

# South Dakota 24/7 Sobriety Program

Art Mabry

*South Dakota 24/7 Sobriety Program  
Coordinator (Retired)*



# Agenda

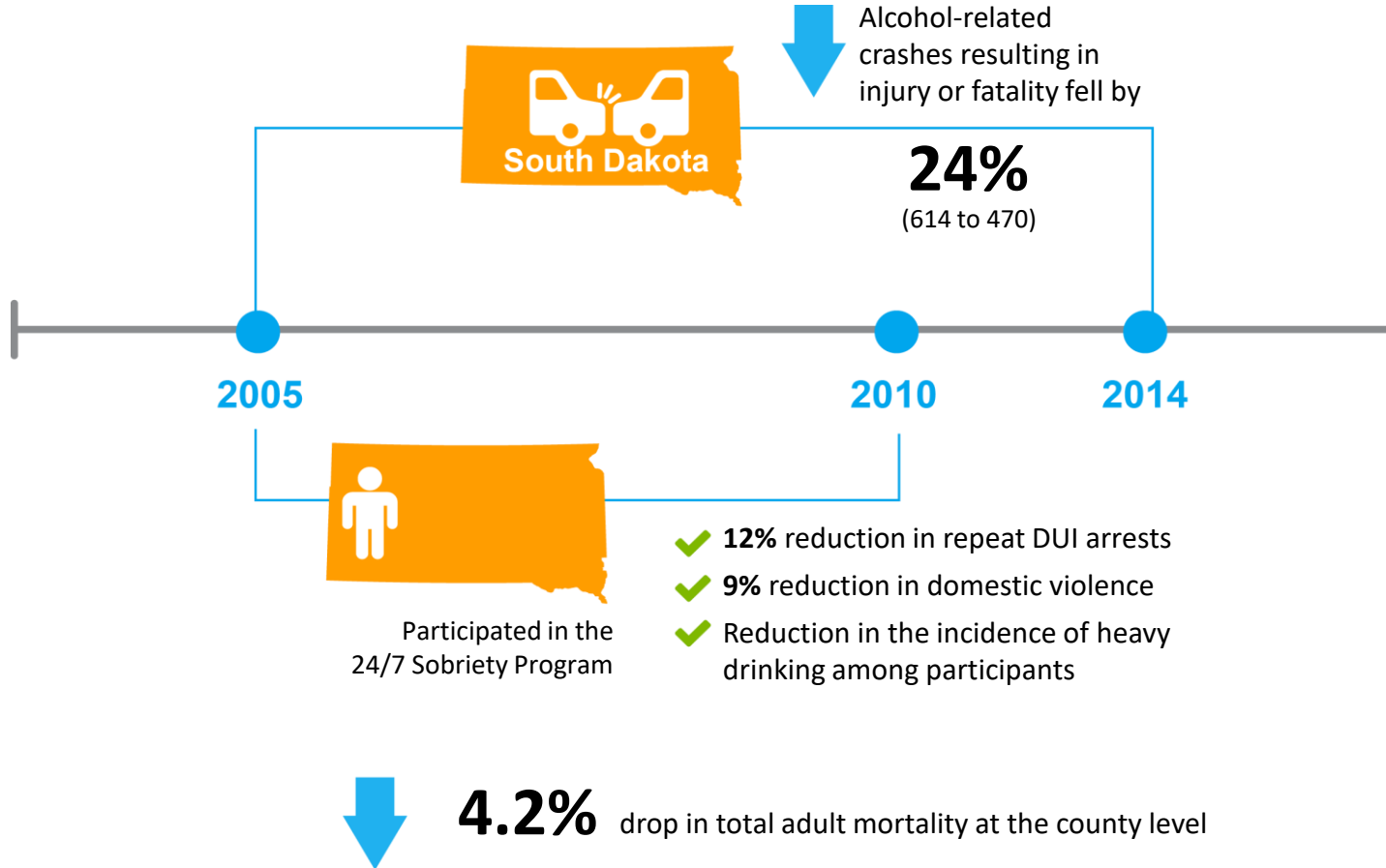
- ▶ Introductions
- ▶ 24/7 Program Landscape (Map)
- ▶ SD Model
- ▶ Program Components
- ▶ Outcomes
- ▶ Self-Sustaining Funding and Costs
- ▶ Funding
- ▶ Lessons Learned



# Goal

- ▶ Defendant sobriety – 24/7
- ▶ Target group – anyone arrested for DUI with prior conviction in the last 10 years

# 24/7 Sobriety Program Outcomes



# Unenforceable Conditions

- ▶ Don't drink
- ▶ Don't go to bars
- ▶ Don't drive



# 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

- ▶ No alcohol

## Post Conviction

- ▶ Condition of Suspended Sentence

## Parole

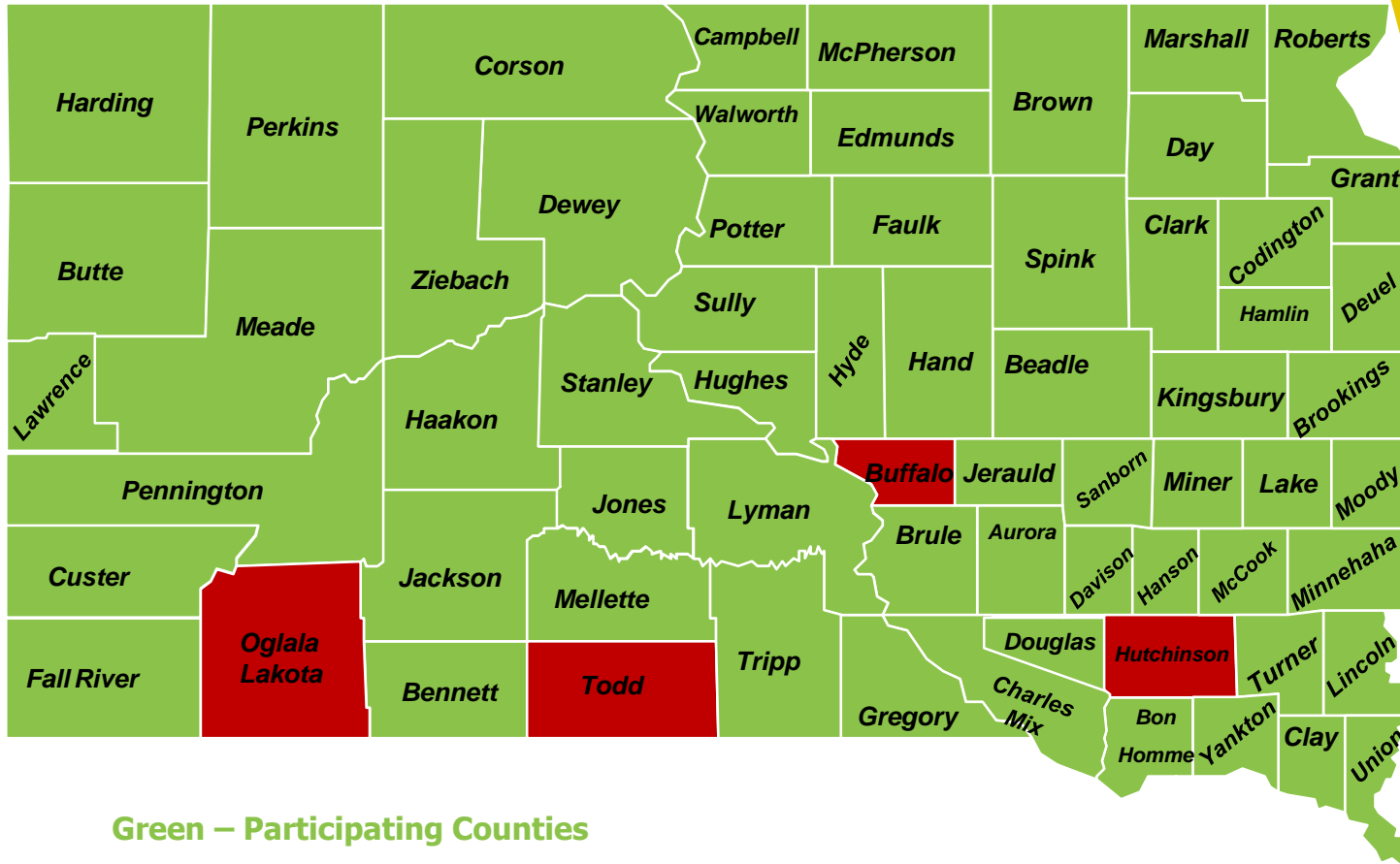
- ▶ Parole Board Imposed

## Abused & Neglected Children

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



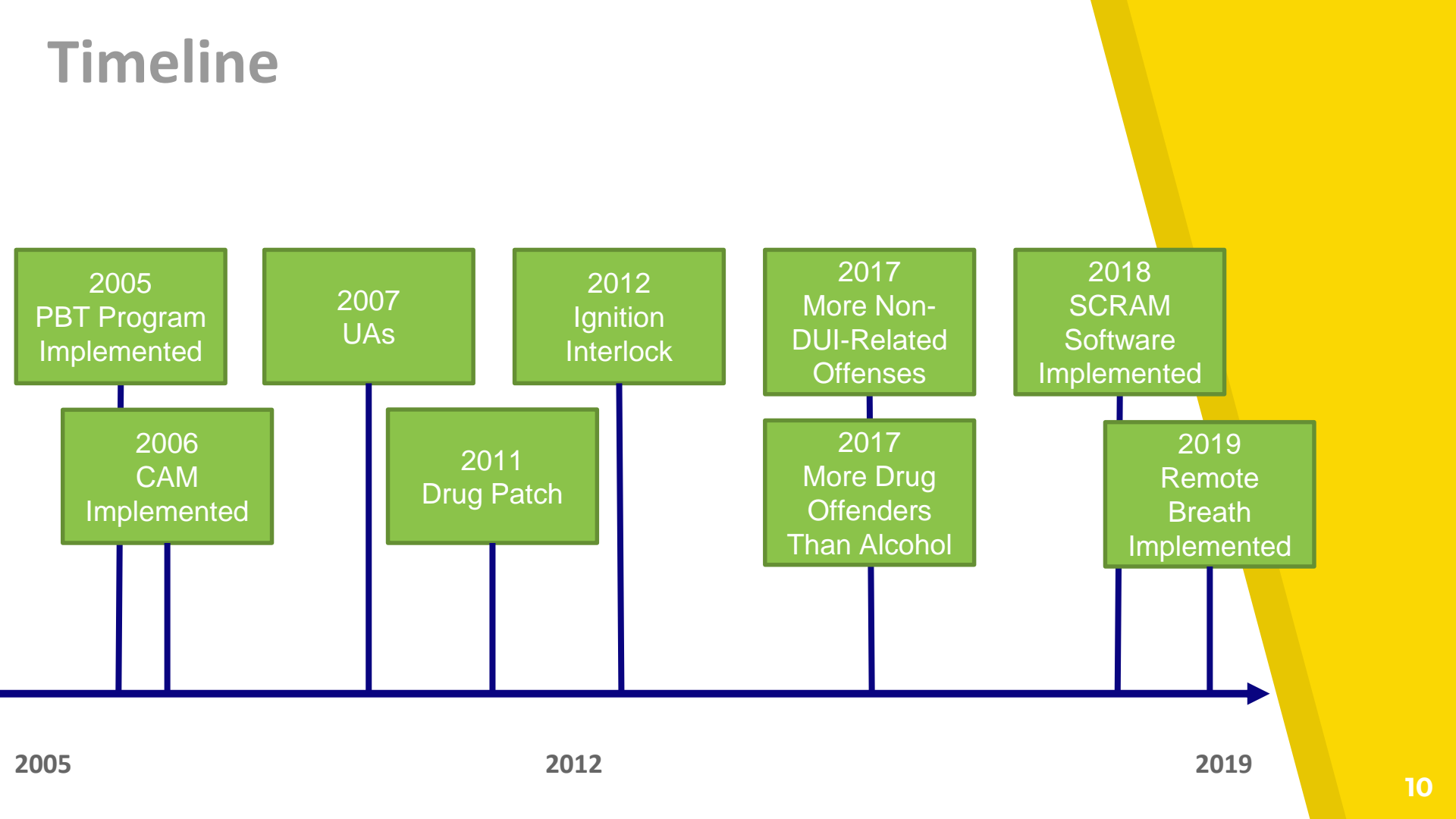
# South Dakota 24/7 Sobriety Program Participating Counties



Green – Participating Counties

Red – Non-Participating Counties

# Timeline



# 24/7 Program Testing Technologies



# 24/7 Program

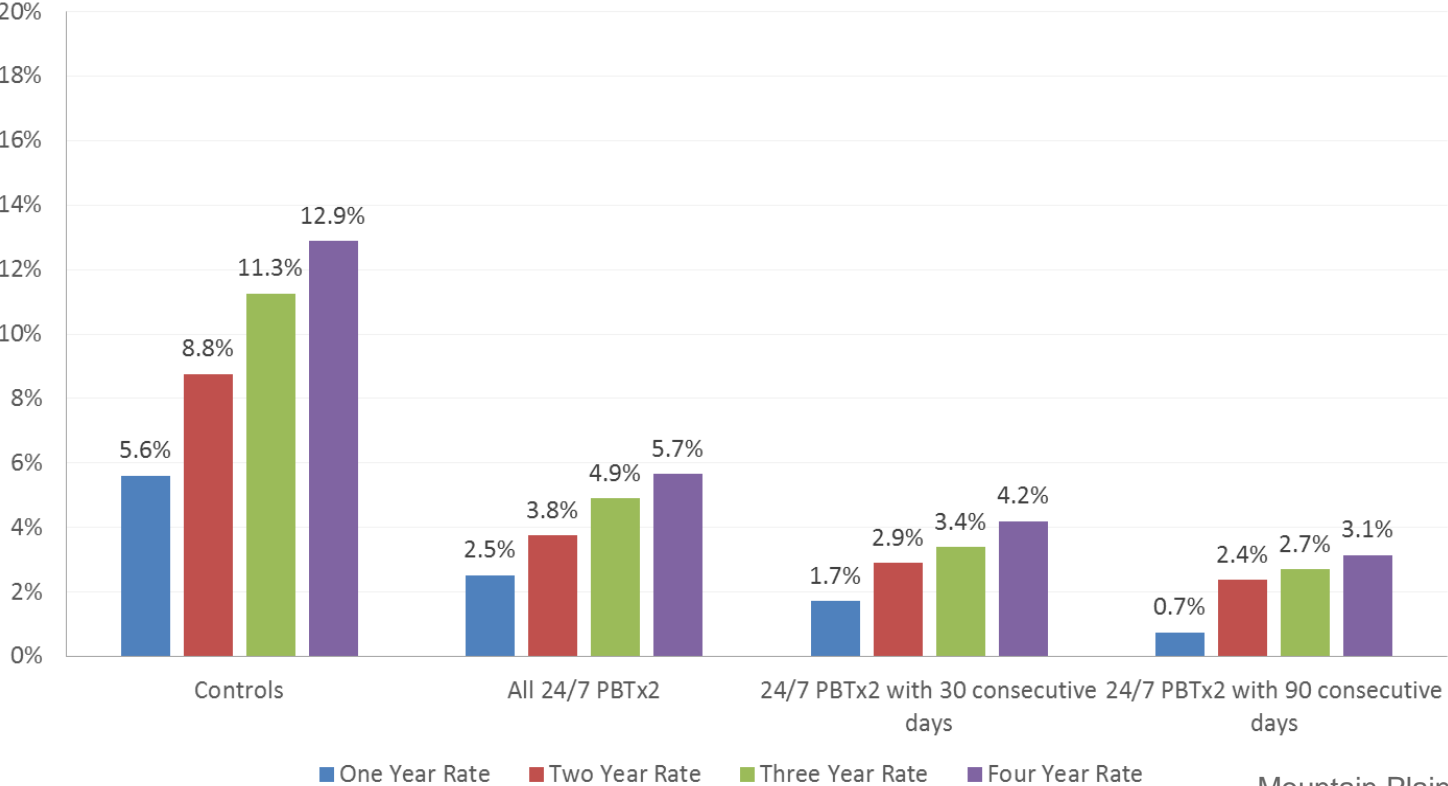
## Recidivism Analysis

- ▶ 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 Participants Compared to Controls

## DUI 2<sup>nd</sup> to DUI 3<sup>rd</sup> Offense



# Program Fees

## PBT

- \$2/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 per test – Remains with testing agency

## Drug Patch

- \$40 per patch – Remains with testing agency
- Agency pays testing cost from fee

# Program Fees

## Continuous Alcohol Monitoring (SCRAM)

- ▶ \$40 Activation Fee – Paid to and remains with testing agency
- ▶ \$40 Deactivation Fee – Paid to and remains with testing agency
- ▶ \$6 Daily monitoring fee

# Program Fees

## Ignition Interlock

- ▶ Standard Fees

- ▶ Installation: \$80
- ▶ Removal: \$40
- ▶ Device Lease: \$103

Includes \$30 monthly Participation Fee paid to the AG's Office

- ▶ Installation/Inspection Fees (Paid to Sheriff's Office)

- ▶ Initial Installation: \$40
- ▶ 30-Day Inspection: \$20



# Program Fees

## Remote Breath

- ▶ \$40 Activation Fee – Paid to and remains with testing agency
- ▶ \$40 Deactivation Fee – Paid to and remains with testing agency
- ▶ \$5 Daily monitoring fee

# Program Perception of 24/7 Program

## Anonymous Self Report

Program Perception	1 Disagree	2	3 Undecided	4	5 Agree	No Answer	Average Score
Once in the program I was treated with respect	13.7%	13.4%	12.2%	14.0%	43.6%	3.2%	3.86
I liked the program	36.9%	8.7%	20.1%	10.8%	20.3%	3.2%	2.57
The program was good for me	21.5%	5.2%	15.1%	13.7%	41.3%	3.2%	3.51
Because of this program I have a better family Relationship	32.3%	11.6%	16.9%	11.3%	25.0%	2.9%	2.80
Because of this program I am a better person	31.7%	7.8%	14.2%	13.7%	29.4%	3.2%	2.94

# Retrospective Pre vs. Post Response

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

**(7) DEFINITIONS** — In this subsection:

**(A) 24-7 SOBRIETY PROGRAM** — The term ‘24-7 sobriety program’ means a State law or program that authorizes a State court or a State agency, as a condition of sentence, probation, parole, or work permit, to:

(i) require an individual who pled guilty or was convicted of driving under the influence of alcohol or drugs to totally abstain from alcohol or drugs for a period of time; and

(ii) require the individual to be subject to testing for alcohol or drugs—

- (I) at least twice per day;
- (II) by continuous transdermal alcohol monitoring via an electronic monitoring device; or
- (III) by an alternate method with the concurrence of the Secretary.

# NHTSA 24/7 Sobriety Program Grant

- **The State provides citations to a law that requires all individuals convicted of driving under the influence or of driving while intoxicated to receive a restriction on driving privileges is in effect and will be enforced during the fiscal year of the grant.**
- **The State provides citations to a law that authorizes a statewide 24-7 sobriety program that is in effect and will be enforced during the fiscal year of the grant.**
- **The State provides program information that authorizes a statewide 24-7 sobriety program.**

[https://www.nhtsa.gov/sites/nhtsa.dot.gov/files/documents/fy18-405d-24-7\\_sobriety\\_program.pdf](https://www.nhtsa.gov/sites/nhtsa.dot.gov/files/documents/fy18-405d-24-7_sobriety_program.pdf)

# 24/7 Program Partners

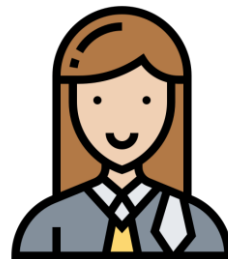
Why it works:



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!