



Montana Department of Justice
24/7 Sobriety Program

CHECKLIST TO BEGIN A 24/7 SOBRIETY PROGRAM

The concept behind a 24/7 Sobriety Program is relatively simple: As a bond or sentencing condition, individuals who have been charged or convicted of a second or subsequent DUI go to a testing facility and provide a breath sample twice a day or they wear a device that continuously monitors for alcohol.

Though the concept itself is simple, there are some practical aspects of the program you may want to consider when beginning a 24/7 Sobriety Program in your county. This checklist includes many of those considerations and, hopefully, will help you identify others as you begin your program.

Initial considerations

- Determine/estimate how many people will be in the program. Knowing the answer to this question will be useful in helping you address other considerations, such as:
 - *How many are charged with 2nd or subsequent DUI or aggravated DUI in the city and county?*
 - *How many are convicted and sentenced for 2nd or subsequent DUI or aggravated DUI, including in city/municipal courts, justice courts, and district courts?*
- Visit the 24/7 Sobriety Program website at www.doj.mt.gov.
- Review the Montana 24/7 Sobriety Program Act (44-4-1201 through 1206).
- Review the Administrative Rules that govern the 24/7 Sobriety Program.

Identify who will run the program/staffing considerations

- The sheriff needs to determine whether the sheriff's department or a separate entity will administer the program.
- Identify the staff members who will be administering the tests and hooking up the remote monitoring units.
- Designate a local program administrator. Ideally, this person will be involved with handling orientations, enrolling participants, and inputting and maintaining information in the data management system.
- Determine whether you can run (or at least begin) the program with existing staff.

Testing equipment

- Review the vendor agreements and determine which of the available plans best suits your needs for breath-testing equipment and remote monitoring equipment.
- Determine whether you have enough portable breath testing machines, mouthpieces, and other necessary equipment.
- Determine whether you have enough remote monitoring units.

Location – Orientations and testing sites

- Identify testing sites – (jail, sheriff’s office, police department, or separate public or private facility).
- Make sure testing sites have the basic requirements, such as Internet access; phone; restrooms; temporary holding facility; space to provide orientation; and testing stations.
- Determine whether there is ample parking for 24/7 participants and employees.
- Determine how many testing sites you will need.
- Identify the morning and evening testing times (testing times need to be approximately 12 hours apart)
- Identify where orientations will take place and whether they will be at the testing site.
- Identify orientation times (participants have to go through orientation before beginning testing).

Training

- Testers need to be trained on how to conduct breath tests and activate/deactivate the remote monitoring equipment.
- Staff needs to be trained on using the 24/7 Sobriety Program software (the data management system.)
- Staff needs to be trained on conducting orientations.
- Staff needs to be trained on handling cash and basic accounting.

Miscellaneous

- Determine whether you need written agreements or memorandums of understanding with other entities (e.g., if a private company is handling testing.)
- Reach out to other entities who will be involved in your 24/7 Sobriety Program (courts, detention officers, prosecutors, etc.) Let them know you intend to begin a program and when you plan to start the program. Invite their input.
- Identify possible sources of financial assistance for testing equipment (e.g., DUI task force, etc.)
- Determine the forms of payment that you will accept for testing (i.e., will you take cash or checks; do you plan on making change?)
- Establish a 24/7 Sobriety Program workgroup with other involved agencies (e.g., county attorney, city attorney, city police department, limited court judges and

judicial staff, etc.) to ensure that the lines of communication are open and that the program runs smoothly.