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FISCAL IMPACT REPORT

ORIGINAL DATE 02/04/14

SPONSOR Kane LAST UPDATED _____ HM 47/aHJC

SHORT TITLE Study 24/7 Sobriety and Drug Monitoring Program SB _____

ANALYST Chenier

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY14	FY15	FY16	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		Minimal				General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From
Department of Health (DOH)

SUMMARY

Synopsis of HJC amendment

The House Judiciary Committee amendment strikes language requesting the LFC report its findings to the appropriate legislative interim committees and replaces it with language requesting the LFC present its findings to the Courts, Corrections, and Justice Committee in the 2014 interim period.

Synopsis of Original Memorial

House Memorial 47 requests that the interim Legislative Finance Committee undertake an evaluation of the effectiveness of the “24/7 Sobriety and Drug Monitoring Program” including whether twice-a-day testing is occurring and sanctions imposed are swift and certain. The memorial requests that the committee report findings to the appropriate legislative interim committees.

SIGNIFICANT ISSUES

The memorial states that New Mexico has a continuing problem with persons driving under the influence (DUI) of alcohol or drugs and there is a high rate of recidivism of those convicting of DUI. Furthermore, the memorial states that the Rand Corporation published a study finding that

the 24/7 Sobriety and Drug Monitoring Program’s frequent testing combined with swift, certain, and modest sanctions can reduce problem drinking and improve public health.

The Department of Health provided the following:

In 2012, nearly 41,000 New Mexico adults are estimated to have driven after having “too much to drink”. In 2011 9.3 percent of high school students in New Mexico reported driving after they had been drinking. In 2004, South Dakota the Attorney proposed a pilot project called the 24/7 Sobriety Project that made twice-a-day breathalyzer tests a condition of bail for DWI offenders. An evaluation of the program in South Dakota reported that, between 2005 and 2010, there was a 12 percent reduction in repeat DWI arrests and a 9 percent reduction in domestic violence arrests following adoption of the program. However, the evaluation was not able to show a reduction in traffic crashes after adoption of the program. The state of North Dakota implemented a statewide 24/7 sobriety program in 2009 and the state of Montana established the 24/7 sobriety project into the department of justice in 2011. Evaluations of the 24/7 sobriety programs have generally reported reductions in repeat DWI arrests but the program does not appear to reduce overall crash rates or fatalities.

EC/ds:jl/ds