

# **South Dakota 24/7 Sobriety Project Credited with Lowering Jail Populations**





Unlike most of the country that is experiencing severely overcrowded jails, the State of South Dakota has actually seen a decline in its jail population for the second consecutive year. Since 2006, the number of male inmates entering South Dakota prisons has dropped by 14%, helping save the State's budget and citizens tens of millions of dollars annually.

One factor that has contributed to these results is South Dakota's 24/7 Sobriety Project, a program that targets felony DUI offenders and others who have committed alcohol-related crimes. In this program, offenders must submit to twice-daily breath tests (for example, at 7:00 am and 7:00 pm) – or wear SCRAM® (Secure Continuous Remote Alcohol Monitor). If either method detects they drank, offenders are immediately sent to jail.

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## 24/7 PROJECT BASED ON EARLY MODEL

The impetus for this program began more than twenty years ago with State Attorney General Larry Long, who started a similar program when he was the local prosecutor in Bennett County, a small town with a severe alcohol problem.

Shortly after Long was elected to the Attorney General office in 2002, South Dakota's new governor appointed a task force that was charged with developing a solution to the State's growing prison population. At the time, a large percentage of inmates were incarcerated for alcohol-related crimes, and one in eight had a felony DUI (three or more convictions in ten years). In addition, 75-80% of the people in the DOC admitted to having an alcohol addiction.

Long was part of this task force and created a three-county pilot program that launched in February 2005 in the State's two main counties – Minnehaha and Pennington – plus Tripp County. Participants had to submit to two breath tests a day, seven days a week. "If they skipped or failed a test, they were walked directly to the county jail," explains Long. "It's swift and certain punishment that not only shows we're serious, but that we care enough about the person to keep him or her sober."

By January 2006, the 24/7 Project was operational in 12 counties and 1,021 offenders had completed

the pre-trial portion of the program. For an average length of 111 days, they were tested over 160,000 times with a success rate of 99.3%. Most of this twice-daily testing was done at the county jails to reinforce the "swift and certain" sanction.

In early 2006, it also became apparent that, in order for the program to grow statewide, there had to be another way to address the specific challenges inherent in the state's demographics. Half of the counties in South Dakota are very rural, and many of the smaller ones do not have a local jail or sufficient personnel to administer the breath tests. In some areas, the nearest test site could be up to 50 miles away.

To resolve this issue, Long and his staff decided to add SCRAM to the program in November 2006. "Because SCRAM tests offenders remotely – and every half hour around the clock – we saw it as an excellent addition," says Long. He received an initial grant from NHTSA to purchase 100 SCRAM bracelets, and procured the first 50 in November 2006 and the next 50 in January 2007.

In early 2007, HB 1072 was passed that formally created a statewide 24/7 Sobriety Program. This bill not only established program parameters, but also appropriated funding to help expand it statewide. The bill included provisions for staffing, Intoxilyzer machines, tubes, and SCRAM bracelets, as well as urinalysis tools for drug testing.

# ARE ALCOHOL OFFENDERS OVERCROWDING YOUR JAILS AND PRISONS?

## PROGRAM RESULTS

The 24/7 Project is currently operational in 56 of the state's 66 counties. Those counties that aren't in the program are either very small or rural, or are on Indian reservations with their own court and government systems. To date, nearly 11,000 people have participated in the South Dakota 24/7 Project.

For the breath testing portion of the program, over 9,500 people have been administered 1.5 million twice-daily tests with a pass rate of 99.6%. Since SCRAM became part of the program in 2006, an additional 1,100 offenders have been monitored by the device with a 93% compliance rate (meaning that only 7% of the participants had a confirmed drinking event) with an average monitoring period of 103 days. Says Long, "SCRAM has proven to be a vital supplement to the South Dakota 24/7 Sobriety Project."

Since the 24/7 Project's inception in 2005, jail populations have decreased in most counties, which is not only saving taxpayers about \$75/day, but is allowing offenders to maintain jobs, live with their families, and contribute positively to their communities. Approximate budget savings in terms of incarceration costs are in the tens of millions of dollars, as the program has so far kept nearly 100 people per day out of jail in each of the state's two largest counties. And because the program is participant paid, it costs South Dakota taxpayers almost nothing.

South Dakota's roadways are also safer. At the time the program was introduced, South Dakota had one of the highest DWI rates in the nation (21.6%) and nearly three-fourths of those involved in fatal crashes had a BAC of 0.15 or higher. Today, South Dakota is one of the safest states for DWI. From 2006 to 2007, alcohol-related traffic deaths in South Dakota declined by 33%, the highest decrease in the nation (NHTSA, 2008). In a year where the U.S. had an average 3.7% decline in DUI fatalities, South Dakota outperformed every other state.

Says South Dakota Governor Mike Rounds, "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. 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 toward recovery."

The impressive results of South Dakota's 24/7 Sobriety Project helped it gain national recognition as one of eight winners of the Council of State Governments (CSG) Innovations Award, which honors cutting-edge programs so that innovations of one state may prove beneficial to others.

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