Why do we need the 24-7 Program?

UNENFORCEABLE CONDITIONS

• Don’t drink
• Don’t go to bars
• Don’t drive
INNOVATIONS IN CRIMINAL JUSTICE SUMMIT II

The Association of Prosecuting Attorneys, in partnership with the U.S. Department of Justice’s Bureau of Justice Assistance and the Center for Court Innovation, will host the Innovations in Criminal Justice Summit II highlighting 10 innovative criminal justice practices.

- Brooklyn’s ComALERT (Communities and Law Enforcement Resources Together)
- Denver’s Witness Protection Program
- Kentucky’s Pretrial Release Program
- Manhattan’s Arrest Alert System
- Maricopa County’s (Phoenix) Restitution Enforcement Court
- Multnomah County Re-entry Enhancement Coordination (REC) Program
- Philadelphia’s Community Based Prosecution Model
- South Dakota’s AG 24/7 Sobriety Project
- Stearns County, MN Repeat Felony Domestic Violence Court
- Washington D.C. Community Courts

FEBRUARY 19TH-21ST, 2013
HILTON MIAMI DOWNTOWN
MIAMI, FL

To register please go to APAinc.org
GOAL

• Defendant sobriety- 24/7

• Target group- anyone arrested when alcohol or drugs were being used during the crime
BOND CONDITIONS

- No Alcohol
- No Bars
- Breath Test – 7 AM and 7 PM
- If you skip or fail – You go to Jail
APPLICABILITY – ALL CRIMES

Pre-Trial
• Bond Conditions

Post Conviction
• Condition of Suspended Sentence

Parole
• Parole Board Imposed

Abuse & Neglected Children
• Testing imposed upon adults in household as condition to return of children to homes.
Twice a Day Breath Test
99.0% Success rate of participants who come in and blow twice daily.
SCRAMx
A Product of Alcohol Monitoring System (AMS)
99.0% of Per Test Compliance by Participants
73.0% of Participants are Fully Complaint

- September 2009: SD Supreme Court in State v. Lemier upheld SCRAM
Ignition Interlock - Intoxalock
IGNITION INTERLOCK STATS
(Provided by Consumer Safety Technology, Inc.)

✓ Pass rate for participants on Interlock is 99.0 %

NOTE: Must test 2x a day whether diving vehicle or not.
DRUG URINALYSIS

• Detection of drugs through urine test
• Detectable drugs
  – Cocaine
  – Opiates
  – Amphetamines
  – Marijuana
  – Oxycodone
  – PCP
  – Antidepressants
  – Ecstasy
Participants on Urinalysis testing have a 94.0% pass rate
Detection of drugs through sweat.

Patch lasts for 7-10 days.

Drugs detected from 1-2 days before patch applied and up to 24 hours prior to removal.

Detects (Standard Panel)
- Cocaine
- Methamphetamine
- Opiates
- Heroin
- PCP
- Amphetamine
- Marijuana
- Morphine
- Benzoylcegonine

Expanded Opiate Add-On Panel:
- Oxycodone
- Hydrocodone
- Oxymorphone
- Hydromorphone
Participants being tested by the Drug Patch have a passing rate of 75.2%
Remote Breath

• Starting in 2019 the State of South Dakota has introduced a device called Remote Breath.
• This device is provide to the State by the same company the supplies our CAM bracelet monitoring.
• Participants are required to blow twice a day along with random tests being requested through out the day.
24/7 PROGRAM
RECIDIVISM ANALYSIS

• Compared to non 24/7 Participants, arrests to arrests (next DUI offense) recidivism is substantially lower for 24/7 Participants at 1, 2 and 3 years.

• Even lower rates are documented for individuals that have 30 and 90 days of consecutive twice a day testing on the program.
24/7 Program Participants Compared to Controls
DUI 1st to next DUI Offense

Mountain Plains Evaluation, LLC
24/7 Participants Compared to Controls

DUI 2nd to next DUI Offense

Mountain Plains Evaluation, LLC
24/7 Participants Compared to Controls
DUI 3rd to Next DUI Offense

<table>
<thead>
<tr>
<th>Category</th>
<th>One Year Rate</th>
<th>Two Year Rate</th>
<th>Three Year Rate</th>
<th>Four Year Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Controls</td>
<td>6.4%</td>
<td>10.4%</td>
<td>14.1%</td>
<td>16.1%</td>
</tr>
<tr>
<td>All 24/7 PBTx2</td>
<td>3.2%</td>
<td>5.8%</td>
<td>7.5%</td>
<td>9.0%</td>
</tr>
<tr>
<td>24/7 PBTx2 with 30 consecutive days</td>
<td>2.7%</td>
<td>4.5%</td>
<td>5.6%</td>
<td>6.9%</td>
</tr>
<tr>
<td>24/7 PBTx2 with 90 consecutive days</td>
<td>1.0%</td>
<td>1.8%</td>
<td>3.2%</td>
<td>5.1%</td>
</tr>
</tbody>
</table>

Mountain Plains Evaluation, LLC
24/7 Participants Compared to Controls
DUI 4th to next DUI Offense

Mountain Plains Evaluation, LLC
PROGRAM FEES

PBT

$2 a day test fee – remains with testing agency.
Cost = $.10 per PBT tube + staff time.
$1 – To AG (1st 30 days – Participation Fee).

UA

$10.00 per test – Remains with testing agency.

Drug Patch

$50.00 per patch – Remains with testing agency.
Agency pays testing cost from fee.
PROGRAM FEES

SCRAM/CAM Fees:

$40.00 Activation Fee – Paid to and remains with testing agency.

$40.00 Deactivation Fee – Paid to and remains with testing agency.

$6.00 Daily monitoring fee:
  $3.53 to Alcohol Monitoring Systems (AMS).
  $1.00 to testing agency
  $1.47 to AG’s Office to operate program.
Ignition Interlock

Standard Fees:
- Installation: $80.00
- Removal: $40.00
- Device Lease: $103.00
  - Includes $30.00 monthly Participation Fee paid to the AG’s Office.

Installation/Inspection Fees (Paid to Sheriff’s Office)
- Initial Installation: $40.00
- 30 Day Inspection: $20.00
Remote Breath

$40.00 Activation Fee – Paid to and remains with testing agency.

$40.00 Deactivation Fee – Paid to and remains with testing agency.

$5.00 Daily monitoring fee:
  $2.40 to Alcohol Monitoring Systems (AMS).
  $1.00 returned to testing agency
  $1.60 to AG’s Office to operate program.
<table>
<thead>
<tr>
<th>Program Perception</th>
<th>1 Disagree</th>
<th>2</th>
<th>3 Undecided</th>
<th>4</th>
<th>5 Agree</th>
<th>No Answer</th>
<th>Average Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Once in the program I was treated with respect</td>
<td>13.7%</td>
<td>13.4%</td>
<td>12.2%</td>
<td>14.0%</td>
<td>43.6%</td>
<td>3.2%</td>
<td>3.86</td>
</tr>
<tr>
<td>I liked the program</td>
<td>36.9%</td>
<td>8.7%</td>
<td>20.1%</td>
<td>10.8%</td>
<td>20.3%</td>
<td>3.2%</td>
<td>2.57</td>
</tr>
<tr>
<td>The program was good for me</td>
<td>21.5%</td>
<td>5.2%</td>
<td>15.1%</td>
<td>13.7%</td>
<td>41.3%</td>
<td>3.2%</td>
<td>3.51</td>
</tr>
<tr>
<td>Because of this program I have a better family Relationship</td>
<td>32.3%</td>
<td>11.6%</td>
<td>16.9%</td>
<td>11.3%</td>
<td>25.0%</td>
<td>2.9%</td>
<td>2.80</td>
</tr>
<tr>
<td>Because of this program I am a better person</td>
<td>31.7%</td>
<td>7.8%</td>
<td>14.2%</td>
<td>13.7%</td>
<td>29.4%</td>
<td>3.2%</td>
<td>2.94</td>
</tr>
</tbody>
</table>
# Retrospective Pre vs. Post Responses

<table>
<thead>
<tr>
<th>Domain/Behavior</th>
<th>Average Score Before 24/7 Participation</th>
<th>Average Score @ Completion of 24/7 Program</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Controlling alcohol use</td>
<td>2.0</td>
<td>3.3</td>
<td>1.3</td>
</tr>
<tr>
<td>Controlling drug use</td>
<td>3.4</td>
<td>3.8</td>
<td>0.4</td>
</tr>
<tr>
<td>Expressing affection with family members</td>
<td>2.9</td>
<td>3.2</td>
<td>0.3</td>
</tr>
<tr>
<td>Being a good friend</td>
<td>3.1</td>
<td>3.4</td>
<td>0.3</td>
</tr>
<tr>
<td>Ability to get along with family members</td>
<td>3.0</td>
<td>3.3</td>
<td>0.3</td>
</tr>
<tr>
<td>Developing trusting relationships</td>
<td>2.7</td>
<td>3.1</td>
<td>0.3</td>
</tr>
<tr>
<td>Feelings of self-worth</td>
<td>2.8</td>
<td>3.2</td>
<td>0.4</td>
</tr>
<tr>
<td>Ability to make positive changes in your life</td>
<td>2.7</td>
<td>3.3</td>
<td>0.6</td>
</tr>
<tr>
<td>Having good friends</td>
<td>2.9</td>
<td>3.2</td>
<td>0.4</td>
</tr>
<tr>
<td>Parenting skills</td>
<td>2.9</td>
<td>3.2</td>
<td>0.4</td>
</tr>
<tr>
<td>The overall functioning of your family</td>
<td>2.9</td>
<td>3.2</td>
<td>0.4</td>
</tr>
<tr>
<td>Dealing with stress</td>
<td>2.5</td>
<td>2.9</td>
<td>0.5</td>
</tr>
<tr>
<td>Your general physical health</td>
<td>2.8</td>
<td>3.1</td>
<td>0.3</td>
</tr>
<tr>
<td>Your general mental health</td>
<td>2.8</td>
<td>3.2</td>
<td>0.4</td>
</tr>
<tr>
<td>Your ability to get help when you need it</td>
<td>2.6</td>
<td>3.2</td>
<td>0.6</td>
</tr>
</tbody>
</table>
24/7 Program Partners

This is why it works:

Courts

Law Enforcement

Prosecutor/Defense Attorney
24/7 SOBRIETY PROGRAM

BENEFITS

+ Mom/Dad and kids are safer.
+ Public is safer.
+ Defendant will spend less time in jail.
+ Treatment prospects improve.
+ Defendant remains employed.
+ Defendant maintains responsibilities.
+ Offender funded – NO TAXPAYER COST!
South Dakota 24/7 Sobriety Program

http://atg.sd.gov/

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