



## Mark Your Calendars

### **LIFESAVERS 2011**

Phoenix Convention Center  
March 27—29, 2011  
Phoenix, AZ

### **NDAAs Summer Conference**

July 17—20, 2011  
Sun Valley, ID

### **NAPC Summer Conference**

July 13—15, 2010  
Sun Valley, ID

### **IACP DRE Section's**

#### **17th Annual Training Conference on Drugs, Alcohol and Impaired Driving**

July 19—21, 2011  
Montreal, Canada

## Upcoming

### **NDAAs Courses**

For a listing of all upcoming  
NDAAs courses, please go to:  
[www.ndaa.org](http://www.ndaa.org)

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# *Between the Lines*

## **Ignition Interlocks**

(Why do we need them and what does the future hold)

By Brian Ursino\*

### **New Research Helps Answer Why Ignition Interlocks Are Needed for All Offenders**

In the highway safety community, there has been a long standing theory that first time alcohol offenders are just multiple offenders that had not previously been caught. But these ideas were based on anecdotal evidence and were absent any real empirical evidence to validate this theory. Without that empirical evidence, some argue first time offenders are largely drivers who were "one sip over the limit".

These two points of view have been at impasse with little evidence-based research to supports one claim or the other ... until now. According to a study published in May 2010 by the American Journal of Public Health, the recidivism rate among first offenders more closely resembles that of second offenders than of non offenders. Men and women are at equal risk of re-offending once they have had a first violation documented. Any alcohol-impaired driving violation, not just convictions, is a marker for future recidivism.

The study strength resides in its examinations of over 100,000,000 driving records for a time period of 1973 to 2008. The study shows that first offense leniency is no longer appropriate because the behavior of the first offender and the second offender is virtually the same. Given enough time, and if allowed to re-offend due to the leniency often shown first offenders, those first offenders are likely to become multiple offenders.

In addition, the Centers for Disease Control (CDC) has reviewed ignition interlocks and has stated that "based on strong evidence of

the effectiveness of interlocks in reducing re-arrest rates, the (CDC) Task Force recommended that ignition interlock programs be implemented".

### **What Does the Future Hold?**

As a nation, we are going down parallel paths toward implementing ignition interlock technology to eliminate alcohol-impaired driving from our society. One path is the movement toward requiring all alcohol-impaired offenders to use currently available ignition interlock technology. The second path is to develop and implement an advanced "passive" ignition interlock technology that can be manufactured as standard equipment in every car. The concept for this technology is for the vehicle to be able to determine if the driver is at or above the illegal limit of .08 blood-alcohol content (BAC) in an even less intrusive way than having to put on your seatbelt. If such a BAC is detected, the vehicle will not operate. This advanced technology has been described as a future vaccine to protect our society against the drunk driver epidemic.

### **The Short Term Solution – Wider Use of Current Technology**

The evidence based research recently published in the American Journal of Public Health should help with passage of all offender ignition interlocks in more states. It is likely that federal intervention will be required to persuade some states to implement this solution. Although states in general do not like federal mandates to drive state-level policy, especially when backed-up with sanctions (on traffic safety issues these sanctions are usually in the form of with-

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holding a portion of the federal aid highway funding they are eligible to receive), that is an entirely separate debate. What is evident is how effective such federal sanctions can be. Two cases in point are the national uniformity in the implementation of effective laws such as the 21 minimum legal drinking age and .08 per se BAC laws we now have in all 50 states. Others argue states should be given incentives and not threatened with sanctions. However, incentives are much slower to work and rarely result in nationwide implementation of a traffic safety best practice. Two examples are primary seat belt enforcement and mandatory motorcycle helmet laws.

### **The Long Term Solution – The Future Technology of Passive Ignition Interlocks**

Preventing recidivism is not as good as preventing even the first offense from occurring. This is where future technology comes in. The Insurance Institute of Highway Safety (IIHS) recently conducted a poll that found 64 percent of Americans believe that reliable advanced alcohol detection technology that would prevent an alcohol-impaired driver from operating a vehicle is a good idea.

Three companies are currently under contract to develop prototype technologies which include an ignition interlock device that can be readily integrated into a vehicle's existing systems, require little or no maintenance, and be tamper resistant. Even if successful in its development, this technology will not be available for another decade and will not saturate the market for another decade after its initial use. We cannot afford to wait 20 more years to have this technology in most (not all) of the vehicles registered in the United States. We must stay the course of aggressively seeking passage of all offender ignition interlock laws using the current technology to help us move the needle toward Zero Deaths on our nation's roadways.

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### **What Can Prosecutors and Law Enforcement Do to Aid in the Efficacy of Ignition Interlock Laws?**

- **Ensure that you know how the ignition interlock device functions**
- **Do not ignore ignition interlock violations (either license or device)**
- **Promote the use of ignition interlock devices as a condition of bail or other pre-trial release**
- **Promote the use of ignition interlock devices as a condition of post-conviction supervision or sentencing even if not otherwise mandated**
- **Request ignition interlock installers provide device logs to the prosecutor and the Court to monitor an offender's use of the device**
- **Contact your state's Traffic Safety Resource Prosecutor or ignition interlock supervising agency with any questions or concerns about your state's program or laws**

#### **Ignition Interlock Resources**

**Available from the National Highway Traffic Safety Administration, [www.nhtsa.gov](http://www.nhtsa.gov):**

Ignition Interlocks—What You Need to Know: A Toolkit for Policymakers, Highway Safety Professionals, and Advocates. November 2009

Alcohol Interlock Curriculum for Practitioners

Key Features For Ignition Interlock Programs March 2010

**Available from the Traffic Injury Research Foundation (TIRF) [www.tirf.ca](http://www.tirf.ca):**

The Implementation of Alcohol Interlocks for Offenders: A Roadmap (2010)

The Implementation of Alcohol Interlocks for First Offenders: A Case Study (2010)

#### **Other resources:**

Mothers Against Drunk Driving  
[www.madd.org](http://www.madd.org)

The Century Council  
[www.centurycouncil.org](http://www.centurycouncil.org)



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