

Letter of Opposition to Senate Bill 394

Senate Committee on Judiciary - Senator Floyd Prozanski-Chair, Senator Jeff Kruse-Vice-Chair, Senators Ginny Burdick, Sara Gelser and Kim Thatcher.

My name is Ric Walker, Judicial Services Liaison with Smart Start of Oregon. I wanted to discuss Senate Bill 394 with you and submit that SB 394 is a bill that does not create improved provisions to the current Oregon Statues on Ignition Interlocks and driving while under the influence of intoxicants.

As a current Authorized & Approved Ignition Interlock Provider in Oregon and as a member of the Coalition of Ignition Interlock Manufacturers (CIIM), I have attached data that supports my strong belief that the present laws pertaining to Ignition Interlocks should remain the way that they are currently, and should not be altered and/or amended in the manner as described in SB 394.

The primary reason that these IID statues should not be amended is simply because these IID statues are effective and are working. I can attest to this, as a large part of my duties as a Judicial Services Liaison with Smart Start of Oregon, is to visit and sit in on DUII Diversion Hearings in the various County Circuit Court jurisdictions throughout Oregon.

I have been able to observe how effectively the Circuit Court Judges in Oregon carry out and apply the requirement to have the DUII Offender install an IID. I attend the Expedited Diversion Court in Multnomah County Circuit Court, and each week there is a docket of between 36 to 48 DUII cases. And this is just one court for one day of the week. I attend most other Diversion Courts throughout Oregon and it is imperative that Diversion continue to be offered to a DUII Offender and the requirement to install an IID.

It is important to keep in mind that the DUII Offender has committed a crime and has broken the law, and there should be sanctions and incentives. It is not ok for any person to get in their vehicle and drive buzzed, drunk or stoned from alcohol or any other impairing substance. May I remind you that a DUII Offense begins with a person driving while **IMPAIRED**.

When a traffic officer observes a vehicle that is driving in an impaired manner, there is enough cause to stop the driver and determine if there is indeed impairment. This can be accomplished by utilizing a breathalyzer and/or with a urine or blood test to confirm the presence of a substance responsible for the impairment of the driver.

Oregon officers are aware that even though the legal limit for driving while under the influence in Oregon is .08, a driver can be impaired with BAC levels that range from .020 or more. Applying the DUII laws as they have been written is a matter of public safety and amending these laws would erode this public safety. I do see and have seen DUII Offenders in court with considerable numbers of BAC levels between .015 and .024. SB 394 is written to do away with IID's along with the incentive of Diversion for a DUII Offender. I do not see how SB 394 is a good bill for Oregon.

The facts are clear that Ignition Interlocks saves lives and so does the opportunity to pursue Diversion over a DUII Conviction.

I have attached data that supports this. Due in part to interlock laws for all convicted drunk drivers, states have seen significant reductions in drunk driving deaths:

Arizona: 43 percent,

Oregon: 42 percent

And New Mexico: 38 percent. (See data attached)

Take a close look at the Public Support and the leading Traffic Safety Organizations that are in favor of Ignition Interlocks. I ask you to do the right thing by keeping Diversion and IID's, and instead do away with SB 394.

Respectfully and Sincerely,

Ric Walker

Smart Start of Oregon

Judicial Services Liaison



The Coalition of Ignition Interlock Manufacturers (CIIM) is a trade organization comprised of three of the nation's leading ignition interlock manufacturers to combine member's expertise and experience to speak with one voice to reduce the carnage of alcohol impaired drivers. CIIM strives to bring the most credible, factual information on ignition interlock devices to public policy discussions. CIIM currently is comprised of the nation's leading manufacturers and remains open to any ignition interlock manufacturer certified for use in and operating in one or more states.

CIIM member's experience influences the debate on State and Federal legislation and regulations to help assure that ensuing public policy creates the effective and efficient use of this lifesaving technology that users demand and the public deserves. To this end, CIIM will:

- Lobby Congress to maintain strong provisions in all highway legislation to intelligently expand the use of ignition interlock devices.
- Partner with NHTSA to develop model state legislation, and provide guidance and other resources to assist with implementation and compliance issues.
- Work with NHTSA to develop a plan to update the agency's ignition interlock technical specifications, and to develop model service delivery and prorating standards.
- Collaborate with State Highway safety agencies and NHTSA to underwrite and participate in workshops for continuing education for Judges, Probation and Prosecutors as laws, technology, and research improve the options to use technology to safely manage impaired

drivers.

- Seek to strengthen DWI courts by joining other stakeholders in advocating that Congress provide funding so DWI courts can provide ignition interlocks and/or alcohol monitoring technology at subsidized costs for indigent and long-term users. Provide expert, technical assistance on ignition interlock devices and how to effectively implement a successful ignition interlock program.

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IGNITION INTERLOCKS SAVE LIVES

PROVIDING THE BALANCE BETWEEN SAFETY AND WORK

Ignition interlocks are effective in reducing repeat drunk driving offenses by an average of 67 percent, according several peer reviewed studies from agencies like CDC, NTSB and NHTSA. And, all offender interlock laws are found to reduce repeat offenses significantly, when effectively implemented.

First-time offenders are serious offenders. Research from the CDC indicates that first-time offenders have driven drunk at least 80 times before they are arrested. Additionally, research has found that first offenders' patterns of recidivism are generally similar to a repeat offender.

KEY COMPONENTS OF AN IGNITION INTERLOCK LAW

- Requires the use of ignition interlocks for all convicted drunk drivers, including first-time offenders for a period least six months.
- Requires interlocks for all offenders who refuse the Breathalyzer test.
- Provides an opportunity to keep driving privileges, while staying employed and supporting their family.

States would qualify annually for Federal funding to offset any costs to the state in implementing the law.

THE FACTS

- An interlock is more effective than license suspension alone, as 50 to 75 percent of convicted drunk drivers continue to drive on a suspended license.
- All-offender interlock laws are widespread. Twenty-four states, plus a California pilot program, have laws requiring ignition interlocks for all first-time convicted drunk drivers.
- As of July 2013, there are approximately 305,000 interlocks in use in the United States.

IGNITION INTERLOCK LAWS SAVES LIVES. Due in part to interlock laws for all convicted drunk drivers, states have seen significant reductions in drunk driving deaths:

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| • Arizona: 43 percent | • Louisiana: 35 percent | • Alaska: 28 percent |
| • Oregon: 42 percent | • West Virginia: 33 percent | • Kansas: 26 percent |

• New Mexico: 38 percent

• Utah: 30 percent

• Colorado: 24 percent

PUBLIC SUPPORTS INTERLOCKS FOR ALL CONVICTED DRUNK DRIVERS. Three surveys indicate strong public support of ignition interlocks for all convicted drunk drivers.

- 88 percent (Center for Excellence in Rural Safety, 2010)
- 84 percent (Insurance Institute for Highway Safety, 2009)
- 76 percent (American Automobile Association, 2012)

Additionally, these leading traffic safety organizations, Advocates for Auto and Highway Safety, American Automobile Association (AAA), Auto Alliance, Centers for Disease Control and Prevention (CDC), Governors Highways Safety Association (GHSA), Insurance Institute for Highway Safety (IIHS), International Association of Chiefs of Police (IACP), National Safety Council (NSC), and National Transportation Safety Board (NTSB) support ignition interlocks for all convicted drunk drivers, with a BAC of .08 or greater.
