

Washington Association of Sheriffs and Police Chiefs

24/7 Sobriety Program



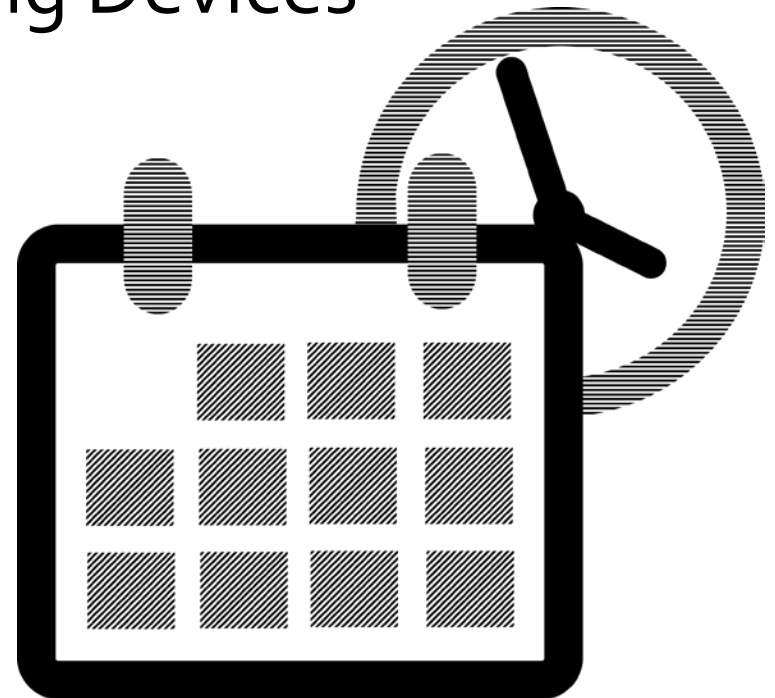
What is the program?

The 24/7 sobriety program is a twenty-four hour, seven day a week monitoring program in which a participant submits to the testing of their blood, breath, urine, or other bodily substances in order to determine the presence of alcohol, marijuana, or any controlled substance in their body.

The program can be used both pretrial and post conviction.

What does that look like?

- Twice Daily Portable Breath Testing (PBT)
- Remote Alcohol Monitoring Devices
- Random Drug Testing



Hallmarks of the Program

- Cost efficiency
- Reduction of jail and prison populations
- Enhancement of public safety
- Enabling offenders to change self-defeating behaviors AND to stop re-offending

Anecdotal Feedback

- Repeat DUI offenders achieving sobriety.
 - “Before 24/7, I had been drunk for 40 years.”
- Chronically addicted individuals are drinking less and less frequently than they were prior to the program.
 - “This individual is a chronic drunk. Look how far apart his violations are. He’s never been sober that long before.”

Who runs the program?

The program must be managed by a City or County Law Enforcement Agency. A third party vendor may administer the program, with an interagency agreement in place.

- City of Centralia Police Department
- Clallam County Sheriff's Office
- Thurston County Sheriff's Office

When was the program established?

- The 2013 Washington State Legislature addressed a number of issues related to DUI in E2SSB 5912, including the establishment of a pilot 24/7 Sobriety Program.
- Centralia Police Department started testing on March 17, 2014.
- Thurston County and Clallam County Sheriff's Offices started testing in the fall of 2014.

Partnerships

- A 24/7 Program will only be successful if it is fully supported by:
 - Local Law Enforcement
 - Courts
 - Prosecutor
 - Defense
- Everyone must be on board!



Current Violations and Penalties

- Receive a written warning notice for a **first** violation;
- Serve the lesser of two days imprisonment or if post trial, the entire remaining sentence imposed by the court for a **second** violation;
- Serve the lesser of five days imprisonment or if post trial, the entire remaining sentence imposed by the court for a **third** violation;
- Serve the lesser of ten days imprisonment or if post trial, the entire remaining sentence imposed by the court for a **fourth** violation; and
- For a **fifth** or **subsequent** violation pretrial, the participant shall abide by the order of the court. For post-trial participants, the participant shall serve the entire remaining sentence imposed by the court.

Fees

- Fees are predetermined and can be found in the guidelines document.
- Onsite Testing:
 - \$30 enrollment
 - \$2.00/test
 - \$1.50 deposited to local account
 - \$0.50 deposited to state account to pay for software

Testing Software

IntoxiTrack

Please sign in

[If you forgot your password, click here](#)

Sign in

Every Little Thing...



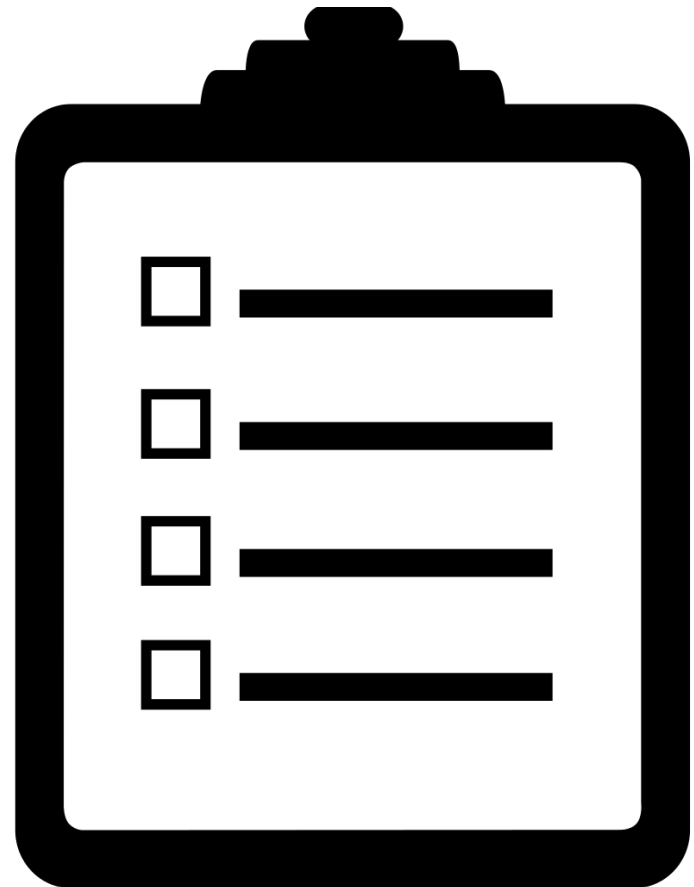
WASHINGTON STATE 24/7 SOBRIETY PROGRAM

GUIDELINES FOR PARTICIPATING AGENCIES

The 24/7 sobriety program is a twenty-four hour, seven day a week sobriety program in which a participant submits to the testing of their blood, breath, urine, or other bodily substances in order to determine the presence of alcohol, marijuana, or any controlled substance in their body.

Next steps to startup a program

- Review the 24/7 Check List AND Program Guidelines
- Ask Questions
 - Consult with an existing 24/7 Program
- Make necessary arrangements and develop partnerships
- Sign 24/7 Interagency Agreement



Fixing Americas Surface Transportation (FAST) Act

Section 405(d)- Impaired Driving

- Eligible activities/programs expanded to include drug related efforts
- Low range states eligible to use 50% of funds on Sec. 402 projects
- Alcohol ignition interlock grant is amended and expanded to be called Additional Grants:
 - In addition to qualifying by having all offender interlock programs, states with a 24-7 program would qualify
 - Allows for certain exceptions in all offender interlock law:
 - For operation of employer vehicle
 - Medically unable to utilize interlock device
 - No provider within 100 miles of individual
 - States qualifying with 24-7 receive 3% of available funding.
 - States qualifying with all offender interlock receive 12% of available funding.

Guidelines to be available mid-May

Additional Questions / Contact



Jamie Yoder

Member Outreach and
Programs Manager

Washington Association of
Sheriffs and Police Chiefs

Direct: 360.486.2419

Cell: 360.870.9544

Email: jyoder@waspc.org

Web: <http://www.waspc.org/24-7-sobriety-program>

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24/7 Changes in 2016



DISCLAIMER

- This information is not legal advice.
- Your legal advice should come from your legal advisor.
- This is a very brief summary of select provisions of a 58 page piece of legislation.
- The best way to know what a bill really says is to read it.

HB 2700

- HB 2700 – passed during the 2016 Regular Session
- Sponsored by Representative Roger Goodman
- Annual Goodman DUI Bill
 - Addresses many different provisions relating to DUI

24/7 Changes in HB 2700

- HB 2700 contained several 24/7-related provisions, including:
 - Administrative License Suspensions
 - Post-Conviction License Suspensions
 - Post-Conviction Mandatory Jail Time
 - Minimum Sanctions for 24/7 Program Violations

Administrative License Suspensions

- CURRENT LAW: 1st time DUI arrest result in administrative sanction of 90 day drivers license suspension.
- HB 2700 allows a person to complete or enroll in a pretrial 24/7 program in lieu of the administrative suspension.

Post-Conviction License Suspensions

- **CURRENT LAW:** 1st time convicted DUI offenders with BAC of less than 0.15 receive 90 day suspension of their drivers license.
- HB 2700 allows the reinstatement of the drivers license after 2 days' suspension if the person completes an alcoholism evaluation and completes or is enrolled in a 90 day 24/7 program.

Post-Conviction License Suspensions

- **CURRENT LAW:** 1st time convicted DUI offenders with BAC of 0.15 or more receive one year suspension of their drivers license.
- HB 2700 allows the reinstatement of the drivers license after 4 days' suspension if the person completes an alcoholism evaluation and completes or is enrolled in a 120 day 24/7 program.

Post-Conviction Jail Time

- CURRENT LAW: 1st time convicted DUI offenders with a BAC of less than 0.15, a judge can order 15 days electronic home monitoring in lieu of the 24 consecutive hours mandatory jail time.
- HB 2700 creates second option in lieu of mandatory jail – 90 days of 24/7 (with allowable credit for pretrial 24/7 participation).

Post-Conviction Jail Time

- CURRENT LAW: 1st time convicted DUI offenders with a BAC of 0.15 or more, a judge can order 30 days electronic home monitoring in lieu of the 48 consecutive hours mandatory jail time.
- HB 2700 creates second option in lieu of mandatory jail – 180 days of 24/7 (with allowable credit for pretrial 24/7 participation).

24/7 Program Violation Sanctions

- CURRENT LAW: Violations of the 24/7 program require the following sanctions:
 - 1st time: Written warning
 - 2nd time: 2 days imprisonment
 - 3rd time: 5 days imprisonment
 - 4th time: 10 days imprisonment
 - 5th & subsequent time: serve the entire remaining sentence imposed by the court.
- HB 2700 changed these sanctions as follows:
 - 1st time: Written warning
 - 2nd time: minimum 1 day imprisonment
 - 3rd time: minimum 3 days imprisonment
 - 4th time: minimum 5 days imprisonment
 - 5th & subsequent time: minimum 7 days imprisonment

Other Provisions

- HB 2700 also removed the 24/7 Program's "Pilot Project" status, and made technical changes to the 24/7 account.

Effective Date

- HB 2700 was signed by Governor on April 1, becomes effective on June 9, 2016.
 - *Except for Section 15, which is unrelated to 24/7*
 - *Chapter 203, Laws of 2016*

Additional Questions / Contact



James McMahan

Policy Director

Washington Association of
Sheriffs and Police Chiefs

Direct: 360.486.2394

Email: james@waspc.org

Web: www.waspc.org