



May 18, 2023

Re: HB 33 Alcohol Recovery and Road Safety Amendment Proposals

Chairman Dolan, Vice Chair Cirino, Ranking Member Sykes, and Members of the Senate Finance Committee:

Thank you for the opportunity to testify today. My name is Brent Leonard, Executive Vice President of Ohio Alcohol Monitoring Systems (Ohio AMS.) Our company is located in Independence, Ohio. We work to help those with alcohol dependency issues in Ohio and throughout the region including Kentucky and Tennessee.

I am before you today to respectfully request enhanced funding and policy changes that would allow more alcohol dependent Ohioans to access critically important alcohol monitoring programs that help end their dependency, keep them employed, be present with their families and ultimately keep Ohio roads safer.

Ohio AMS is able to change lives positively through the use of technology called Continuous Alcohol Monitoring (CAM).

The SCRAM Continuous Alcohol Monitoring (SCRAM CAM) bracelet provides 24/7 transdermal alcohol testing for high-risk alcohol caseloads. When someone consumes alcohol, a small percentage will be excreted back out through the skin in a very predictable manner. By automatically sampling the wearer's perspiration every 30 minutes, we can definitively determine if an individual consumed alcohol. This uninterrupted level of monitoring by the SCRAM CAM bracelet eliminates testing gaps and encourages accountability. SCRAM CAM not only supports sobriety but also results in higher compliance rates with court orders and increases community safety.

The device:

- Has been employed in courts throughout the US for 20 years.
- Has been worn by over 950,000 individuals for over 105 million days and has taken over 4.7 billion alcohol tests.
- Is extremely effective - as 99.1% of all those days monitored by SCRAM CAM are verifiably sober.
- Has been subjected to abundant peer review and has been upheld in over 130 evidentiary hearings throughout the US.
- Is widely accepted in both the scientific and legal communities.



The data shows why SCRAM is needed:

- NHTSA conducted a study in 2015 that determined the following –
- Assignment to CAM for at least 90 days was associated with a 113% decreased risk of recidivism.
- Less than 2% (WI: 14 out of 837; NE: 1 out of 672) of CAM users recidivated while on the device.
- Historically, our targeted demographic, the hardcore drunk driver, is someone who has multiple offenses, drives drunk multiple times per month and is responsible for 2 out of every 3 alcohol-related fatal car accidents. (Fell, 1995; Sloan, Platt, & Chepke, 2011).
- DWI Recidivism in the United States: An Examination of State-Level Driver Data and the Effect of Look-Back Periods on Recidivism Prevalence - 34% of Ohio's DUI offenders are repeat offenders.
- In 2022, the marginal cost for the Ohio Department of Rehabilitation and Correction (ODRC) to house an offender was \$11.31 per day. The cost for a SCRAM CAM device is between \$10-\$11 a day.

This Legislature has taken a firm stand on behalf of your constituents to establish the safest roads possible. With provisions in law initially passed in 127th GA (2007-2008), Ohio AMS feels it makes sense to now update and build upon these provisions and enhance them.

Currently, the CAM device is permissive in some instances in Ohio law and then mandatory for an offender who violates ignition interlock device sentencing. This device and others are currently funded in an existing Ohio line item, Department of Public Safety (5FF0 762621) Indigent Interlock and Alcohol Monitoring, from reinstatement fees of a driver's license that was suspended for operating a vehicle while under the influence of alcohol or other drugs.

Ohio AMS respectfully requests the committee consider adding these amendments to HB 33:

Amendment 135HB33- SC0540

Rational:

Ohio ALREADY provides funding for alcohol monitoring, both CAM and Interlock, through reinstatement fees of a driver's license that was suspended for operating a vehicle while under the influence of alcohol or other drugs (Department of Public Safety 5FF0 762621 Indigent Interlock and Alcohol Monitoring). This line item is used to distribute money to counties and municipalities to fund interlock and alcohol monitoring expenses for indigent adult and juvenile offenders. Over the last 15 years, this fund has helped judges and prosecutors access these monitoring tools for offenders who otherwise would have not had these recovery resources.



Enhanced funding would allow judges to utilize this technology that they already fully embrace without having to make decisions that jeopardize public safety, allowing more people to use monitoring to help end dependency, help people stay in jobs, help people stay with their families, and keep Ohio roads safer.

The Intent Is:

\$2.7 M each year or \$5.4 M over the biennium would be used for monitoring. This funding is targeted. It is using proven services, and the upfront costs to save Ohio in the long run by avoiding the economic cost of accidents, further treatment, possible incarceration, and or loss of life.

Amendment 135HB33 - SC0541

Rational:

CAM provides critical motivation to keeping DUI offenders from drinking and in turn allows those with alcohol issues to have another tool in the path to recovery.

The Intent Is:

Strengthen continuous alcohol monitoring for repeat OVI offenders (3rd time and subsequent OVI offenders.)

Requires an OVI offender who is guilty of a third OVI within ten years to serve a term of continuous alcohol monitoring during the offender's recommended required treatment program. Requires that term of continuous alcohol monitoring to last at least 120 days and to be for the duration of the treatment program, plus an additional 30 days after treatment. Authorizes the term of continuous alcohol monitoring to be concurrent with any term of house arrest, provided the term of house arrest includes continuous alcohol monitoring.

Requires an OVI offender who is guilty of a 4th or 5th OVI within ten years or a 6th or subsequent OVI within 20 years to serve a term of continuous alcohol monitoring during the offender's required treatment program. Requires that term of continuous alcohol monitoring to last at least 120 days and to be for the duration of the treatment program, plus an additional 30 days after treatment.



The SCRAM Continuous Alcohol Monitoring device positively impacts lives. Recently, we removed an OVI client from the bracelet who stated that this device, this program, changed his life. He remained sober through the entire duration of his time on monitoring, and he claimed it saved his life. He is not unique though.

Exit surveys from thousands of clients across the nation give us insights into the journey these folks are on. 82% of wearers of the bracelet would recommend it to others that have an alcohol problem, and 77% felt that they benefitted from the program. We often hear from past clients that they want to continue to wear the device because they see first-hand the benefits of a sober life and they don't want that to come to an end. This is why coupling this kind of accountability monitoring to alcohol and substance use treatment is so critical. This window of sobriety can be leveraged to its fullest potential if these efforts are coordinated and sequenced properly.

We know that intervention and cutting off dependency changes lives. Ultimately, it is these changes that will make Ohioans safer because we are increasing the focus on the underlying issues that drive recidivism instead of simply addressing the symptoms. Your support of strengthening Ohio's law to monitor multiple OVI offenders that need a life change is something that can continue to put Ohio at the forefront of public safety and addiction services.

The Ohio legislature is making a number of positive changes within this budget to help dependency in various areas. We respectfully request that enhanced funding for an already existing system (762621 Indigent Interlock and Alcohol Monitoring line item), also be one of those areas. We have a system in place and want to continue to improve these services for Ohioans.

Thank you for your time and review of this important matter. I am willing to answer any questions the committee may have.

Sincerely,

Brent Leonard
Executive Vice President
Ohio Alcohol Monitoring Systems (Ohio AMS.)