

Case Study: South Dakota Statewide

SCRAM CAM[®] Critical Component of Statewide 24/7 Sobriety Project

24/7 Sobriety Program
Statewide
DUI/DWI

Program History

South Dakota is a predominantly rural state best known for extraordinary mountain sculptures such as Mount Rushmore, the Lewis and Clark Trail, and a rich Native American heritage. But since 2005, it's also gained a reputation as an innovator in the use of evidence-based programs and high-tech solutions to battle repeat drunk drivers.

The basic concept for 24/7 began in the mid-1980s, when former South Dakota Attorney General Larry Long was a local prosecutor in Bennett County. At the time, the county had a population of about 3,000 people, one-third of them Native American. "Two Indian reservations bordered the county on three sides," explains Long. "Unemployment and poverty dominated the lives of the tribal members, and alcoholism was a way of life in Bennett County."

Long says that he kept seeing the same offenders repeatedly being sentenced and released from jail. "The county had 100+ DUIs in a year—mostly by repeat offenders—and domestic violence was also a significant issue," says Long. "We couldn't keep them sober unless we kept them locked up. But that wasn't a realistic option."

With jail costs running at \$60 per day, Long, along with the local sheriff, had an idea to help alleviate the situation. As a condition of bond, and until their cases were resolved, offenders would come in twice a day, seven days a week (such as 7:00 am and 7:00 pm or a similar 12-hour span), and submit to a breath test. A positive test for alcohol meant they were walked right across the hall to the county jail and sanctioned to a short jail stay. And a no show meant an automatic day or two in jail.

That testing began in 1985, and they soon found that not only did people show up when they were supposed to, but most of them blew clean tests.



CAM in 24/7 Sobriety Programs

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Highlights of Success

- In 2003, South Dakota needed to reduce its growing prison population—many of whom had been arrested for alcohol-related offenses.
- In 2005, the state launched a three-county pilot of the South Dakota 24/7 Project which provided alcohol monitoring of defendants released on bond.
- The program gained tremendous momentum and is now operational across 94% of the state.
- Results include a decrease in jail populations, safer roadways, and reduced costs for both the state and taxpayers.

"These were practiced drinkers who usually drank every day," says Long. "The program was very successful. We found that our DUI and domestic violence rates started coming down very quickly, and they stayed down."

The State Pilot

In 2003, South Dakota's new governor appointed a task force charged with developing a solution for the state's growing prison population. At the time, one in eight incarcerated offenders were convicted for felony DUI (three or more convictions in 10 years) and 75-80% of incarcerated offenders were assessed with an alcohol addiction.

In February of 2005, a three-county pilot of the South Dakota 24/7 Project began. Software was developed to track the results of each offender's test data. Criteria for inclusion in the program was having one or more DUIs within the last ten years. Participants had to submit to two breath tests a day, seven days a week. While it was used predominantly as a condition of bond, some judges, seeing the impact, added on more time and turned the twice daily testing into a condition of probation. Most of the testing was done at the county jails to reinforce the "swift and certain" sanction.

Driven by the Office of the Attorney General, the program gained tremendous momentum and today is operational across 94% of the state.

How is SCRAM CAM Being Used?

Since more than half of the counties in South Dakota are considered very rural, expanding the South Dakota 24/7 Sobriety Project with twice daily testing posed challenges. Long decided that SCRAM Continuous Alcohol Monitoring® (SCRAM CAM®) would solve the issues of long distances or unusual work schedules that could hinder participants' test taking. "Because SCRAM tests offenders remotely—and every half hour around the clock—we saw it as an excellent addition to our program," says Long.

Long secured a grant from NHTSA to purchase 100 SCRAM CAM Bracelets for the program. "SCRAM fills a huge need in our program," he notes. "For people who live really a challenging distance from a test site, we can put a bracelet on them and that saves a lot of headaches, time, and gas."

Two bills, one in 2007 and one in 2008, created a statewide 24/7 Sobriety Program and approved

"SCRAM has proven to be a vital supplement to the South Dakota 24/7 Sobriety Project. It offers an effective testing alternative, particularly for offenders who live a significant distance from testing centers or are challenged to balance their work schedules with required testing schedules."

*– Larry Long
Former South Dakota Attorney General*

funding for staffing and equipment. With this funding—and fueled through word of mouth—the program continued its explosive growth across the state. Long used revenue from the program to purchase nearly 700 SCRAM bracelets over the period. In addition, some of the program revenue established an indigent fund to offset costs for those unable to pay the daily monitoring fees and testing costs.

The Brookings Institution explains the initiative, "In one program, called 24/7 Sobriety, individuals arrested for or convicted of alcohol-involved offenses, for whom sobriety is a condition of release, must submit to breathalyzer tests twice per day or wear a continuous alcohol monitoring bracelet. (The high-tech bracelets are particularly efficient because they do not require coming into a testing center or hiring staff to conduct the tests.) If individuals test positive for alcohol use (or skip a test), they receive a short, immediate jail sentence of just one or two days."

Offenders who wear SCRAM CAM as part of the program pay \$5/day for their monitoring. "In reality, that's a bargain because they were typically spending three times that per day on alcohol," says Bill Mickelson, the State 24/7 Project Coordinator at the time.

"You keep them (offenders) working at their jobs, you require that they have a job, you know that they're not going to be on the road driving drunk because

you're checking them every 12 hours or, in the case of the SCRAM bracelets, all the time," notes Mike Rounds, former Governor, State of South Dakota. "If you can get them dried out, if you can get them sobered up and in a program like this, you might put them on the first step towards recovery. They have to take a look at whether they can actually handle alcohol."

Outcomes

The 24/7 Project is now operational in 62 of the State's 66 counties. It works with 67 agencies, and since January 2005, over 61,000 participants were monitored for a total of 1.55 million days. According to Long, "We see SCRAM as a supplement to treatment—not a substitute. It's very important for them to get sober before, during, and after they receive treatment. SCRAM helps accomplish that."

Since the program's inception, the results have been phenomenal. Jail populations have decreased in most counties, which is not only saving taxpayers about \$100/day (a 67% increase since the program's inception), but is allowing offenders to maintain jobs, live with their families, and contribute to their communities.

SCRAM CAM Usage

(October 2006 – October 2016)

- 9,285 participants
- 62 counties
- 1.57 million days monitored
- 99.6% Sober Days rate

According to the Honorable Justice Lori Wilbur, South Dakota Supreme Court, "The 24/7 program, especially with the increased availability of the SCRAM Bracelet, is an important tool for the courts to use in holding defendants accountable for their actions. Research shows the more days of sobriety a defendant has, the more likely the defendant will be able to maintain sobriety."