

# ATTORNEY GENERAL

## STATE OF MONTANA

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Ravalli County Commission  
215 S. 4th Street  
Suite A  
Hamilton, MT 59840

Dear Ravalli County Commissioners:

I am writing to support Sheriff Hoffman's budget request for 1.5 FTE to start a 24/7 Sobriety Program in Ravalli County. I understand this is being considered by the County Commission in its current budget deliberations.

While there is always some trepidation in starting a new program, the 24/7 Sobriety Program has shown it works in the two dozen counties that have programs in place. A participant is required to show up at a test site twice a day, approximately 12 hours apart, and submit to a breath alcohol test. If the participant blows clean, he or she continues their day. If the participant blows hot, he or she is immediately taken into custody and is then brought before the judge. The twice daily breath testing is critical to the success of the Program, but because Montana is a rural state, transdermal alcohol monitoring may also be used in hardship cases.

Participants are required to pay the cost of participation in the Program, so the participant is invested in the outcome while minimizing additional cost burdens to the courts or local governments. The simplicity of the program, coupled with swift and certain consequences for noncompliant events, drives better behavior and outcomes. Since its inception, we have seen excellent results across the State, with breath tests being passed 99.7% of the time and transdermal alcohol monitoring reporting a compliance rate of 99.5%.

The laws relating to 24/7 program give sheriff offices the opportunity to collect fees to defray costs of the program. Up to \$2 per breath test may be collected from the offender, with \$1 going towards the manufacturer of the 24/7 program software, and the other \$1 to

the sheriff's office. With two visits per day and a reasonable amount of offenders ultimately assigned to the program, it's easy to see how this money can be used to offset county investment.

The initial investment from the county should also pay noticeable dividends in the public safety arena in the years to come. Montana's 24/7 Program is based on the original program from South Dakota. In November 2012, the Rand Corporation published a study in the Journal of American Health reporting that South Dakota has seen a 12% reduction in recidivism for DUI offenses and a 9% reduction in recidivism for domestic violence offenses following adoption of the 24/7 Program. Montana recently reported a 30% decrease in alcohol-related motor vehicle fatalities in 2013.

Ravalli County is the largest county in the state without such a program. We believe that the 24/7 Sobriety Program is an integral part of a county's criminal justice system. The Department of Justice has resources available and are more than willing to help set up Program in your area. If you have any questions about the program, please contact Colonel Thomas Butler at 406-444-3780.

Thank you for your attention to this important matter. We hope that you will support Sheriff Hoffman's 24/7 Sobriety Program budget request.

Sincerely,



TIM FOX  
Attorney General