



Oregon

John A. Kitzhaber, M.D., Governor

Governor's Advisory Committee on DUII

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DATE: March 12, 2015

TO: Senate Judiciary Committee

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

SUBJECT: Senate Bill 394

Introduction:

Senate Bill 394 eliminates any requirement for the Ignition Interlock Device on persons participating in a DUII Diversion program.

Background:

The requirement for Ignition Interlock Devices was added to the DUII Diversion program in the 2011 Legislative session, sponsored by Representative Kim Thatcher. The DUII Diversion program began in 1982 and from the beginning, has required participants to not operate a vehicle with any intoxicant in their body. In the last few years, the requirement was amended to require total abstinence while under a DUII Diversion agreement. The Ignition Interlock Device was added as an additional tool to monitor compliance.

What the Bill Does:

This bill will lessen the requirements for DUII Diversion program participants and weaken the ability of the Alcohol and Drug Evaluation Specialist to monitor compliance with program requirements.

Summary:

With the addition of the Ignition Interlock Device requirement to the DUII Diversion program, Alcohol and Drug Evaluation Specialists are now able to monitor not only abstinence compliance, but the very simple requirement not to consume alcohol and operate a motor vehicle. As someone who has monitored DUII Diversion clients for the past 30 years, this has been a substantial improvement in my ability to provide for a measure of public safety. The Ignition Interlock Device has also provided opportunities for intervention when the person has been found to be drinking after completing treatment. Before the Ignition Interlock Device requirement was implemented, we had no way to know if someone was drinking and driving while on Diversion, unless they received another DUII. Unfortunately, this left the public at more risk and the client's treatment process less effective.

The Ignition Interlock Device has created more opportunities for treatment intervention and effectiveness, prevention of repeated intoxicated driving incidents and more public safety. Therefore, the Governor's Advisory Committee is not in favor of this bill and would ask that the committee vote no on SB 394.

