

December 4, 2024

**Re: HB 37 Penalties for OVI and Aggravated Vehicular Homicide
Alcohol Recovery / Road Safety**

Chair Manning, Vice-Chair Reynolds, Ranking Member Hicks-Hudson, and Members of the Ohio Senate Judiciary Committee:

Thank you for the opportunity to testify on HB 37. My name is Brent Leonard, and I serve as President of Ohio Alcohol Monitoring Systems (Ohio AMS). For 20 years, our company, based in Independence, Ohio, has worked to help individuals struggling with alcohol dependency and alcohol-related traffic offenses achieve sobriety through innovative monitoring technology.

I appear today in support of HB 37, which strengthens penalties for OVI and aggravated vehicular homicide while providing critical funding provisions to expand access to alcohol monitoring programs. These programs have been proven to reduce alcohol dependency, promote recovery, and enhance public safety.

****How HB 37 Supports Recovery and Public Safety****

HB 37 directs an additional \$375 fine for OVI offenses into the existing *Indigent Drivers Interlock and Alcohol Monitoring Fund*. This fund, long relied upon by courts across Ohio, provides financial assistance for alcohol monitoring programs that help ensure repeat OVI offenders remain sober during all phases of their cases.

The additional resources will empower judges and prosecutors to use modern accountability tools, such as Continuous Alcohol Monitoring (CAM), to hold offenders accountable while promoting long-term sobriety. By addressing root causes of alcohol-related offenses, HB 37 offers a practical approach to reforming high-risk offenders and keeping Ohio's roads safer.

****The Role of Continuous Alcohol Monitoring (CAM)****

At Ohio AMS, we use CAM technology, specifically the SCRAM Continuous Alcohol Monitoring (SCRAM CAM) bracelet, to monitor alcohol consumption 24/7 through transdermal testing. The bracelet samples a small percentage of alcohol excreted through the skin every 30 minutes, providing uninterrupted, accurate monitoring. This technology closes testing gaps, encourages accountability, and supports court-ordered sobriety programs.

****Key Benefits of CAM Technology:****

- Proven effectiveness: 99.1% of monitored days are verified as sober.
- Established use: Trusted by courts nationwide for 20 years, with over 1 million individuals monitored for more than 112 million days and over 5 billion alcohol tests conducted.
- Scientific and legal validation: Peer-reviewed studies support its effectiveness, and CAM has been upheld in over 130 evidentiary hearings across the U.S.

****Data Supporting CAM's Impact****

The data underscores CAM's effectiveness in reducing recidivism and promoting recovery:

- A 2015 NHTSA study found CAM use reduced the risk of recidivism by 113%, with less than 2% of users reoffending while wearing the device.
- Studies from the National Center for State Courts and the National Drug Court Institute found that extended CAM use significantly lowers recidivism rates.
- Repeat offenders represent 34% of Ohio's DUI cases and account for two-thirds of alcohol-related traffic fatalities.

****Cost-Effectiveness****

- The daily cost of a SCRAM CAM device is \$10–\$11, compared to \$11.98 per day to house an offender in an Ohio correctional facility.
- CAM programs also reduce the strain on court resources, providing a cost-efficient alternative to incarceration.

****Why HB 37 is Needed Now****

Ohio's current law allows CAM in some instances and mandates its use for offenders who violate ignition interlock requirements. HB 37 builds on this framework by enhancing funding for indigent offenders who cannot afford monitoring thus expanding the potential for use of CAM technology to reduce repeat offenses.

This legislation empowers courts to hold offenders accountable while addressing the root causes of their behavior. By promoting recovery alongside accountability, HB 37 represents a balanced and impactful approach to combating OVI recidivism and improving public safety.

****Additional Proposal for Consideration****

We would also respectfully ask the committee to consider restoring a provision that was removed from an earlier version of HB 37 that would further enhance Ohio's road safety. The provision allowed for continuous alcohol monitoring for 180 days for third-time-or-more OVI offenders. (Current law does not require such monitoring but does authorize it as an alternative to jail time.) The provision conditioned the granting of driving privileges for third- time-or-more offenders on not consuming alcohol for 180 days.

****Conclusion****

HB 37's provisions will improve the lives of individuals struggling with alcohol dependency, reduce recidivism, and protect Ohio's families from the devastating consequences of impaired driving. I urge you to support this legislation and continue Ohio's leadership in promoting effective, evidence-based solutions to OVI and alcohol-related offenses.

Thank you for your time and consideration. I'm happy to answer any questions.

Sincerely,

Brent Leonard
President, Ohio Alcohol Monitoring Systems