

24/7 Sobriety Program

What is the 24/7 Sobriety Program?

- ▶ Objective of the program is to reduce recidivism in a cost effective manner
- ▶ Alcohol or drug testing ordered by a judge to a defendant convicted of DUI
- ▶ Defendant is required to go to a jail facility and test for alcohol two times a day (between 6-8 am and 6-8 pm), seven days a week; or transdermal alcohol monitoring device may be used
- ▶ Defendants can also be ordered to be tested for drugs
- ▶ Allows defendant to keep their driving privilege
- ▶ Legislature provided funding to initiate the pilot program
- ▶ Ongoing costs are funded by participants

Origins of the 24/7 Program

- ▶ Started in early 1990's in South Dakota
- ▶ The goal was to reduce recidivism, reduce overcrowding in the correctional facilities, and allow offenders the opportunity to maintain their driving privilege so they could continue working
- ▶ They developed a plan where judges could impose a condition of bond where the offenders would be tested for alcohol in the morning and evening
- ▶ High rates of compliance because defendants could be released from Jail but have to follow certain conditions:
 - ▶ No Alcohol
 - ▶ No bars
 - ▶ Breath test at the jail at 7 AM and 7 PM
 - ▶ Failure to comply resulted in jail time

Historical Statistics from South Dakota

- ▶ Feb 2005-Feb 2018
- ▶ 48,014 participants
- ▶ The historical average is 53% of participants will appear on time and test
- ▶ Passing rate 99.05% of those tested
- ▶ 10 million tests administered
- ▶ Recidivism rates were substantially lower for people who participated in the program compared to those that did not participate
- ▶ Decrease of fatalities for all causes reduced by 4%
- ▶ Reduced felony DUI by 41% over a 12 year period of time (3rd offense)
- ▶ Other benefits
 - ▶ Less domestic violence
 - ▶ Less issues with employment

Nationwide Overview

Other States and 24/7 Programs

- 24/7 statewide programs have been established in South Dakota, North Dakota, Montana, Alaska, Washington, Idaho, Wyoming, Iowa, Utah and Nevada through enabling state legislation. (States have differing levels of participation)
- Pilot programs are up and running in Nebraska, Utah and Wisconsin.
- Efforts in 2020 to develop 24/7 programs are on-going in Arkansas, Arizona, California, Delaware, Kentucky, Louisiana and Tennessee.

Nationwide Status of 24/7 Sobriety Programs (September 2019)



Requirements for Participation – Weber County Pilot

- ▶ Individual age 21 or older is convicted for DUI
- ▶ Risk assessment is conducted prior to judge ordering participation in the 24/7 Sobriety Program
- ▶ Judge determines length of time in program; however, minimum of 1 year required for second or subsequent offense (tied to federal highway funding)
- ▶ Individual must abstain from consuming alcohol, take breathalyzer test twice daily at testing facility, and install ignition interlock device in vehicle
- ▶ Individual is allowed to reinstate the driver license DUI early (before DUI sanction period is over)
- ▶ If removed from program, driver license will be re-suspended for DUI conviction

Utah Sanctions

- ▶ The sanctions for violations are timely
- ▶ Sanctions are as follows:
 - ▶ Positive test
 - ▶ 1st offense 8 hour jail commitment
 - ▶ 2nd offense 16 hour commitments
 - ▶ 3rd offense 24 hour commitment
 - ▶ 4th offense taken in custody, meet with judge, may be removed from the program and license suspended
 - ▶ Not Showing up for test
 - ▶ 1st offense 12 hour Jail commitment
 - ▶ 2nd offense 24 hour jail commitment
 - ▶ 3rd offense 48 hour jail commitment
 - ▶ 4th offense Taken into custody, may be removed from the program and license suspended

Benefits

- ▶ The program will allow the offender to have their driving privilege restored rather than serving a DUI driver license suspension/revocation
- ▶ Anticipated reduction in DUI related fatalities
- ▶ Anticipated reduction in recidivism
- ▶ Personal positive contact with jail personnel to improve accountability
- ▶ Offenders do not serve jail time and can continue to function in the community
- ▶ Reduction in court costs and such as juries and judges etc.
- ▶ Participants may be more productive in the workforce
- ▶ Focuses on changing a person's drinking habits which might help them to stay sober beyond the program

Statistical Data-Weber County

- ▶ Statistical data from July 1, 2018—August 10, 2020
- ▶ Total enrollments: 83
- ▶ Currently enrolled: 28
- ▶ 1st time offenders: 10
- ▶ 2nd time offenders: 73
- ▶ Participants completed or removed from 24-7 (55)
- ▶ 1st time offenders: 10 (10 successful completion)
- ▶ 2nd time offenders: 45 (31 successful completion, 8 unsuccessful, 6 removed per courts)

- ▶ **PARTICIPANT SUCCESSFUL COMPLETION RATE: 83.67%**
 - ▶ *calculation doesn't include those removed by the court.

Statistical data continued

- ▶ Test conducted: 39,222 (39,155 breath, 67 urine)
- ▶ Negative breath test results: 39,096
- ▶ Positive test results (.001 or higher):30
- ▶ Failure to report: 29
- ▶ UA tests: 67 (negative results: 55, positive results: 12)

TESTING COMPLAINT: 99.82%

Successes-Weber County

- ▶ Several if not all participants have nothing but praise for the program,
- ▶ “My life has change for the better, I was able to keep my license and get sober”.
- ▶ “This program has changed more than me, it’s changed my family”.
- ▶ “I wouldn’t have a job if it wasn’t for this program”.
- ▶ “I wish this program was expanded so I could test in other areas of the state”.
- ▶ “This makes me accountable and a better person”.

Recommendations-Weber County

- ▶ The Weber County pilot program has been very successful in the short amount of time since it went active. The pilot has proven it's reliability with at 99% successful testing rate and a 83% successful completion rate.
- ▶ Statewide program expansion would allow for individuals to test at any facility in the state rather than just Weber County.
- ▶ Expand program to include domestic violence cases involving drugs or alcohol.

Questions?