

MCSC: The Voice of Montana's DUI Victims

SENATE BILL NO. 2
3/15/13
AB355

HB 355 5-year Look Back

- Montana DUI offenders are allowed to drive under the influence every 5 years and be subject to penalty for a first DUI. This 5-year look back loophole prevents repeat offenders from receiving appropriate penalties, treatment, and monitoring for their chronic dangerous behavior.
- Felony offenders attending the WATCh treatment program report that they would like to have earlier intervention for their alcohol and drug abuse. Penalties for 2nd and 3rd DUI offenses, which include participation in the 24-7 sobriety monitoring program, reflect the chronic problem and provide more incentive and support for behavior change.
- The Department of Transportation prepares an impaired driving report which is available on its website. The report includes a table of DUI convictions from 2011. There were 7222 DUI-1, 1225 DUI-2, 313 DUI-3, and 1188 DUI-4+ convictions. In my court monitoring in Flathead County nearly 47% of DUI-1 offenders had previous DUI arrests. I hear people say that “most DUI arrests are a one time thing.” This is a myth based on the 5 year lookback loophole.
- We convict over 300 felony DUI offenders in Montana every year for their 4th (or more) DUI offenses. The majority of the prior offenses were committed in Montana. This bill will stop offenders sooner, prevent them from having a felony record, and keep them out of prison.
- Stop impaired driving and save taxpayer money!

Driving Under the Influence Kills!

Repeat Offenders Need Treatment!

The Montana *Common Sense* Coalition

The Coalition is made up of volunteers and receives no public funding to support its efforts.

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