

THE  
SOUTH DAKOTA  
24/7 SOBRIETY PROJECT  
AN OVERVIEW

NEW MEXICO PRESENTATION

# STATE OF THE SOUTH DAKOTA CRIMINAL JUSTICE SYSTEM IN 2004

- FOR DECADES ALCOHOL AND DRUGS HAVE BEEN FUELING THE CRIMINAL JUSTICE SYSTEMS
- ESCALATING JAIL AND PRISON POPULATIONS W/O A TAX BASE TO SUPPORT BUILDING NEW JAILS AND PRISONS – A FINANCIALLY AND SOCIALLY UNSUSTAINABLE SITUATION
- INMATE DEMOGRAPHICS: 36% OF THE PRISONERS ARE FELONY DUI AND 31% OF INMATES ARE CONTROLLED SUBSTANCES FELONS
- NEARLY HALF OF ALL FATAL CRASHES WERE ALCOHOL RELATED AND ONE OF THE HIGHEST ALCOHOL RELATED FATAL AND INJURY CRASH RATES IN THE NATION
- 85% OF THE PRISON POPULATIONS IN SD HAVE AN ADMITTED ALCOHOL OR DRUG PROBLEM
- 830,000 POPULATION AND 50% OF THAT GROUP DEFINED AS RURAL

# THINKING OUTSIDE THE BOX TO FIND ANOTHER DIRECTION THE 24/7 PROGRAM (AN IDEA WHO'S TIME HAD COME)

- GOVERNOR'S CORRECTIONS TASK FORCE AND ATTORNEY GENERAL LARRY LONG
- FRONTING THE IDEA OF 24/7 MONITORING WITH A SURE, SWIFT, AND MEASURED CONSEQUENCE FOR NON-COMPLIANCE OF PROGRAM RULES EFFECTING CHANGE AND BEHAVIOR MODIFICATION (CRITICAL COMPONENT TO THE SUCCESS OF 24/7.
- DEFINING OBJECTIVES:
  1. KEEP PARTICIPANTS SOBER AND CLEAN 24/7
  2. REDUCE INCARCERATION RATES (LOCAL AND STATE)
  3. REDUCE ALCOHOL AND DRUG RELATED INJURY AND FATAL CRASHES
  4. REDUCE DUI RECIDIVISM RATES AND CRIME OVERALL
  5. SAVE TAXPAYER DOLLARS BY USING A PARTICIPANT PAY MODEL, DEVELOP LOW PRICE POINTS FOR TESTING METHODOLOGIES SO TESTING IS AFFORDABLE  
(NOTE.....SD RANKS 46<sup>TH</sup> IN THE NATIONS PER CAPITA INCOME)
  6. SUPPORT TESTING FOR SPECIALTY COURTS
  7. KEEP PARTICIPANT WORKING AND PROVIDING FOR FAMILIES
  8. SET THE STAGE FOR LONG TERM SOBRIETY AND BEHAVIOR CHANGES WITH TREATMENT PROTOCOLS AND RETURN OF COGNITIVE SKILLS
  9. TEST AGENCIES HAVE EXPENSES OFFSET WITH PARTICIPATION FEES AND AGENCY PARTICIPATION IS VOLUNTARY

# TARGET GROUP AND GETTING STARTED

- AGAIN Participant sobriety- 24/7 (NO ALCOHOL NO DRUGS NO BARS)
- ( 5 county pilot Feb. 05) Anyone arrested for DUI 2<sup>nd</sup> or more 24/7 imposed as a condition of bond
- USE QUICKLY ESCALATED AND EXPANDED BY JUDGES and now (with legislation) used as a bond condition or post sentence/probation for offenses having a nexus to alcohol or drug abuse, high BAC first offense DUI, DUI 2 or more, vehicular homicide, vehicular battery, prison parole any offense, family courts , domestic violence, DUI court/drug court, and reinstatement of driving permit after suspension or revocation.

# TESTING METHODOLOGIES

- TWICE PER DAY BREATH TESTING
- TRANSDERMAL MONITORING
- RANDOM OR SCHEDULED UA
- DRUG PATCH
- NEW TECHNOLOGIES IN TESTING STAGES
  - SALIVA TESTING
  - OTHER BREATH TESTING DEVICES

# SD BREATH TESTING RESULTS

(LATEST PUBLISHED STATS 2/05 – 6/1/2015)  
(twice per day is the backbone of 24/7 testing)

- 37,291 PARTICIPANTS PLACED ON 2 x DAY TESTING
- 85% of the alcohol testing participants are 2xday
- APPROXIMATELY 2,500 ACTIVE PARTICIPANTS EACH DAY
- ADMINISTERED 7.79 MILLION TWICE PER DAY TESTS
- PASS RATE OF 99.1%
- .45% FAILED THE BREATH TEST
- .45% DID NOT SHOW FOR TESTING
- \*7.79 MILLION TESTS / 2 = 3.9 M DAYS x \$80 PER DAY JAIL COSTS = MILLIONS IN SAVINGS?

(\*estimated SAVINGS ON JAIL FEES FOR LOCAL GOVERNMENT)

Data from the South Dakota Attorney General

# TRANSDERMAL STATISTICS

OCTOBER 2006 – JUNE 2015

- PARTICIPANTS USING A TRANSDERMAL DEVICE 7,667
- TOTAL DAYS MONITORED 1.3 MILLION
- AVE. LENGTH OF TIME ON BRACELET 140 DAYS
- FULLY COMPLIANT 76%
- NON COMPLIANT 24%
- NON COMPLIANT MEANS A CONFIRMED DRINKING EVENT OR A CONFIRMED TAMPER OR BOTH

AMS supplied data

# OTHER TESTING RESULTS

JULY 2007 – JUNE 2015 (LATEST PUBLISHED STATS)

- UA TESTING
- 5,394 PARTICIPANTS
- 132,778 TESTS ADMINSTERED
- PASSED RATE 96%

DATA PROVIDED BY THE SD ATTORNEY GENERAL

## DRUG PATCH

- 354 PARTICIPANTS
- 3,462 PATCHES USED
- PASS RATE 78%

DATA PROVIDED BY THE SD ATTORNEY GENERAL

## IGNITION INTERLOCK \*(vendor data)

- 350 PARTICIPANTS
- VENDOR SELF REPORT 99+ COMPLIANT \*
- \*IID only .004% of total alcohol testing for 24/7 since inception

# STATE OF CRIMINAL JUSTICE IN 2014 SUCCESSSES OF 24/7

## TWO 24/7 STUDIES DEMONSTRATING SUCCESS

### MT. PLAINS EVAULATION

STUDY SANCTIONED BY NHTSA AND DEMONSTRATED A 50% PLUS REDUCTION  
IN RECIDIVISM RATES (long term) FOR PARTICIPANTS PLACED ON THE 24/7  
PROGRAM

STUDIES CAN BE FOUND ON THE SD ATTORNEY GENERAL WEBSITE:

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

### RAND CORPORATION

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

<https://www.crimesolutions.gov/ProgramDetails.aspx?ID=404>

## WITH PREDICTABILITY: WHAT HAPPENS WHEN A COUNTY OR JURISDICTION ADOPTS 24/7?

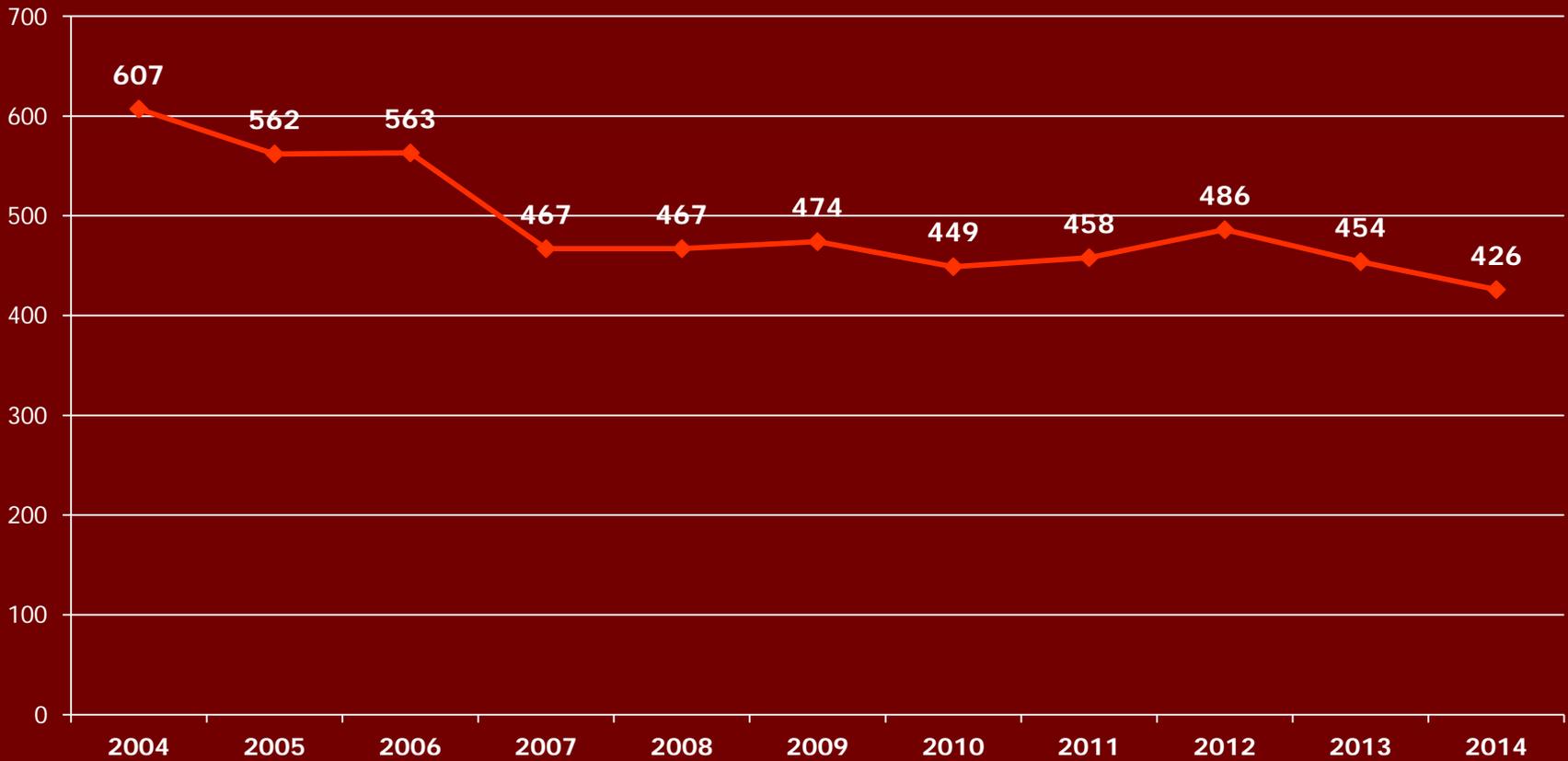
- REDUCTION IN DUI RECIDIVISM
- REDUCTION IN DOMESTIC VIOLENCE
- REDUCTION IN ALCOHOL RELATED CRASHES
- REDUCTION IN PUBLIC HEALTH HARMS FROM ALCOHOL AND DRUG MISUSE
- REDUCTION IN JAIL/PRISON POPULATIONS (LESS TIME IN JAIL)
- MARKED DIFFERENCE IN PROBATION AND PAROLE STRATEGIES
- ENHANCED PROSPECTS FOR TREATMENT SUCCESSES
- TESTING SUPPORT FOR DUI / DRUG COURTS
- CRIMINAL JUSTICE SYSTEMS COST SAVINGS

(COSTS OF COURT APPOINTED ATTORNEYS, TRIALS, CORRECTIONS, PROBATION SERVICES, PROSECUTION EXPENSES, ETC)

- LAW ENFORCEMENT PRO-ACTIVE OPPORTUNITY

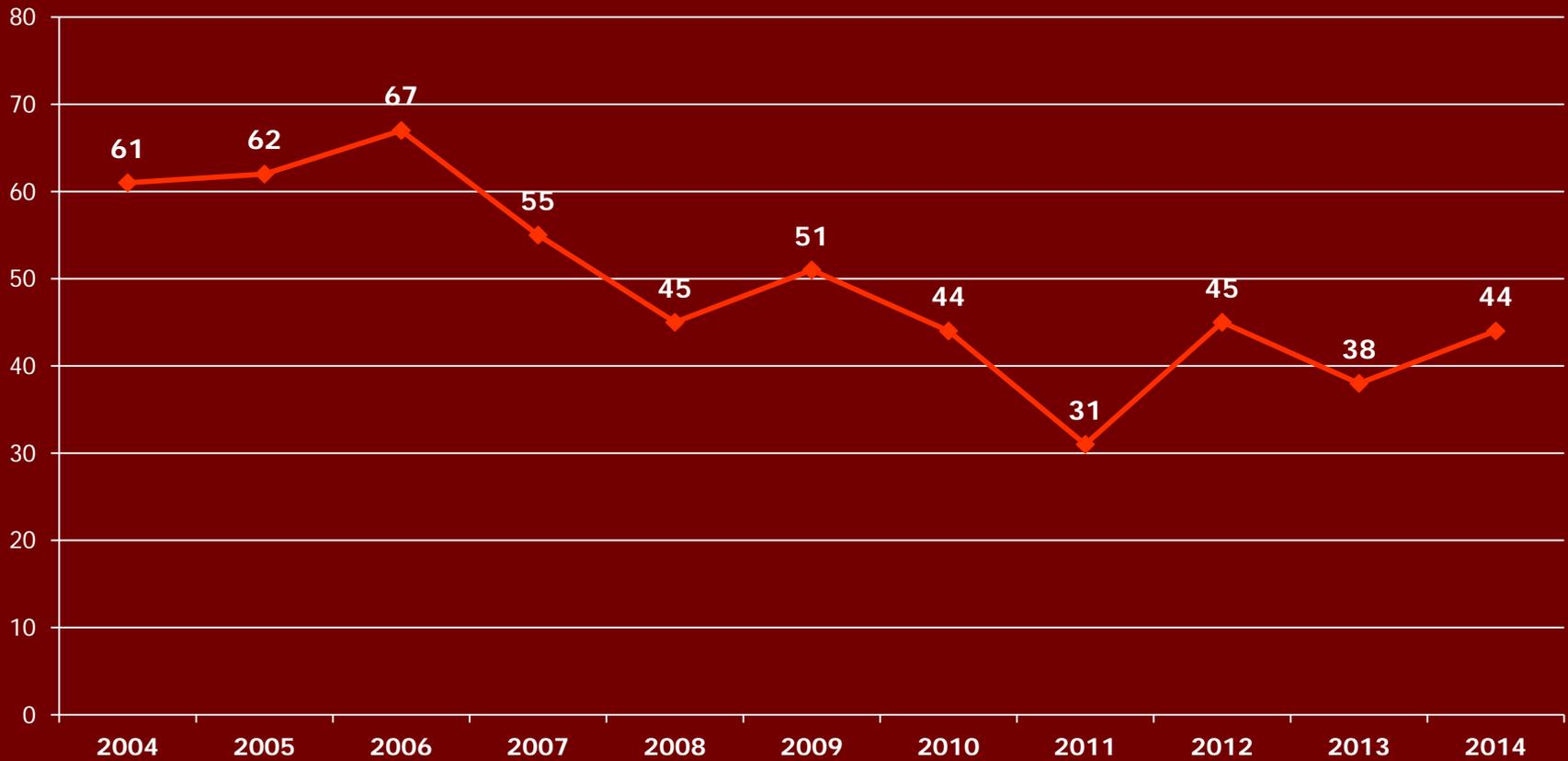
# OFFICE OF HIGHWAY SAFETY DATA

## ALCOHOL RELATED INJURY CRASHES



# OFFICE OF HIGHWAY SAFETY DATA

## ALCOHOL RELATED FATAL CRASHES

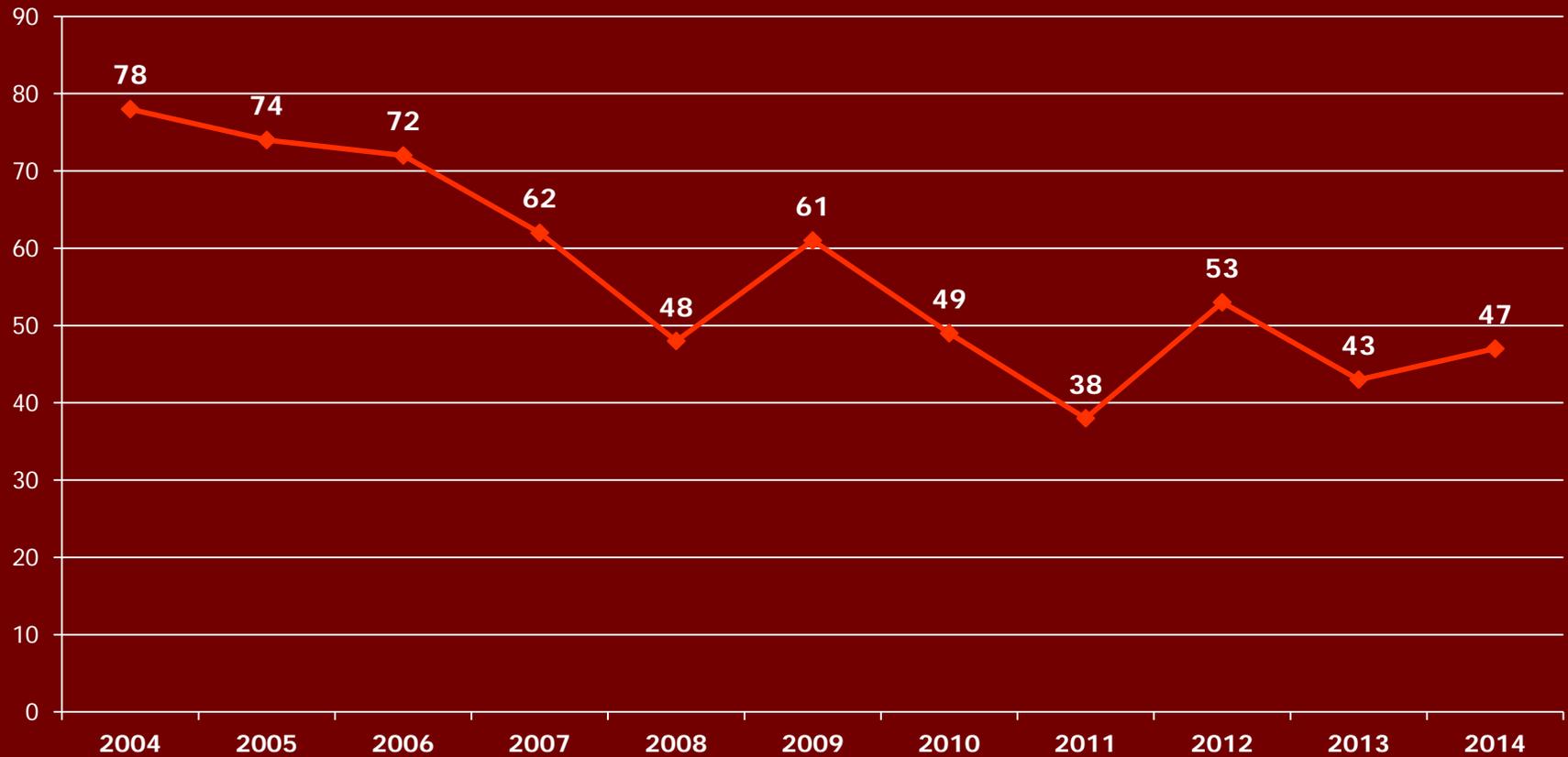


# OFFICE OF HIGHWAY SAFETY DATA

2004 55% all fatal crashes involve booze.....in 2014 31%

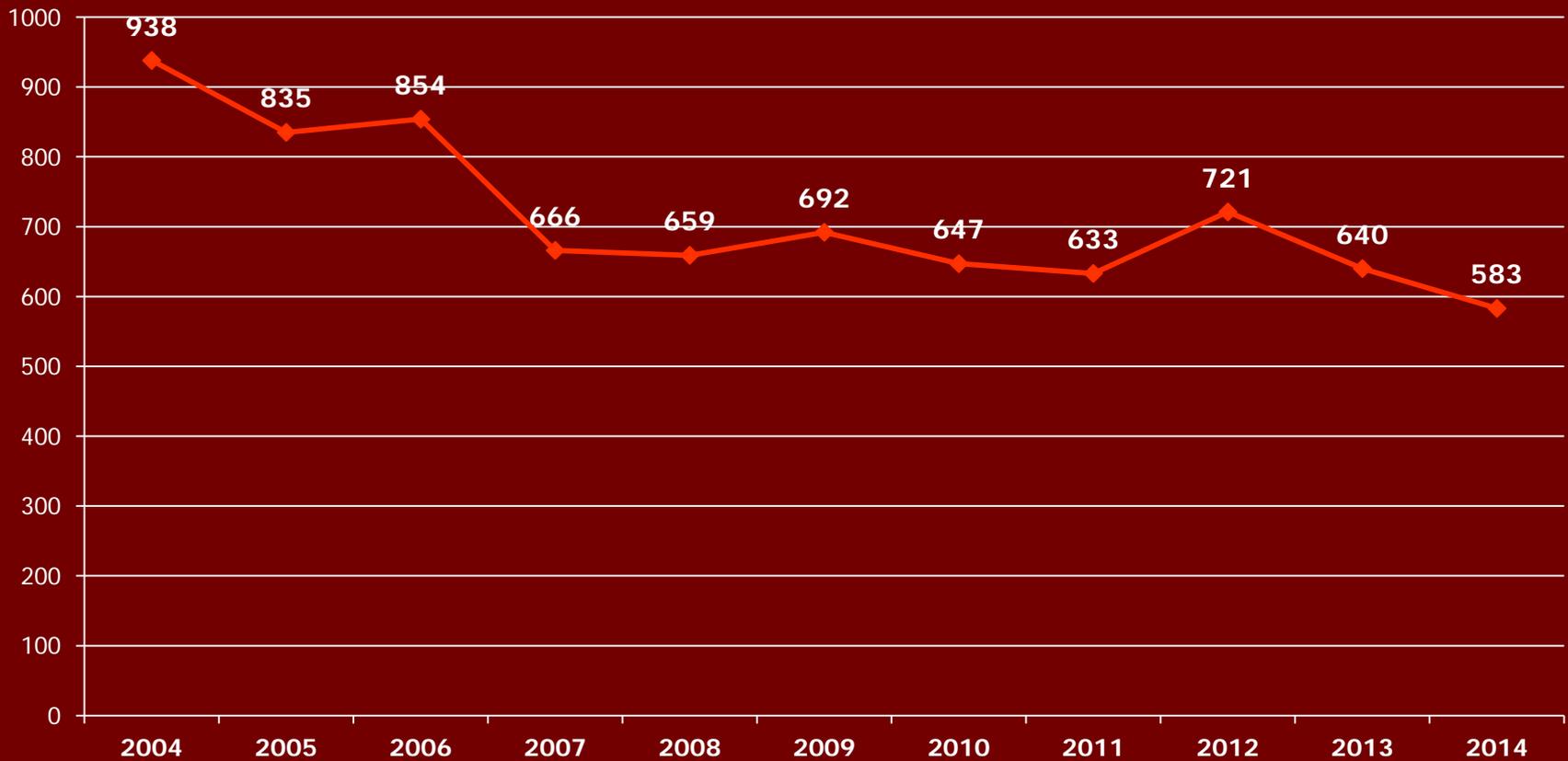
source NHTSA

## ALCOHOL RELATED FATALITIES



# OFFICE OF HIGHWAY SAFETY DATA

## ALCOHOL RELATED INJURIES



## WHAT DO WE DO TO FACILITATE 24/7 PLANNING AND IMPLEMENTATION?

- DEVELOP A SUCCESSFUL BUSINESS MODEL FOR YOU
- PROVIDING EQUIPMENT AND TRAINING AT NO CHARGE FOR PILOTS
- OFFER EXPERTISE ON PLANNING AND THE DEPLOYMENT PROCESS
- PLANNING PRESENTATIONS TO LAW ENFORCEMENT, JUDGES, PROSECUTORS, PROBATION, AND ALL WHO WILL TOUCH THE SYSTEM (NO CHARGE)
- THE 24/7 SOFTWARE IS WEB-BASED AND LICENSE IS FREE TO USERS
- SOFTWARE TRAINING IS AT NO CHARGE
- LOW PRICE POINTS THAT EVERYONE CAN AFFORD (NO INDIGENCY ISSUES)
- ASSISTANCE WITH NHTSA 24/7 GRANTS AVAILABLE IN EACH STATE
- ALLOWS FOR INFINITE EXPANSION OF TESTING AND SERVICES
- ON GOING ASSISTANCE AND SUPPORT

# NEXT STEPS AND GROWTH OF 24/7 IN SOUTH DAKOTA

SD GOVERNOR DAUGAARD AND CHIEF JUSTICE GILBERTSON (SB 70)  
2013 LEGISLATIVE SESSION AND AN OMNIBUS CRIME BILL

## A NATIONAL MODEL

- REDO OF SENTENCING GUIDELINES AND CORRECTIONS POLICIES
- ESTABLISHMENT OF SPECIALTY COURTS ACROSS THE STATE
- DEVELOPMENT OF AND EXPANSION OF COMMUNITY BASED SUPERVISION PROGRAMS
- AND MOST IMPORTANTLY.....EXPANDED USE OF THE 24/7 MONITORING PROGRAM FOR ALCOHOL ABUSE
- DEVELOPMENT OF THE HOPE DRUG MONITORING PROGRAM AND IMPLEMENTATION FOR PROBATION AND PAROLE STRATEGIES (HAWAII'S OPPORTUNITY PROBATION WITH ENFORCEMENT)
- SMART JUSTICE INITIATIVES

## NEXT STEPS FOR THE NATION AND THE FEDERAL HIGHWAY BILL (MAP 21)

- GETTING THE ATTENTION OF CONGRESS, NHTSA, AND THE WHITEHOUSE
- SENATOR THUNE (RANKING MEMBER ON TRANSPORTATION) AND MARKING UP THE FEDERAL HIGHWAY BILL IN 2014
- 24/7 GETTING FEDERAL RECOGNITION AND APPROVAL FOR FEDERAL GRANT DOLLARS
- GRANTS ADMINISTERED THROUGH EACH OFFICE OF HIGHWAY SAFETY
- 24/7 HAS PARODY WITH OTHER APPROVED NHTSA PROGRAMS
- FEDERAL DOLLARS AVAILABLE FOR DEMONSTRATION PROJECTS AND PILOTS
- Resource: NHTSA Region 8 Director Bill Watada 720-963-3100



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