



Oregon

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Governor's Advisory Committee on DUII
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DATE: February 4, 2013

TO: House Judiciary Committee

FROM: Teresa Douglas, Governor's Advisory Committee on DUII
Alcohol and Drug Evaluation Specialist

SUBJECT: House Bill 2117

Introduction:

House Bill 2117 clarifies procedure for monitoring and installation of Ignition Interlock Devices on DUII Diversion and Convictions. This bill increases the screening fee to \$275 to cover costs of additional monitoring responsibilities for Alcohol and Drug Evaluation Specialist.

Background:

The requirement for Ignition Interlock Devices was added to the Diversion program in the 2011 Legislative session. Clarification of the procedures with regards to monitoring and installation of the devices was needed to assure that the program was producing the best outcomes.

What the Bill Does:

This bill clarifies that the monitoring of the Ignition Interlock Device is to be done by the Alcohol and Drug Evaluation Specialist. Each jurisdiction has agreements with the Alcohol and Drug Evaluation Specialist as to how Diversion cases are to be handled. This bill will assure that the monitoring is done and that the appropriate action will be taken, such as notification of violations to the treatment provider and the court.

Summary:

The screening procedure is required on all DUII offenders, either through a Diversion agreement or a Court conviction. While Alcohol and Drug Evaluation Specialist's are required to monitor all Diversion clients, they also monitor DUII convictions that are not placed on supervised probation. The Alcohol and Drug Evaluation Specialist is the conduit through which information flows between the Courts, the offender, the treatment provider and the community. It makes sense that the Alcohol and Drug Evaluation Specialist would be the appropriate entity to monitor compliance with the Ignition Interlock Device. The Alcohol and Drug Evaluation Specialist is able to provide valuable information to all parties involved. Due to the additional workload and staff time involved with the monitoring of the Ignition Interlock Device, a fee increase is necessary to cover the additional costs.

As an Alcohol and Drug Evaluation Specialist, I have been monitoring the Ignition Interlock Device on my Diversion clients for the past year. While it would be helpful if the information was available in real time instead of downloaded monthly, it has provided an opportunity for intervention. The treatment programs have appreciated the Ignition Interlock Device as an additional tool to monitor abstinence. The Courts have also used the Ignition Interlock Device information as evidence of violations. One client I recently sent back to court for an Ignition Interlock Device violation, admitted that he drank alcohol after finishing his treatment. The client was re-referred to treatment for re-evaluation and additional treatment.

While the Ignition Interlock Device has become a valuable tool in the DUII field, there is room for improvement with the devices themselves, timeliness of reports and the ability to identify the person who is blowing into the device. As the Ignition Interlock Device industry continues to evolve, modern technology will no doubt be able to address these issues. Therefore, on behalf of the Governor's Advisory Committee on DUII and as a Alcohol and Drug Evaluation Specialist, I would ask that this legislation be passed to the floor with a do pass recommendation.