



**MINNESOTA  
JUDICIAL BRANCH**  
FIFTH JUDICIAL DISTRICT

# Ignition Interlock Update

## December 2014

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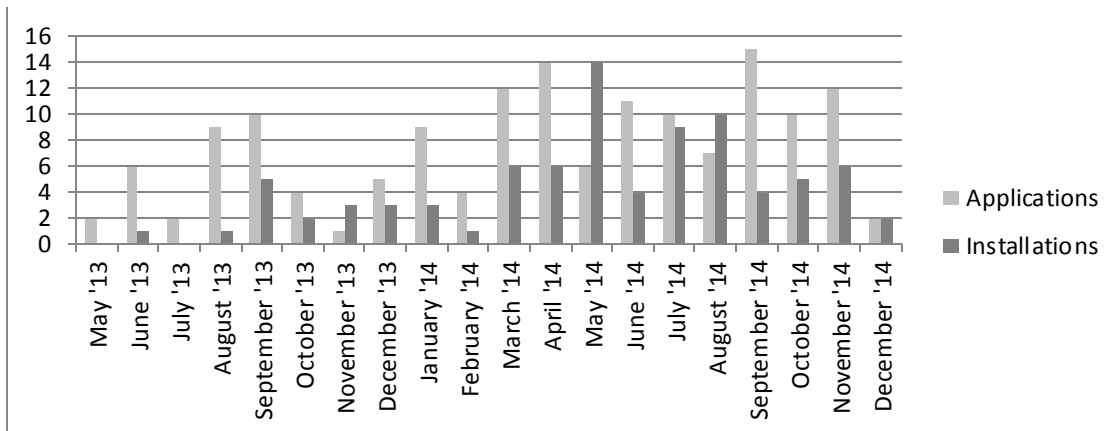
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## Fifth Judicial District Ignition Interlock Program Statistics

As of early December 2014 a total of 152 applications were received for the Fifth District's Ignition Interlock Program. Eighty-five installations have taken place. Voluntary applications for the program are coming in from across the Fifth District. We are starting to see those on pretrial release allowed to end SCRAM once they have ignition interlock installed. Those offenders given this option and referred to the Fifth District Program appear highly motivated to install and do so much more quickly than the average offender referred to the program.

### Applications & Installations by Month

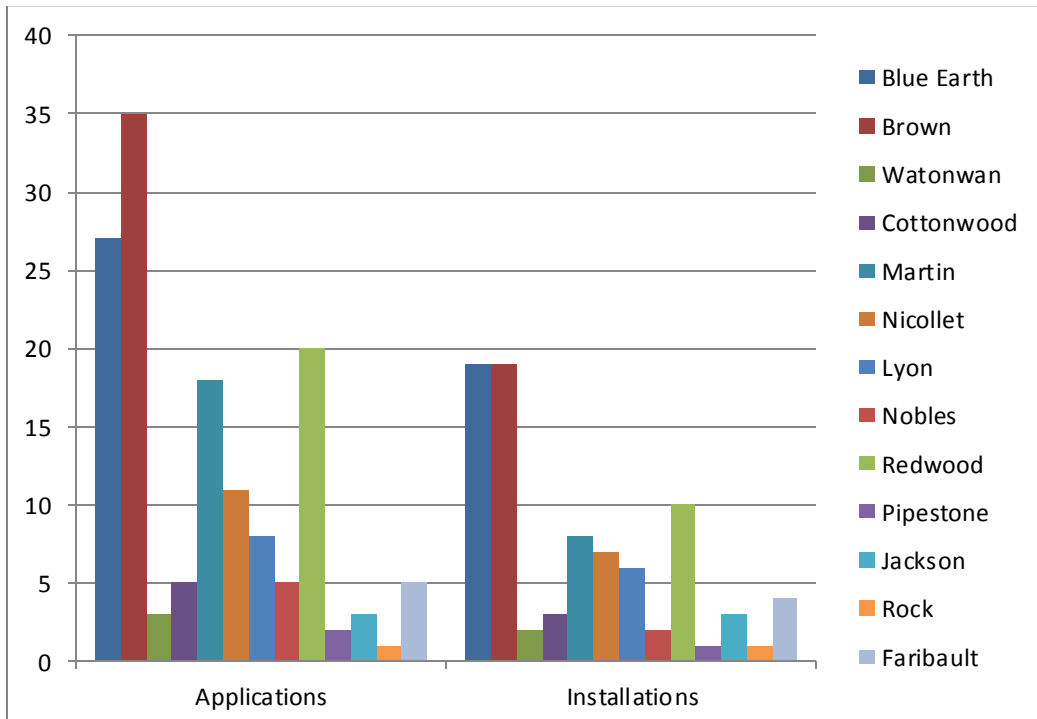
May 2013 through early December 2014



### Applications & Installs by County

May 2013 through early December 2014

Those found to be ineligible for the program are not included



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## Ignition Interlock can be used in a variety of ways

Ignition Interlock is useful for much more than just an administrative license reinstatement program. Our experience and that of other grant programs across Minnesota have proven that. Consider using ignition interlock for one of the following purposes. When you do, remember the court order should include language ordering them into the “Fifth District Ignition Interlock Program”. Otherwise offenders are learning that the assistance might not be worth it to them as they can’t get away with nearly as much with our program’s supervision.

- Ignition Interlock installation required as a condition for entry into DWI Court or hybrid Drug/DWI Court.
  - Ignition Interlock installation as an alternative to SCRAM in release conditions. Offenders out on release conditions are required to have SCRAM in place until ignition interlock installation is complete and driving privileges are reinstated.
  - Long-term sobriety monitoring through the use of three times daily test windows.
    - Several Fifth District Ignition Interlock program participants have been ordered to undergo three times daily alcohol tests on the ignition interlock device. If someone is not driving during a pre-established window the offender is required to go out to his car and blow into the device.
      - Any missed tests send immediate notification to our program staff.
      - Photos are taken of all tests and are reviewed two to three times per week.
      - Standard test windows are 5-8 am, 5-8 pm and 10 pm – midnight. These windows can be shortened or at entirely different times to follow the offender’s typical schedule.
  - Track offender behavior long-term. Ignition Interlock device logs with Intoxalock give GPS coordinates and a map indicating where offenders are going and where they have their car at any time. It has been suggested that ignition interlock could be a useful long-term supervision tool for domestic violence offenders and repeat OFP violators.
  - Track drug court participant behavior. The following have already been caught using ignition interlock device logs:
    - Drug Court participant calls in sick to treatment, logs show this participant is anything but at home recuperating
    - Drug Court participant out driving somewhere past curfew not approved by Drug Court
    - Drug Court participant reports attending NA/AA meetings but has been shown to be elsewhere during these reported meetings.
    - Missed test windows – drug court participant spent 72 hours in jail as a consequence and a follow-up ETG test was completed immediately.
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## **New measures to be put in place to stop habitual drunk drivers in Indiana**

[Fox 59 News](#) INDIANAPOLIS, Ind. (Nov. 13, 2014)

New resources in Indiana next year aim to prevent habitual drunk drivers from repeating their actions. The State sees hundreds of habitual offenders each year. Jack Davidson, from Morgan County, is a habitual offender. Davidson pleaded guilty to his fifth OWI last year. "The problem is you take away their license, but it doesn't stop their car from starting," said Chris Daniels with the Indiana Prosecuting Attorneys Council.

Daniels thinks the best way to stop drunk drivers is to change their behavior with ignition interlocks. "The breathalyzer hooks up to your car. It prevents your car from starting until you can give a sample of breath that has no alcohol on it," explained Daniels. Right now in Indiana, a judge can put an ignition interlock on an offender's car, but it's not part of a state wide program. Twenty-one states have mandatory ignition interlock provisions for all offenses.

Starting January 1, the Department of Toxicology will make ignition interlocks more available by overseeing interlock vendors. Additional key provisions of HB 1279 include:

- Creates a Specialized Driving Permit for convicted drunk drivers ordered on an interlock for at least six months.
- Offenders can apply for a Specialized Driving permit restricted to using an interlock immediately following a conviction.
- Provides for compliance based removal where judges can keep an offender on an interlock until he or she has proven sober driving.

According to the Centers for Disease Control and Prevention (CDC), ignition interlocks, on average, reduce drunk driving recidivism by 67 percent compared to license suspension alone.

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## **How Phelps can earn a measure of redemption**

[Baltimore Sun October 1, 2014](#)

EDITORIAL

Michael Phelps was largely forgiven for driving drunk near Salisbury University in 2004 because he was 19 years old. The charge was reduced to driving impaired, his record ultimately wiped clean by the courts. Five years later when a photo of him inhaling from a water pipe commonly used to smoke marijuana hit the Internet, he apologized again, and that incident blew over quickly as well.

But what happened early Tuesday morning outside the Fort McHenry Tunnel was different. The man who possesses the most Olympic medals of any athlete in history failed a Breathalyzer test. He was caught driving under the influence, going 84 miles per hour in a 45-mph zone and crossing a double line. He could have killed someone, including himself.

This son of Maryland, this hero to countless swimmers and schoolchildren, isn't a kid anymore. He is 29 years old. What he has done won't be resolved with another scolding or fine or similar slap on the wrist.

This is no youthful indiscretion. Perhaps this is the first time he's done this in a decade, but more typically, drunk drivers get away with their infractions many times before they're caught.

Mr. Phelps has already posted an apology on social media acknowledging the "severity" of his actions and that he has "let down" the public. But such words are cheap when you are a one-man corporation with an agent, a coach and endorsement deals and money. It's too early to suggest an appropriate outcome in the courts this time around, but there is action Mr. Phelps could take that could do both him and his state a lot of good.

The swimmer should voluntarily submit to a genuine life preserver — an ignition interlock system, a device wired to his car's ignition that detects alcohol on his breath. A vehicle with such technology won't start unless the driver is sober, and it continues to periodically check the driver's breath as the car is running. Had Mr. Phelps had an ignition interlock on his 2014 Land Rover, he wouldn't have been driving drunk — at least not in that vehicle.

But it shouldn't stop there. When January rolls around and the Maryland General Assembly reconvenes for its 2015 legislative session, Mr. Phelps should march up the House Judiciary Committee and explain why ignition interlock devices should be mandated for all those convicted of driving under the influence in Maryland. Every. Single. Time.

The state has made progress in this direction. In May, Gov. Martin O'Malley signed legislation requiring adults convicted of DUI while transporting a minor be required to install the safety systems. And previously, the General Assembly has mandated them for those convicted who are under age 21, have multiple offenses or have a high blood alcohol level (.15 or greater).

But the esteemed men and women of Annapolis haven't taken it far enough. They have considered the balance between the expense and inconvenience of an ignition interlock for first-offenders versus the lives that might be spared if it was required and found those lives wanting. Perhaps if someone greatly loved and admired — and with personal experience with the devices — could bring national attention to the cause, it might be different this time around.

Real lives are at stake in this debate. Maryland recorded 160 DUI-related traffic fatalities in 2012. That's roughly one-third of all traffic-related deaths here. Nearly half of the country has enacted sweeping ignition interlock laws, and early adopters like New Mexico, Arizona, Louisiana and Oregon have seen a 30 percent drop in DUI-related deaths. This is why the proposal continues to be a top priority for Mothers Against Drunk Driving.

Adopting the cause won't solve everything that ails a person now regarded as a problem drinker and a threat to the community. And Mr. Phelps may have no more success with the state legislature than have the families of drunk driving victims who have made similar pleas in the past. But maybe it could make a difference and perhaps he might take his message to other states that have fallen short in this area or to Congress.

Ignition interlock devices reduce drunk driving recidivism. That's a fact. People will listen to a famous world-class athlete. That's a given, too. Within this disappointment perhaps there's an opportunity for something of far greater consequence than Olympic glory.