



## **Mandatory Monitoring for ALL DUI Offenders**

**Voice of Victims of DUI Deaths**

[www.zeroduideaths.org](http://www.zeroduideaths.org)

### **PROBLEMS**

- Limited access to public transportation in Montana makes life tough if you can't drive. It is difficult for an offender to comply with license suspension.
- In Montana a license suspension can be lifted by district judge during the adjudication period so most offenders resume driving within a few days of arrest.
- "Essential function only" license restriction is poorly defined and not enforceable.
- One night in jail keeps the offender from driving home that night. But the most effective way to prevent future impaired driving is through monitoring and treatment. There are several excellent strategies for this such as DUI courts and the 24/7 sobriety program. These are required for 2<sup>nd</sup> or subsequent DUI convictions. But for the first DUI (even if it is aggravated) there is no required monitoring or treatment.
- Underage drivers have minimal consequences for DUI—a small fine and education.
- Estimates range from 80-350 times a person has driven drunk before being arrested or crashing.
- Over 40% of offenders convicted of "DUI1" have been arrested for DUI before. We don't know how many have been "given a ride home" rather than arrested and charged.

### **SOLUTIONS**

- Ignition interlock is the least expensive monitoring strategy. It is currently underutilized in Montana. New technology and new provider rules (proposed by the DOJ) makes interlock even more effective.
- Interlock has the best research support. States which implemented mandatory interlock for all DUI offenders have shown dramatic reduction in DUI related fatalities.
- Probationary interlock license keeps people driving legally [and soberly]. Monitoring changes behavior and prevents repeat DUIs; it only takes 1 DUI to kill someone.

### **To reduce jail costs, prevent DUIs, and save lives:**

1. Remove mandatory jail time for first DUI
2. Mandatory Ignition Interlock for first DUI (including underage DUI)
3. Replace license suspension with probationary interlock license.
4. Strengthen Ignition Interlock statute and increase penalties for noncompliance