



**MINNESOTA
JUDICIAL BRANCH**
FIFTH JUDICIAL DISTRICT

Ignition Interlock Update February 2015

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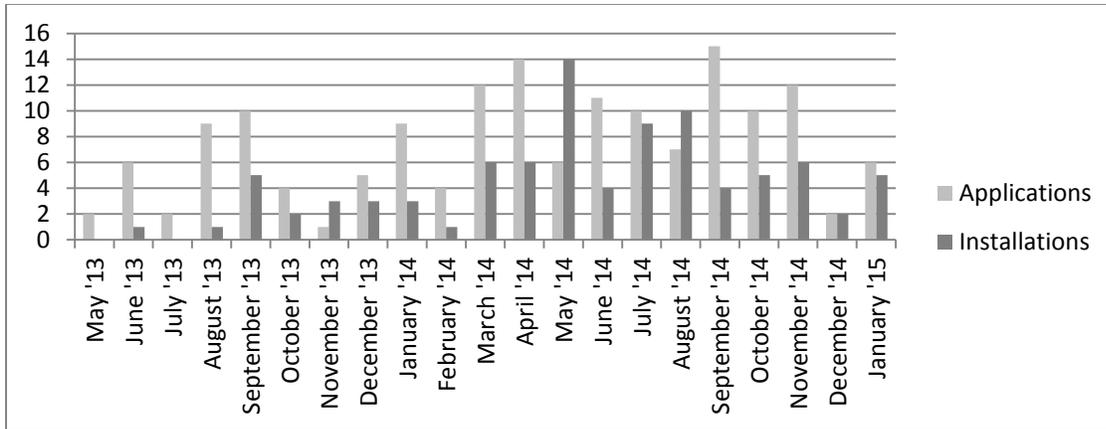
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Fifth Judicial District Ignition Interlock Program Statistics

Applications & Installations by Month

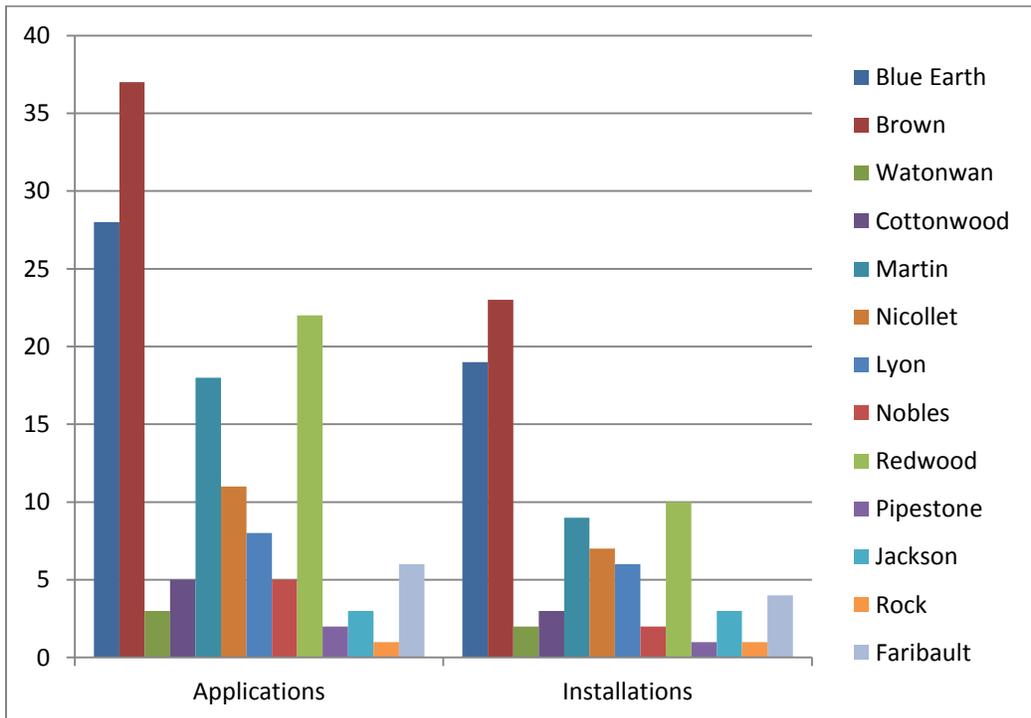
May 2013 through January 2015



Applications & Installs by County

May 2013 through January 2015

Those found to be ineligible for the program are not included



Drug Court and the Limited License Form

The limited license form does not appear to coordinate well with the requirements of drug court. Driver and Vehicle Services will make the following accommodations for a drug court participant on a limited license and ignition interlock:

- Random Drug Testing - write a note on the limited license form that the offender is subject to random testing 7 days per week and note the location of the testing and test windows.
- Probation Appointments - write the probation agent's name, address and note the participant is in drug court and the days of the week and times of appointments vary week to week.
- Court hearings - write the day of the week and time that the court hearings take place and state the participant is in drug court, frequency of hearings will decrease over time.

It is possible that the legislature will remove the limited license from the statute entirely for ignition interlock in the next legislative session. Driver and Vehicle Services has requested the change as they recognize the limited license serves no useful purpose.

Battery issues in the cold weather

Several calls have come through with ignition interlock participants having problems starting their car and believing the ignition interlock device was to blame. The device does have a small heating mechanism that takes a small bit of power continuously from the battery to ensure that the device will work in the cold. Recently Intoxalock sent out sleeves for the devices to all its drivers in Minnesota to add insulation to the device in the winter as well. The suggested fix for those with batteries being drained due to the interlock device is to install the sleeve and consider hooking the vehicle up to a trickle charger.

DWI arrests in Minnesota were down on New Year's Eve

1/1/15 Star Tribune

Fewer drunken driving arrests were made this New Year's Eve in Minnesota compared with last year, and law enforcement officials say the tally fits with a broader trend.

Between 4 p.m. Wednesday and 8 a.m. Thursday, there were 174 arrests across Minnesota for people charged with drunken driving. That's down from 191 arrests last year during New Year's Eve, according to data from the Minnesota State Patrol.

There have been fewer than 200 drunken driving arrests on New Year's Eve statewide during each of the past four years, the State Patrol says. That's a change from the preceding seven years, when annual tallies routinely exceeded 250 arrests.

"When we arrest 174 people in less than 24 hours, there's still people out there making poor choices," said Lt. Tiffani Nielson of the Minnesota State Patrol. "Those are the ones that are risking their own lives,

[and] they're risking innocent motorists' lives out there. We're going to continue to educate and enforce."

The decline stems from a number of factors, Nielson said, including efforts to educate drivers about the risks of drunken driving.

Programs that provide free bus and cab rides to drivers on New Year's Eve have helped, Nielson said. Plus, Minnesota counties that have seen the most drunken driving deaths, injuries and arrests receive extra funding for enforcement activities on holidays when many drink alcohol.

Enforcement activities can range from more police officers watching for reckless driving, to high-visibility policing of certain roads. Other holidays where more people are out drinking, Nielsen said, include St. Patrick's Day, Memorial Day, July 4th, Labor Day and the night before Thanksgiving.

"It is a nationwide trend that we're seeing a decline," she said of the arrests.

The enforcement is part of a broader state effort to curb drunken driving. Starting Jan. 1, Minnesota expanded from 10 to 13 the number of DWI court programs, with new programs in Norman, Polk and Red Lake counties.

The courts are aimed at reducing the number of repeat drunken-driving offenders by combining drug and alcohol treatment with the criminal justice system. The programs pair frequent court appearances and random drug testing with ongoing counseling, treatment and other social services.

A recent study of nine existing DWI courts in Minnesota found the programs save taxpayers about \$700,000 a year. The new DWI courts are being funded by a \$300,000 grant from the Minnesota Office of Traffic Safety.

[Another reminder why we check ignition interlock device logs](#)

12/9/14 WHEC Rochester

A Clifton Springs woman is facing charges after deputies say she had a friend bypass her interlock ignition device.

Carla Holtz, 43, is charged with circumventing an ignition interlock device.

Deputies say Holtz's vehicle was started by a man who breathed into the device showing no traces of alcohol. While Holtz was driving, the male again blew into the device to keep the vehicle going.

Deputies say when Holtz blew into the device, her breath sample was positive.

Holtz was arraigned in court and released. She will appear in Clifton Springs Court at a later date to answer charges.

[Task Force wants Minnesota lawmakers to get tough on DWI offenders](#)

1/2/15 Star Tribune

A state DWI task force is proposing tougher penalties for Minnesota's drunken drivers with hopes that they will encourage more offenders to install ignition interlock devices before getting back behind the wheel.

With less than a week before the kickoff of the 2015 legislative session, lawmakers are being asked to consider a litany of proposals from the Minnesota DWI Task Force aimed at curbing drunken driving. They include seizing the license plates of offenders in all drunken-driving cases — including first-time offenders — and lowering the blood alcohol concentration level required to impose stronger criminal penalties.

The task force hopes the strategy creates stronger incentives for offenders to install ignition interlock devices, a decision they say reduces the likelihood that a drunken driver will reoffend.

The breathalyzer-type devices, installed in a vehicle's dashboard, require the driver to submit to a breath test before the vehicle can start.

They're "just good science," said Robert Speeter, a criminal defense attorney and task force member who was key in putting the devices to use in Minnesota.

Speeter said research shows the devices help offenders get their lives back on track. "You do what's effective, and it's more effective to let people live their lives safely, keep their jobs, drive to work, go to AA meetings, take the kids to soccer and do all the things that are positive," he said.

Studies show offenders who opt to install ignition interlock are far less likely to be arrested for a repeat drunken-driving offense than those who simply choose to have their licenses suspended. Nevertheless, the devices have yet to be widely embraced by offenders.

Since 2011, 14,000 Minnesotans arrested for drunken driving have participated in the interlock program in exchange for having their driver's license reinstated. By contrast, nearly 60,000 Minnesotans arrested for drunken driving chose to have their licenses suspended. Many of them continue to drive, however, even without the license.

One reason for the apparent reluctance by drivers to install interlock could be financial: The devices cost around \$100 to put in, with an additional monthly fee of up to \$100.

Still, rather than mandate the installation in all cases, the 29-member task force — made up of defense attorneys, prosecutors, law enforcement officials and other safe driving advocates — instead presented a plan that would encourage more offenders to choose the interlock option over having a license suspended.

Sen. Horhn ordered to install DUI ignition interlock

12/10/14 The Clarion Ledger

Since Mississippi's law that allows judges to order breath-testing devices placed into DUI offenders' vehicles became mandatory Oct. 1, more than 200 offenders have had the device installed on their vehicles.

Mississippi Department of Public Safety spokesman Warren Strain said that as of the end of November, 211 people have had the device installed on their vehicles.

On Monday, state Sen. John Horhn of Jackson was ordered by a Jackson Municipal Court judge to get an ignition interlock device for his vehicle after his no contest plea to DUI.

The DUI ignition interlock law went into effect July 1, but the interlock — a device that prevents offenders from starting their vehicles if their blood-alcohol content tests above the legal limit — is no longer optional.

Mississippi is one of 24 states with such a law, according to Mothers Against Drunk Driving.

The law passed this year made technical changes to the original law. It removed exceptions and expanded the use of ignition interlocks for all convicted drunken drivers, including first-time offenders who seek to retain driving privileges during a license suspension as well as a condition of applying for nonadjudication.

Horhn was given a nonadjudicated sentence as part of his no contest plea, which is technically a guilty plea.

He was given a 48-hour suspended sentence, ordered to get an ignition interlock for up to 120 days, ordered to complete the Mississippi Alcohol Safety Education Program (MASEP), fined \$250 and court costs. Mississippi Mothers Against Drunk Driving spokesman Frank Harris said the new law requires an offender placed on nonadjudication to have an ignition interlock for 120 days or face a 90 day license suspension.

An offender is required to pay the fee for an ignition interlock device.

Eleven service centers have been set up in the state by Grapevine, Texas-based Smart Start, a leader in alcohol monitoring technology. The centers are where the device can be obtained and installed. Two other companies also are planning to have centers in Mississippi.

Smart Start officials say the device allows those ordered to install an ignition interlock device to continue working, paying taxes, supporting their families and contributing to society while maintaining their licensing privileges.