

ABOUT THE MONTANA COMMUNITY CHANGE PROJECT:

The Montana Community Change Project focuses on preventing drinking and driving and binge drinking by identifying and addressing the physical, social, cultural, economic and political factors that contribute to or maintain alcohol-related problems.

The project is designed to create community conditions and behavioral expectations that make drinking and driving and binge drinking less probable and less acceptable.

Instead of using traditional strategies, such as education and awareness, the Montana Community Change Project uses a proven combination of strategies that includes intentional community organizing, media advocacy, policy development, data collection, and enforcement to create widespread, sustainable changes in communities.

The project is based on the premise that drinking and driving and binge drinking are the product of both individual choices and contextual factors that strongly influence behavior. Therefore, they require a collective response focusing not only on individual behavior, but also on community norms and standards.

Locking the Revolving Door: How interlock devices prevent repeat DUIs

Policy meets technology, blow by blow

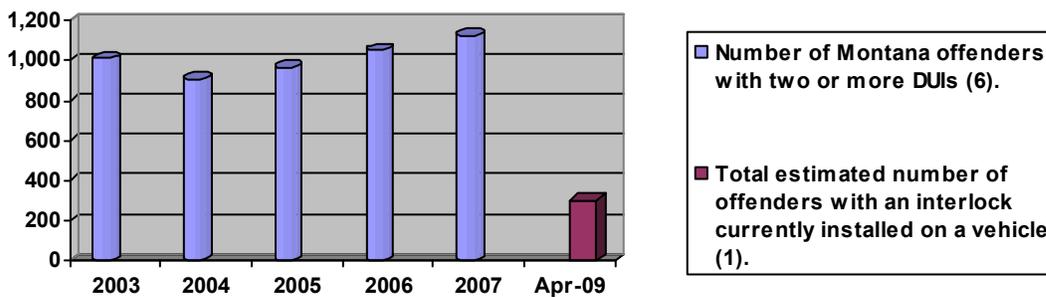


It can stop a repeat DUI offender in his or her tracks. It's the Breath Alcohol Ignition Interlock device, known simply as an "interlock," and it's the most underutilized tool available to judges in Montana.

When a driver is convicted of a second DUI, current Montana law directs judges to either seize the offender's vehicle or order the installation of an interlock device. The interlock measures the blood alcohol content (BAC) level of drivers, and does not allow a car to start if alcohol is detected.

Nationally, there are 135,000 vehicles outfitted with interlocks. Studies prove the devices can be up to 95 percent effective at stopping drunk drivers from re-offending. That's why six states—New Mexico, Louisiana, Arizona, Washington, Nebraska and Illinois—have passed first-offense interlock laws.^{2,3,4}

It's no wonder lawmakers believe in the interlock; 65 percent of the public favors interlock installation for first-time DUIs, and 85 percent favor it for repeat offenders.^{2,5} Given this overwhelming public support, why are only a fraction of repeat offenders in Montana required to install an interlock device? Reluctance to enforce the state's interlock law seems to stem from a lack of understanding about this life-saving technology.



A STAGGERING NUMBER OF MONTANANS CONTINUE TO STAGGER TO THEIR CARS, THEN DRIVE

- ▶ Nearly half of all automobile crashes in Montana involve alcohol.¹⁵
- ▶ In 2007, there were 1,129 second and subsequent DUIs in Montana.⁶
- ▶ It's possible to prevent roughly 80,000 drunk driving incidents every year in Montana. That's because studies show DUI re-offenders drive drunk more than 80 times before getting caught.^{5,6,7}

Myth vs. Reality: The truth about interlock devices



“I think it’s a really good tool.”

— Judge
Steve Kambich,
Butte-Silver Bow

“By preventing future DUIs, this technology will save the state \$7,800 per vehicle equipped.”

Q: Can someone use a hair dryer or canned air to mimic human breath?

A: No, currently available devices have anti-circumvention techniques, such as hum tone monitoring, which cause the interlock to abort bogus breath samples.

Q: Can’t the driver get someone else to blow?

A: Yes, if someone is reckless enough to ride along with a drunk driver and blow into the device at random intervals. Improvements in the technology now allow some devices to photo ID the driver.

Q: Isn’t it dangerous for drivers to retest while driving?

A: No. It’s far safer to retest than to answer a cell phone call. The interlock alerts drivers, then provides a few minutes to take the random retests while the car is running. The driver has time to pull over, or safely retest while driving.

Q: Can an offender leave his car running outside of a bar, drink inside and then drive away?

A: Yes, but the driver risks another DUI. If a random sample is not given when requested or if the driver’s breath registers a BAC of more than .025 percent, then the device logs a violation. Later, when data from the device is downloaded, law enforcement can revoke the violator’s driver’s license and impose a suspended jail sentence.

Q: Aren’t the devices difficult to install?

A: No. For nearly all makes and models, installation takes just 20 minutes.

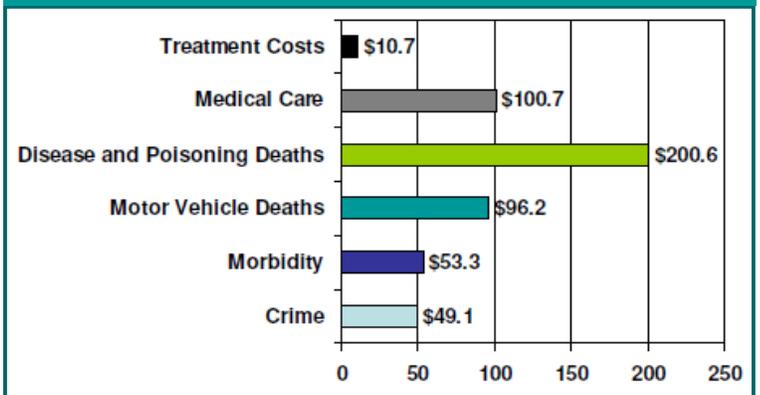
Q: Can’t an offender avoid punishment by not showing up for the next scheduled appointment?

A: By not showing up, the participant triggers the interlock device to enter a lock out condition. The car will no longer operate, and must be towed to an interlock service center.

Q: Does installation and monthly service cost more than most DUI offenders can afford?

A: No. The annual costs for interlock devices vary. On average, the cost for a year is around \$900 — less than the cost of one drink per day. As more repeat offenders in Montana are ordered to install an interlock and demand increases, prices will likely come down. And by preventing future DUIs, this technology will save the state \$7,800 per vehicle equipped.^{8,9,10}

PAYING THE TAB: The economic costs of alcohol abuse in Montana measured in millions of dollars per year.¹⁴



Interlock: Nothing else will stop many repeat offenders

In Montana during a typical year, there are around 3,000 DUI first offenses and roughly 1,000 second offenses. Many of those caught are driving with a suspended license—studies estimate that 50 to 75 percent of drunk drivers whose licenses are suspended continue to drive.¹¹

Is there really any way to stop someone who is determined to drink and drive? Interlocks offer an effective deterrent, immediately and down the road.

Right away after sentencing, the device stops a driver from starting their car if they've been drinking. Montana's set screening limit — .025 percent — is under the legal limit, but a good indicator of offender behavior.

A MODEL PROGRAM¹³

Fed up with high rates of recidivism, New Mexico lawmakers started building the state's entire DUI reform effort around increased use of interlock devices. Today, it has the highest interlock use-rate per capita of any state in the nation.

Here's how New Mexico did it:

- ▶ Interlocks were made mandatory for all DUI offenses. The devices must be installed within 90 days of sentencing. There is an indigent fund to help cover costs for some low-income offenders.

Here are the impressive results:

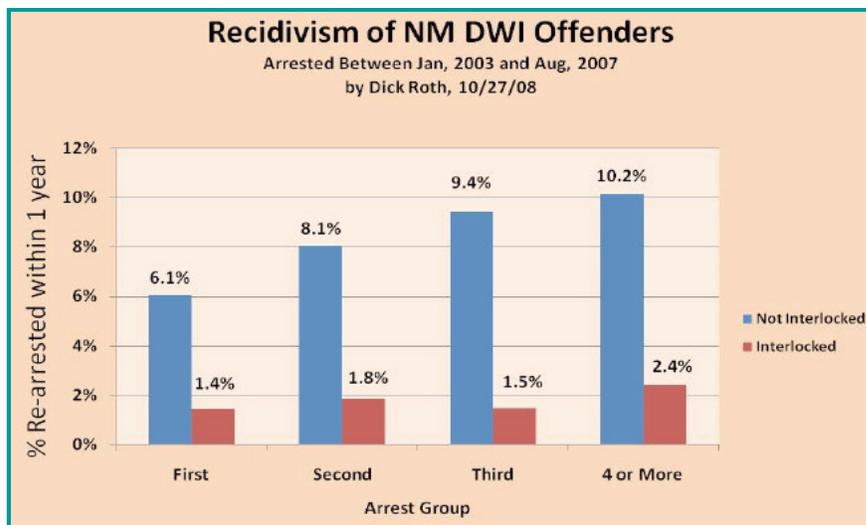
- ▶ DUI re-arrests plummeted by 40-90 percent.
- ▶ Recidivism of New Mexico drivers after a DUI conviction down by 30 percent since interlocks were first introduced in 2002.
- ▶ Alcohol-involved crashes down 31 percent since 2002.
- ▶ People injured in alcohol-involved crashes down 39 percent since 2002.

“One-third of all drivers arrested are repeat offenders. These drivers are 40 percent more likely to be involved in a fatal crash than those without prior DUIs.”¹¹

Other states, where interlock laws are more strictly enforced, have found that by monitoring offender behavior using interlock devices, it's possible to predict which of them are most at risk to re-offend.

The interlock becomes a robotic sponsor for offenders struggling with alcoholism. It solicits confessions with each blow, and then tells all when information stored within the device is later downloaded.

A report from the Pacific Institute of Research and Evaluation praises the interlock as “the first objective behavioral profile available on a group that poses significant alcohol risks to itself and to the public.”¹²



“Interlock use in New Mexico has driven alcohol-involved fatalities down by 35 percent.”¹³

Opinions of 1,513 interlocked offenders in New Mexico¹³

They consider interlocks to be:

- ▶ Helpful in avoiding another DUI: 88 percent.
- ▶ Helpful at reducing their drinking: 83 percent.
- ▶ Effective at reducing their drunk driving: 89 percent.
- ▶ Cost-effective (benefits outweigh the costs): 70 percent.
- ▶ A fair sanction for DUI offenders: 80 percent.
- ▶ Yes, all convicted DUI offenders should have interlocks: 72 percent.

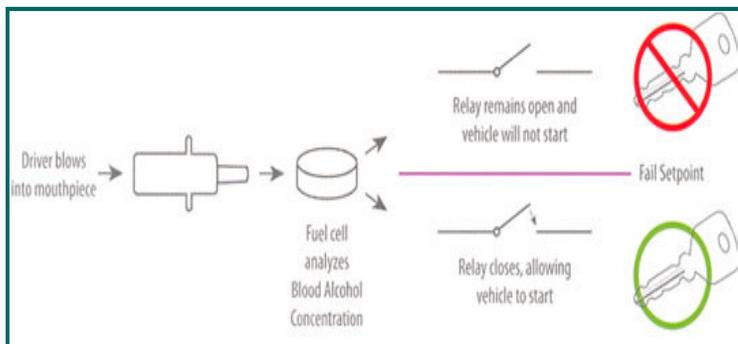
Characteristics of Effective Interlock Enforcement

- Sentencing consistent with state law—vehicles owned by repeat offenders either seized or outfitted with interlock devices.
- Proactive enforcement—judges, attorneys and court staff actively seek ways to make interlock sentencing an efficient and regular part of local DUI adjudication. They need to see the device as an electronic probation officer on duty in the front seat 24/7.
- Probation officers and judges use data gathered by interlock devices to continually monitor offenders and intervene when data indicates the offender is attempting to drink and drive.
- Clear communication with offenders explaining how the interlock will ultimately save them money by preventing future DUIs, and allow them to resume a productive lifestyle with commutes to work and school.
- A responsive system in place to ensure drivers in Montana have access to the latest interlock technology. This may mean establishing an indigent fund to cover some low-income offenders.
- Expanded interlock sentencing to cover first-time offenders. These offenders commit up to 80 percent of all DUI offenses.¹³ They can be steered away from a second offense when interlocks take the wheel.

NOTE: More court orders to install interlocks will expand the marketplace for interlock services and bring down the costs, while at the same time raising public awareness about the importance of stopping DUI offenses before they happen.

INTERLOCK TECH 101

Every breath puff is sampled by a small fuel cell that converts trace amounts of alcohol into electrical energy, which can be measured and recorded. If no alcohol is detected, the driver can start the car. If alcohol is detected, the system does not close the electrical circuit powering the car's starter. These systems also measure temperature and may require the driver to hum while blowing. Both protect against efforts to mimic human breath with hair dryers or canned air. Now, newer technologies snap a photo of the person blowing. These can be double-checked by a probation officer monitoring an offender's interlock use.



For more information about the
Montana Community Change Project
email MTinfo@publicstrategies.org
or visit www.mtccp.info

REFERENCES

1. Statistical research comparing the number of registered interlock clients in Montana vs. the number charged with a second DUI. Prepared by the Jefferson County Community Change Project. March, 2009.
2. MADD. "Alcohol Ignition Interlock Fact Sheet." Retrieved from: <http://www.madd.org/getattachment/6201aecc-d5a0-4713-8df0-ccc4942a63e5/Alcohol-Ignition-Interlock-Fact-Sheet.aspx>, April 6, 2009.
3. DUI Foundation. Ignition Interlock, based on research from the International Council on Alcohol, Drugs and Traffic Safety. Retrieved from: <http://www.duifoundation.org/support/prevention/ignitioninterlock>, April 6, 2009.
4. Voas, Robert and Marques, Paul. Pacific Institute for Research and Evaluation. "History of Alcohol Vehicle Interlock Programs: Lost Opportunities and New Possibilities," 2007.
5. MADD. "Ignition Interlock: Implementation of Existing Technologies. Retrieved from: <http://www.madd.org/getdoc/af77b40d-d2e7-4852-b632-63bf85c215af/Ignition-Interlocks>, April 6, 2009.
6. Montana DUI Statistics. Montana Department of Justice, Records and Driver Control Bureau. 2003-2007.
7. Statistical research comparing the number of eligible interlock offenders not sentenced to use the device and the estimated number of times a DUI offender drives drunk before getting caught. Prepared by the Institute for Public Strategies, Bozeman office. April, 2009.
8. Interviews with Steve Smith, Mountain Peaks Incorporated (interlock service provider in Montana). March, 2009.
9. Frequently asked questions about the interlock device, compiled by Interlock Device of New Jersey and the South Carolina Department of Motor Vehicles. Retrieved from <http://www.interlockdevice.com/faq.htm> and www.scdmvonline.com/DMVNew/general/IID%20FAQs, April 6, 2009.
10. Research compiled by the National Highway Traffic Safety Administration and Pacific Institute for Research and Evaluation. 2000.
11. MADD. High risk driver profile. Retrieved from: <http://www.madd.org/Drunk-Driving/Drunk-Driving/Programs/View-Program.aspx?program=16>, April 6, 2009.
12. Fell, James. The Pacific Institute of Research and Evaluation. "Guide to Sentencing DWI Offenders," 2006: 5-6.
13. Roth, Richard. Impact DWI. "New Mexico Interlock Program," PowerPoint presentation, May 2, 2008.
14. Barkley, Patrick M. Bureau of Business and Economic Research, University of Montana. "The Economic Cost of Alcohol Abuse in Montana," 2009: 21.
15. National Highway Transportation Safety Administration. Traffic Safety Facts, 2005 Data: 7.