

# Administrative vs. Judicial Interlock Programs

A Roundtable & Debate on Pros and Cons

Presenters:

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Participants:

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# Goals

- Get Interlocks into the vehicles of all those arrested for DWI as soon as possible after arrest.
- Keep interlocks installed until there is evidence of Alcohol-Free Driving for a significant period of time. Eg 1 year.
- Motivate those who do not drive Alcohol-Free to take advantage of Treatment.

# Ideal Judicial Program

1. Interlocks as a condition of probation for all **convicted** offenders
2. With electronic monitoring as the only alternative
3. Minimum of one year duration
4. Compliance-Based-Removal: No recorded BAC>0.04 for 6 months prior to Removal
5. Mandatory extra monitoring for the non-compliant. eg.UAs, Sobrieters, or SCRAM
6. Mandatory Treatment if indicated by #5.

# JUDICIAL ADVANTAGES

- It is mandatory (electronic monitoring or jail are the only alternatives)
- It eliminates self-selection
- It gets more interlocks installed per DWI. Eg over 30% of those **arrested** in NM.

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## DISADVANTAGES

- Applies only to those convicted (65%-70%)
- Requires 6 months house arrest for offenders without cars
- Judicial Implementation Varies
- Installation not immediately after arrest.

# Ideal Administrative Program

Upon arrest DMV suspends under ALR but offers free interlock program

Upon conviction court orders electronic house arrest, or other electronic monitoring unless offender has installed interlock and begins to pay for it.

DWI fines raised to cover interlock costs

Compliance based removal and referral to treatment.

# **ADMINISTRATIVE ADVANTAGES**

- Centralized authority and criteria
- Prompt Installation after arrest
- Allows changed offenders to drive legally
- Applicable to all arrested DWI offenders.

# **DISADVANTAGES**

- Large self-selection component
- Avoided by those who need it most
- Doesn't get many interlocks installed per DWI
- Doesn't reduce over-all recidivism by much.
- Many more Administrative Appeal Hearings

# Question and Discussion Period

# Goals

- Get Interlocks into the vehicles of all those arrested for DWI as soon as possible after arrest.
- Keep interlocks installed until there is evidence of Alcohol-Free Driving for a significant period of time. Eg 1 year.
- Motivate those who do not drive Alcohol-Free to take advantage of Treatment.

# Bob and Dick's Recommendations

1. Immobilization or Interlock between DWI arrest and adjudication.
2. Mandatory Interlock for at least one year for all convicted offenders with electronic monitoring or immobilization as the only alternatives.
3. Compliance Based Removal. Requirement: No recorded BAC > .04 by any driver for a year.
4. Interlock License as an Alternative to Revocation.
5. An Indigent Fund with objective standards.
6. Mandatory Period of Interlock before Unrestricted License Reinstatement.