

Washington Association of Sheriffs and Police Chiefs

24/7 Sobriety Program



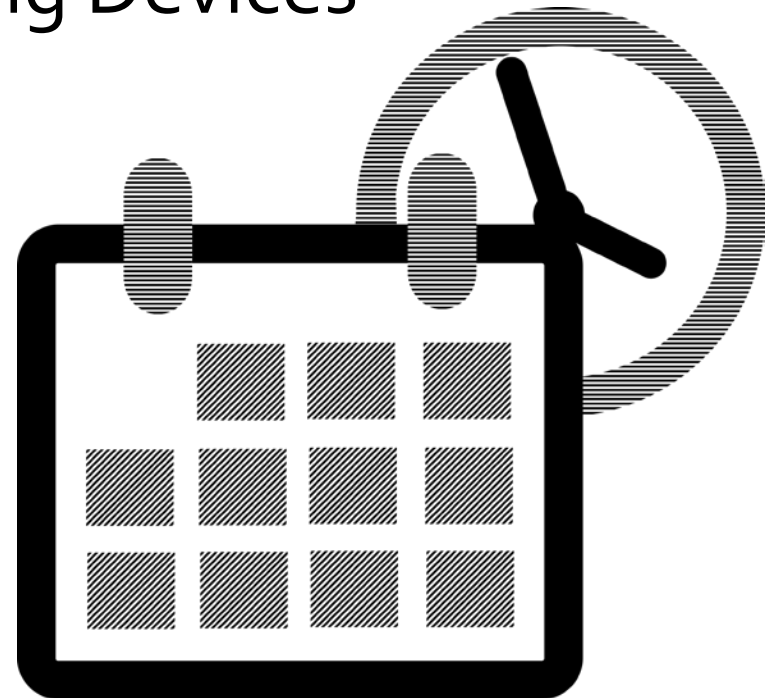
What is the program?

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
 - Including Transdermal
- Random Drug Testing



Benefits to Participants

- Depending on the circumstances, 24/7 can be offered in lieu of the following:
 - Jail Time (RCW 46.61.5055)
 - License Suspension (RCW 46.61.5055)
 - Ignition Interlock (RCW 10.21.055)
- Maintain/search for employment
- Maintain family and personal relationships
- Continue to live a productive life

Benefits to Criminal Justice System

- The goal of the 24/7 Sobriety Program is to combat the role that alcohol and drug abuse play in crime and criminal recidivism, particularly for drunk driving and drugged driving—and to reduce the number of DUIs and related costs by motivating offenders to change their behaviors. The 24/7 Sobriety Program aims to:
 - Provide a cost efficient program to hold DUI offenders accountable
 - Reduce jail populations*
 - Enhance public safety
 - Enable offenders to change their behavior

Who runs the program?

- [36.28A.340](#)
 - 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

Current Violations and Penalties

- [RCW 36.28A.390](#)
 - (1) A general authority Washington peace officer, as defined in RCW [10.93.020](#), who has probable cause to believe that a participant has violated the terms of participation in the 24/7 sobriety program may immediately take the participant into custody and cause him or her to be held until an appearance before a judge on the next judicial day.
 - (2) A participant who violates the terms of participation in the 24/7 sobriety program or does not pay the required fees or associated costs pretrial or post trial shall, at a minimum:
 - (a) Receive a **written warning** notice for a **first** violation;
 - (b) Serve a **minimum of one day** imprisonment for a **second** violation;
 - (c) Serve a **minimum of three days** imprisonment for a **third** violation;
 - (d) Serve a **minimum of five days** imprisonment for a **fourth** violation; and
 - (e) Serve a **minimum of seven days** imprisonment for a fifth or subsequent violation.
 - (3) The court may remove a participant from the 24/7 sobriety program at any time for noncompliance with the terms of participation. If a participant is removed from the 24/7 sobriety program, the court shall send written notice to the department of licensing within five business days.

Fees

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

More on Fees

- [36.28A.370](#)
 - (3) All applicable fees shall be paid by the participant contemporaneously or in advance of the time when the fee becomes due; **however, cities and counties may subsidize or pay any applicable fees.**
 - (4) A city or county may accept for deposit, donations, gifts, grants local account fund transfers, and other assistance into its local 24/7 sobriety account to defray the participating agency's costs of the 24/7 sobriety program.
- [36.28A.380](#)
 - The court shall not waive or reduce fees or associated costs charged for participation in the 24/7 sobriety program.

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!



Testing Software

IntoxiTrack

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

Sign in

Every Little Thing...



WASHINGTON STATE 24/7 SOBRIETY PROGRAM

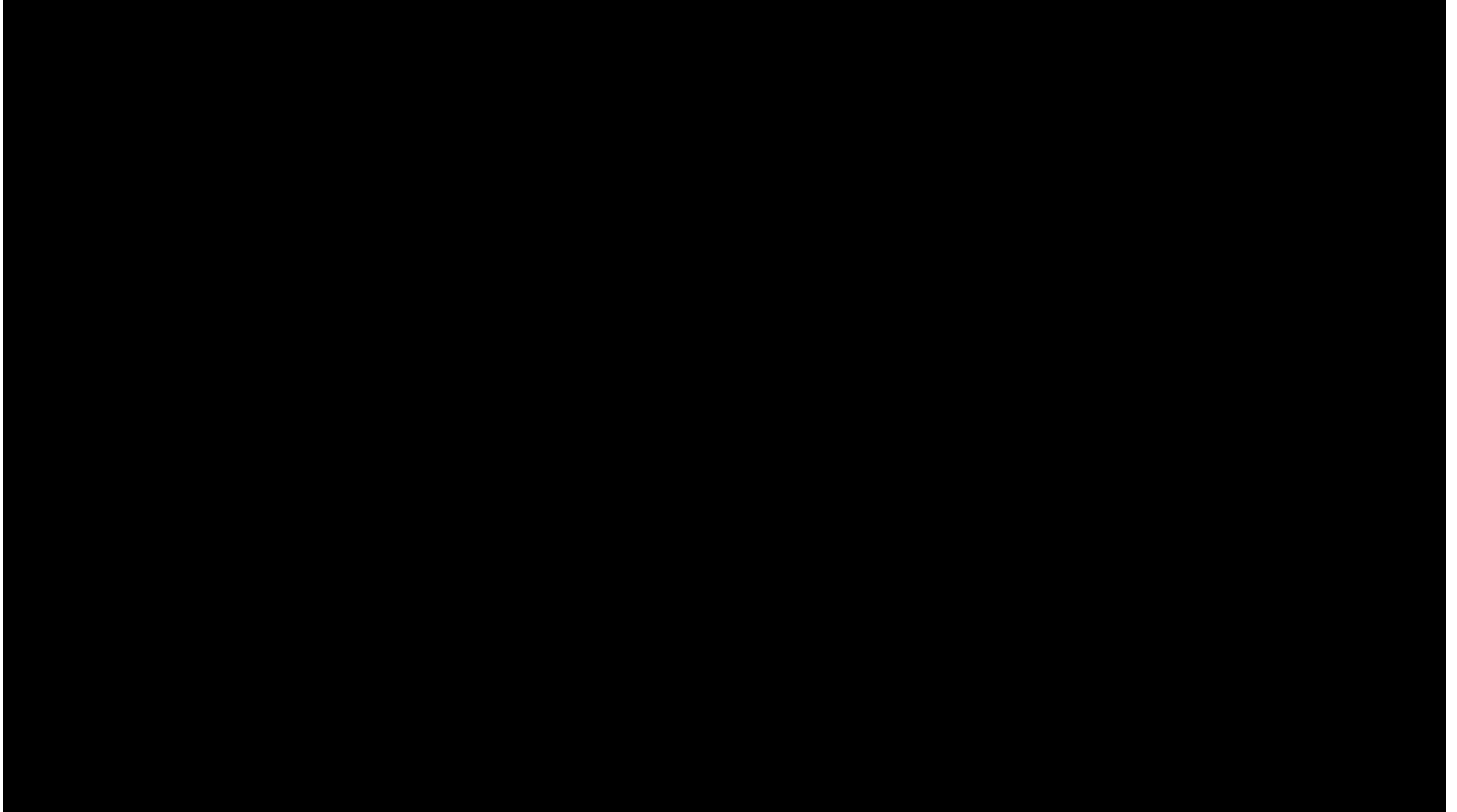
GUIDELINES FOR PARTICIPATING AGENCIES

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.

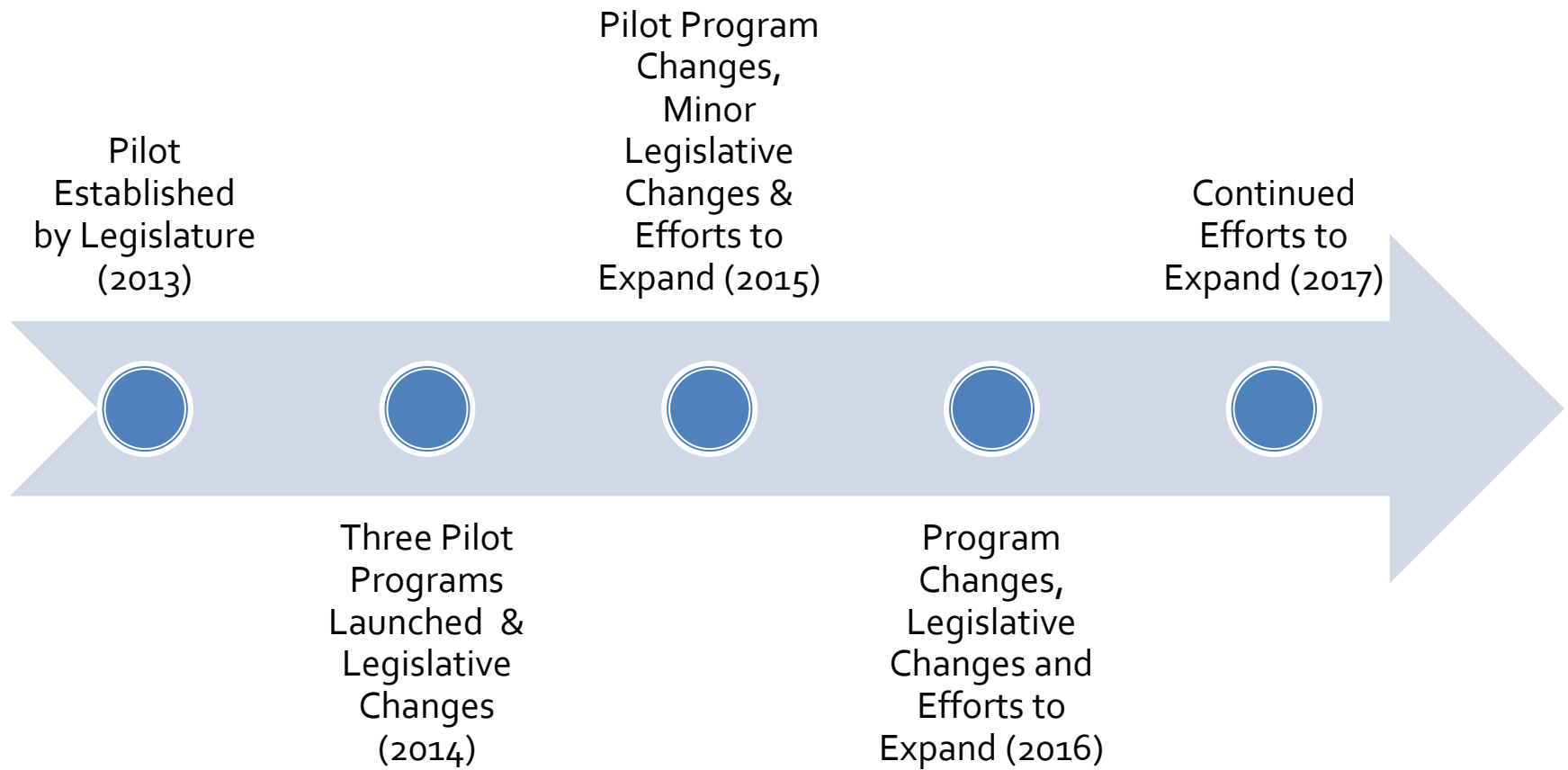
Anecdotal Feedback

- 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.
 - “He’s never been sober that long before.”
- View the 24/7 Sobriety Program Video for additional program feedback from stakeholders and participants.

Participant Feedback



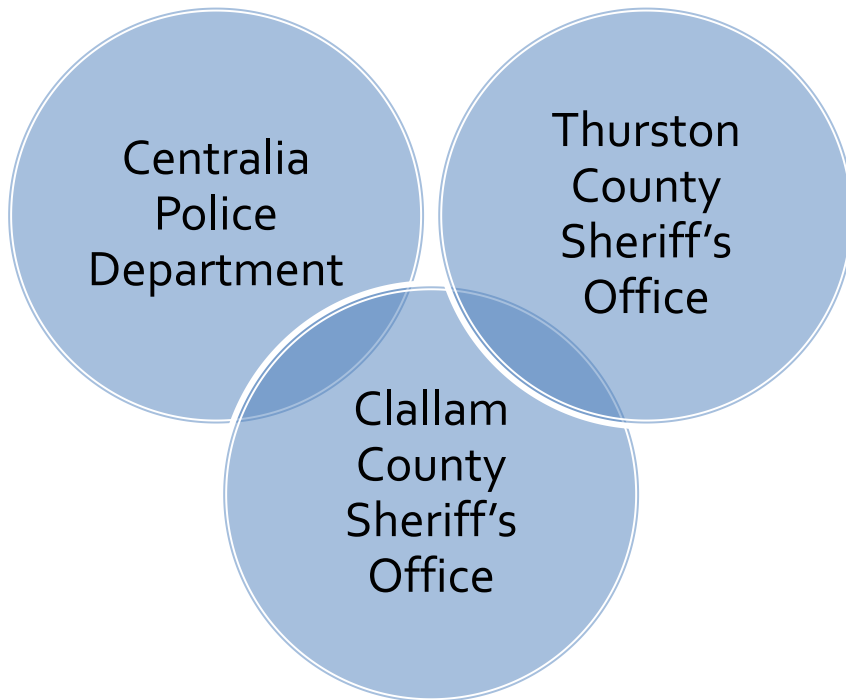
History in Washington



2013

- Engrossed Second Substitute Senate Bill **5912** (CRIMES—DRIVING UNDER THE INFLUENCE)
- Sponsored by Senators Padden, Kline and Conway, by request of Governor Inslee

2014



- Selection of Pilot Agencies
- 24/7 Advisory Council
- Development of 24/7 Sobriety Program Guidelines
- Outreach and Education

- Program Changes
 - Thurston County Terminated Program
 - Centralia Terminated Program
 - Clallam County Transitioned Program to Jail
- Delegation Attended National 24/7 Summit
- Staffing Changes
- WASPC recommended revisions to penalties for violations as outlined in 36.28A.390

- Program Changes
 - Centralia resumes 24/7 Program
- HB 2700
 - Expanded Use of Program
 - Pilot Status Removed
 - Mandatory Penalties Revised
- Washington State 24/7 Sobriety Program Summit

CHANGED PENALTIES FOR VIOLATIONS FROM :

- 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.

TO:

- 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

(Current Penalties)

Continued Efforts to Expand

- Participation in WTSC Conference (2015)
- 24/7 Marketing Video (2015/2016)
- 24/7 Brochure (2016)
- 24/7 Information Sheets (2016)
- 24/7 Summit (2016)
- Letter to: WA State District & Municipal Court Judges' Association; WA State Municipal Clerks Association; WA State Association of County Clerks; WA Association of Sheriffs & Police Chiefs; WA Association of Prosecuting Attorneys; WA Association of Criminal Defense Lawyers; WA Defender Association; WA State House of Representatives; and WA State Senate. (2016)
- **WTSC Grant Opportunities (2017)**
 - Clallam County
- Phone discussions with potential 24/7 sites
 - Columbia County
 - Benton County
- Information/stakeholder meetings with potential 24/7 sites:
 - Pierce County
 - Fife
 - City of Spokane
 - Bonney Lake
- 24/7 Information Webinar
- Requests to present at vicarious conference/meeting opportunities
 - Criminal Defense
 - Judges
- Requests for stakeholder work with WTSC and Governor's office
- Possible late 2017 or 2018 Washington State 24/7 Summit

Successful Programs in Other States

- North Dakota
- South Dakota
- Montana
- Difference in cultural and legal structure
- Before 24/7, DUI offenders went to jail
- No mandatory penalties (judicial discretion)

Consistent Obstacles

- Holding offenders accountable is expensive (Mandatory Penalties)
- Establishing a program requires significant stakeholder partnerships and buy-in



Grant Funding Available to Support New Programs

- WASPC Equipment Grants

- FST Testing Device



- WASPC 24/7 Startup Grants

- Equipment
- Test Tubes
- Limited Staffing
- Buss Passes
- Training

Additional Questions / Contact



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