



THE IMPLEMENTATION OF ALCOHOL INTERLOCKS FOR OFFENDERS: A ROADMAP



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Funding provided by The Century Council

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October 2010
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ISBN: 078-1-926857-10-7

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ACKNOWLEDGEMENTS

TIRF gratefully acknowledges the assistance of the following individuals who shared their knowledge of alcohol interlock initiatives during the development of this report and who reviewed and commented on earlier drafts. Their insights, experiences, and expertise allowed us to create a user-friendly, practical report that can benefit practitioners across the country.

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EXECUTIVE SUMMARY

Step #1: Establish a team to explore options regarding the purpose, goals, and objectives of improvements to the alcohol interlock initiative (or to the implementation of an initiative if one does not already exist).

- > Select team members that have a stake in any interlock initiative.
- > Identify a leader to manage this team.
- > Scope out potential goals and objectives of an interlock initiative.
- > Calculate the estimated number of offenders that could potentially participate in the alcohol interlock initiative.
- > Consider the development of the two most critical features of any interlock strategy -- offender monitoring and offender accountability.
- > Investigate the need for an indigent fund or unaffordability provisions to support the use of alcohol interlocks.
- > Gauge the number of staff that each agency may require to perform tasks related to the interlock implementation and maintenance of the strategy.
- > Examine the scope of work required and estimated cost to develop an interlock database that is coordinated with driver records.
- > Consider the magnitude of effort associated with implementation tasks in relation to the timeline for planning and implementation.
- > Consider the inclusion of a rigorous evaluation as part of the implementation strategy.

Step #2: Invite relevant agencies to provide input into the drafting of proposed alcohol interlock legislation prior to its introduction.

- > Invite representatives of stakeholder agencies to participate in a discussion to inform the drafting of alcohol interlock legislation.
- > Include one or more bill sponsors in the group who will take the lead in introducing the legislation and building support for its passage.
- > Allow all key stakeholders in the group to share their perspectives and feedback on the drafting of interlock legislation.
- > Discuss proposed suggestions or strategies in relation to cost estimates to avoid the pursuit of initiatives that are not feasible or sustainable.
- > Examine existing impaired driving legislation for potential conflicts with draft interlock legislation.
- > Draft legislation that allows maximum flexibility for practitioners to make adjustments as required.
- > Designate a lead agency that has the authority to establish rules and standards for the alcohol interlock initiative in the legislation.

Step #3: Form an implementation team and select a team leader.

- > Determine the organizational structure of the team.
- > Be sure to include the necessary expertise on the team.

Step #4: Determine the number of personnel required and the extent to which different types of agency personnel will be involved in implementation.

- > Estimate the number of personnel that will be required to manage the number of new offenders that have the potential to be involved in the alcohol interlock initiative.
- > Gauge the level of resources that is required to support staff.

Step #5: Develop an implementation plan.

- > Create a workflow that illustrates each step within the alcohol interlock initiative.
- > Develop a prioritized list of tasks that form the work plan for the team.
- > Establish mechanisms to facilitate communication and cooperation among participating agencies.

Step #6 (optional task): Select and develop a strategy to manage indigent or unaffordability funding according to the alternative that is most suitable and feasible.

- > Estimate the potential number of offenders who may be deemed indigent or who may meet unaffordability requirements for the purposes of the interlock initiative.
- > Select an agency to administer the fund or provisions.
- > Select appropriate eligibility criteria.

Step #7: Modify and update technical standards (including test protocols) to include specific elements of the new strategy and consequences (i.e., device configurations) for new classes of offenders.

- > Update device technical standards and test protocols for the use of interlock devices with new classes of offenders.
- > Review technical standards from other jurisdictions to identify relevant sections or components that could be adopted or modified as opposed to starting from scratch.
- > Involve vendors in the development of standards.
- > Ensure that devices undergo field testing by a knowledgeable authority.
- > Invite the team to review the final technical standard and test protocol.

Step #8: Translate new alcohol interlock legislation into administrative rules.

- > Review administrative rules from jurisdictions with a comparable interlock strategy.
- > Identify errors or inconsistencies in the legislation and propose revisions.
- > Invite feedback on the draft.
- > Request review by legal counsel.

Step #9: Pinpoint needed revisions (if any) to existing Request for Certification, certification protocols, or vendor contracts.

- > Estimate the potential number of new offenders that may be eligible.
- > Review RFCs (or contracts) from other jurisdictions.
- > Gather feedback on the draft.
- > Designate a team or agency that will be responsible for reviewing vendor submissions and approving applications/establishing contracts.

Step #10: Review (or develop) a vendor oversight plan/protocol to ensure quality delivery of devices and services.

- > Review similar oversight plans from other jurisdictions.
- > Designate an agency that is responsible for vendor oversight.
- > Develop a field test for the configuration of devices and guidelines for device installation.
- > Specify qualifications for device installers.
- > Consider the use of surety bonds.
- > Develop site auditing procedures.
- > Review fees for service.

Step #11: Inform relevant agencies about the implementation of alcohol interlock legislation and any changes to an existing strategy.

- > Develop a one-page informational piece.
- > Identify key contacts in relevant agencies for training purposes.
- > Develop training protocols.

Step #12: Create new forms, letters, applications, waivers, notices and other data sharing or exchange documents.

- > Revise existing forms/letters/notices and create new ones where needed.
- > Determine what forms/letters/notices can be automated.
- > Consult relevant agencies and practitioners.

- > Distribute hard copies.
- > Provide training.

Step #13: Develop and/or manage an interlock data management system (e.g., an interlock database in conjunction with the driver record system).

- > Identify information that will be collected and how this will be accomplished.
- > Determine whether sufficient funds are available.
- > Select a DMV staff person knowledgeable in database design and management to be actively involved.
- > Discuss governance policies related to data ownership, access and sharing.
- > Investigate the structure and accessibility of court and correctional data systems.
- > Update the existing driver records system to accommodate new classes of offenders.
- > Meet with interlock vendors early on and request that they be involved in concept development.
- > Modify and/or update any existing interlock data system.
- > Review linkages.
- > Agree upon the information that will be included in the system and shared.
- > Develop standardized reporting procedures.

Step #14: Create a training and education plan for practitioners affected by the alcohol interlock initiative.

- > Identify all agencies that may require training and education.
- > Identify persons in each agency who can deliver training.
- > Develop informational materials to distribute.
- > Develop and deliver statewide training materials.
- > Determine whether interlock training will fit into introductory courses.
- > Create a training program for service providers.

Step #15: Create a public awareness plan.

- > Develop informational materials about the interlock initiative.
- > Identify diverse mechanisms to deliver information about the initiative.
- > Engage community groups, victim advocacy groups, and others.
- > Create a website.
- > Include forms/applications online.
- > Partner with other agencies.

Step #16: Create an evaluation plan.

- > Identify possible research issues or questions.
- > Determine who (which agency) in the jurisdiction may be positioned to undertake an evaluation.
- > Determine what funding is available.
- > Develop an evaluation plan.
- > Determine how measurements will be collected.
- > Establish an ongoing review.
- > Disseminate results.

Step #17: Monitor progress during the implementation of the initiative and track outcomes in the short-term and the long-term.

- > Retain documentation.
- > Draft yearly agency reports.

Step #18: Provide a report to the Legislature.

- > Schedule an annual review.

INTRODUCTION

Awareness of alcohol interlocks¹ as a proven tool to prevent and reduce drunk driving has flourished in the past decade. Governments, criminal justice and health agencies, frontline practitioners and non-profit organizations have embraced the potential of alcohol interlocks to address the drunk driving problem as one prong of a comprehensive strategy to manage offenders. This is testimony to the fact that these breath testing devices that prevent drivers from starting their vehicle after drinking have come of age and are well supported by an impressive body of research from the international community.

In order to achieve the promised gains demonstrated in the research, the spotlight must shift to focus on the effective implementation and delivery of alcohol interlocks in combination with appropriate supervision, monitoring protocols, graduated sanctions and reinforcements, treatment services and follow-up with offenders. Knowledge and understanding of the operational practices and structures needed to apply research findings and successfully manage interlock implementation (i.e., the day to day completion of tasks) is currently lacking.

Jurisdictions often struggle to develop a course of action that effectively tackles the complexity of implementing an alcohol interlock strategy. It requires support from a coordinated contribution of multiple agencies that are directly or indirectly implicated in the effort. And the lack of practical resources to inform the development of a tactical strategy often leaves staff feeling overwhelmed by the magnitude of the undertaking.

This document was designed to address that need. It contains a roadmap of practical steps to guide the implementation of alcohol interlock devices as part of a strategy targeting either repeat, high blood alcohol concentration (BAC) or first offenders. It also highlights important considerations and caveats that impact decision-making throughout the process.

The roadmap was created with input from seasoned professionals who have played a leadership role in these initiatives or who have been intimately involved in interlock delivery. Input was sought from representatives of driver licensing, criminal justice, and hybrid (licensing and justice combined) interlock initiatives to achieve a balanced and inclusive perspective on effective strategies to apply these tools to supervise drunk drivers.

¹ An alcohol interlock device requires the driver to blow into a breath alcohol testing device connected to the starter or other on-board computer system of a vehicle before it can be started. It also requires repeated breath tests while the vehicle is in use to ensure the driver continues to remain sober. While the alcohol interlock prevents the engine from starting and provides a warning if a positive breath sample is detected, the device will never shut off an engine that is already running. These devices must meet a range of technical criteria before being approved for use in a jurisdiction. These devices also possess a wide range of programmable options, a data recording device and several anti-circumvention features to ensure efficient functioning and minimize tampering and circumvention attempts by offenders.

IMPLEMENTATION STEPS

Step #1: Establish a team to explore options regarding the purpose, goals, and objectives of improvements to the alcohol interlock initiative (or to the implementation of an initiative if one does not already exist).

The decision to implement alcohol interlock legislation and subsequently deliver these devices to appropriate offenders must be informed by an environmental scan. The purpose of the scan is to gauge the current situation in relation to impaired driving offenders and determine what factors may influence a proposed alcohol interlock strategy. To ensure the legislation achieves its intended goals, it should not be a foregone conclusion reached without a clear understanding of the implications or the resources needed to execute it. Answers to critical questions must be sought to ensure that goals and objectives are achievable, and that practitioners have the authority, time, capacity and resources to make the response effective. Without proper investigation of needs and opportunities, high expectations regarding promised benefits are unlikely to match the outcomes that are ultimately achieved, making justification of the investment problematic.

It should be underscored that the implementation of an alcohol interlock strategy is a complex undertaking that demands adequate planning, preparation, time, staff and resources to design and implement. It also requires energy and attention once created. The delivery of alcohol interlock devices is frequently a multi-agency initiative that must be well-coordinated in order to create a streamlined, seamless response that leverages existing procedures and protocols ingrained within broader systems (e.g., law and rule-making, budgets, data management, driver licensing, health, and criminal justice). Hence, assembling a team to explore key issues related to any legislation that will be followed by a strategy to deliver these devices is essential to gauge potential implications and ensure that the scope of any project is feasible and will have demonstrable and quantifiable benefits.

It may be useful to organize stakeholders into primary and secondary groups. Some agencies will play a larger role and be directly affected by legislation and implementation. Other agencies may have a strong desire to voice their perspectives but ultimately will not be directly implicated by decisions, particularly those relating to budget, staffing and resources. Hence jurisdictions have chosen to engage a broad range of stakeholders in the process, but to varying degrees.

In this regard, there is some debate regarding the extent to which vendors should be involved in this process. Some jurisdictions have found that the involvement of vendors was beneficial whereas others had some concerns at different points. So while jurisdictions are strongly encouraged to engage vendors regarding issues that are directly relevant, the extent to which they are engaged throughout the process is discretionary.

The outcomes of this step can ensure that jurisdictions that enter into these initiatives can clearly articulate and illustrate how proposed legislation will deliver the expected outcomes.

Activities included in this step

- > **Select team members that have a stake in any interlock initiative.** Agencies that are essential for participation may include driver licensing, law enforcement, prosecutors and defense counsel, judges, treatment/health practitioners, legal counsel, budget, highway safety office, corrections/probation staff, community groups, individuals that would be tasked with drafting legislation, and potential bill sponsors.
- > **Identify a leader to manage this team.** This individual must have the authority to convene key decision-makers, manage the collection and dissemination of critical information relating to implementation, and assign tasks with associated timelines to make the process efficient. He or she must also have sufficient resources to complete these activities.

> **Scope out potential goals and objectives of an interlock initiative.** Answers to these and other questions are essential to inform the selection of appropriate goals and create a uniform perspective and understanding of the potential strategy to be developed. (See Appendix A for a list of possible questions to explore).

> **Calculate the estimated number of offenders that could potentially participate in the alcohol interlock initiative.**

This estimate should be based on decisions regarding eligibility (what type of offenders does the initiative target). Take into account the range of scenarios that may result in drivers not being eligible due to other reasons (e.g., other offenses or license issues such as non-payment of child support or repeated driving while suspended/revoked charges). This will inform discussions relating to needed staffing and resource allocations to support the delivery of devices to offenders.

Gathering estimates of those offenders convicted of relevant impaired driving offenses who will be eligible serves two additional purposes. It provides insight into the distribution of offenses throughout the jurisdiction to inform understanding of possible service areas. It also will provide insight into the potential size of the interlock market and can serve to attract potential vendors.

> **Consider the development of the two most critical features of any interlock strategy -- offender monitoring and offender accountability.** The importance of this step cannot be underscored enough. Offender monitoring and a framework for accountability are often the two weakest elements of interlock plan development. Meaningful strategies are needed to ensure that offenders are appropriately supervised, particularly during initial use of the technology when offenders are most likely to test and challenge it. More intensive monitoring is often required during this period whereas over time a majority of offenders learn to comply and require little or no supervision. Consideration should be given to what agency(s) is well-positioned and equipped with authority and resources to monitor offenders and respond to violations as needed.

A system of graduated sanctions and reinforcements (see Appendix B) and a strategy to apply it is needed to create accountability among offenders and encourage their compliance with requirements of the device. It is worth noting that a small minority of offenders (an estimated 10%) will likely require intensive supervision throughout their participation and will not come into compliance with device requirements.

> **Investigate the need for an indigent fund or unaffordability provisions to support the use of alcohol interlocks.** The extent to which jurisdictions have incorporated such a fund or provisions is varied. Gathering estimates regarding how many offenders eligible for interlock installation may be deemed indigent or unaffordable according to different criteria (e.g., Federal Poverty guidelines, criminal justice processing, tax filings) can inform decision-making.

Alternative strategies to both fund and manage this facet of the initiative should also be explored and discussed. If a fund or provisions are pursued, possible sources of financial support should be explored. Careful guidelines and a clear application process to determine eligibility should also be considered. Good examples of such eligibility criteria can be found in South Carolina and New York.

- » Are there potential sources of funding to support an indigent plan or unaffordability provisions? (See Appendix C).
- » How will indigency or unaffordability be defined for the purposes of the initiative?
- » What criteria will be considered as part of the determination? (See Appendix C).
- » What agency will be tasked with making determinations about qualification for indigency or unaffordability? (See Appendix C).
- » Contact other jurisdictions² with an indigent fund or unaffordability provisions to determine what percentage of or how many eligible offenders require financial assistance on an annual basis. Indigent funds generally support between 1% and 12% of the eligible offender population. This may be much higher (30%) if eligibility determinations are discretionary and made without guidelines. At the time of this publication jurisdictions that provide indigent funding include: CA, CO, FL, IL, KS, MI, MD, NE, NJ, NM, NC, OH, OR, PA, SC, VA, WA, WY. New York relies upon unaffordability provisions contained in its alcohol interlock statute.

² Contact information for alcohol ignition interlock program administrators can be accessed at http://iip.tirf.ca/inventory/program_contacts.php.

- > **Gauge the number of staff that each agency may require to perform tasks related to the interlock implementation and maintenance of the strategy.** Not only staff required for the interlock initiative itself should be gauged, but potential increased demand for services related to other interventions (e.g., more treatment staff may be needed to conduct alcohol screening and assessment; more probation officers may be required to supervise offenders). Cost estimates for staffing and financial resources (e.g., more office space, more computers, new data management system) for critical implementation tasks should also be calculated. These estimates should be considered in relation to the decision to pursue alcohol interlock legislation and implement a strategy to support delivery of these devices.
- > **Examine the scope of work required and estimated cost to develop an interlock database that is coordinated with driver records.** Such a system serves to automate routine tasks relating to the management of offenders. Jurisdictions that do not have such a database or automated system should give serious consideration to this issue, particularly if a potentially large number of offenders will participate in the initiative. While this step does have cost implications at the front end, it can greatly streamline activities, reduce staff and workload, improve management and facilitate evaluation in the long-term. States such as Colorado, Illinois, New Mexico, and South Carolina have strong examples that can provide guidance to jurisdictions.
- > **Consider the magnitude of effort associated with implementation tasks in relation to the timeline for planning and implementation.** Each of the steps related to the implementation of alcohol interlock legislation once it has become law will require sufficient time to execute. While some jurisdictions have a legal requirement to implement all legislation within a specified number of days, efforts to provide practitioners with a reasonable time period to complete the work associated with these steps cannot be emphasized enough. For example, the activities pertaining to the implementation of a data management system in particular may take up to 18 months. Similarly, the development of administrative rules and technical standards for devices and the approval of vendors can take several months to complete.
- > **Consider the inclusion of a rigorous evaluation as part of the implementation strategy.** It is essential that thought be given to evaluation of the alcohol interlock initiative. An evaluation can provide answers to critical questions about its effectiveness and justify investment in the intervention. It is never too early to start planning for an evaluation. For example, any evaluation will require data which must be collected from the outset of the use of these devices. Hence, planning must include strategies and procedures to collect and manage relevant data. Other questions to consider at this stage include:
 - » What agency may be able to lead or conduct the evaluation?
 - » What types of research questions will be included? (This step will ultimately determine what data must be collected).
 - » What variables exist that will have an effect on the evaluation (e.g., treatment availability, staffing levels)?

It is important to note that the inclusion of a well-designed data management system with the ability to collect appropriate data elements for the interlock initiative will greatly facilitate data collection, reporting and evaluation activities.

Clearly there are some fundamental issues that must be contemplated to inform any decision to move forward with alcohol interlock legislation to make certain it will be properly implemented. Disregarding inquiry into these crucial questions can jeopardize the success of the legislation and negatively influence outcomes.

Step #2: Invite relevant agencies to provide input into the drafting of proposed alcohol interlock legislation prior to its introduction.

If jurisdictions determine, based on the outcome of the investigation in Step #1, that alcohol interlock legislation and implementation is feasible and will have beneficial effects that reduce impaired driving, the remaining steps in this roadmap can help guide the development of a comprehensive implementation strategy.

At this stage, it is essential to gauge the perspective of agencies that ultimately will be influenced by the passage of legislation and other organizations that have a vested interest in the impaired driving issue. Inclusion in this process can ensure that all stakeholders have an opportunity to provide input, which is the first step towards establishing buy-in to support the initiative. This exercise will enable those individuals who ultimately draft the bill to gain a comprehensive overview of the diversity of perspectives as well as operational procedures and practices that can influence the development of any legislation.

All of the information gathered as part of Step #2 should be provided to the person who will ultimately draft the alcohol interlock legislation, and this person should also participate in Step #2 if possible. This can ensure that the draft legislation accounts for the range of perspectives that were shared during this process.

Steps #1 and #2 are designed to lay much of the groundwork for the implementation of an alcohol interlock initiative. These steps can enable the strategy to be implemented much more efficiently and in a shorter time frame than would otherwise be required. These planning stages provide much of the needed information so that when the law is passed agencies are prepared to begin implementation.

Activities included in this step

- > **Invite representatives of stakeholder agencies to participate in a discussion to inform the drafting of alcohol interlock legislation.** Decisions made during Step #1 regarding the purpose, goals and objectives of any legislative initiative should be shared with the group so that everyone is on the “same page” regarding the direction and intent of the legislation. Every agency that may play a role in the interlock implementation and delivery strategy as well as influential others should be considered for inclusion in the group. (A suggested list of potential agencies to include is in Appendix D). The range of agencies that are included may vary somewhat depending on the nature of the interlock initiative (e.g., license-based, court-based or hybrid). A leader of this stakeholder group should be selected and the team leader identified in Step #1 may be an ideal person to lead this initiative.
- > **Include one or more bill sponsors in the group who will take the lead in introducing the legislation and building support for its passage.** Bill sponsors should participate in this discussion from the outset as they may play an active role in the drafting of legislation. Their participation in this step will ensure they are well-positioned to identify opposing positions and address concerns to strengthen support for the legislation when it is introduced. However, this may be challenging due to time restrictions in some cases.
- > **Allow all key stakeholders in the group to share their perspectives and feedback on the drafting of interlock legislation.** This will provide the drafters of the bill an overview of the range of issues and possibilities that are available for consideration. It will also identify any issues that may be a source of concern or controversy in the legislation. It should be noted that it will be challenging to accommodate all perspectives and concessions will likely be negotiated.
- > **Discuss proposed suggestions or strategies in relation to cost estimates to avoid the pursuit of initiatives that are not feasible or sustainable.** For example, budget limitations should be carefully considered if it is proposed that a particular agency will provide the same level of monitoring for all offenders involved in the initiative; or that a particular agency will undertake management of the interlock data. It will be important that agencies have a clear understanding of the implications of different decisions, the associated costs, and the feasibility of suggestions being accomplished in practice. Discussion should also focus on the identification of potential funding sources to support each aspect of the initiative.
- > **Examine existing impaired driving legislation for potential conflicts with draft interlock legislation.** Many jurisdictions specify mandatory minimum penalties and requirements that offenders must fulfill. It is important to determine whether draft interlock legislation is consistent with existing laws.
- > **Draft legislation that allows maximum flexibility for practitioners to make adjustments as required.** Legislation should not contain too much detail or be too prescriptive regarding specific elements of any delivery strategy. In almost all jurisdictions, amendments to legislation are ultimately required. The number of amendments can be managed by drafting the legislation to provide sufficient guidance on key issues, but placing authority to develop details in administrative rules where it is easier to make adjustments to practices.

Some jurisdictions have elected to provide guidance in legislation and important details in rules. Specific practices are subsequently clarified by action as necessary.

- > **Designate a lead agency that has the authority to establish rules and standards for the alcohol interlock initiative in the legislation.** The legislation should permit the designated agency (with rule-making authority) an appropriate level of discretion to develop practices relating to operational aspects of the initiative. Similarly, the legislation should also specify an agency that will be responsible for testing, certifying and approving alcohol interlock devices for use in the jurisdiction. These may be different agencies. The designated agency(s) should further be provided with needed resources to complete these tasks.

Considerations

- > **Differentiate between primary and secondary stakeholders.** Involve primary stakeholders directly affected by the implementation of the strategy throughout the development of the draft legislation. Involve secondary stakeholders at the outset to gather their input and later to review the draft legislation before it is put forward. This may help to keep the process and the number of participants manageable. Note that there is some debate regarding the involvement of vendors and whether they should participate in the primary or secondary group.
- > **Review and consider comparable alcohol interlock legislation from other jurisdictions to inform the development of draft legislation.** This process can assist stakeholders in identifying relevant sections to be included in the draft and can avoid re-inventing (or re-writing) the wheel. (See Appendix E for links to relevant examples of alcohol interlock legislation in other jurisdictions).
- > **Coordinate elements of new alcohol interlock legislation and delivery of the devices (to the extent possible) with any existing interlock strategies** for repeat offenders to avoid incompatibilities. Many jurisdictions may already have some type of interlock strategy in place, although the extent to which devices are used will vary. Any existing interlock practices should be leveraged in draft interlock legislation to ensure there is consistency across the use of these devices and the way they are applied to different classes of offenders.
- > **Strike a careful balance between the level of detail put into draft legislation versus detail contained in administrative rules.** Serious consideration should be given to the ease of making changes to either the law or to rules. For example, if laws are challenging to modify in practice, it may be more appropriate to place needed detail in rule form or vice versa. Agencies that are tasked with managing the interlock initiative must have the authority to make changes and the flexibility to make adjustments to operational procedures as needed.

It is important to acknowledge that changes to any delivery strategy will likely be needed at some point and to prepare for this by placing important requirements and procedural rules where it will be easier to amend them. The legislation and rules should not be so prescriptive as to bind the hands of program managers and restrict their flexibility in addressing operational issues. Some jurisdictions have addressed this by providing sufficient guidance in legislation and rules and enabling agency managers to clarify by action on an as needed basis as issues arise.

- > **Gauge the level of support that exists among the leadership of stakeholder agencies.** It is important to recognize that the level of support may significantly affect the likelihood of the draft legislation being passed into law.
- > **Consider inviting interlock vendors to participate in the stakeholder group that provides input into draft legislation.** This may serve two purposes. First, vendors will be a key partner in any implementation effort as they are responsible for service to offenders and reporting to the agency authority. Second, vendors are a knowledge resource that can assist the group in developing a common understanding of interlock technology and the diverse ways that operational practices can be supported. They can also provide insight into what practices are or are not feasible.

Caveats

- > **Consult legal staff.** Legal opinions should be sought during the development of draft legislation and staff should be requested to review drafts and provide feedback throughout the process. Legal counsel can make sure that draft legislation is feasible and that it is consistent and compatible with existing alcohol interlock laws

in particular and impaired driving laws in general. It can also help agency administrators avoid legal hassles or challenges downstream.

- > **Consult with the judiciary to gain their support (as applicable).** Regardless of the level of involvement the judiciary may have in the initiative, it is important that they are aware of it. Their input can also benefit the development of legislation and specific practices (e.g., to ensure essential court case information is shared with driver records, to discuss options to the management of indigent offenders, to build influential support for the use of interlocks, and to identify roles and responsibilities, if any). At a minimum, if the judiciary is not a participant in the initiative, they should be informed that this strategy is being developed and the legislation that is passed should be shared with them.
- > **Avoid involving vendors in efforts to promote and pass the legislation.** While vendors may or may not be involved in the drafting of legislation (depending on the jurisdiction's choice), it is recommended that a vendor not play a lead role in promoting and passing the legislation, particularly as negative perceptions surrounding their involvement (i.e., they have a business interest in its passage) can detract from the focus on safety benefits. Once the draft legislation is completed and has been reviewed and agreed upon by a majority of stakeholders, bill sponsors and bill drafters should be responsible for moving the legislation to its passage. Vendors should be available to answer questions during this period as needed.

Step #3: Form an implementation team and select a team leader.

Once the draft legislation is (amended as needed) passed and becomes law, the lead agency responsible for implementation of the alcohol interlock initiative should form the implementation team and select a team leader. The team that is created at this point should represent each of the key agencies involved in the delivery of these devices. The team is essential to execute the implementation plan, coordinate activities, and establish communication channels based on reporting protocols.

The team leader should be provided with the appropriate level of authority and resources to lead this team. This authority should be vested in the leader by senior agency officials and recognized by the leadership of other agencies included in the team. The leader should also be provided with administrative support. Finally, the team leader is accountable for the implementation and may often have to "push" team members to complete tasks on time, particularly as it is not unusual for activities to be left to the last minute.

Activities included in this step

- > **Determine the organizational structure of the team.** Depending on the size and makeup of the team, and the extent to which relationships have already been established, it may be more beneficial for the team to function as a single unit (each team member will be involved in all tasks) or by committee (certain members will be tasked with specific tasks). If a committee structure is selected, each committee should have a defined purpose and a list of expected outcomes that are to be achieved.
- > **Be sure to include the necessary expertise on the team.** Sources of expertise may be needed in the following areas: interlock technology, database development, driver records and department of motor vehicle (DMV) processes, treatment protocols, budget, legal and staffing. Involve and/or consult other sources of expertise and/or stakeholders as required in relation to specific activities.

Considerations

- > **Acknowledge that different team members will spend varying amounts of time on the completion of tasks.** Agency staff that are part of the team must be prepared to spend varying amounts of their time on implementation tasks related to the alcohol interlock initiative. In some instances, staff may spend 10%-20% of their time on the completion of interlock tasks and their ability to continue to complete regular job duties will be minimally affected. Conversely, staff that take the lead on key implementation tasks

may spend a majority of their time (60%-90%) on the completion of tasks, meaning that their ability to fulfill routine job requirements may be significantly restricted.

- » Tasks related to the development of administrative rules, technical standards, database development, vendor and device approval and vendor oversight typically require more time.
- » Tasks related to the legal review of rules or public awareness efforts typically require less time.
- » Agencies may have to hire new staff to assist with the completion of implementation tasks. For example, database development and jurisdiction-wide training efforts often require new hires.

- > **Encourage agency leadership to emphasize to staff the value and importance of the initiative.** Lead agency leadership should make department leaders and staff aware of the importance of staff involvement and support time away from regular duties to complete implementation tasks related to the alcohol interlock initiative. The same is true for all agencies participating in the implementation.
- > **Account for the pace of growth.** The need for new staff may vary according to the rate of growth of the interlock initiative. Some jurisdictions have found that there is a large influx of offenders from the outset, whereas in other jurisdictions the initial influx has been moderate or small. The rate of influx will influence the pace at which staff must be added.

Step #4: Determine the number of personnel required and the extent to which different types of agency personnel will be involved in implementation.

In addition to resources that are allocated to support initial start up costs related to implementation, agencies will likely require new hires to manage tasks associated with the ongoing delivery of these devices, particularly if the number of eligible offenders is significant. Practitioners in many jurisdictions acknowledge that they are already under-staffed, so the inclusion of many more offenders will demand additional staffing once the strategy is implemented.

Similarly, other interventions that may be connected with the interlock strategy may also require more staff (e.g., alcohol education/screening/treatment agencies; probation staff if offenders will be monitored through probation supervision; law enforcement if there will be an initiative to target unlicensed drivers or those driving without an interlock). Some staff may also require special skill sets (e.g., IT proficiency, database management, interlock device testing, clinical training).

Much of the information pertaining to personnel requirements should have been investigated in Step #1 to address this issue. Keep in mind that the addition of new staff may also result in the need for more equipment (e.g., computers, printers, desks, chairs, office space, filing cabinets, office supplies).

Activities involved in this step

- > **Estimate the number of personnel that will be required** to manage the number of new offenders that have the potential to be involved in the alcohol interlock initiative. As part of this step, it should be noted that different tasks and related staff will have different levels of workload. The workload that will be assigned to each staff person should be considered.
- > **Gauge the level of resources that is required to support staff** and the extent to which (and when) these resources will be available to support implementation. As part of this step, it is also important to create a budget and strategy to manage and to allocate resources accordingly, and the team leader should be consulted or involved in budget allocations where appropriate.

Considerations

- > **Review and consider strategies that have been utilized in other jurisdictions with regard to resource allocation and revenue generation.** Some jurisdictions have been able to identify new sources of revenue through the use of fees (e.g., an interlock license application fee, a service center licensing fee, or a program administration fee). Contact other alcohol interlock program managers at http://iip.tirf.ca/inventory/program_contacts.php to learn what other fees or sources of revenue may be applied. They can also provide insight into staff and budget allocations associated with particular program features.

As part of this activity, it is important to determine what other fees and costs are already associated with an impaired driving conviction and at what point fees become too onerous. A related consideration is who will be responsible for collecting these fees. It is important to recognize that many agencies are already overwhelmed with fee collection.

- > **Consider whether new tasks may be added to agencies and the associated workload of these tasks.** For example, new staff may not be needed, but agencies may take on new tasks which can also influence task assignments and workload. Examples of new tasks may include: reviewing reports from alcohol interlock providers; administrative hearing officers hearing appeals from interlock offenders; an agency having to approve interlock vendors or managing oversight of vendors. Hence, agencies should consider how the assignment of new tasks may affect workload if new staff is not hired.
- > **Identify related activities that may be affected by an influx of new offenders that participate in the interlock initiative** (e.g., driver license applications, alcohol education classes, treatment services, probation supervision).

Caveats

- > **Staff resources can be managed.** The number of additional staff that is needed is ultimately a function of the requirements of the new alcohol interlock legislation in combination with the anticipated growth in the initiative and the variety of services that are offered to/required of offenders.
- > **Recognize “project creep.”** When resources are not specifically allocated to support essential implementation tasks, the funding from existing budgets designated to support other tasks is eroded or usurped. This results in a shortfall of funds to cover the entire scope of work that must be completed and leads to increased workloads and burnout among staff.
- > **Explore options for service delivery.** There may be advantages to contracting for services with external agencies as opposed to handling them in-house; this possibility should be explored.
- > **Investigate funding alternatives.** Determine if federal funds or savings accrued from reduced jail populations can be earmarked to support the implementation and delivery of the interlock strategy. It is unclear whether this has been done in any jurisdictions, but it would be interesting if jurisdictions could undertake to monitor this situation.

Step #5: Develop an implementation plan.

Team members should identify essential steps in processing offenders through the alcohol interlock strategy and develop an implementation plan to ensure that appropriate structures and procedures are put in place to complete each stage of delivery. The plan will provide guidance throughout the implementation process and is useful to make sure that critical tasks are coordinated. The plan will also help team members track progress and stick to timelines.

Activities involved in this step

- > **Create a workflow that illustrates each step within the alcohol interlock initiative.** This workflow is useful to clarify and increase understanding of how offenders will be processed at each stage. It can be used to identify key decision points and allocate responsibility for task completion. It can also ensure accountability for the use of alcohol interlock devices.
- > **Develop a prioritized list of tasks that form the work plan for the team.** It should include timelines to complete these tasks, assign responsibility for tasks to individual team members or committees and designate the resources required. As part of this process it should be determined whether agencies have the appropriate authority to complete tasks (e.g., determine whether an agency has legal authority to create and manage an indigent fund).
- > **Establish mechanisms to facilitate communication and cooperation among participating agencies.** These mechanisms may include memoranda of understanding and should define how information will be exchanged; how challenges will be resolved; how information will be reported and shared; and, how progress will be measured.

Considerations

- > **Thought should be given to developing realistic timelines and the timing of associated tasks.** For example, if a new driver records system is still under construction or in testing during interlock implementation then this may mean that tasks that should be automated must be completed manually until the new driver record system is fully operational.
- > **Give consideration to the progress of ongoing or related initiatives that may influence implementation efforts.** The development of a timeline to coordinate critical tasks and the completion of work should acknowledge and/or account for the progress of ongoing and related initiatives (e.g., if the DMV is updating the driver record system this could have implications for the implementation of the interlock strategy; if other impaired driving initiatives are being implemented at the same time this may reduce staff availability or affect budget allocations).

Caveats

- > **Use of authority.** It may be necessary for the leader to strongly encourage, insist, and require that team members complete tasks on time. The leader may have to reassign some duties to ensure appropriate and realistic workloads among members of the team.
- > **Monitor and report progress.** The list of tasks and updated work plan should be routinely circulated by the team leader to keep team members informed about progress and potential delays that may arise, particularly as the coordination of some tasks will be critical. Failure to track task completion can result in timelines being ignored and create delays.
- > **Anticipate delays.** Delays relating to the implementation of an automated interlock database and/or driver records system may negatively affect communication across agencies and may require that tasks (that were to be automated) be completed manually until the new system is online.

Step #6 (optional task): Select and develop a strategy to manage indigent or unaffordability funding according to the alternative that is most suitable and feasible.

Jurisdictions may or may not opt to pursue the development of a formal indigent fund structure or the use of unaffordability provisions depending on the outcomes of Step #1. Some jurisdictions clearly distinguish between ability to afford legal counsel which is a constitutional right as opposed to unaffordability of an interlock device which recognizes a different financial burden and the fact that there is no constitutional right to drive an automobile.

While it is acknowledged that some offenders in every jurisdiction will require financial assistance, the magnitude of the demand for assistance may vary considerably. Jurisdictions may also be limited by their authority and ability to set up and manage such a fund or provisions. They may also have varying levels of resources or sources of revenue to support such features of the initiative. These are decisions that will have to be reconciled by the implementation team. (See Appendix C for more information related to this step).

Activities involved in this step

- > **Estimate the potential number of offenders who may be deemed indigent or who meet unaffordability requirements for the purposes of the interlock initiative** (i.e., will it likely be a small, moderate or large number of offenders). This may require some investigation into historical offender data that is available. Estimates are useful to inform discussion relating to various strategies that may be considered or pursued. As noted previously, in those jurisdictions that have developed a fund it ranges between 1% and 12% of eligible offenders; those jurisdictions lacking stated eligibility criteria may have up to 30%.
- > **Select an agency to administer the fund or provisions.** Determine which agency will administer the indigent fund or unaffordability provisions and ensure that the agency has the legal authority to do so.
- > **Select appropriate criteria.** Develop the criteria that will be used to determine indigency or unaffordability and an impartial application process. Some jurisdictions have opted to use a single measure which has proven to be problematic and failed to provide a complete picture of financial status. More recently, jurisdictions have moved to using multiple criteria such as income, assets, expenses, number of dependents, living arrangements, extracurricular activities, vehicle ownership, and medical costs, among others.

Considerations

- > **Review strategies utilized in other jurisdictions** relating to application processes and eligibility criteria (e.g., South Carolina and Washington). New York distinguishes between indigency and unaffordability. Its unaffordability provision is in statute and addresses an individual's income, assets and expenses as measured through a Financial Disclosure Report (FDR) form (See NY Laws of 2009 Chapter 496). Some 17 jurisdictions employ some type of indigent funding scheme.
- > **Investigate jurisdictions that do not utilize a fund** or provisions to see how they manage without it and determine if it is feasible to forgo the use of such a formal strategy for offenders.
- > **Review indigent funding or unaffordability applications carefully.** Any information provided by offenders should include relevant documentation and efforts should be made to verify the documentation. If the Department of Revenue (such as in Colorado) or a similar body administers the interlock initiative it may be possible to link indigency or unaffordability applications to tax filings.
- > **Consider automating the process.** Agencies can reduce staff time to account and track fees if there is an automated system in place to handle these tasks. Vendors can also submit fees electronically to the agency's bank to reduce workload.

Caveats

- > **The implementation of a fund or provisions should be pursued if deemed essential** and it has been determined that a reasonable number of offenders have need of this strategy. In some jurisdictions that have developed an indigent fund, the use of the fund has been nominal or non-existent (e.g., Virginia, Colorado, and South Carolina).
- > **Monitor the indigent fund** or use of unaffordability provisions to determine if adjustments are needed. Measures of use and demand can inform decision-making and support changes to this strategy.
- > **Grant one entity authority to manage the fund.** Decisions related to the designation of "indigent" or unaffordability should rest with a single entity to ensure consistency. Also, administrative determination is preferable to judicial determination given the significant difference between existing legal definitions as compared to definitions for the purpose of the use of interlock devices.

- > **Vendors should not be required to oversee the management of offenders that are unable to pay usage fees.** This can become burdensome and damage relationships between jurisdiction agencies and vendors in the long-term if not well-managed.

Step #7: Modify and update technical standards (including test protocols) to include specific elements of the new strategy and consequences (i.e., device configurations) for new classes of offenders.

Those jurisdictions with an interlock strategy already in place are encouraged to review, modify and update the programming of alcohol interlock devices to reflect different parameters, violations, and consequences of new classes of offenders. For example, features of devices that may be programmed differently for new classes of offenders may include: the length of lockout periods following a failed test, the number of test failures that will result in an early recall; and, the conditions under which a permanent lockout will occur.

Those jurisdictions that have not already created their own set of technical standards or that do not conduct independent testing of approved devices are strongly encouraged to do so. These standards are essential to maintain an acceptable level of quality of approved devices, to minimize the number of “false positive” tests that result in offenders being wrongly prevented from starting their vehicle, and to protect the overall integrity of the initiative.

At the same time, consideration should also be given to how new “versions” of devices will be managed as they become available, and at what point the device should once again undergo an approval process by the designated authority. Advances in device features and versions can occur frequently, and result in significant modifications to devices. This can result in considerable disparity among available devices, affect monitoring and data management protocols, and result in changes to devices that are not tested in a lab or the field or included in technical standards.

Activities included in this step

- > **Update device technical standards and test protocols** for the use of interlock devices with new classes of offenders. If no standards or protocol currently exist these should be developed for all eligible offenders and an appropriate authority should be designated to oversee the certification of devices. In some jurisdictions, the Department of Public Safety or Health and Human Services is well-positioned to take a lead on this effort if they currently certify preliminary breath testing or roadside screening devices used by law enforcement or probation officers.
- > **Review technical standards from other jurisdictions** to identify relevant sections or components that could be adopted or modified as opposed to starting from scratch. Many jurisdictions have good examples of technical standards and test protocols that can be reviewed. This can help minimize workload and the time required to complete this task. Jurisdictions to consider include CO, OK, VA, FL and WA.
- > **Involve vendors in the development of standards** to ensure that jurisdictions correctly understand the technology and the expectations that can be met. The standard should accurately reflect current capabilities of the technology and be amenable to updates as technology becomes more sophisticated. It may be useful to visit vendor service centers to gain a better understanding of how devices function in the field and the types of scenarios that may be relevant for test purposes.
- > **Ensure that devices undergo field testing by a knowledgeable authority** to confirm that devices are properly configured (programmed) in accordance with administrative rules. It is important that the person who is tasked with the testing of devices for compliance with standards is well versed in the technical aspects of the devices and the conditions that may influence testing.
- > **Invite the team to review the final technical standard and test protocol** for interlock devices for new classes of offenders. While some team members may not be as knowledgeable about interlock devices, they will bring a broader perspective of the strategy to the review and identify possible inconsistencies with administrative rules, features of the initiative or the approval process.

Considerations

- > **Consider the pros and cons of the use of advanced and sophisticated devices** (e.g., camera units, user identification) with different classes of offenders (e.g., low risk versus high risk) and the nature of violations (e.g., if few offenders fail rolling retests, is a 911 call or GPS feature essential?). As part of this step, give thought to how much data different device features may generate and how this will influence data management protocols.
- > **Standards should avoid out-dated technology to discourage lesser quality devices and vendors in the jurisdiction.** It is important to account for the potential effect that technological issues or reported violations can have on the volume of administrative hearings and court challenges (e.g., inferior technology will likely produce a higher volume of evidentiary hearings and appeals). Unnecessary work created from such situations can be avoided by ensuring that approved devices are of acceptable quality.
- > **Explore options for vendors to secure private laboratory testing and certification to submit with their application.** Some jurisdictions have elected to use this option instead of having devices tested by a state agency with expertise. If this route is pursued it is important that the independent lab have ISO certification and that a complete description of all tests conducted and all results be submitted with an affidavit.
- > **Develop a matrix of offender accountability.** Consider the range of sanctions and reinforcements that can be applied to offenders, which agency will be responsible for applying them, and how staff will report information to other agencies about the sanctions and reinforcements that are applied. For example, if probation officers will apply sanctions (e.g., extension of interlock period) and reinforcements (e.g., reduced reporting requirements) how will this information be conveyed to driver licensing? A matrix of offender accountability is essential to provide agencies with a clear overview of how consequences and reinforcements are used and applied and by whom.

Caveats

- > **Recognize that not all vendors may be as technologically advanced** as others and this should be considered when developing technical standards. For example, not all vendors may have a camera feature, or a “pre-breath test” feature, or real-time reporting. Setting device standards at a very high level may not only increase workload but also limit the number of vendors that are eligible for approval. Jurisdictions should strive to achieve balance between adequate standards and a sufficient number of eligible vendors.

Step #8: Translate new alcohol interlock legislation into administrative rules.

This is a vital step in the process. The level of effort that was associated with Steps #1 and #2 will influence the amount of work that this task requires. Good planning and preparation at the outset can greatly streamline workload and the ease with which new legislation is translated into administrative rules. Legislation that is consistent with existing practices associated with the interlock initiative can facilitate the addition of new classes of offenders. An attorney should be included in this step.

Activities included in this step

- > **Review administrative rules from jurisdictions with a comparable interlock strategy** to identify relevant sections that could be considered and/or included. Such a review can save time and provide a template of key clauses to be included in the administrative rules. Again, the level of detail that is included in administrative rules should be carefully considered to provide managers of the initiative with appropriate flexibility to make needed adjustments once the use of the devices is available.
- > **Identify errors or inconsistencies in the legislation and propose revisions.** Even with considerable planning and preparation, there are still likely to be some nuances of the legislation that do not address or

accommodate specific situations. As such, it is likely that revisions to legislation will be necessary at some point. Jurisdictions should be prepared for this as it is not unusual.

- > **Invite feedback.** Once the rules have been drafted, invite other team members to provide feedback. Opportunities for review should be afforded to both primary and secondary stakeholders.
- > **Request review by legal counsel.** This step can ensure that each component of the administrative rules is consistent with relevant legislation and in line with the level of authority that each agency is granted. It can also minimize significant delays and barriers to program effectiveness.

Considerations

- > **Make certain that definitions of violations and associated consequences are described in an appropriate level of detail.** The language in the administrative rules should not be so prescriptive as to prevent the agency administrator responsible for the initiative from using discretion to properly address unforeseen outcomes or issues that may arise (particularly with regard to repeated violations and the use of sanctions).
- > **Involve vendors in the review of rules** to ensure that administrative rules are feasible and reflect current technological advances and that data management protocols are achievable.
- > **Recognize that violation definitions will impact workload.** Consider the process that is needed in the event that offenders contest reported violations. Definitions will influence workload associated with administrative hearings and appeals and the number of personnel that are needed to manage this aspect of the initiative. (See Step #4).
- > **Consider early removal of the device.** While only a few jurisdictions currently employ this measure, it may be useful to consider early removal of devices for those offenders who have demonstrated continued compliance and treatment progress.

Caveats

- > **Manage workload.** The more front end work through the process in Steps #1 and #2, the lower the level of effort that will be required in latter steps and the work of the implementation team.
- > **Allow sufficient time for development and review.** This step is a critical task in the process that can determine the effectiveness of the program. Sufficient time and attention to detail are essential. Moreover, it will take time to go through the public comment period and incorporate changes. Finally, the promulgation of rules is subject to political imperatives and can be time-consuming and cause delays.

Step #9: Pinpoint needed revisions (if any) to existing Request for Certification, certification protocols, or vendor contracts.

Each jurisdiction may manage their relationship with approved alcohol interlock vendors using different strategies. Some jurisdictions employ a Request for Certification (RFC) in which all vendors that meet technical standards, requirements for device delivery and vendor services are approved to do business in the jurisdiction. The approval process may be structured such that a vendor can be approved at any point, or only at specific times. It may also be required that the vendor approval be renewed after a pre-determined period (e.g., every two years). Jurisdictions that utilize an RFC process include New York, North Carolina, and Virginia.

Other jurisdictions may elect to contract with specific vendors for services. Similar to the RFC, the contract typically contains details regarding the technical requirements of devices as well as features of the initiative and vendor services. States such as Colorado and Florida utilize a contracting procedure.

There are advantages and disadvantages associated with each process. The certification process may be more useful, particularly if the jurisdiction does not have the legal authority to contract with vendors for services. It is important

to formalize the relationship with vendors to ensure that protocols exist to prohibit vendors from doing business in a jurisdiction if the quality of services or devices is not acceptable.

Some of the critical issues that should be addressed in a RFC or contract include the establishment of criteria for devices, for service centers, for the standardized reporting of data, for violations, and for the formatting of reports. The RFC should also include a requirement that vendors must deliver a requisite number of training sessions to agency staff. The bottom line is that when new elements or components are added to an existing interlock strategy, a review of the relationship with vendors is warranted.

Activities included in this step

- > **Estimate the potential number of new offenders that may be eligible** for the interlock initiative to attract vendors. This estimate will also enable the jurisdiction to determine how many vendors will be needed to provide service throughout the jurisdiction and the levels of service that may be needed in different areas of the jurisdiction.
- > **Review RFCs (or contracts) from other jurisdictions.** Many good documents have already been prepared in other jurisdictions. The team can save time by drawing upon existing materials to identify relevant sections that can be considered and included.
- > **Gather feedback.** Team members as well as vendors and legal counsel should be afforded an opportunity to provide input into any instrument that is developed. This can ensure the document is consistent with other operational materials, legally solid, and that vendors are able to meet the requirements. Provide sufficient time for this process.
- > **Designate a team or agency that will be responsible for reviewing vendor submissions and approving applications/establishing contracts.** It will take time and knowledgeable staff to review each application that is received and ensure it meets all requirements.

Considerations

- > **Gauge the magnitude of the interlock market.** Consider how much business will be available in the jurisdiction and make a determination regarding how many vendors may be required or supported. A larger number of vendors creates stronger competition. But this can add complexity to vendor oversight, uniform device configuration, uniform service delivery and data management issues.

Step #10: Review (or develop) a vendor oversight plan/protocol to ensure quality delivery of devices and services.

A vendor oversight protocol describes how vendor practices and services will be monitored to ensure that operations are consistent with device and delivery requirements outlined in the administrative rules or specified in any contract or approval process. Vendor oversight can ensure uniform and quality service delivery.

Several different aspects of service delivery may require periodic examination to ensure quality operations. Examples include: field testing of a random selection of devices to ensure they are properly programmed and requisite features are activated; review of calibration protocols; inspection of service centers and device installation; observation of training procedures for offenders; response times to request for service; the download and any encryption of data; and, the monitoring of complaints filed and actions taken.

While many vendors have internal quality assurance protocols, a vendor oversight plan can monitor the extent to which such protocols are applied and also demonstrate due diligence to protect the lead agency responsible for device delivery in the event of negative and high-visibility events.

Activities involved in this step

- > **Review similar oversight plans from other jurisdictions.** As with other steps, seeking out strategies employed in other jurisdictions that could be successfully modified, adopted and implemented can save time and reduce workload. An example of a good oversight protocol can be found in Oklahoma.
- > **Designate an agency that is responsible for vendor oversight.** The nature of the alcohol interlock strategy and the types of agencies that are involved will dictate which agency is most suitable to conduct inspections. Keep in mind that advanced technical knowledge of devices and services are required and that staff must be available to perform these tasks.
- > **Develop a field test for the configuration of devices and guidelines for device installation.** Note the frequency with which devices should be randomly tested (e.g., routinely versus annually to ensure that it is not too onerous for jurisdictions). As part of this step jurisdictions may also want to consider the development of guidelines for installations (e.g., how the device is to be installed and wire connections will be protected from tampering).
- > **Specify qualifications for device installers.** Ensure that installers both receive required training and that they are also providing appropriate training and information to new offenders. Also ensure that background checks are performed on all installers.
- > **Consider the use of surety bonds.** Some jurisdictions have further required vendors to provide surety bonds to ensure uninterrupted service for clients in the event that a service center is moved more than ten miles or closed. This situation would likely result in clients being required to have the device removed and a new device by another vendor installed.
- > **Develop site auditing procedures.** Jurisdictions may wish to consider the inclusion of site auditing procedures that define how vendor inspections will be conducted and how information will be gathered, documented and reported. As part of this process, consider how service center/installer violations will be reported and what types of action may be taken. Note that decertifying a vendor may affect a significant number of offenders who are no longer able to receive service. It is recommended that graduated sanctions be applied to bring the vendor into compliance without severely disrupting service. For example, as a graduated sanction a jurisdiction may permit a service center to continue to provide service in the form of data downloads but it would not be permitted to install devices for new clients.
- > **Review fees for service.** Ensure that vendors are not charging additional fees (e.g., early removal) for services delivered to new classes of offenders that are outside of approved existing fee structures for participants.

Considerations

- > **Ensure there are sufficient service centers throughout a jurisdiction that are available in accessible locations for all residents.** Typically jurisdictions require that all residents be able to obtain service within a radius of 50 to 75 miles. Service in rural areas has been a historical problem and efforts are ongoing to address it. Some jurisdictions have considered the use of mobile service centers, however, this strategy is not without concerns and does require careful monitoring to ensure the integrity of any strategy that is employed.
- > **Check the version number of devices.** As discussed in Step #7, technology advances rapidly and vendors often make modifications to approved devices to include new features. When performing field test verification/certification, consider checking the version number of devices along with the make and model number.
- > **Require notification of device modifications.** Consider making it a requirement that vendors notify the designated agency of any modifications made to their devices. At a minimum, this can ensure that program authorities are aware of and familiar with the different versions of devices in service in their jurisdiction.
- > **Think about service center audits.** If resources are available, jurisdictions may consider the implementation of annual (or regular) service center audits. If this is undertaken, inspectors must be trained, inspection criteria developed, and sanctions for non-compliant centers established and applied accordingly.

Caveats

- > **Staff qualifications.** Note that any staff assigned to vendor oversight, service center inspections and audits will need to be proficient in these areas. It may be useful to have designated staff trained as a service center technician by the vendors so staff know what to look for.
- > **Review with vendors the different violations for different classes of offenders.** Reportable violations for different classes of offenders may vary. It is important that service technicians, and vendors are aware of and familiar with these differences.

Step #11: Inform relevant agencies about the implementation of alcohol interlock legislation and any changes to an existing strategy.

Activities included in this step

- > **Develop a one-page informational piece** about new components to the alcohol interlock strategy and distribute it to key agencies that will be/may be affected. This should be distributed to all primary and secondary stakeholder agencies as well as influential and interested others in government, non-profit and private sectors.
- > **Identify key contacts in relevant agencies for training purposes** and identify dates for training about changes to the interlock strategy.
- > **Develop training protocols** that individual agencies can utilize and subsequently tailor to suit their respective needs.

Considerations

- > **Hold a jurisdiction-wide symposium** to facilitate discussion, exchange perspectives and build relationships across agencies.
- > **Develop alternative training strategies.** Some agencies may welcome training delivered by lead agencies whereas other agencies may prefer a “train the trainer” method.
- > **Explore opportunities to deliver training through annual initiatives** or programs for new staff (e.g., new judges, new prosecutors, new public defender/legal aid staff, new police or probation recruits).

Caveats

- > **Discuss alternatives regarding reporting protocols, requirements, and forms** in a collective fashion as part of a symposium in order to explore and better understand different perspectives.
- > **Acknowledge that not all stakeholders will welcome or be receptive to training initiatives.** This may be particularly applicable to legal counsel (e.g., prosecutors and/or defense counsel) and the judiciary for different reasons.

Step #12: Create new forms, letters, applications, waivers, notices and other data sharing or exchange documents.

The creation of any alcohol interlock initiative will require a wide range of forms, letters, applications, waivers and notices, in addition to specific data sharing or exchange documents used to facilitate sharing across agencies. These materials are needed to share information about specific aspects of the delivery strategy and ensure that offender progress through the initiative is monitored and updated.

Referral to the workflow developed in Step #5 will assist with the identification of relevant paperwork. Keep in mind that some documents will be created as an electronic version only whereas others may be both hard copy and electronic. In addition, if documents will be shared in e-formats it is imperative that the data management system be operational when the strategy becomes functional. If the data management system is not operational, it will be necessary to develop alternate protocols to facilitate the exchange of information in hard copy form.

Activities included in this step

- > **Revise existing forms/letters/notices and create new ones where needed.** The flow of paperwork through the program should be reviewed in conjunction with the development of new documents.
- > **Determine what forms/letters/notices can be automated.** The more that documents can be automated can reduce workload and increase coordination of activities across agencies.
- > **Consult relevant agencies and practitioners** as appropriate to ensure documents address all aspects of the initiative and are consistent with other materials.
- > **Distribute hard copies** of applications, waivers and forms to key agencies as needed and consider whether certain materials that participants may require could be posted at agency websites to increase ease of access and submission.
- > **Provide training** regarding forms as needed.

Considerations

- > **Translate relevant materials** as needed. Almost all jurisdictions conduct government business in more than one language as necessary. For example, Spanish is also considered a primary language in many jurisdictions. Efforts are needed to ensure materials are translated to accommodate offenders that are not proficient in English.

Step #13: Develop and/or manage an interlock data management system (e.g., an interlock database in conjunction with the driver record system).

As discussed in Step #1, the development of a database should be a serious consideration during the planning of alcohol interlock legislation and its implementation. If the decision is made not to move forward with the creation of this feature then an interim plan to manage the influx of data will be required. This means that protocols to collect and manage interlock data must be established and a manual means (human interaction as opposed to electronic exchange) to complete tasks in this regard must be created. In addition, serious thought should be given to each piece of information that will be collected, how it will be collected, who will collect it, and with whom it must be shared. Examples include: the data collected by the interlock device; information about participants using the device; and information about sanctions or reinforcements that are applied.

Activities involved in this step

- > **Identify information that will be collected and how this will be accomplished.** Information that is collected may not only be relevant to the management of the interlock initiative itself, but also to any evaluation that will be conducted.
- > **Determine whether sufficient funds are available** for database development and/or enhancements to the driver record system. Agencies should be aware that the cost of developing a database can be quite high. The South Carolina system cost approximately \$300,000 to create and implement (\$150,000 was spent on hardware such as servers, an operating system, and disk space; \$150,000 was spent on software development). This figure does not include any costs associated with staff time. The good news is that the framework for the South Carolina system is available to other jurisdictions at no cost. Much of the information relating to this task

should have been investigated in Step #1. As such, sources of available funding should have been tentatively explored and selected with the above estimate in mind.

- > **Select a DMV staff person knowledgeable in database design and management to be actively involved** in the development process and assigned to manage contractors hired to build the system. Do not count on an outside contractor to understand the many facets of this issue in conjunction with current capabilities and future needs. A person representing the agency authority who possesses a good understanding of the scope of the project and current processes, and who is able to anticipate future enhancements is essential to the successful completion of this task.
- > **Discuss governance policies related to data ownership, access and sharing.** This aspect of the task will present challenges that must be carefully negotiated and that will take time to resolve. Almost all agencies are rightfully protective of their data and may be resistant to providing access to others. Agencies may also be subject to specific policies that prohibit the release of data. These issues can be overcome but it is likely that concessions will be part of the process.
- > **Investigate the structure and accessibility of court and correctional data systems** to facilitate the sharing of information across systems and communication among agencies. Law enforcement and treatment data systems should be similarly explored in this regard. At a minimum, if court professionals are involved in the interlock initiative, it will be important that agencies are able to share offender status and conviction information to identify eligible offenders.
- > **Update the existing driver records system to accommodate new classes of offenders.** To clarify needed changes, it is helpful to create a draft list of all of the new actions that are expected to be performed by the driver record system. This can be accomplished with reference to the workflow developed in Step #5. Once the draft list is created, review it in light of all of the actions related to delivery of the devices to ensure that it is consistent with the workflow process and that all necessary requirements are fulfilled.
- > **Meet with interlock vendors early on and request that they be involved in concept development.** As part of this task, it is important to explore whether each vendor's respective data management system can interface with the new system utilized by the agency authority (remember that not all vendors are as advanced in this regard). These interfaces can be costly so planning is indispensable to minimize unanticipated costs downstream. In this regard, it can be useful to consider the interface systems developed in other jurisdictions (e.g., Colorado) as a template to work from in order to manage costs associated with this task.
- > **Modify and/or update any existing interlock data system** to collate and manage reports from interlock vendors regarding new classes of offenders and to generate automatic responses to a range of new events.
 - » Make a draft list of all of the actions that will be required of the interlock data system with regard to new offenders.
 - » Review all of the actions to ensure that they are consistent with the workflow process to ensure that all necessary requirements are fulfilled. Good examples of data management systems can be found in CO, FL, IL and NM.
- > **Review linkages** between the driver records and the interlock data system to accommodate new classes of offenders.
- > **Agree upon the information that will be included in the system and shared** across agencies and localities. As part of this task consider the following:
 - » What information are agencies expected to report?
 - » Who does the information get reported to?
 - » Who is filtering the data?
 - » Who has access to the information?
 - » How much information will be made public, and how much protected against disclosure, either by policy or law?

- > **Develop standardized reporting procedures.** This will be important so that paperwork from different agencies shares a common format and information regarding specific offenders can be uniformly updated. This will enable relevant agencies to track progress in relation to specific cases.

Considerations

- > **Consider converting to an electronic data system.** For those jurisdictions that do not manage interlock data or coordinate this data with their driver record system, this is an optimal time to seriously consider this change. While it does have costs it facilitates automation of many tasks and can save time and resources in the longer term. Agencies may wish to consider whether any system that is developed will be compliant with the National Information Exchange Model (NIEM) to facilitate sharing across systems.
- > **Do not underestimate the time required for this task.** This task will be one of the most challenging and time-consuming. Seriously consider timelines and planning, particularly for operational testing of the data management system to work out problems before the system goes online. Delays should be expected and an additional four to six months should be added to proposed timelines to account for this.
- > **Acknowledge that privacy, civil liberty, and confidentiality issues will influence decision-making** related to this task. In response to growing government mandates and requirements that personal information be protected, these issues will increasingly influence information-sharing protocols and permissions.
- > **Reach out to neighboring jurisdictions to discuss reciprocity** for the alcohol interlock strategy and to ensure that those offenders that cross jurisdictions are not able to avoid the use of the device. This may be particularly applicable to smaller jurisdictions with multiple borders and those that experience the movement of offenders across jurisdictions for the purposes of employment and leisure activities. Facilitating the sharing of information between different agency authorities can be beneficial.

Caveats

- > **Limiting the number of vendors** can streamline the data management process as some vendors are more advanced in this area than others and have the capacity to be flexible in data reporting (they can accommodate and deliver standardized forms). The inclusion of vendors that can deliver information in an electronic format can reduce workload and facilitate management of the initiative.
- > **Confirm that what is built as an interface will work for vendors** and investigate what has been built in other jurisdictions that can be used/borrowed/modified to reduce costs. This will also reduce implementation time because the front end development is largely completed.
- > **Acknowledge technological differences across agencies within a jurisdiction.** Individual agencies or locales within a jurisdiction may have distinct and limited capabilities relating to data systems. For example, many rural court jurisdictions have little or no electronic data collection or management. This may create impediments that must be addressed as part of the planning process.
- > **Include Tribal jurisdictions.** Those jurisdictions that contain or are connected to Tribal lands may involve additional consideration with regard to the development of a data management system for the interlock initiative. Due to the fact that tribal governments are sovereign, jurisdictions can negotiate data-sharing agreements with them to the benefit of both jurisdictions (see New Mexico).

Step #14: Create a training and education plan for practitioners affected by the alcohol interlock initiative.

Education and training initiatives are imperative to ensure that frontline professionals understand their respective roles and responsibilities regarding the alcohol interlock strategy and have the requisite skills and abilities to perform these tasks. This is particularly applicable to criminal justice professionals who are often unfamiliar with these devices or their application to offenders.

Without adequate education, practitioners may be resistant to utilizing the program in appropriate circumstances and disregard essential policies. Similarly, training can protect the integrity of the strategy, ensure offenders are subject to interlock supervision as mandated, and generate support for implementation of the initiative and its uniform application.

Activities involved in this step

- > **Identify all agencies that may require training and education** for their staff. Regardless of their level of involvement in the actual delivery of devices, a variety of staff that may be considered secondary stakeholders may still have need for educational initiatives. For example, while law enforcement rarely plays a key role in the interlock strategy, it is nonetheless imperative that police can identify interlock restricted drivers and are able to determine if the interlock device is properly installed and operational.
- > **Identify persons in each agency who can deliver training** or who can coordinate the delivery of training. It can be more effective to have an agency's own staff deliver the training in a peer-to-peer format.
- > **Develop informational materials to distribute** to agencies in the event that training cannot be scheduled right away or that not all practitioners are able to attend due to competing priorities. These materials will also enable practitioners to refresh their memory regarding various features of the initiative after the training is completed.
- > **Develop and deliver statewide training materials** to all relevant practitioners across the jurisdiction (i.e., law enforcement, prosecutors, defense attorneys, judges, court clerks, probation, driver licensing staff, liquor enforcement, liquor control, etc.). These materials may be generic and provide basic information such that individual agencies can tailor them to suit their respective needs. For example, Florida has developed packaged PowerPoint presentations as well as training programs for DUI program personnel, treatment providers, law enforcement, and judges. For Florida Highway Patrol, completion of the interlock PowerPoint is mandatory.
- > **Determine whether interlock training will fit into introductory courses** for new police officers, judges, probation officers or treatment staff as appropriate. It should also be investigated if the training is eligible for continuing legal education (CLE) credits or their equivalent.
- > **Create a training program for service providers** so that they understand how the jurisdictional agencies function in relation to the interlock initiative and the required processes/protocols and rules that vendors are expected to adhere to. This will provide service providers with a clearer understanding of the role they play in the larger strategy and the value of different activities.

Considerations

- > **Request vendors to conduct a required number of trainings** for practitioners as part of the RFC.
- > **Investigate training programs and materials created in other jurisdictions** and contact managers of interlock initiatives to discuss what has worked well. Good examples of materials can be found in FL, IL, NY, and WA. This can reduce workload and save time associated with re-inventing materials.

Caveats

- > **Deliver ongoing training** as required due to staff turnover in many agencies and the addition of new staff on an annual basis.

Step #15: Create a public awareness plan.

Public awareness is an essential step in the process. A multi-pronged strategy will be beneficial as people obtain information from a variety of different sources. It is also important that a continuum of awareness activities be

considered as people may request or require information about the initiative at different periods. For example, many people may not be interested in the initiative until they or someone they know is affected by it.

Activities involved in this step

- > **Develop informational materials about the interlock initiative** that can be disseminated to the public; create frequently asked questions (FAQs) materials. Both hard copy and e-versions should be considered.
- > **Identify diverse mechanisms to deliver information about the initiative** (e.g., press events, driver licensing offices, websites, posters and brochures, public service announcements, community groups, local governments, court agencies).
- > **Engage community groups, victim advocacy groups, and others** to provide support. These organizations can be highly effective in getting the message out to the public and raising awareness about the initiative.
- > **Create a website** (or vanity URL such as ignitioninterlock.ok.gov) so that information about the interlock initiative is easy to locate and access.
- > **Include forms/applications online** as appropriate (e.g., applications to participate in the initiative, medical waivers).
- > **Partner with other agencies** that have similar goals during planned media events to increase visibility.

Considerations

- > **Check out websites developed by other jurisdictions** to gather ideas for structure, features, and content.
- > **Write newspaper articles and editorials.** Also consider encouraging interviews with agency officials involved in the initiative or recognized leaders.
- > **Contact media outlets to assist** in the development and distribution of public service announcements (PSAs) for the new interlock initiative. They may also be useful in the production of announcements in languages other than English.
- > **Employ search engine optimization** for the website.
- > **Document and disseminate agency progress reports** to gauge/share progress with key individuals. This activity should be linked to goals and objectives of the strategy and will also facilitate evaluation downstream.
- > **Provide reports to funders of the strategy** to encourage continued investment and/or appropriate expansion of the initiative.

Caveats

- > **Be prepared to field calls** from agency staff, the public, attorneys, judges, mental health professionals, law enforcement, liquor control, offenders, and other practitioners.
- > **Initiate the public awareness effort prior to the launch of the initiative and continue** it after it becomes operational. It will take considerable time for the public to acknowledge the initiative and become familiar with it.

Step #16: Create an evaluation plan.

The importance of an evaluation of any interlock initiative cannot be emphasized and encouraged enough. An evaluation can provide important insight into operations and effectiveness to identify where improvements or enhancements can be applied to strengthen outcomes. It will also serve as a basis to understand how the initiative has influenced the impaired driving problem and justify further attention to and investment in the strategy.

Specific evaluation plans will vary according to distinct delivery processes; information in this section is provided to stimulate thinking in this regard. Jurisdictions are encouraged to consult individuals with evaluation expertise who can provide greater insight into this task. It is critical to have the groundwork for an evaluation in place from the outset of program implementation.

Activities involved in this step

- > **Identify possible research issues or questions** that could be addressed by an evaluation. (See Appendix F for a list of potential issues and questions to consider). Decisions regarding specific research questions appropriate for each jurisdiction's initiative should be determined in consultation with a knowledgeable and experienced researcher.
- > **Determine who (which agency) in the jurisdiction may be positioned to undertake an evaluation** (e.g., research institutes, universities, agency departments).
- > **Determine what funding is available** for an evaluation (e.g., National Highway Traffic Safety Administration, Governor's Highway Safety Office grants, Justice or Correctional grants, Substance Abuse and Mental Health Services Administration, relevant foundations).
- > **Develop an evaluation plan** and determine which outcomes should be measured.
- > **Determine how measurements will be collected** and whether there are privacy issues that must be addressed for the evaluation (e.g., will consent forms be needed to contact participants). Examples of data to be collected may include number of eligible offenders, number of program participants, length of supervision period, number of violations, sanctions/reinforcements that are applied, use of treatment services, demographic information about clients. For each of these data points it is important to define the data points, identify which agency will collect such information and how it will be collected (e.g., in hard copy or e-copy), and the format for storage (the structure of data systems and how the data is displayed).
- > **Establish an ongoing review** of the evaluation.
- > **Disseminate results** of the evaluation.

Considerations

- > **Consider collecting data about the impaired driving problem prior to implementation of the initiative.** This may also include information about other initiatives that were implemented prior to the use of interlocks to strengthen the research design. This will enable researchers to control for confounding factors and demonstrate that outcomes are due to the alcohol interlock initiative itself and not due to other factors (e.g., the use of sobriety checkpoints, high visibility enforcement or increased penalties for offenses).

Caveats

- > **Include an evaluation requirement in legislation.** An evaluation is a powerful tool that can determine where there are weaknesses in an alcohol interlock strategy so that they can be addressed to strengthen the initiative.

- > **Publish negative evaluation results.** Much can be learned from negative results of an evaluation. These results can provide critical insight into where and why challenges are occurring, barriers that exist and how they can be addressed.

Step #17: Monitor progress during the implementation of the initiative and track outcomes in the short-term and the long-term.

Monitoring is essential to recognize critical gaps in operational structures and processes and to inform decisions pertaining to the evolution of the initiative. It can provide important information related to appropriate staffing and resources, the use of the indigent fund and needed adjustments to administrative rules and/or legislation. Progress reports that are produced should make reference to the purpose, goals and objectives of the interlock strategy.

Activities involved in this step

- > **Retain documentation** of each step related to implementation to facilitate an evaluation. Examples of documentation may include meeting agendas, meeting notes, press materials, task reports to the team, updates to the implementation plan that reflect progress, and reports about delays that were encountered.
- > **Draft yearly agency reports** related to the implementation and financial impact of the initiative. This will be useful to measure progress and demonstrate growth. Disseminate these reports to the judiciary and other interested parties. This can help identify needed adjustments to operational practices and garner support for the initiative.

Step #18: Provide a report to the legislature.

A formal, public report to the legislature can provide important feedback about the effectiveness of the legislation and reinforce the importance of inclusive, informed consultation during the development of legislation. The report should address relevant issues and contain information about both the successes and challenges of implementation. Again, this report should be tied back to purpose, goals, and objectives of the initiative. It may be constructive to propose any necessary changes to legislation to strengthen the alcohol interlock strategy.

Activities involved in this step

- > **Schedule an annual review.** The implementation team should meet annually prior to the legislative session to review the initiative and/or agency reports and determine what will be presented. Key issues to address in the review may include delivery measures, indigent fund status, staffing and resource needs, and an update on data management systems. The ongoing activities of this team will also solidify relationships to support ongoing modifications and enhancements to the initiative.

Considerations

- > The timing of the annual review should coincide with the timing of the legislative session, meaning that the review should be completed in time for the beginning of the legislative session. This can facilitate appropriate timing if changes to the strategy are recommended or funding requests will be put forward.

Appendix A – List of Critical Questions

- > Is the goal to incapacitate offenders or create long-term behavior change?
- > Would the use of the device be voluntary or mandatory for different classes of offenders? Those jurisdictions that have pursued voluntary initiatives have found that offenders will opt out of installing the device if given the opportunity to do so.
- > Would screening and/or treatment be a part of the interlock strategy and would it be required on an appropriate or mandatory basis for offenders?
- > What agency is best suited to be the lead agency or authority responsible for delivering interlock devices to offenders? (i.e., who has the authority, staff, resources, capacity to manage all aspects of the initiative?)
- > How would the initiative be staffed? Would staffing related to the delivery of other services be implicated (e.g., alcohol education or treatment services)?
- > What class(es) of offenders are eligible?
- > How will offenders be monitored and held accountable, and by whom?
- > Would DWI courts play a role in the delivery of alcohol interlocks to repeat and high risk offenders?
- > Would indigent funding or unaffordability provisions be made available?
- > How will device data be collected and managed?
- > How will alcohol interlock vendors be selected and managed?
- > Are there potential funding sources to support a new component of the interlock strategy, assuming that any existing strategy is fully operational with offenders participating as required?

Appendix B – Offender Accountability Framework

- > Examples of graduated sanctions could include:
 - » meeting with offender to discuss event and review requirements;
 - » increasing supervision contacts or the frequency of downloads from the device;
 - » requiring participation in community support meetings;
 - » imposing community service;
 - » extending the time on the alcohol interlock;
 - » referral to an assessment or treatment intervention for evaluation; and,
 - » reinstatement of hard suspension, revocation of probation or a brief period of hard suspension.
- > Examples of graduated reinforcements could include:
 - » giving verbal praise during regular meetings;
 - » decreasing the frequency of monitoring/reporting;
 - » providing a certificate to recognize compliance;
 - » reducing the period of supervision; and,
 - » offering discounts or opportunities to reduce costs (in cooperation with service provider).

Appendix C – Indigent Funding and Unaffordability Provisions

- > Potential sources of funds could include:
 - » alcohol interlock service fees;
 - » Highway Safety Office grant;
 - » a surcharge for all paying offenders;
 - » vendor supported; or,
 - » taxpayer supported.
- > Eligibility criteria:

It is important that the judicial discretion category be clarified so there are no misunderstandings. While this term may suggest that judges can simply order the program or waive vendor fees, in reality the only discretion that judges have is that they may waive their own court fines/fees so that the offender can afford the interlock device. Given the current financial climate and budget cutbacks that are being applied, this is less likely to happen.

Eligibility criteria	Jurisdictions
Judicial discretion	Florida, Illinois, Nebraska, New Mexico, North Carolina
Federal poverty guidelines (125-200%)	Colorado, Maryland, Michigan, Pennsylvania, Washington
Food stamp guidelines	Kansas, Oregon, Wyoming
Participation in government assistance	New Jersey, Washington
Special application form	New York, South Carolina, Washington

- > Examples of forms:
 - » Washington: www.dol.wa.gov/forms/500024.pdf
 - » South Carolina: www.dppps.sc.gov/IIDP%20Indigence%20Application%202010.pdf
 - » New York: www.dpca.state.ny.us/pdfs/dpca500iidfrfinancialdisclosurereport.pdf
- > Decisions regarding qualification for indigent funding or unaffordability provisions should be uniform and involve a small team to avoid criticism. Possible agencies for consideration may include:
 - » Criminal courts;
 - › Administrative Office of the Courts
 - › Individual judges that receive appropriate guidance and instruction
 - » Driver licensing (but not administrative hearings to avoid conflict of interest);
 - » Department of Revenue or agency that handles tax filings;
 - » Treatment or related agency; or,
 - » Other agency equipped with authority and information that can make determination.

Appendix D – Stakeholder Agencies to Include in Roundtable

- > It is suggested that a core team of 6-8 individuals should be directly engaged in actual implementation tasks. Other stakeholder agencies may only need to be consulted for input and may have limited involvement in implementation or may not participate in implementation tasks.
- > Driver licensing and the various departments that may be relevant could include:
 - » Administrative hearings
 - » Driver services
 - » Programs and policies
 - » Executive office
 - » General counsel
 - » Information technology
 - » Deputy press secretary
 - » Budget and fiscal division
 - » Accounting/revenue
- > Attorney General's Office
- > Office of Budget and Revenue
- > Prosecutors and traffic safety resource prosecutors
- > Defense counsel
- > Judiciary or Administrative Office of the Courts
- > Law enforcement
- > Pre-trial/probation/parole
- > Screening/assessment
- > Treatment services
- > Alcohol interlock vendors (if deemed appropriate)
- > Community groups and victim services
- > Liquor enforcement
- > Liquor control

Appendix E – Links to examples of alcohol interlock programs in other jurisdictions

Please note that while no jurisdictions suggest that their alcohol interlock legislation is without gaps, there are a number of areas in which the alcohol interlock legislation provides a good template for others to follow. Jurisdictions are encouraged to identify clauses and sections that may be useful and contact agencies in that jurisdiction for clarification.

- > Arizona - <http://www.azdot.gov/mvd/driver/IgnitionInterlock.asp>
- > Colorado - <http://www.colorado.gov/cs/Satellite/Revenue-MV/RMV/1188338057330>
- > Florida - <http://www.flhsmv.gov/ddl/iid.html>
- > Illinois - <http://www.cyberdriveillinois.com/departments/BAIID/home.html>
- > Oklahoma - <https://www.ok.gov/bot/ignition/app/index.php>
- > New Mexico - <http://nmshtd.state.nm.us/main.asp?secid=16157>
- > New York - <http://www.dpca.state.ny.us/ignition.htm>
- > South Carolina - http://www.dppps.sc.gov/ignition_interlock.html
- > Texas - <http://www.txdps.state.tx.us/CrimeLaboratory/BAT/BAIID.htm>
- > Virginia - <http://www.vasap.state.va.us/about/index.htm>
- > Washington - <http://www.dol.wa.gov/driverslicense/ignitioninterlock.html>

Appendix F – Potential Research Questions and Issues for Consideration as Part of an Evaluation

There are different types of evaluations that may be considered. Each type of evaluation is important and provides a different type of information that will answer different questions. A process evaluation is designed to provide the necessary knowledge to understand why, or why not, a program is effective and identify any gaps that exist. The answers to these questions also provide information that could be used to inform the implementation of an initiative and ensure it will function efficiently.

Conversely, an impact or outcome evaluation is designed to measure how the alcohol interlock initiative has affected various measures of drunk driving. Some questions may be appropriate for both a process and an impact evaluation depending on perspective and objectives. In order to develop an evaluation plan specific to an individual jurisdiction, experienced and knowledgeable research staff should be consulted.

General research issues may include:

1. To determine the effectiveness of the alcohol interlock initiative in reducing drinking and driving;
2. To determine the use of the initiative, (e.g. participation rates, but also attrition);
3. To determine stakeholder's perceptions of the initiative;
4. To determine how the implementation of the initiative progressed compared to expectations;
5. To identify potential improvements to the initiative or implementation of the initiative.

Potential questions for a process evaluation may include:

General:

1. What are the reasons for not participating in the program?
2. Are participants aware of all program components before entering the program?
3. Do participants feel that they can benefit from participating in the program?
4. Are there opportunities for the participant to somehow involve a nuclear group of people (family or friends) in the program?
5. How does the program influence the participant's family, friends, etc., and what is the effect of the presence of family and friends on the program/offender?
6. Are all involved stakeholders aware of all program components and do they understand what their roles are? Do they understand the workflow?
7. What do stakeholders think about the initiative? Did they buy-in? Were they supportive?
8. Did stakeholders receive training or information sessions?
9. Was the training helpful?
10. Did stakeholders have problems using the interlock device?
11. Were service providers helpful, knowledgeable?
12. Did stakeholders go to the service provider or use remote services? How did this work?
13. Are there difficulties with administration of the initiative from the perspective of the stakeholders?
14. How has implementation of the initiative varied from one region to another?
15. How was the interaction between stakeholders? Were stakeholders able/willing to share information across agencies? Were there any barriers to this?
16. Was the information/data provided by the service provider useful?
17. Do stakeholders feel the program will be a deterrent for others when it comes to drinking and driving?

Interlock data:

1. How many participants install the interlock device?
2. How long do they continue to use the device?
3. When do they remove the device?
4. What are the reasons for discontinuing use of the device (completed program/license re-instated, absconded, removal from the device, moved, costs)?
5. What is the attrition rate?
6. How do behavioral patterns among interlocked offenders change over time, more precisely with respect to blowing fails, violations and blood alcohol concentration (BAC) levels?
7. How effective are the processes for tracking/monitoring offenders?

Treatment:

1. How many participants access the treatment components of the initiative? How many visits did they have? How many appointments did they miss?
2. How many participants find it too costly or difficult?
3. What kind of treatment is available? Does it involve a screening and assessment component?
4. Do family members/friends participate in addiction counseling?

Administration:

1. Did the lead agency get the information needed to administer the program effectively?

Other:

1. What is the distribution of participants in the program over time?
2. Is there a learning curve among participants and does it change over time?
3. Is there a subpopulation that seems to be immune to the typical learning curve?
4. Is there a subpopulation that shows persistent and even deteriorating behavior over time?
5. What lines of communication protocols exist between the different components and stakeholders of the program?

Potential questions for an impact evaluation may include:

1. How many participants re-offend, and how often, while using the device?
 - a. How many were caught and convicted of drinking and driving while using the device?
 - b. How many were arrested but not convicted; how many were caught for other offenses?
 - c. How many self-reported that they drove while drinking (or within an hour of drinking) while using the device?
2. How many failed attempts were logged on the interlock device?
 - a. What were the reasons for the failed attempts?
 - b. What was the BAC level of these failed attempts?
3. How many times did participants use the interlock device while participating in the initiative? What was the mileage driven during participation?
4. How many drove a non-interlock vehicle while using the device (based on self-reported data and conviction data)?
5. How many re-offend after they finished the supervision period?
 - a. How many are caught and convicted of drinking and driving?

- b. How many self-reported that they drove while drinking (or within an hour of drinking)?
- 6. What is the impact of the various aspects of the initiative, for example, voluntary versus mandatory?
- 7. Have participants' knowledge, attitudes and behaviors changed as a result of using the device and in what ways?

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