

**SUPERVISION OF PERSONS
WITH AN IGNITION INTERLOCK
DEVICE RESTRICTION**



**COURT SUPPORT SERVICES DIVISION
MAY 2012**

- Public Act 11-48 requires that all persons convicted of Operating Under the Influence (OUI) have their license suspended for:
 - First Violation 45 day suspension, and then eligible for reinstatement with an Ignition Interlock Device (IID) installed for one year.
 - *Previous law for a first violation was a 1 year suspension and no IID requirement.*
 - Second Violation 45 day suspension, and then eligible for reinstatement with an IID installed for three years.
 - *Previous law for a second violation was a 1 year suspension with a 2 year IID requirement.*

- There are currently 6,251 OUI offenders under probation supervision.
 - 2012 OUI convictions subject to new law

January 326

February 272

March 323

April 278

May 267

TOTAL: 1,466

- This legislation is in addition to current law, which mandates that persons convicted of manslaughter 2nd degree-motor vehicle or assault 2nd degree-motor vehicle have an IID installed.
 - Currently, there are approximately 292 offenders under probation supervision for these charges.

IID Implementation

- Preliminary meetings with DMV and IID vendors to develop information sharing protocols.
 - Automated notification from DMV to CSSD of probationers who have been reinstated.
 - Automated notification from IID Vendors through DMV, to CSSD concerning recalibration and reporting violation activity.

IID Implementation *(continued)*

- IID vendors conducted a training session for probation staff.
 - Demonstration of equipment
 - Review of reports and information available to supervising probation officers.
- CSSD participated in a training session for prosecutors and defense attorneys.

- CSSD probation staff provide supervision to persons placed on probation with an IID restriction, which includes:
 - Referrals for substance abuse treatment.
 - Monitoring of compliance with DMV IID regulations and violations.

- DMV violations which are pending adoption, will include:
 - Circumventing, disabling, or tampering with the IID.
 - Failing or failing to submit to rolling-re-tests (*a breath test taken while operating a motor vehicle*).
 - Failing a start-up test (*a breath test taken prior to starting the vehicle*).
 - A missed service calibration visit.
 - Removal of the IID.

Response to Violations

- CSSD probation staff will respond appropriately to notice of IID violations up to and including initiating a violation of probation warrant.