

# SOUTH DAKOTA 24/7 SOBRIETY PROGRAM



**ATTORNEY GENERAL  
MARTY JACKLEY**



**Presented by: Art Mabry, 24/7 Sobriety Program Coordinator**

# Twice a Day Breath Test



# SCRAMx

A Product of Alcohol Monitoring System (AMS)



# Ignition Interlock - Intoxalock



**Intoxalock Reporter**

Home Participant Search Participant Summary Device Usage 7777 Reports Remove Proxy Logout

**Smith, Christopher M; Drivers License Number 317JJ5365**

Reference Number: 275185

08-11-2009 4:12:56 PM PASSED BAC=.000 PK=9 BL=6 AT=25.8C BT=31.4C RV=51 T=2.33s D=1  
Latitude: 41.61408 Heading: South(180)  
Longitude: -93.76254 Speed: 21

Map Satellite Hybrid

POWERED BY Google

**Intoxalock Reporter**

Home Participant Search Participant Summary Reports Remove Proxy Print Logout

**Device Usage For Smith, Christopher M; Drivers License Number 317JJ5365**

Reference Number: 275185

Display Technical Entries?

Note: Time zone is Central

Log Date	Time	Log Message
02-25-2010	12:42:04 PM	*POWER OFF
	12:42:06 PM	*POWER ON
	12:43:45 PM	*POWER OFF
	12:43:45 PM	*POWER ON
Details	12:52:07 PM	PASSED BAC=.000 PK=5 BL=13 AT=22.5C BT=32.2C RV=50 T=.65s
	12:52:13 PM	Car Start
Details	12:59:43 PM	RETEST PASSED BAC=.000 PK=8 BL=13 AT=22.5C BT=32.8C RV=50 T=.25s D=10
	12:59:53 PM	Car Stop
Details	3:23:18 PM	PASSED BAC=.000 PK=10 BL=18 AT=35.1C BT=33.8C RV=42 T=.65s
	3:23:24 PM	Car Start
Details	3:31:54 PM	RETEST PASSED BAC=.000 PK=9 BL=18 AT=33.8C BT=34.8C RV=50 T=.17s D=10
	3:36:27 PM	Car Stop
Details	3:40:54 PM	PASSED BAC=.000 PK=7 BL=16 AT=32.7C BT=33.8C RV=50 T=.65s
	3:41:00 PM	Car Start
Details	3:46:27 PM	Invalid sample --- No attempt made
Details	3:47:00 PM	RETEST PASSED BAC=.000 PK=7 BL=16 AT=32.1C BT=33.5C RV=50 T=.57s D=10
	3:47:05 PM	Car Stop
Details	6:32:13 PM	PASSED BAC=.000 PK=5 BL=13 AT=25.1C BT=32.4C RV=50 T=.65s
	6:32:42 PM	Car Start

# DRUG URINALYSIS

Detection of drugs through urine test

Detectable drugs

Cocaine

Opiates

Amphetamines

Marijuana

Oxycodone

PCP

Antidepressants

Ecstasy



# DRUG PATCH

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

- Cocaine
- Opiates
- Amphetamines
- Marijuana
- PCP



# BOND CONDITIONS

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- No alcohol
- No bars
- Breath test- 7am and 7pm
- If you skip or fail **you go to jail**

# APPLICABILITY- ALL CRIMES

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## Pre-trial

- Bond conditions

## Post conviction

- Conditions of suspended sentence

## Parole

- Parole Board imposed

## A & N Children

- Testing imposed upon adults in household as condition of return of children to homes



# PBT STATS

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February 1, 2005 – April 1, 2012

- 21,589 participants (active and completed)
- 4.7 million tests
- 4.65 million (99.27%) passed tests
- 15,645 tests failed
- 18,816 No Show

# NUMBER OF FAILED TESTS

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- 55% never fail a test
- 16.7% fail only one test
- 12.5% fail only twice
- 16.9% fail three or more times

# SCRAM STATS

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November 10, 2006 – April 4, 2012

- 4,073 Participants
- 588,861 days for an average of 145 days per participant
- 100% complaint- 77%
- Non-complaint- 23%

September 16, 2009 the SD Supreme Court upheld its use (State v. Lemler 2009 SD 86)

# URINALYSIS STATS

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July 1, 2007 – April 1, 2012

- ❖ Participants- 2,344
- ❖ Tests administered – 57,913
- ❖ Passed tests- 56,101 (96.87%)
- ❖ Failed tests- 1,647

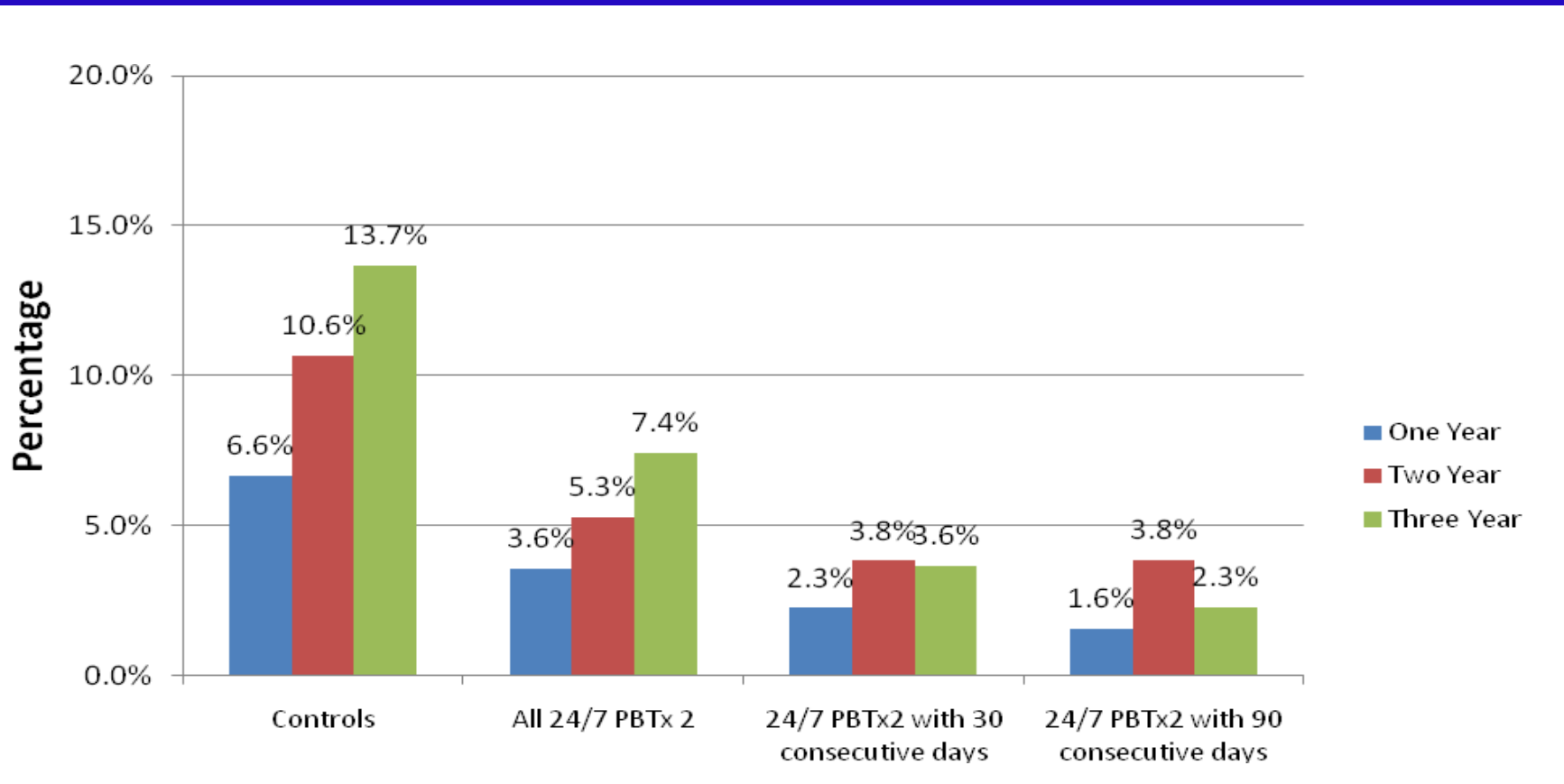
# DRUG PATCH STATS

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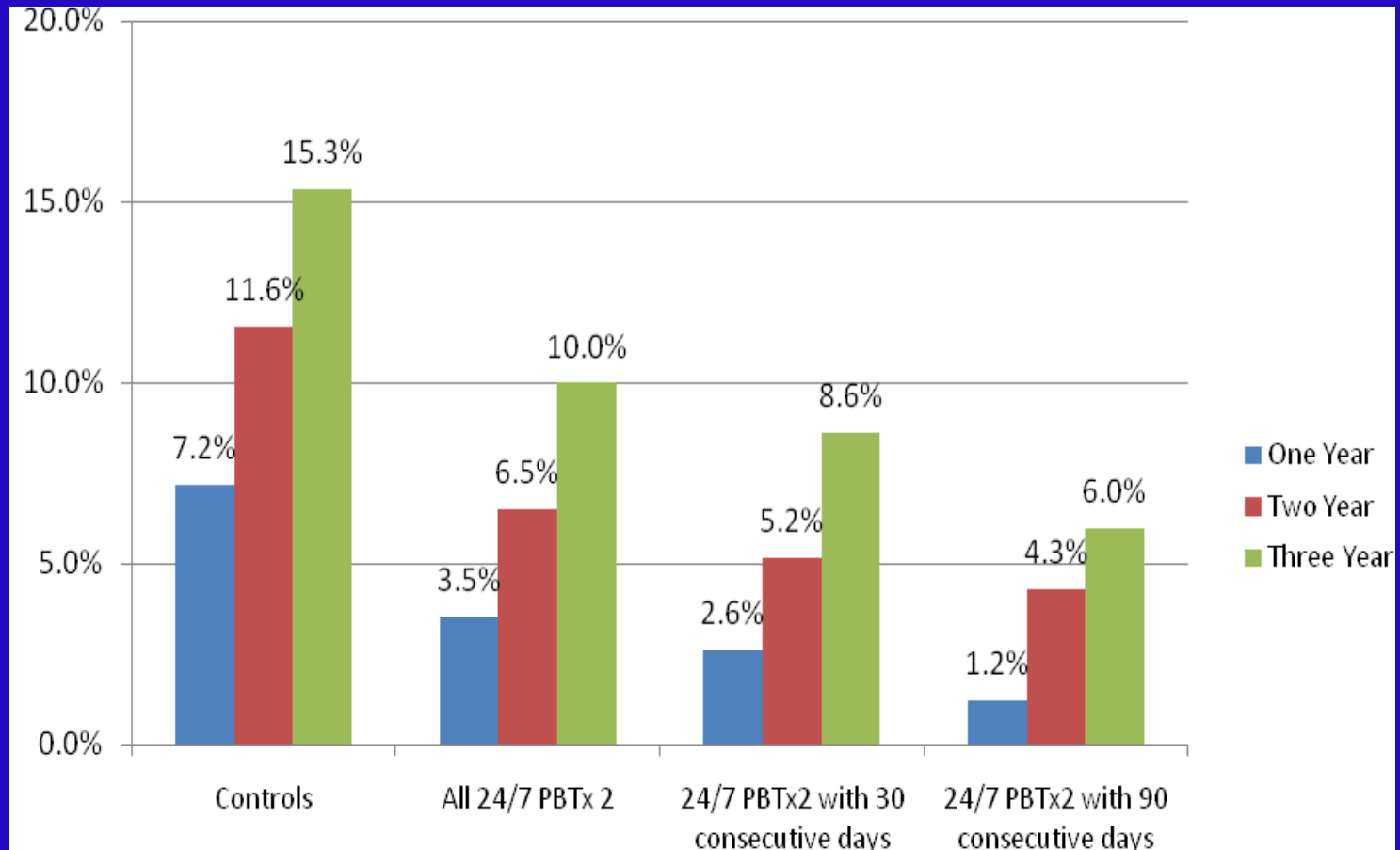
July 1, 2007 through April 1, 2012

- ✓ Participants- 116
- ✓ Tests Administered- 1,374
- ✓ Passed Tests – 1,212
- ✓ 100 % Compliant- 93 (80%)
- ✓ Failed 1 test- 6
- ✓ Failed 2 tests- 7
- ✓ Failed 3 tests- 6

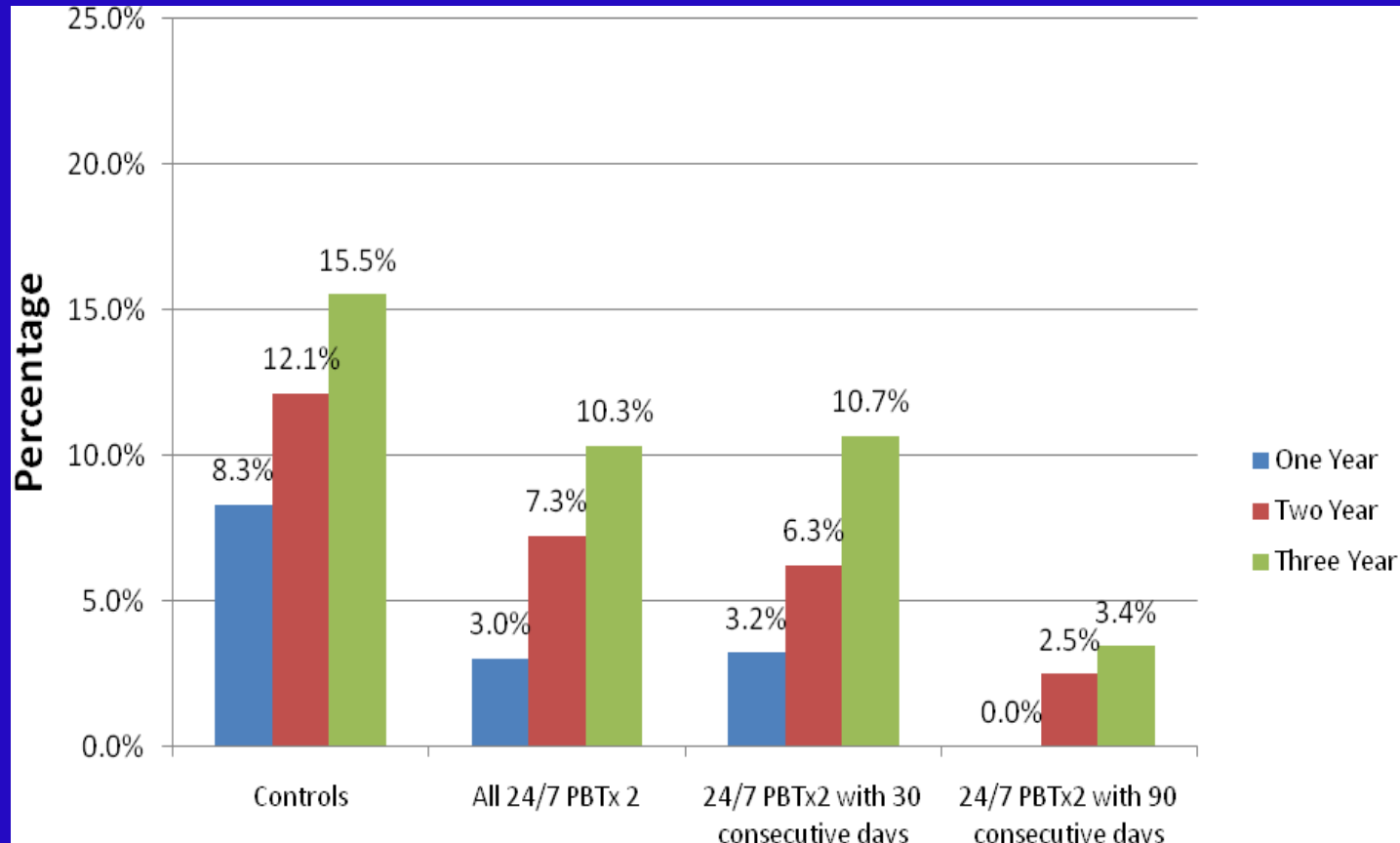
# Rearrest rates of 24/7 program participants compared to non participants for 2<sup>nd</sup> offense DUIs (Mountain Plains Evaluation, LLC)



# Rearrest rates of 24/7 program participants compared to non participants for 3rd offense DUIs (Mountain Plains Evaluation, LLC)



# Rearrest rates of 24/7 program participants compared to non participants for 4th offense DUIs (Mountain Plains Evaluation, LLC)





# 24/7 Program – Recidivism Analysis

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- Compared to non 24/7 participants, arrest to arrest (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.

# PROGRAM FEES

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## PBT

\$2 a day test fee – remains with Sheriff.

Cost = \$.10 per PBT tube + staff time.

\$1 – To AG (1<sup>st</sup> 30 days – Participation Fee).

## UA

\$10.00 per test – Remains with testing agency.

## Drug Patch

\$40.00 per patch – Remains with testing agency.

Agency pays testing cost from fee.

# PROGRAM FEES

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## SCRAM 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:

\$3.80 to Alcohol Monitoring Systems (AMS).

\$1.00 returned to testing agency (based on collections).

\$1.20 to AG's Office to operate program.

# PROGRAM FEES

## Ignition Interlock:

### Standard Fees:

- Installation: \$80.00
- Removal: \$40.00
- Device Lease: \$103.00 per month
  - Includes \$30.00 monthly Participation Fee paid to the State.

### Inspection Fees: (Paid to Sheriff's Office or Police Dept.)

- Initial Installation: \$40.00
- 60 Day Inspection: \$20.00

# BENEFITS

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- Mom/Dad and kids are safer.
- Public is safer.
- Defendant will spend less time in jail.
- Treatment prospects improve.
- Defendant's employer happy.
- Offender Funded - NO COST TO TAXPAYER

# South Dakota 24/7 Sobriety Program



<http://atg.sd.gov/>

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