **as long as they are program compliant and pass the sobriety testing.**
  7. If participants do not show up for a scheduled test, or if a test shows consumed alcohol or other drugs, then probation, parole or bond may be instantly revoked and participant may be immediately jailed. Sanctions should be swift, certain, and measured. Sanctions most often afford a reinstatement into the program.

Examples of successful recommended sanctions for violations, include, but are not limited to:

- First violation: Immediate 12 hours incarceration, followed by return to program monitoring, with no mandatory reappearance before the court;
- Second violation: Immediate 24 hours incarceration, followed by return to program monitoring, with no mandatory reappearance before the court;

- Third violation: Incarceration and Mandatory appearance before the court to determine consequences of repeated violations.
8. **Program Cost-Effectiveness:** The 24x7 program is based on a participant pay (user-funded) model with formal adopted rules and procedures. The web-based 24x7 management software coordinates data, testing sites, and communicates information to all agencies that touch the system and administer the project. No taxpayer dollars are necessary to operate. Flexibility is built into the business model and allows the testing agency to utilize existing or new resources to maximize efficiencies. Price points for testing have been kept low eliminating the need for indigence considerations by the courts.
  9. Examples of projected costs to the participants for the 24/7 demonstration project monitoring options include:
    - \$2.00 for each PBT conducted. If there is a positive reading on an initial test, a second test will be conducted after 15 minutes, at no additional cost to the participant.
    - \$10.00 (est.) per day for transdermal alcohol monitoring. Initial set up fee and activation and de-activation fees apply.
    - \$40.00 (est.) for each drug sweat patch. Patch may be worn for 7-10 days unless outer seal is compromised.
    - \$10 (est.) for each UA screen

National contact: **Bill Mickelson**, Mickelson Consulting Group LLC, (24x7 Project Coordinator), Office 605 224-5321, Cell 605 280-4548, or email [blmick@pie.midco.net](mailto:blmick@pie.midco.net) (the 24/7 website: <http://www.24x7sober.com/>)

**NOTE:** South Dakota's 24x7 Sobriety program was pioneered by former South Dakota Attorney General Larry Long and has now been in effect since February of 2005. Special Attorney General Bill Mickelson assisted with development, implementation, and management of the project.

*"The 24x7 program works like an electric fence works. The punishment is swift, 100% certain, but not severe. And that seems to be why the program is effective. I also think there is a therapeutic effect for offenders involved in a twice-daily program with a community of participants like themselves. They don't feel singled out and they have others involved daily in addressing their addiction problem. It's been gratifying to me to hear from family members of offenders who see a real difference in their son or daughter or spouse as they become sober again and are able to sustain it over time. I believe that the 24x7 sobriety program, which allows us to gather and analyze data related to these repeat offenders, will help us make real strides in the future in balancing punitive and treatment options that can help end the cycle and move people to permanent sobriety."* Former South Dakota Attorney General, and current circuit Judge Larry Long, South Dakota.

**\*Program Effectiveness:** Evidenced in a study by the RAND Corporation, the 24x7 Sobriety Project is showing favorable results in reducing problem drinking and improving public health outcomes. As published in the American Journal of Public Health in November 2012, the first year's analysis of a four year study showed that between 2005 and 2010 there was a significant reduction in crashes, DUI recidivism (12%), decline in domestic violence, and a positive effect on mortality for counties that adopted 24/7. Additional analysis is being done on 30,000 participants, cost benefit analysis, and the impact on health care systems where 24/7 is implemented. The peer reviewed and evidence based 24/7 publication by the RAND Corporation is available through the [American Journal of Public Health](#). \*\* In South Dakota, 85% of the participants monitored for alcohol were on twice a day testing and 15% were placed on transdermal devices. The Rand Study cited above was based on this distribution.

<http://www.rand.org/health/feature/24-7.html>

In the [Mountain Plains Evaluations](#), researchers documented the [dramatic decrease in recidivism](#) for multiple DUI offenders placed on the program. The data was generated from participants that **only participated in the twice a day testing portion of the program**. In further studies from the Mountain Plains firm, 24x7 alcohol testing studies confirmed that twice per day testing had lasting and long term positive effects on DUI recidivism versus use of a transdermal device. See study results at the link below:

<http://apps.sd.gov/atg/dui247/247stats.htm>

South Dakota program statistics from February 2005 to January 2014:

- 2x per day alcohol breath testing, 31,930 participants, 6.59 million tests administered, pass rate 99.2%
- Transdermal alcohol testing, 6,087 participants, 945,915 days monitored, 77% fully compliant (vendor information)
- Ignition Interlock alcohol testing, 213 participants, 307,987 tests administered, 99.4% (vendor reporting tests passed)
- UA drug testing, 3,849 participants, 94,669 tests administered, 96.4% pass rate
- Drug patch testing, 222 participants, 2,230 tests administered, 85% pass rate

# Efficacy of Frequent Monitoring With Swift, Certain, and Modest Sanctions for Violations: Insights From South Dakota's 24/7 Sobriety Project

Beau Kilmer, PhD, Nancy Nicosia, PhD, Paul Heaton, PhD, and Greg Midgette, MPP

Alcohol consumption can impose enormous health and safety costs on individuals and society.<sup>1,2</sup> Problem drinkers account for a disproportionate share of these costs.<sup>2,3</sup> Although millions of problem drinkers pass through the criminal justice system each year,<sup>4,5</sup> reducing their alcohol consumption has proven difficult. Those arrested for or convicted of an alcohol-involved offense are sometimes ordered not to drink or frequent bars, but abstinence is difficult to enforce because alcohol passes through the system more quickly than other substances. For example, a 160-pound man who exceeds the legal drinking limit for driving after consuming 5 drinks in 2 hours will likely register a 0.00 in a breathalyzer test 8 hours after drinking.<sup>6-8</sup>

In traditional community corrections settings (e.g., probation and parole), sanctions often occur only after major violations or after a series of minor violations, and they may not be imposed until weeks or months after the offense. However, a growing body of evidence from neurobiology, psychology, and economics suggests that punishment certainty is a stronger deterrent to criminal activity than punishment severity.<sup>9-13</sup> Research also suggests that individuals value immediate rewards more strongly than delayed rewards,<sup>14,15</sup> a tendency particularly pronounced among alcohol-abusing populations.<sup>16,17</sup>

In 2004, South Dakota Attorney General Larry Long proposed an innovative pilot project called the 24/7 Sobriety Project (hereinafter, 24/7) that made twice-a-day breathalyzer tests (i.e., once in the morning and once in the evening) a condition of bail for those who had been rearrested for driving while under the influence of alcohol (DUI). Individuals who failed or skipped tests were immediately subject to a short jail term, typically 1 or 2 days. The 5-county pilot project quickly expanded

*Objectives.* We examined the public health impact of South Dakota's 24/7 Sobriety Project, an innovative program requiring individuals arrested for or convicted of alcohol-involved offenses to submit to breathalyzer tests twice per day or wear a continuous alcohol monitoring bracelet. Those testing positive are subject to swift, certain, and modest sanctions.

*Methods.* We conducted differences-in-differences analyses comparing changes in arrests for driving while under the influence of alcohol (DUI), arrests for domestic violence, and traffic crashes in counties with the program to counties without the program.

*Results.* Between 2005 and 2010, more than 17 000 residents of South Dakota—including more than 10% of men aged 18 to 40 years in some counties—had participated in the 24/7 program. At the county level, we documented a 12% reduction in repeat DUI arrests ( $P = .023$ ) and a 9% reduction in domestic violence arrests ( $P = .035$ ) following adoption of the program. Evidence for traffic crashes was mixed.

*Conclusions.* In community supervision settings, frequent alcohol testing with swift, certain, and modest sanctions for violations can reduce problem drinking and improve public health outcomes. (*Am J Public Health.* 2013;103:e37-e43. doi:10.2105/AJPH.2012.300989)

to incorporate additional counties, individuals arrested or convicted for other offenses (e.g., assault), and additional monitoring technologies. By the end of 2010, more than 17 000 of the roughly 825 000 residents of South Dakota—including more than 10% of men aged 18 to 40 years in some counties—had participated in the program.

Our analysis of data from the South Dakota Attorney General's Office revealed that program participants were ordered to take approximately 3.7 million breathalyzer tests from 2005 to 2010 and that the pass rate exceeded 99% (99.3% of the tests were clean, 0.36% dirty, and 0.34% no shows). With inclusion of the results from continuous alcohol monitoring bracelets (worn by roughly 15% of participants), there were approximately 2.25 million days without a detected alcohol violation. These patterns suggest that the program may have been effective in reducing problem drinking among the target population. If 24/7

successfully reduces alcohol use among problem drinkers, we might expect improvements in alcohol-related public health outcomes following the establishment of the program.

Although 24/7 has won national awards and is being implemented in other states, evidence to date of its effectiveness has been largely anecdotal and descriptive.<sup>18-20</sup> We provide the first rigorous empirical evaluation of 24/7 across a range of public health outcomes by using a differences-in-differences research design that leverages the program's phased implementation across counties using a 10-year county-month panel (January 2001–December 2010).

## METHODS

We measured the effects of the program by comparing changes in public health outcomes in counties that adopted 24/7 with changes over the same period in control counties that did not adopt the program. Our approach estimated

program effects on the basis of how within-county changes in the outcomes of interest related to within-county changes in the program's availability; hence, we did not rely solely on cross-sectional variation, which can bias estimates because of unobserved heterogeneity across counties. Although estimates from our approach may be considered conservative because impacts may not always be sufficiently large to be detected at the county level, the scale of the program minimizes this concern.

### Operationalizing 24/7 Implementation

To determine when 24/7 was implemented in various counties within the state, we drew from a database provided by the South Dakota Attorney General's Office. This database includes participant-level data (e.g., demographic characteristics, county of residence, dates of participation) as well as detailed information about every test (e.g., date and time of each test, result) for all individuals assigned to the program since its inception. We defined 24/7 as operational in each county once the number of county residents participating in 24/7 for a given month equaled or exceeded a quarter of the number of DUI arrests in the county, where the latter was defined as the county's moving monthly average during the previous year to address any seasonality. This definition applied well to both large and small counties and reduced "false positives" resulting from the fact that some counties had a few residents participating before the program's formal establishment. We examined the sensitivity of our results to alternative approaches for defining implementation.

Figure 1 displays the timing of program implementation across South Dakota's counties when defined with this threshold. The 5-county pilot program started in 2005 and quickly expanded within and across counties. Once judges realized that offenders would show up for twice-a-day testing and that virtually all tests were clean, they started extending the program to those arrested for other offenses (e.g., domestic violence) and those who had already been convicted. Judges from other counties learned about the pilot and asked to join the program. By the end of 2006, there were 19 counties administering breathalyzer tests for 24/7 and some counties started using continuous alcohol monitoring bracelets.

The unanimous passage of House Bill 1072 dramatically expanded the 24/7 program.<sup>21</sup> The bill went into effect July 1, 2007, and provided funds to counties that wanted to adopt the program. The new law allowed judges to order anyone they believed had an alcohol problem, pre- or postconviction, to participate in the program. The law also changed rules for those who lost their license for a repeat DUI offense. It had previously been possible for some of these individuals to receive a permit to drive only to and from work, but these permits were now conditional on 24/7 participation.

Many of South Dakota's large counties were among the early adopters of the program, but some experienced important declines in participation over our analysis period. For example, in Pennington County, there were 570 participants in 24/7 for twice-a-day testing in October 2008; by 2010 the monthly average was 377 participants. One potential explanation for this decline is that 24/7 reduced drunk driving.

### Dependent Variables

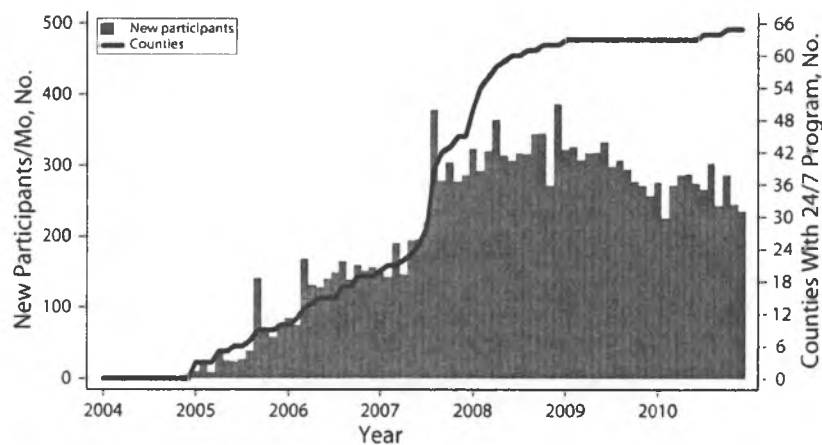
We focused on 3 drinking-related public health outcomes: DUI arrests, arrests for domestic violence, and traffic crashes. Arrest data for DUI and domestic violence from 2001 to 2010 were made available by the South Dakota Department of Criminal Investigation.

For DUI, we can distinguish first-time offenders from repeat offenders—an important distinction for a program that primarily targets repeat offenders. Information about traffic crashes reported to the police from 2004 to 2010 was made available by the South Dakota Office of Highway Safety. Table 1 presents the descriptive statistics for these outcomes at the county-month level.

In addition to looking at all traffic crashes, we also considered crashes involving male drivers aged 18 to 40 years because this subpopulation is most likely to report driving under the influence of alcohol.<sup>22</sup> This age group also accounts for more than half of 24/7 participants. Approximately 63% of new 24/7 participants entering the program from 2005 to 2010 entered for DUI, 6% for community corrections violations, 5% for domestic violence, 5% for assault (excluding domestic violence), 5% for drug possession, and 17% for other offenses (numbers do not add to 100% because of rounding).

### Independent Variables

The analyses controlled for a number of time-varying county characteristics that could influence our outcomes (Table 1). County characteristics measured monthly included the unemployment rate,<sup>23</sup> snowfall,<sup>24</sup> an indicator variable for the Sturgis Motorcycle Rally



Note. We defined 24/7 as operational in each county once the number of county residents in 24/7 for a given month equaled or exceeded one quarter of the number of driving under the influence arrests in the county, where the latter is defined as the county's moving monthly average during the previous year to address any seasonality. Calculations to determine when 24/7 was operational in each county exclude 55 individuals (0.3%) who wore a continuous alcohol monitoring bracelet in 2006 and 2007, but were missing residency and 24/7 status information.

FIGURE 1—Participation in South Dakota's 24/7 Sobriety Project, 2005–2010.

**TABLE 1—Descriptive Statistics of Model Variables for South Dakota's 24/7 Sobriety Project, 2001–2010**

Variable	No.	Mean (SD)	Min	Median	Max
<b>Dependent</b>					
<b>Arrests</b>					
DUI-1	7920	8.872 (24.812)	0	2	272
Repeat DUI	7920	3.228 (8.341)	0	1	82
Domestic violence	7920	2.742 (8.558)	0	0	85
<b>Traffic crashes<sup>a</sup></b>					
Total	5544	20.913 (44.789)	0	9	591
Men aged 18–40 y	5544	7.500 (18.547)	0	3	250
<b>Independent</b>					
Population	7920	11 905 (23 500)	999	5533	183 048
Percentage White	7920	85.178 (24.026)	5.891	96.178	99.779
Men aged 18–40 y share of population	7920	13.266 (3.212)	7.601	12.575	25.190
Unemployment rate	7920	4.080 (1.984)	1.400	3.500	18.600
Police officers per capita <sup>b</sup>	7920	14.075 (5.583)	0	14.097	37.364
VMT per capita <sup>c</sup>	7920	1.601 (1.245)	0.500	1.282	9.444
Bars per capita <sup>b</sup>	7920	5.688 (4.026)	0	5.283	23.328
Package stores per capita <sup>b</sup>	7920	2.017 (2.212)	0	1.522	10.828
Snowfall <sup>d</sup>	7920	0.106 (0.181)	0	0	3.700
Sturgis Rally	7920	0.004 (0.061)	0	0	1
College in session	7920	0.044 (0.206)	0	0	1

Note. DUI = driving while under the influence of alcohol; DUI-1 = first-time DUI; VMT = vehicle miles traveled.

<sup>a</sup>Traffic crashes only cover 2004–2010.

<sup>b</sup>Per capita measure based on rate per 10 000 people.

<sup>c</sup>VMT are based on annualized rate; miles in 10 000s.

<sup>d</sup>Average monthly snowfall in inches.

(equals 1 for Pennington, Meade, and Lawrence counties in August of each year), and an indicator for whether college was in session in the 4 counties with substantial student populations. Other county characteristics available at the annual level include vehicle miles traveled,<sup>25</sup> per capita police officers,<sup>26</sup> per capita on- and off-premises alcohol outlets,<sup>27</sup> and demographic characteristics including total population, share of population that is male aged 18 to 40 years, and share of population that is White.<sup>28</sup> We linearly interpolated these annual series to construct monthly measures.

#### Statistical Analyses

Our statistical model was:

$$(1) Y_{it} = \alpha (24/7)_{it} + \beta X_{it} + \gamma_i + \delta_t + \varepsilon_{it}$$

where  $Y_{it}$  represents a public health outcome in county  $i$  and month  $t$ . The indicator  $24/7_{it}$  captures whether the program was operational

in county  $i$  and month  $t$ . The coefficient of interest,  $\alpha$ , measures the effect of 24/7, which we hypothesized to be negative. The vector  $X_{it}$  includes the time-varying county-level control covariates already described. County fixed effects ( $\gamma_i$ ) capture unobservable characteristics of each county that are fixed over time. Finally, the vector  $\delta_t$ , consists of fixed effects for each month in the sample to control for seasonal and temporal trends that are common to all counties, such as statewide legislative changes.

In the models examining arrests for repeat DUI offenses, we also controlled for first-time DUI arrests as a control potentially helps account for unobservable factors that affect all types of DUI, such as unobserved enforcement intensity (for example, DUI checkpoints) or reporting changes. Moreover, there is a mechanical relationship between first-time and repeat DUI arrests, because counties with a greater number of first-time DUI arrests have more

residents at risk for repeat DUIs, so failing to control for this variable could lead to omitted variable bias. Given that the precise mapping from first-time DUIs into subsequent DUIs is unknown, the relationship is modeled flexibly by using a high-degree polynomial.

Because our outcomes involved count data and included zeros, we estimated equation 1 using Poisson regression. The Poisson model provides consistent estimates of the conditional mean function across a wider range of data-generating processes than some other count models such as the negative binomial model.<sup>29</sup> To conduct valid statistical inference even under a failure of the Poisson equal mean-variance assumption or with arbitrary forms of within-county autocorrelation in error terms, we reported cluster-robust standard errors with clustering at the county level.<sup>30</sup> We conducted our analysis by using Stata/MP version 12 (StataCorp LP, College Station, TX).

#### RESULTS

Table 2 presents the incident rate ratios (IRRs) estimated from the Poisson regressions of our 5 outcomes. There was no statistically or substantively significant effect of 24/7 on first-time DUI arrests (DUI-1). The null finding is intuitive because 24/7 primarily targeted offenders at risk for repeat DUI arrests. Although, in theory, the program could create a general deterrent effect that reduces DUI-1, such an effect was not apparent in these data. The IRR for 24/7 on repeat DUI was 0.883 ( $P=.023$ ), which represents a 12% reduction in arrests. The analyses also suggest that 24/7 reduced arrests for domestic violence by 9% (IRR = 0.905;  $P=.035$ ; Table 2).

Table 2 shows the effect of 24/7 on traffic crashes overall and among male drivers aged 18 to 40 years. The model did not identify a reduction for crashes overall (IRR = 0.980;  $P=.338$ ); however, there is suggestive evidence that 24/7 may have modestly reduced traffic crashes for male drivers aged 18 to 40 years (IRR = 0.956;  $P=.085$ ).

Table 3 demonstrates that our findings for repeat DUI arrests, domestic violence arrests, and crashes involving male drivers aged 18 to 40 years are robust across alternative specifications. The first 3 rows address

TABLE 2—Results from Poisson Regressions: South Dakota's 24/7 Sobriety Project, 2001–2010

	DUI-1 (n = 7800), IRR (95% CI)	Repeat DUI (n = 7920), IRR (95% CI)	Domestic Violence (n = 7560), IRR (95% CI)	Traffic Crashes (n = 5544), IRR (95% CI)	Traffic Crashes, Men Aged 18-40 Years (n = 5544), IRR (95% CI)
24/7 implemented	1.062 (0.955, 1.181)	0.883* (0.794, 0.983)	0.905* (0.825, 0.993)	0.980 (0.941, 1.021)	0.956 (0.909, 1.006)
Population <sup>a</sup>	1.607 (0.745, 3.466)	10.522* (1.343, 82.46)	2.327* (1.069, 5.068)	1.188 (0.838, 1.683)	1.625** (1.184, 2.231)
Percentage White	10.672 (0.002, 45 568)	< 0.001* (< 0.001, 0.904)	< 0.001* (< 0.001, 0.743)	0.010 (< 0.001, 4.440)	0.009 (< 0.001, 5.234)
Men aged 18–40 y share of population	< 0.001* (< 0.001, 0.654)	< 0.001* (< 0.001, 0.185)	< 0.001 (< 0.001, 18.344)	1.269 (0.003, 570.135)	7.358 (0.015, 3515.884)
Unemployment rate	0.981 (0.944, 1.020)	1.005 (0.975, 1.036)	0.949* (0.902, 0.998)	0.965 (0.930, 1.001)	0.967 (0.935, 1.000)
Police officers per capita <sup>b</sup>	1.008 (0.991, 1.026)	1.002 (0.984, 1.020)	1.004 (0.978, 1.030)	1.020** (1.005, 1.036)	1.018* (1.001, 1.035)
VMT per capita <sup>c</sup>	1.056 (0.887, 1.257)	1.076 (0.698, 1.661)		1.046 (0.952, 1.149)	1.007 (0.916, 1.107)
Bars per capita <sup>b</sup>	1.002 (0.977, 1.027)	0.977 (0.939, 1.017)	1.001 (0.975, 1.029)	0.997 (0.989, 1.005)	1.000 (0.990, 1.010)
Package stores per capita <sup>b</sup>	1.056* (1.002, 1.114)	0.976 (0.913, 1.044)	1.005 (0.956, 1.055)	1.000 (0.978, 1.022)	1.002 (0.980, 1.025)
Snowfall <sup>d</sup>	0.942 (0.725, 1.224)	0.903 (0.677, 1.204)	0.944 (0.843, 1.057)	1.251* (1.048, 1.493)	1.560*** (1.338, 1.820)
Sturgis Rally	2.854 (0.934, 8.723)	1.477*** (1.330, 1.641)	1.240* (1.013, 1.519)	1.642*** (1.293, 2.086)	1.485** (1.154, 1.910)
College in session	1.026 (0.677, 1.555)	0.970 (0.812, 1.159)	0.920 (0.829, 1.021)	1.071 (0.922, 1.244)	1.153* (1.003, 1.327)
DUI-1 polynomial					
First degree		1.241*** (1.181, 1.304)			
Second degree		0.873*** (0.838, 0.910)			
Third degree		1.108*** (1.068, 1.148)			
Fourth degree		0.972 (0.940, 1.004)			
Fifth degree		1.000 (0.982, 1.018)			

Note. CI = confidence interval; DUI = driving while under the influence of alcohol; DUI-1 = first-time DUI; IRR = incidence rate ratio; VMT = vehicle miles traveled. All models included county fixed effects and year-month fixed effects. Ninety-five percent confidence intervals estimated by using robust standard errors clustered at the county level in parentheses. The full sample size for repeat DUI arrests is 7920 based on a full 10-year county-month panel (66 counties  $\times$  10 y  $\times$  12 mo). The sample sizes for DUI-1 and domestic violence arrests are smaller because some counties reported no arrests for certain offenses to the state Department of Criminal Investigation over the entire time period. For DUI-1, this includes Shannon County whereas for domestic violence this includes Shannon, Dewey, and McPherson counties. Sample sizes for the crash models were 5544 because we only had data for 2004 through 2010 (66 counties  $\times$  7 y  $\times$  12 mo).

<sup>a</sup>Natural log of monthly linear interpolation of population.

<sup>b</sup>Per capita measure based on rate per 10 000 people.

<sup>c</sup>VMT are based on annualized rate; miles in 10 000s.

<sup>d</sup>Natural log of average monthly snowfall in inches.

\* $P < .05$ ; \*\* $P < .01$ ; \*\*\* $P < .001$ .

alternative approaches for determining when 24/7 went into effect in each county. Our base specification defined 24/7 as operational when the number of county residents participating equaled or exceeded our threshold defined as 25% of the county's average number of DUI arrests. In the first and second rows, we considered alternative thresholds based on 40% and 10% cut-offs, respectively. In the third row, we considered whether the threshold should be denominated in terms of county population rather than DUI arrests. For repeat DUI arrests, the reductions remained statistically significant and even become larger with the less conservative 10% threshold (from 12% to 17%;  $P = .016$ ). The point estimates remained similar for domestic violence and crashes, but standard errors increased for

domestic violence and often declined for crashes.

We also looked at potential data-reporting problems (Table 3). Tribal police departments are not required to submit arrest and crash data to state agencies. The inclusion of DUI-1 helps us account for such reporting inconsistencies in repeat DUI arrest models, but there could still be bias in the results for domestic violence and crashes. In the fourth row, we re-estimated the models excluding information reported by tribal police departments and the point estimates remained similar.

To ensure the validity of our data on DUI arrests, we compared our county-level DUI arrest data with the number of DUI cases filed by prosecutors, which are collected by a different agency (Table 3). These data series should

be highly correlated, but not perfectly correlated because DUI arrests may ultimately be charged as a different offense or not charged at all. Furthermore, for some counties, such as those with tribal agencies, comprehensive arrest information but not prosecution data may be submitted to the state, or vice versa. Although the median (mean) within-county correlation coefficient across the 2 data series was high at 0.93 (0.84), the correlation was low in some counties. (We were only able to obtain county filing information at the annual level, so we correlated county DUI arrest and filing information at the fiscal-year level.) Therefore, in the fifth row, we excluded the 10 counties with correlation coefficients below 0.7 (Table 3). The point estimates remain largely unchanged.

TABLE 3—Sensitivity Analysis: South Dakota's 24/7 Sobriety Project

	Repeat DUI, IRR (95% CI)	Domestic Violence, IRR (95% CI)	Traffic Crashes, Men Aged 18-40 y, IRR (95% CI)
Definition of 24/7 program implementation			
Change threshold from 25% to 40%	0.899* (0.812, 0.996)	0.909 (0.819, 1.008)	0.951* (0.907, 0.997)
Change threshold from 25% to 10%	0.834* (0.718, 0.967)	0.913 (0.832, 1.002)	0.949 (0.900, 1.001)
Change threshold to 5 residents in 24/7 per 10 000 population	0.892* (0.805, 0.989)	0.894* (0.804, 0.994)	0.955* (0.915, 0.998)
Potential reporting issues			
Exclude arrests and crashes reported by tribal police agencies	0.905 (0.817, 1.003)	0.902* (0.822, 0.990)	0.951 (0.905, 1.000)
Exclude 10 counties where the correlation coefficient for DUI arrest and court is below 0.7	0.883* (0.791, 0.986)	0.896* (0.814, 0.987)	0.955 (0.903, 1.010)
Exclude counties reporting no DUI-1 or domestic violence arrests (Dewey, McPherson, and Shannon counties)	0.885* (0.796, 0.984)	0.905* (0.825, 0.993)	0.952 (0.904, 1.002)
Alternative specifications			
Exclude controls for DUI-1	0.843* (0.715, 0.993)	...	...
Negative binomial (25% threshold)	0.885 (0.781, 1.002)	0.909 (0.822, 1.005)	0.958 (0.906, 1.014)

Note. CI = confidence interval; DUI = driving while under the influence of alcohol; DUI-1 = first-time DUI; IRR = incidence rate ratio. Full results available upon request. Models included the full set of covariates except as noted.

\* $P < .05$ ; \*\* $P < .01$ ; \*\*\* $P < .001$ .

We also re-estimated the models excluding counties that did not report either DUI-1 (Shannon) or domestic violence arrests (Shannon, Dewey, McPherson) to the state Department of Criminal Investigation over the 10-year period. Again, the results remain unchanged (Table 3).

In our main results, we included DUI-1 as an explanatory variable in the repeat DUI models to control for unobserved enforcement activities and potential reporting bias. Controlling for DUI-1 may not be desirable if part of the impact of the program comes through changing patterns in DUI-1 offending. Excluding DUI-1 from this model increased the size of the 24/7 reduction (IRR = 0.843;  $P = .041$ ; Table 3).

Finally, when we estimated negative binomial rather than Poisson models, we obtained similar (albeit less precise) point estimates (Table 3).

## DISCUSSION

More than 17 000 individuals participated in the 24/7 Sobriety Project between 2005 and 2010 and their tests indicated that there were approximately 2.25 million days without a detected alcohol violation. This does not mean that there was absolutely no drinking on

those days. Rather, it provides support for a reduction in the incidence of heavy drinking among a population with a history of problem drinking.

Our analysis provides strong evidence that the 24/7 program reduced the incidence of repeat DUI and domestic violence arrests, and provides suggestive evidence that it may have reduced reported traffic crashes involving men aged 18 to 40 years. The findings are robust to many alternative assumptions and specifications.

These estimated effects are not small. When we used a measure that defines a 24/7 program as operational in a county once the number of residents participating equaled or exceeded a quarter of DUI arrests in the county, we found that program led to a 12% reduction ( $P = .023$ ) in repeat DUI arrests and a 9% reduction ( $P = .035$ ) in domestic violence arrests at the county level.

Some may consider these results to be conservative for 2 reasons. First, aggregate-level impacts depend both on the magnitude of the individual-level impact and the number of program participants. Because in most counties only a fraction of eligible DUI offenders participated in the program (albeit a high fraction in some counties), an analysis

using individual-level data could yield larger behavioral effects of the program. However, an important challenge with the individual-level approach is addressing the potential selection issues introduced by judicial discretion regarding who participates and for how long. Our county-level approach overcomes this concern.

Second, defining 24/7 as operational only after the number of residents participating in the program equaled or exceeded a quarter of DUI arrests means that we classified some counties as not operational when the program was actually up and running. This approach could dilute the program effect. In our sensitivity analysis, we considered a less conservative 10% threshold and the reduction for repeat DUI arrests became larger and more precise (17%;  $P = .016$ ) and conversely became smaller for the higher threshold of 40%. The alternate thresholds did not have a noticeable effect on the other outcomes.

Most studies of interventions targeting DUI are not directly comparable to our results because they rely on individual-level analyses or do not focus specifically on repeat DUI arrests; however, there are some that help put our findings in perspective. For California, Rogers found that the implementation of mandatory administrative license suspension

following a DUI arrest reduced all DUI arrests in the state by 4%.<sup>31</sup> For Alberta, Canada, Voas et al. found that the introduction of a province-wide interlock program reduced aggregate DUI reconviction rates by 6%.<sup>32</sup> The authors suggested that this effect is "small" because less than 10% of eligible drivers participated in the program. Finally, Kenkel used nationally representative data to estimate the cross-price elasticity of the demand for drunk driving with respect to the price of alcohol to be 0.74 for men.<sup>33</sup> This cross-price elasticity suggests that it would take a 16% increase in alcohol prices to reduce DUI among men by 12%. Thus, we interpret our 24/7 results to be important contributions to the DUI literature and remind readers that we also found evidence that 24/7 reduced domestic violence arrests.

#### Limitations

Because 24/7 has only been in existence for a few years, our analysis captured only the short-run effects of the program. As counties gain experience with implementation and as the program is extended to a wider range of problem users, it is possible that impacts will increase. Alternatively, it may be that the deterrent impacts of frequent testing may fade over time as individuals become increasingly removed from their program experience. Understanding the longer-run effects of the program will be important for assessing its overall effectiveness.

Our aggregate analysis delivered an estimate of the average effect of the program, but it seems possible that the program may be more effective for certain types of offenders. Future research that exploits individual-level data to better understand heterogeneity in response to 24/7 would enrich our understanding of the program and inform efforts to export this enforcement model to other jurisdictions.

We did not address the variation in how the program was implemented across and within counties. Although every violation was supposed to be punished with jail time, we know this did not always occur. Future research that accounts for program fidelity would improve our understanding of how 24/7 works.

We also considered only a limited set of public health outcomes. If, as suggested by these findings, 24/7 is successful at reducing problem drinking, potential benefits may

extend to a range of outcomes not considered here (e.g., mental health, hospitalization or other forms of health care utilization). Further analysis to more clearly understand the impacts of 24/7 and similar programs on a broader range of outcomes is warranted.

#### Conclusions

We found strong support for the hypothesis that frequent alcohol testing with swift, certain, and modest sanctions can reduce problem drinking and improve public health outcomes. Our empirical analysis of South Dakota's 24/7 Sobriety Project demonstrated reductions in arrests for repeat DUI and domestic violence as well as suggestive evidence of a decline in traffic crashes involving men aged 18 to 40 years.

Taking these results in a broader perspective, our findings provide support for a new approach to monitoring and influencing behaviors that relies on changes in the certainty and celerity of consequences. We demonstrate the efficacy of this approach with respect to alcohol-related behaviors, but taken together with emerging evidence from a similar program in Hawaii focused on illegal drug consumption (Project HOPE<sup>12</sup>), our findings suggest that this model may have implications for influencing a wide range of problem behaviors.

Although quasiexperimental analyses such as ours provide strong evidence in favor of this approach, we hope that our research encourages funding agencies to support experimental evaluations to provide further evidence on the causal effects of programs such as 24/7 that adopt innovative deterrence approaches. Indeed, it is critical that researchers study whether 24/7 can work outside South Dakota in both rural and urban areas. It will also be useful to explore how testing programs with swift and certain sanctions can best incorporate positive incentives for compliance as well as treatment services. ■

#### About the Authors

Beau Kilmer, Paul Heaton, and Greg Midgette are with RAND Corporation, Santa Monica, CA. Nancy Nicosia is with RAND Corporation, Boston, MA. B. Kilmer is also with the RAND Drug Policy Research Center, Santa Monica. P. Heaton is also with the RAND Institute for Civil Justice, Santa Monica. G. Midgette is also with the Pardee RAND Graduate School, Santa Monica.

Correspondence should be sent to Beau Kilmer, RAND Corporation, 1776 Main St M5E, Santa Monica, CA

90401 (e-mail: kilmer@rand.org). Reprints can be ordered at <http://www.ajph.org> by clicking the "Reprints" link. This article was accepted July 18, 2012.

#### Contributors

B. Kilmer designed the study and supervised the data collection. G. Midgette was in charge of data management. All authors conducted statistical analyses and contributed to the writing and editing of the article.

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**Note.** The views expressed herein are only those of the authors.


#### Human Participant Protection

All relevant ethical safeguards have been met in relation to participant protection, including approval from the RAND Corporation's Human Subject Protection Committee (assurance number: FWA00003425; IRB number: IRB00000051).

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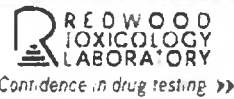

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# Office of the Attorney General

## 24/7 Sobriety Program



<div style="border: 1px solid black; padding: 2px; margin-bottom: 2px; text-align: center;">Administrative Rules</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px; text-align: center;">House Bill 1072</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px; text-align: center;">24/7 Statistics</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px; text-align: center;">Forms/Documents</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px; text-align: center;">24/7 State Map</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px; text-align: center;">Contact Us</div>	<p><b>24/7 Statistics</b></p> <p><a href="#">24/7 Program Powerpoint (In PDF format)</a></p> <p><b>GENERAL PBT STATISTICS SUMMARY</b> Prepared by the Attorney Generals Office</p> <p>From February 1, 2005 - March 1, 2014:</p> <ul style="list-style-type: none"> <li>• 32,533 Participants</li> <li>• 6.73 million tests administered</li> <li>• Pass Rate 99.2%</li> </ul> <p><b>GENERAL U/A STATISTICS SUMMARY</b> Prepared by the Attorney Generals Office</p> <p>From July 1, 2007 - March 1, 2014:</p> <ul style="list-style-type: none"> <li>• 4,004 participants</li> <li>• 98,027 number of tests administered</li> <li>• Pass Rate 96.4%</li> </ul> <p><b>GENERAL DRUG PATCH STATISTICS SUMMARY</b> Prepared by the Attorney Generals Office</p> <p>From July 1, 2007 - March 1, 2014:</p> <ul style="list-style-type: none"> <li>• 238 participants</li> <li>• 2,368 number of tests administered</li> <li>• Pass Rate 84.4%</li> </ul> <p><b>GENERAL SCRAM BRACELETS STATISTICS SUMMARY</b> Prepared by the Alcohol Monitoring Systems (AMS)</p> <p>From October 10, 2006 - March 1, 2014:</p> <ul style="list-style-type: none"> <li>• 6,269 participants</li> <li>• 990,755 total days monitored</li> <li>• Fully Compliant participants: 77%</li> <li>• 704 confirmed drinking events</li> <li>• Per test compliance: 99.7%</li> <li>• 3,037 confirmed tampers</li> </ul> <p><b>IGNITION INTERLOCK STATISTIC SUMMARY</b> Prepared by Consumer Safety Technology (CST)</p> <p>From October 1, 2012 - March 1, 2014:</p> <ul style="list-style-type: none"> <li>• 230 participants</li> <li>• 347,451 Tests administered</li> </ul>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 5px; text-align: center;">  <p style="font-size: small;">Proud to be Part of the 24/7 Sobriety Project</p> </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px; text-align: center;">  <p style="font-size: x-small;">Breath Alcohol Testing Since 1945</p> </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px; text-align: center;">  <p style="font-size: x-small;">Confidence in drug testing &gt;&gt;</p> </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px; text-align: center;">  <p style="font-size: x-small;">Testing Agency Login</p> </div>
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- 345,583 Tests Passed
- Passing Rate: 99.46%

**ANALYSIS**

Analysis of Parolee Behavior on SC RAM

*July 2012*

*Prepared by Mountain Plains Evaluation, LLC*

Summary of 24-7 Sobriety Program Data

*October 6, 2012*

*Prepared by Mountain Plains Evaluation, LLC*

Evaluation Supplemental Findings Report

*November 9, 2012*

*Prepared by Mountain Plains Evaluation, LLC*

Office of Highway Safety | Office of the Attorney General | State of South Dakota

