



Oregon

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Governor's Advisory Committee on DUII

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DATE: March 12, 2015

TO: Senate Judiciary Committee

FROM: Chuck Hayes, Chairman
Governor's Advisory Committee on DUII

SUBJECT: Senate Bill 396

Introduction:

Senate Bill 396 clarifies procedure for use and reporting procedure of Ignition Interlock Devices for those under a DUII Diversion or DUII Conviction.

Background:

The requirement for Ignition Interlock Devices was added to the Diversion program in the 2011 legislative session. Ignition Interlock Devices have been required for DUII convictions for many years. Clarification of the procedures with regards to monitoring and installation of the devices is needed to assure that the program is producing the best outcomes. SB 396 helps to provide that certainty.

What the Bill Does:

This bill clarifies reporting procedures for Ignition Interlock Device installers to the monitoring entity, which in most cases is either the Alcohol and Drug Evaluation Specialist or the Court's designee. Each jurisdiction has agreements with the Alcohol and Drug Evaluation Specialist (ADES) as to how DUII cases are to be handled. This bill will insure that the Ignition Interlock Device information is downloaded and transmitted to the monitoring entity in a timely manner, so any necessary intervention can take place as soon as possible for the best long-term outcomes.

Summary:

SB 396 vastly improves the communication between the offender, the IID manufacturer, the courts and the treatment providers through improved accountability and timely reporting. While the information gathered from the Ignition Interlock Device is essential to monitoring abstinence during supervision on DUII Diversion or Conviction, timeliness of the information has been an ongoing issue. This improvement to timeliness will mean an opportunity for intervention and more successful treatment outcomes, which leads to lowered recidivism for DUII, increased overall public safety and a lessened burden on our courts, corrections and law enforcement.

The treatment programs have appreciated the Ignition Interlock Device as an additional means to monitor abstinence and address relapse. The Courts have also used the Ignition Interlock Device information as a tool to monitor required abstinence. Many defendants sent back to court for Ignition Interlock Device violations admit drinking alcohol after finishing treatment. This creates the option to return clients to treatment for re-evaluation and additional treatment, as well as a tool to gauge treatment methodology and efficacy.

While the Ignition Interlock Device has become a valuable tool in the DUII field, there is always room for improvement. The GAC on DUII believes SB 396 will address some of these issues. Therefore, on behalf of the Governor's Advisory Committee on DUII, I respectfully urge the Senate Judiciary Committee to pass SB 396 and support its continued passage through the legislative process.

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