



Ignition Interlocks: Impact of 1st Offender Laws

Presented by:

David Kelly, Executive Director

Coalition of Ignition Interlock Manufacturers

AAMVA AIC

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Background

- Interlock has been around since the 80's
- Research has proven interlocks effective in reducing DWI recidivism 50% – 90%
- In 2011, 250,000 interlocks in use; 1.4 million DWI's in U.S. (18% penetration)
- 2010 - 10,228 people were killed by a drunk driver



What is an Interlock?

- An electronic device wired into the ignition system of a vehicle which requires the user to pass a breath alcohol test in order to start the vehicle.
- AKA: Breathalyzer, Interlock, BAIID, IID
- Requires a breath sample, fail level determined by state, typically .020 (BrAC) breath alcohol content to pass.

range .020 - .040



Purpose of Interlock

- Alternative to jail
- Keeps offender licensed and insured
- Allows offender to work, support family, pay court fees, attorney
- Participate in treatment
- Remain productive member of community and family
- *Separates drinking from driving*



How are interlocks used

- Probation
- Parole
- Bond
- License reinstatement and licensing
- Deferred Prosecution
- Repeat offenders
- 1st offenders
- 1st offenders with High BAC (.15 or higher)
- Family Violence (alcohol a factor)
- Court Visitation – Domestic courts (alcohol factor)
- Voluntary



Benefits of Interlock

- Monitoring Tool
 - Reporting and Supervision
- Prevent Repeat Behavior
- Form of Incapacitation
 - Bridge license suspension to full reinstatement
- Provide public safety
- Research supports reduction recidivism among 1st and Repeat offenders – 15 Peer reviewed studies



Interlock Technical Standards

- NHTSA, 1992
 - Device specifications – Under review
 - Comment period closed Dec. 6th
- State oversight and device certification
 - Device programming and specifications
 - DMV
 - DPS
 - Transportation Safety Bureau
 - Board of Tests
 - Health Department
 - Probation and Parole

The image features three circular lights arranged vertically on the left side. The top light is red, the middle one is yellow, and the bottom one is blue. They have a textured, ribbed surface. The background is black.

The Technology

- Fuel Cell – Specific to Alcohol
- Anti-circumvention features
- Programmable features
- Running Re-test / Rolling Re-test
- Data recorder



Anti-circumvention systems

- Temperature and pressure gauges
- Sealed wiring
- Voice pattern, tone, detection system
 - Prevents balloons, altered air
- User Identification
- Data logger information
 - Time and date stamps all events, attempted events



Installation/ Service/ Costs

- Service centers throughout a state
- Installation takes approx. 1 hour
- Return every 30 - 60 days
- Install - \$70.00
- Monthly - \$2.30 a day or \$70.00 mo.
- Reports sent to authorities via email
- Authorities access to client information through Web



Monitoring Authority

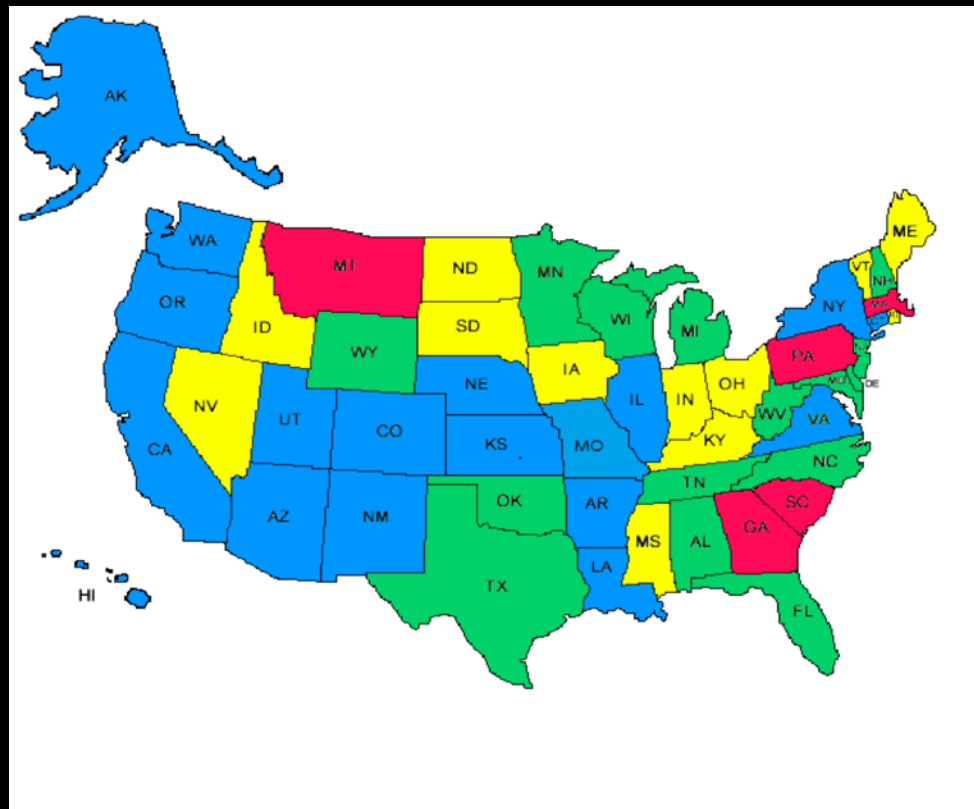
There is not a consistent monitoring authority across states.

- DMV
- DOH
- Probation/Parole
- Secretary of State
- DOT
- Alcohol treatment



Administrative vs. Judicial

- Nearly 20 States are administered administratively by state agency (usually DMV)
- Almost 10 states are administered by the courts
- Other 20 states are a mix of administrative and judicial oversight



- Interlocks mandatory for all offenders (with .08 conviction)**
 Alaska, Arizona, Arkansas, California*, Colorado, Connecticut, Hawaii, Illinois, Kansas, Louisiana, Missouri **, Nebraska, New Mexico, New York, Oregon, Utah, Virginia, Washington
- Interlocks mandatory with a BAC of at least .15 - .17**
 Alabama, Delaware, Florida, Maryland, Michigan, Minnesota, New Hampshire, New Jersey, North Carolina, Oklahoma, Tennessee, Texas, West Virginia, Wisconsin, Wyoming
- Interlocks mandatory with 2nd conviction**
 Georgia, Massachusetts, Montana, Pennsylvania, South Carolina
- Discretionary**
 Idaho, Indiana, Iowa, Kentucky, Maine, Mississippi, Nevada, North Dakota, Ohio, Rhode Island, South Dakota, Vermont
- Interlocks mandatory for all offenders (with .08 conviction)**
 Alaska, Arizona, Arkansas, California*, Colorado, Connecticut, Hawaii, Illinois, Kansas, Louisiana, Missouri **, Nebraska, New Mexico, New York, Oregon, Utah, Virginia, Washington
- Interlocks mandatory with a BAC of at least .15 - .17**
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Interlock Concerns

- Costs
 - Indigent Offenders
- Family Member inconvenience
- Mouth Alcohol
Contaminants
- Temperature and Altitude
 - 49 to + 185 degrees F ; 11,482 ft. elevation
- Running re-tests
 - 15-45 min. random
- Anyone can take the test! - 40 Yr. Old Virgin
 - What Would You Do - ABC



Interlock Challenges

- Offenders do not install
- Funding/Program costs/Program development
- Lack of information and education on how the Interlock works
- Supporting legislation; conflicts with State & Federal policy and unfunded mandates
- Workload
- Program funding
- Exiting the Interlock program



MAP 21: A Chance to Get it Right

- Great provisions in reauthorization bill
- 1st Offender Programs
- Incentive Funding
- NHTSA support
- 164 Withholding
 - Does away with driving restrictions
 - License suspension no longer required
 - Gives states a clean slate to implement a program that works



What makes a GREAT Ignition Interlock law?

- Recognize that IID's are best used to protect the public, NOT to punish or appear 'soft' on drunk drivers.
- IID's offer a side benefit to highway safety; allow DUI offenders to drive to keep their jobs and support their families.
- Allow 'IMMEDIATE' IID based relicensing before DUI offenders learn to drive unlicensed.
- Require a minimum 6 month IID term for 1st conviction.
- Require a minimum 1 year mandatory IID for each multiple conviction.
- Give day for day credit for 'voluntary' IID use against 'mandatory' use.
- Require longer mandatory IID times for Test Refusals or high BAC's (measured at arrest, not post-plea).
- If a DUI/DWI is pled to a lesser offense, the IID requirement should remain for the protection of the public.
- Compliance based removal of IID.



Conclusion

- If the interlocks stopped someone from driving drunk... That is a success
- Not the silver bullet
- People are going to drive
- Criminologist agree – Swift and Certain Penalties are more effective
- Insert the “intervention” during the teachable moment
- TZD – Towards Zero Deaths



Thank You!!

David Kelly

703-786-0980

kelly@ignitioninterlocks.com