

24/7 Sobriety Program

- ❖ Authorized by 2007 SB 2003 (Section 11). The program takes effect on January 1, 2008.
- ❖ Pilot program area – counties in the South Central Judicial District.
- ❖ The program will be used in district and municipal courts in the twelve county program area.
- ❖ The court may place an individual arrested for second (or subsequent) DUI offense into the 24/7 program as a condition of bond. The bond order will prohibit the offender from using any alcohol and will require alcohol testing.
- ❖ Offender is responsible for the costs of testing.
- ❖ Testing sites – Burleigh County Sheriff's Office, Morton County Sheriff's Office; Mercer County Sheriff's Office – etc.
- ❖ The individual reports to the appropriate testing site with his copy of the bond order and a photo ID. The Sheriff's office enters offender information into the system to register the offender for the testing.
- ❖ Breath alcohol test is \$1.00 each time, or \$2 per day. Offenders must pay one week's fees in advance, cash only (\$14.00).
- ❖ Offender reports to the testing site twice each day during specified times. If the offender's breath alcohol test shows alcohol use, the offender is immediately taken into custody for violation of a bond order and will be brought back before the referring court. If the offender fails to report for one of the twice daily tests, the court may issue a bench warrant for the violation of the bond order.
- ❖ Participants whose licenses are suspended or revoked must arrange transportation to the testing site.
- ❖ If the offender meets certain stringent eligibility requirements, the offender may be ordered to participate in remote electronic alcohol testing instead of reporting twice daily to the testing site. The offender is required to pay two weeks fees in advance (\$70) as well as a \$25 activation fee and \$25 deactivation fee, also in advance. The offender is responsible for costs of repair or replacement of the electronic monitoring device.
- ❖ The remote electronic alcohol monitoring device measures alcohol on the skin. Its sensors test the subject's skin several times in a 24-hour period and transmit the test results via modem and telephone line to a computer at the testing site.
- ❖ Once per month, the testing sites will remit collected fees to the Office of Attorney General, which has a continuing appropriation to allow for ongoing expenses for the program and to assist counties with the costs of administering the program.
- ❖ The Attorney General's office has distributed breath testing instruments and mouthpieces to the testing sites.

- ❖ Initial training for law enforcement agencies in the program counties held in early December. Advanced training for Burleigh, Morton and Mercer counties is scheduled in mid-January, after the program begins.
- ❖ Potential for 24/7 program to be expanded in the future:
 - Into other judicial districts or statewide
 - As a condition of probation and for other alcohol and drug related crimes
 - To include drug testing.