

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL & STATE AFFAIRS

The meeting was called to order by REPRESENTATIVE ROBERT H. MILLER at _____
Chairperson

1:30 a.m./p.m. on March 2, 1988 in room 526S of the Capitol.

All members were present except:
Representative Peterson

Committee staff present:

Mary Torrence, Revisor's Office
Mary Galligan, Research Department
Lynda Hutfles, Secretary

Conferees appearing before the committee:

Brigadier General Finley, Kansas National Guard
Representative O'Neal
Representative Wunsch
Jon Brax, Kansas for Life at its Best
Barbara Reinhart, Kansas Peace Officers
Roger Endell, Department of Corrections
Brenda Braden, Attorney General's Office
Andrew O'Donovan, SRS

The meeting was called to order by Chairman Miller.

Representative Rolfs made a motion, seconded by Representative Jenkins, to approve the minutes of February 25. The motion carried.

Brigadier General Finley, Kansas National Guard, explained a proposal which deals with the uniform code of military justice.

Representative Rolfs made a motion, seconded by Representative Eckert, to introduce General Finley's proposal as a committee bill. The motion carried.

Representative Hensley explained a proposal relating to certification of business inspecting, installing, serving or testing certain fire extinguishers.

Representative Hensley made a motion, seconded by Representative Roper, to introduce the proposal as a committee bill. The motion carried.

HB2760 - Restricting certain driving privileges

Representative O'Neal explained the bill dealing with ignition interlock systems which he first learned about at an NCSL meeting in Indianapolis. This bill will enable Kansas judges to order that one of these devices be installed in the car of a person convicted of DUI. Diversion agreements are used entirely too often. There is no fiscal note as the costs will be included in court costs. Representative O'Neal showed the committee a video tape which demonstrated how the ignition interlock system works. This concept addresses prevention of drinking and driving. Variances of alcohol level can be adjusted. The judge can make the decision as to level, case by case. See attachments A & B.

When asked about whether there were safeguards built in against someone else blowing into the device, Representative O'Neal said that the company is now in the process of refining a system to analyze an individual's breath.

There was discussion concerning multiple vehicles. In most cases the judge would designate which vehicle and make this a condition of probation.

Representative Wunsch, co-sponsor of the bill, said that this bill will get passengers involved. If a passenger helps cheat there are provisions in the bill for cheaters. He suggested that there could be some rehabilitative effect with this bill. Drinking habits might change.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL & STATE AFFAIRS,
room 526S Statehouse, at 1:30 a.m./p.m. on March 2, 1988, 19 .

Jon Brax, Kansans for Life at its Best, supports HB2760 and its Senate counterpart SB618.

The bills address the drinking driver problem before it starts. See attachment C.

Barbara Reinhart, Kansas Peace Officers Assn., was present in support of HB2760.

Hearings were concluded on HB2760.

HCR5047 - Concerning treatment and assessment of juvenile offenders
for alcohol and drug abuse problems

HCR5048 - Urging the secretary of corrections to screen and treat prisoners
with drug and alcohol abuse problems

Secretary Roger Endell, Secretary of Corrections, asked the committee for clarification of the intent of the bills. He was unsure of what these bills were saying. Although he was in support of the efforts if the fiscal resources were made available to implement them, he was concerned that the sponsors felt the Department was not doing it's job.

Brenda Braden, Attorney General's Office, gave testimony in support of the bills on behalf of the Attorney General's Task Force on Drugs. The task force came to realize there are a number of prison inmates with an alcohol and drug problem. There are limited resources. The department of Corrections is doing its best to evaluate and treat before parole. The Legislature is saying that we agree this is a good goal and funds need to be appropriated.

There was discussion that screening currently being done is not adequate and is not necessarily being done by qualified alcohol and drug evaluators. There is not enough money.

Andrew O'Donovan, SRS, Commissioner of Alcohol & Drug Abuse Services, gave testimony in support of the bills. HCR 5047 requires that all juvenile offenders adjudicated for felony-type offenses will be assessed for drug and alcohol problems by a certified alcohol drug safety action project and referred to treatment or education programs if deemed necessary. HCR 5048 is an important program because it provides a two-fold need-intensive care within the institution and ongoing structured care following parole. See attachment D. & E.

Representative Miller told the committee that unless the proponents could come back and make a case for the bills, they would not be brought up again.

Secretary Endell urged the committee that if the resolution has to pass, that they consider the fact there is no money appropriated for alcohol and drug programs.

Hearings were concluded on HCR5047 & HCR 5048.

HB3023 - Kansas lottery Act

Representative Rolfs made a motion, seconded by Representative Sebelius, to amend the bill to require all of the warrants to go out through Accounts and Reports and that the prize payment fund be deleted. The motion carried.

Representative Walker made a motion, seconded by Representative Roenbaugh, to amend the bill to take out all references to government agencies. The motion carried. A division was called. The motion carried.

Representative Sebeilus made a motion, seconded by Representative Walker, to delete the section giving the option of non-monetary prizes on line 299-301. The motion carried.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL & STATE AFFAIRS

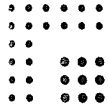
room 526S, Statehouse, at 1:30 a.m./p.m. on Marcy 2, 1988, 19

Representative Gjerstad made a motion, seconded by Representative Sebelius, to delete Sec. 8 dealing with unclaimed prizes. The motion lost. A division was called. The motion lost.

Representative Rolfs made a motion, seconded by Representative Aylward, to report HB3023 favorably as amended. The motion carried.

The Chairman called attention to the agenda for Thursday which includes an afternoon and evening meeting.

The meeting was adjourned.



GUARDIAN INTERLOCK SYSTEMS

COMPANY OF
WILLIAMS &
REPRESENTATIVE

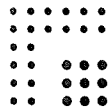
Guidelines for Legislation on Ignition Interlock Technology

PURPOSE: To reduce the rate of recidivism among drunk drivers.

If you intend to draft legislation on ignition interlock technology, consider these guidelines:

- Specify that the court is encouraged to order the drunk driving offender to engage a service which requires him to utilize an ignition interlock device.
 - Require a code on the offender's driver's license that says the offender is under court order to engage in an interlock-based service.
 - Require the installer of the device to send proof of initiation of service to the court or probation department within 30 days of sentencing.
 - Require checking the interlock system regularly for tampering and calibration. Reports on these checks should be sent to the appropriate agency.
- The interlock system must
- operate reliably in unsupervised situations and in any reasonable environment where the automobile is driven.
 - provide a range of calibration settings to meet any state requirement for determining blood alcohol concentration.
 - be difficult to circumvent.
- resist tampering and indicate evidence if tampering should occur.
 - be backed by a company that can assure reliable performance and provide a focal point of responsibility for the manufacture, installation, service and maintenance of the interlock system.
 - require a retest within a reasonably short time whenever the driver has been drinking.
- Additionally, the interlock system should
- minimize inconvenience when the user is sober.
 - provide the option for an electronic log of the user's experience with the system. This provides hard data for research purposes on how the interlock system changes drinking habits prior to driving.
- Lastly,
- criminalize circumventing or tampering with an ignition interlock system.
 - criminalize the falsification of records.

Questions or comments? Call us toll-free at 800-457-0001 (in Colorado call 303-831-6333), or write us in care of Guardian Interlock System, Inc., 1009 Grant St., Denver, CO 80203.



GUARDIAN INTERLOCK SYSTEMS

California, Washington, Texas, Michigan and Oregon have passed legislation to arm courts and state agencies with an innovative tool to deter drunken driving, and many other states are considering such legislation.

Is your state included in this roster of concerned and progressive legislatures?

In the past several years, legislators have been overwhelmed with information linking alcohol consumption with traffic accidents and fatalities nationwide. Although legislators are responding by stiffening penalties for drunken driving, citizens are still being arrested again and again for alcohol related traffic offenses.

Guardian Interlock Systems is a leading manufacturer of an innovative device being used by courts and state agencies across the country. The Guardian Interlock™ Ignition System is a breath analyzer that connects to a vehicle's ignition. The driver of a Guardian Interlock equipped vehicle must pass a breath alcohol test before their car can be started. Additionally, the Guardian Interlock includes a variety of tamper-resistant features to deter all but the intended driver from starting the car. Offenders ordered to use the Guardian Interlock participate in the Guardian Interlock Responsible Driver ProgramSM, which is a comprehen-

sive service providing monitoring of offenders with reports generated for judicial or state agencies.

There are many reasons why you should consider ignition interlock legislation.

■ Ignition interlock systems lend assurance to the bench and agencies that, when issuing driving privileges to offenders, the health and welfare of the public and of the state will be protected.

■ Some state officials see the use of ignition interlock legislation as a means of alternative sentencing for drunken drivers. Judges view the device as an option which provides a constant reminder of the drunken driving offense and educates the offender about the physiological effects of alcohol.

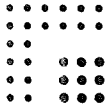
■ Studies indicate a promising trend toward permanent behavior change as a result of participating in the Guardian Interlock Responsible Driver Program.

We encourage you to review the enclosed materials and learn more about ignition interlock laws passed in other states. If you would like assistance in drafting legislation or if we can answer any questions concerning the Guardian Interlock Responsible Driver Program, please call our toll free number, 1-800-457-0001 or 303-831-6333.

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GUARDIAN INTERLOCK SYSTEMS

The Guardian Interlock Responsible Driver ProgramSM

Program Features

Benefits to the Courts:

- Complete monitoring of offenders on program
- Bi-monthly compliance reports generated for courts
- Administration of program by Guardian Interlock Systems
- Opportunity to grant occupational driver's licenses while protecting society
- Opportunity to alter an offender's drinking/driving behavior through constant reinforcement

Benefits to Drunken Driving Offenders:

- Opportunity to retain driving privileges
- Alternative to lengthy incarceration
- Opportunity to lessen fines
- Optional payment plan
- Education regarding drinking/driving behavior and support for behavior change
- Installation and monitoring appointments made to conveniently fit into work schedule
- Complete training on use of system and program requirements

Guardian InterlockTM Ignition System Features

CBPATM Breath Code

- A learned breath code that must be completed in addition to the breath alcohol test before the vehicle can be started. This deters all but the intended driver from starting the vehicle. Three failures at CBPA deter anyone from starting the vehicle for 45 minutes.

Memo-MinderTM Electronic Program Monitor

- Reminds the interlock user that it is time to return for a monitoring appointment. Three days before the scheduled due date, a light on the unit begins flashing. For seven days beginning on the due date, a sequence of tones accompanies the flashing light. After the seventh overdue day, the car will not start.

GuardlinkTM Anti-Circumvention Diagnostic

- Detects attempted tampering or circumvention. GUARDLINK pushes the device into MEMO-MINDER so that the car must be brought to the service center for inspection where the act is noted and reported.

Retest Feature

- Requires a driver to retest in 20 minutes if alcohol is detected during a breath test even though the device may permit a person to consume a certain amount of alcohol and still drive. If the driver fails to pull over, turn off the car and retest within a five minute period, the vehicle's horn begins to honk intermittently.

Research Indicates Guardian Interlock™ May Change Driver's Drinking Behavior

The most promising trend indicated by drunken driving offenders sentenced to use the Guardian Interlock™ ignition system is their change in behavior toward drinking and driving.

That is one of the results shown in a preliminary pilot study of 15 persons convicted of drunken driving in Calvert County, Md., and assigned to use the Guardian Interlock as part of a condition of probation, according to Elizabeth Baker, a doctoral candidate at the University of Maryland, and the investigator of the study.

In her report, "In-Car, Alcohol Breath Analyzers—A Pilot Study," Baker pointed out that of the 15 offenders researched,

- half said the Guardian Interlock had helped "remind" them of when they had too much to drink,*
- more than half indicated that because their cars were equipped with the interlock system, they had made prior arrangements for transportation when they knew they would be drinking.*

"This shows a tendency indicating that the (interlock)

system forced the respondents to take responsibility and make decisions before their judgment was impaired by alcohol," said Baker.

Further, Baker said her studies may show "that the system has significant educational value beyond the 12-month period when the system is in the offender's car." Nearly all of the offenders researched were sentenced to use the Guardian Interlock for 12 months.

"The main advantage of these devices is they provide a judge with yet one more deterrence strategy while enabling the offender to still maintain driving privileges...Offenders are prevented from drinking and driving, but they are not prevented from earning a living and taking part in all the daily activities that require an automobile. If the offenders can use the system to help them learn their safe limits, then the advantages of assigning such a system greatly increase."

Baker added that although the results of the study are not statistically significant, "they do indicate trends." The purpose of the study was to obtain data and note general trends for further evaluation in her doctoral dissertation.

THE NATIONAL LAW JOURNAL

An excerpt from *National Law Journal*, Feb. 9, 1987.

A New Push on Drunken Drivers

By Alberta J. Cook
National Law Journal Staff Reporter

...In addition to new laws, anti-drunken-driving forces are harnessing new technologies, such as an interlock device being used in California, that are being implemented to help prevent repeat offenders from getting behind the wheel when they are intoxicated.

...“Nobody is in favor of drunken driving,” says Donald H. Nichols of Minneapolis’ Nichols & Kaster, “but in my mind, the big problem is the repeat offender.”

Interlock System

One deterrent technique that MADD leaders and defense attorneys agree is effective in dealing with repeat offenders is the interlock device being used in California.

The system, installed in the vehicle of a person who has been convicted of drunken driving, requires that the driver breathe into a blood-alcohol testing machine (and register a level below the legal intoxication rate) before the

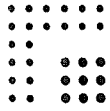
car can be started.

The law, recently enacted by the California Legislature, has been implemented in some counties there. Under the rule, people convicted of drunken driving must install the device as a condition of probation, paying an estimated \$300 installation fee, and may not remove it from their vehicles until the probation period ends.

“That’s the only thing I’ve seen that has any real chance of working,” observes Mr. Nichols, editor of the *Drinking/Driving Law Letter*.

Perhaps the only thing that both sides of the debate agree on is the need for more public education about the dangers of drunken driving.

The ABA study, says Mr. Smith, “concludes that enacting and passing laws is simply not enough. The change is going to have to be made in social outlook on drinking and driving.”



GUARDIAN INTERLOCK SYSTEMS

The Guardian Interlock Responsible Driver ProgramSM Payment Plan

Program Term	Initial Pymt At Installation	Bi-Monthly Payment	Total Program Cost
6 Mo.	\$225.00*	\$105.00	\$ 365.00
12 Mo.	195.00*	75.00	500.00
18 Mo.	190.00*	70.00	680.00
24 Mo.	185.00*	65.00	830.00
36 Mo.	185.00*	65.00	1,220.00
48 Mo.	185.00*	65.00	1,610.00
60 Mo.	185.00*	65.00	2,000.00

*Initial payment includes a \$50.00 installation fee, a \$70.00 refundable security deposit and prepayment of a 60 day lease and maintenance of equipment.

- All programs include auto electrical test, installation/ monitoring checks and removal of system.
- Prices do not include any applicable state or local sales, usage, or service tax.
- All payments, certified check, money order or cashier's check, should be made payable to Guardian Interlock Systems. Visa/MasterCard or American Express accepted. NO PERSONAL CHECKS ACCEPTED.

SAMPLE

STATE OF CALIFORNIA
MUNICIPAL COURT OF
COUNTY OF SAN DIEGO

People of _____

vs

ADDENDUM TO CONDITIONS OF PROBATION

At a session of said Court held this _____ day of _____ 19____, the above named defendant having been convicted of the offense of _____, the following terms and conditions shall be required to obtain a restricted driving privilege.

1. The defendant will have a Guardian Interlock installed in the vehicle listed below within twenty days of this order.
2. The defendant will only operate a vehicle equipped with a Guardian Interlock System.
3. The defendant will have monitoring checks performed every 60 days.
4. The defendant will not adjust, tamper with, alter, or circumvent the Guardian Interlock System installed or the electrical wiring to the unit, of the unit, or to the ignition system nor remove the unit from the designated vehicle.
5. The defendant agrees to abide by the policies and procedures of the Guardian Interlock Responsible Driver Program.

6. Calibration setting is _____ .03 with CBPA.

7. Program length _____ 6 mo: _____ 12 mo:
_____ 18 mo: _____ 24 mo: _____ 36 mo:

Judge's Signature

Defendant _____
 Address _____
 City _____ State _____ Zip _____
 Telephone _____ h _____ w _____
 Vehicle make _____ model _____ VIN _____
 Color _____ Year _____ License Plate No: _____

Date: _____

Defendant Signature

Date: _____

Assigned Monitor
Probation Department
San Diego County

SAMPLE

Guardian Interlock Responsible Driver ProgramSM Policies and Procedures

The following must be fully explained to the defendant, signed and dated.

- 1. APPOINTMENTS.** I understand that I must make all appointments prior to the due date.
- 2. REPORTING.** I understand that compliance or non-compliance reports regarding my participation in the program will be sent directly to probation.
- 3. AUTO ELECTRICAL TEST.** I understand that the designated vehicle will be inspected prior to installation. If the vehicle fails to meet the electrical tests, I will repair the vehicle at my own expense.
- 4. PAYMENTS.** I understand that all financial arrangements are between myself and Guardian Interlock Systems.

Payment is accepted through VISA, MASTER CARD, AMERICAN EXPRESS, CERTIFIED CHECK OR MONEY ORDER. NO PERSONAL CHECKS ARE ACCEPTED.

- 5. TAXES.** I understand that any applicable sales, usage or service tax will be added to the cost of the program.
- 6. REFUNDS.** I understand that in the event of license revocation or probation violation there will be no refunds. There will be no refunds on 6 month or 12 month programs. If after 12 months, the court no longer requires that I have the program, I will be entitled to a refund on a pro-rated basis.
- 7. CHANGE OF VEHICLES.** I understand that if I desire to have the system installed in another vehicle not listed on the probation order, that I will have to obtain written permission to do so from the Court. A charge will be assessed for a re-installation.

- 8. GUARDIAN'S RESPONSIBILITIES.** I understand that effective upon payment of the invoiced amount due, Guardian Interlock will supply me with the system described in the invoice. Guardian Interlock shall cause the system to be installed, mandatory monitoring checks done, de-installation and any warranty and maintenance work required.
- 9. WARRANTY.** I understand that Guardian Interlock will supply me with a warranty at the time of installation.

CONSENT: I HAVE READ OR HAVE HAD EXPLAINED TO ME, THE ABOVE POLICIES AND PROCEDURES OF THE GUARDIAN INTERLOCK RESPONSIBLE DRIVER PROGRAM. I AGREE TO ABIDE BY THESE POLICIES IN ORDER TO SUCCESSFULLY COMPLETE THE PROGRAM. I UNDERSTAND THAT IF I FAIL TO FOLLOW THESE POLICIES I MAY FAIL TO COMPLETE THIS PROGRAM. SUCH A FAILURE WOULD BE A VIOLATION OF MY PROBATIONS. IF YOU HAVE ANY QUESTIONS BEFORE SIGNING THIS AGREEMENT PLEASE CALL 1-800-457-0001 AND ASK FOR CUSTOMER SERVICE.

Date / / Defendant_____

FOR INSTALLATION APPOINTMENT CONTACT
Guardian Interlock Systems, Inc.
Marty Foltz, Manager
4836 Duff Driver, Unit D-1
Cincinnati, OH 45246
(513) 874-7775

Complements of
Mike O'Hall
REPRESENTATIVE

IGNITION INTERLOCK: AN ALTERNATIVE FOR DWI OFFENDERS

by *Kathy Gill*



James Bachman, Bowling Green Municipal Court Judge, tests the Guardian Interlock System, a device that requires the driver to pass a blood-alcohol test before the car can be started. Bachman and other Ohio judges are offering it as a choice to high-risk drivers who may otherwise have their licenses suspended.

Because drinking drivers have become a topic of major concern during the past few years, many states have passed new and stricter DWI (driving-while-intoxicated) laws. And with these new laws have come stricter sentencing. Ignition interlock technology is quickly emerging as a viable alternative for judges sentencing DWI offenders.

These ignition interlock devices offer judges the opportunity to allow convicted DWI offenders the privilege of driving while maintaining the public's protection from such offenders. From the offender's viewpoint, driving privileges often mean the difference between keeping and losing employment, especially in the rural areas of Ohio.

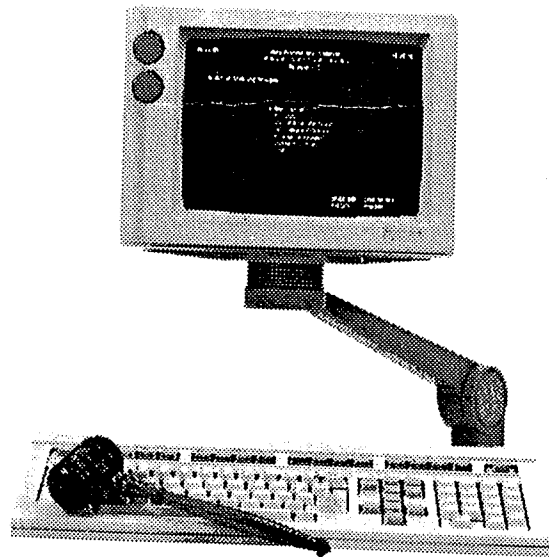
Judges of the Hamilton County Municipal Court in Cincinnati began incorporating ignition interlock technology in their sentencing of DWI offenders during the summer of 1986. Since then, judges in three quadrants of Ohio have initiated its use, with service to the fourth quadrant expected to become available within the next four to six months, says Dennis Oltorik of Guardian Interlock Systems. Guardian Interlock is presently the only ignition interlock distributor in Ohio, although Ron Garen, president of Safety Interlock, says his company will begin operations in Ohio early in 1988. A third company, Autosense of Hayward, Calif., also manufactures, distributes and services ignition interlock devices, but concentrates its efforts primarily in California.

Acceptance of this technology is quickly spreading throughout Ohio, as well as across the country. Many states are considering legislation which would authorize judges to use ignition interlock systems as optional sanctions in drunken-driving cases. Since September 1986, five states have passed such bills into law, and two states have passed related resolutions. In Ohio, H.B. 429 has passed the House and it has been referred to a Senate committee for further action.

The Hamilton County Municipal Court is the first court system in the country to initiate its own study of this technology. Judges are selecting certain convicted offenders to participate in a two-year study to determine the effectiveness of ignition interlock technology in deterring repeat drunken-driving offenses and in upgrading an individual's

continued

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drink-drive behavior.

"The study will continue for one year after the device has been removed from the (offender's) vehicle so we can see if there is a lower recidivism rate," says Delbert Elliott, Ph.D., a sociologist with the University of Colorado Institute of Behavioral Sciences and the director of the study. If so, this would support the conclusion that the equipment in the car can lead to changes in a person's drinking and driving patterns," he says.

"The majority of the 14 judges with the Hamilton County Municipal Court use the ignition interlock system in sentencing," said Hamilton County Judge Timothy Hogan.

Hamilton County Judge Nadine Allen uses ignition interlock devices in sentencing of first-time offenders with blood-alcohol concentration of .20 or more, repeat or multiple offenders and offenders who refused blood-alcohol testing at the time of arrest.

Several Ohio judges have had their vehicles equipped with the devices for educational purposes.

"I know that it works. I believe in the technology, but I wanted to see it

with my own eyes," says Allen. "I had one in my car for 30 days and it works. It's not convenient, but we don't want it to be a convenience. It's a way of responsibly restoring driving privileges."

Fostoria Municipal Court Judge William McMahon had an ignition interlock system installed in his car "because every judge should be familiar with what they are using in sentencing."

"I'm using ignition interlock in cases where I normally wouldn't give the license back," McMahon said. "It's still just for restricted use—basically to save their job."


Bowling Green Municipal Court Judge James Bachman and Judge William Kaufman of Lebanon primarily make ignition interlock devices a condition of probation for multiple offenders. Both judges have tested the devices in their primary vehicles and were impressed with their tamper-resistant features. Ignition interlock devices may be used in sentencing in place of an extended license suspension, Bachman said.

"Every court in Ohio has been made aware of ignition interlock systems

—how they work and how they're being used by other area judges in sentencing," Oltorik said. Now, DWI offenders and their lawyers need to be aware that these programs are available, possibly as an alternative to a lengthy license suspension.

Statistics show that four out of five drivers drive under suspended licenses anyway, so public safety is better maintained by giving the license back and then controlling and monitoring their driving, Oltorik added.

Judge Allen believes ignition interlock technology teaches people their drinking limit before they attempt to drive, and that it will help keep drunken drivers off the roads. "An interlock device focuses directly on the problem of drinking and driving. It really focuses on immediate public safety."

It remains to be seen whether the ignition interlock systems will show greater success in modifying the behavior of persons with alcohol-dependency problems than traditional treatment programs. Our Ohio judges are just a few who are hoping for some sobering results. 

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HOW IGNITION INTERLOCK WORKS

Ignition interlock systems include a device installed in the user's vehicle and a bi-monthly check at a service center. The system connects a breath analyzer to the vehicle's ignition. This requires the driver to pass a breath-alcohol test before the car will start. If the driver's blood-alcohol level meets or exceeds the setting on the unit, the vehicle will not start.

There are three available settings: .02 BAC (blood-alcohol concentration); .05 BAC; and .10. Generally, the court model of the device is required by the sentencing judge to be calibrated to the .02 setting.

The court units distributed by Guardian Interlock Systems and by Autosense require an additional test, known as the breath code. This code is designed to deter others from trying to start the vehicle for the intended driver.

The breath code for each unit requires a full day of training to learn. (And yes, the breath analyzer will

detect if the blood-alcohol concentration (BAC) is different for the breath test and the breath code.) The driver gets up to three chances to successfully complete the breath code. If on the third try the code is still entered incorrectly, the car will not start for 45 minutes.

Another feature designed to enhance the unit's ability to deter drunken driving is technology that determines if the driver's BAC has risen due to alcohol in the stomach not yet absorbed into the bloodstream. If the device has detected alcohol from the driver's previous breath test, it will require the driver to retest every 20 minutes. If the driver does not pull over to retest within the pre-set time, the car's horn will sound until he or she does.

Hamilton County Municipal Court Judge Nadine Allen says she orders the unit to be equipped with an automatic retest every 35 minutes in cases involving open containers.

Once again, if the driver does not pull over for the retest, the car's horn will sound until he or she does.

The ignition interlock systems contain technology which detects and records attempts to circumvent or tamper with the system. These attempts are logged and reported to the offender's probation officer when the vehicle is brought in for its 60-day servicing.

If the offender fails to bring the vehicle in for the 60-day servicing by the prescribed time, the car will not start.

Different companies have different payment plans for these systems, although it costs an average of \$500 to have the unit installed and serviced for one year. The Guardian Interlock 12-month program costs \$195 at the time the device is installed. The offender then makes a payment each time he returns to the service center for his regular appointment.

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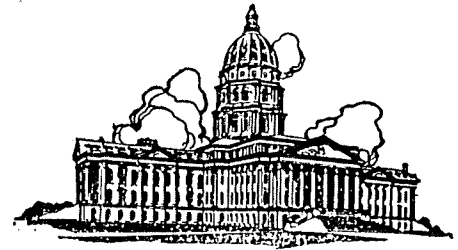
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A Proud Land

Hearing on HB2760 March 2, 1988
House Federal and State Affairs Committee

KANSANS FOR LIFE AT ITS BEST - Jon Brax

We are very happy to support HB2760 and its Senate counterpart SB 618.

We are pleased that the Governor, Attorney General, and the legislature are working so diligently addressing the problem of drinking drivers. By the end of this legislative session Kansas should have the toughest, most comprehensive drunk driving laws in the nation. That is something of which Kansans everywhere can be proud. However, in order for law enforcement agencies to enforce those would-be laws, a driver must first commit a traffic infraction or be involved in an accident. We support legislation that will keep the drinking drivers off the road in the first place.

HB2760 is a measure that will address the drinking driver problem before it starts. It wouldn't allow a driver who has had too much to drink to start his or her car. Additionally, testimony in the Senate Committee indicated that people convicted of DUI tend to drive on a restricted license anyway. This bill would give the court an added enforcement option. We ask your support for passage of this bill and remind you that the drinking driver problem can also be addressed by laws that limit the availability of alcohol.

Thank you for supporting this bill. We are grateful that many DUI measures are being considered by the legislature.

"Of our political revolution of 1776 we are all justly proud," said Abraham Lincoln on Washington's birthday in 1842. He went on to say "how proud the title of that land" where persons declare their freedom from alcoholic beverages because they "shall find a stronger bondage broken, a viler slavery manumitted, a greater tyrant deposed. . . perfect liberty!" With per-person consumption at nearly half the national average, thousands of Kansans enjoy that perfect liberty. Concerned users and non-users are united in this R-E-A-L effort to prevent alcoholism, highway tragedy, and other suffering caused by our most abused recreational drug.

Rehabilitation -- Help alcohol-dependent persons adjust to life without the drug.

Education -- Inform children, youth & adults of effect of alcohol on mind & body.

Amount -- Encourage persons to be non-users and encourage users to use less.

Law -- Pass and enforce laws that reduce consumption and suffering.

Attach C

Department of Social and Rehabilitation Services
Winston Barton, Secretary
HCR 5047

A CONCURRENT RESOLUTION CONCERNING THE ASSESSMENT
AND TREATMENT OF ALL JUVENILE OFFENDERS FOR
ALCOHOL AND DRUG ABUSE PROBLEMS.

Social and Rehabilitation Services, Alcohol and Drug Abuse Services agrees with House Concurrent Resolution Number 5047, all juvenile offenders adjudicated for felony-type offenses must be assessed for drug and alcohol problems.

Youth alcohol and drug programming is the priority of SRS Alcohol and Drug Abuse Services. Treatment availability for indigent youth is increasing due to funding for youth residential treatment programs appropriated in the past 3 legislative sessions. This year Governor Hayden is asking for funding for a youth reintegration program. Youth outpatient counselors are being funded by ADAS as funding becomes available.

SRS Alcohol and Drug Abuse Services, Youth Services staff, and institutional staff have been working together and designing assessment and programming for residents of the youth centers. Youth adjudicated for any crime involving alcohol and drugs need an assessment of their alcohol and drug problems.

We know early prevention, intervention, and treatment works. Many lives can be saved by interventions such as recommended in this resolution.

Submitted by Andrew O'Donovan
Commissioner, Alcohol and Drug Abuse Services
Department of Social and Rehabilitation Services

AOD:LH:kg
3/2/88

E

Department of Social and Rehabilitation Services
Winston Barton, Secretary
HOUSE CONCURRENT RESOLUTION NO. 5048

A CONCURRENT RESOLUTION URGING THE SECRETARY OF CORRECTIONS
TO REQUIRE SCREENING AND TREATMENT OF ALL INMATES IN
THE SECRETARY'S CUSTODY FOR DRUG AND ALCOHOL ABUSE PROBLEMS.

I am Andrew O'Donovan, Commissioner of SRS Alcohol and Drug Abuse Services, and am in support of Concurrent Resolution No. 5048.

The link between alcohol, drugs and crime has been well established. For many years, one-third of all admissions to alcohol and drug treatment programs in Kansas have come from the criminal justice system.

In 1986, a study by the Kansas Department of Corrections estimated that approximately 80 percent of the 7000 people in the custody of the Department, including both incarcerated persons and those on parole, needed some form of alcohol/and/or drug treatment.

In response to these alarming statistics, a new cooperative program between SRS and the Department of Corrections was approved by the 1986 legislature. By July 1986, that comprehensive program was fully implemented. Intensive care is provided within the institution. Follow-up services in the community for individuals and their families is available once the person is paroled.

A key to the success of this program has been that the special needs of the offender population have been taken into account. The length of treatment for this population should be longer than the mainstream population. There needs to be extensive follow-up or continuing care services following parole through a community-based alcohol/drug treatment program. Most of these clients have

little social support. That is, they lack support from family, have few work skills, and a history of substance abuse.

SRS continues to support this important program because it provides a two-fold need--intensive care within the institution and ongoing structured care following parole.

Submitted by Andrew O'Donovan
Commissioner, Alcohol and Drug Abuse Services
Department of Social and Rehabilitation Services

AOD:JW:kg
3/2/88