

**STATEMENT OF PURPOSE**

**RS26670**

The goal of this legislation is to make Idaho's roads safer by reducing the number of people driving under the influence. The bill creates an optional diversion program prosecuting attorneys may use in which first time DUI offenders are required to have an ignition interlock installed in their cars for 12 months, at least 32 hours of sheriff inmate labor detail or other approved community service, and at least 24 hours of drug and alcohol counseling/therapy/education. If offered, participation by the defendant is voluntary. Successful completion of the diversion program results in their charges being dismissed. If they fail the program their original charges are prosecuted as they would have been originally. Research shows that the use of ignition interlocks is the most effective approach to reducing recidivism rates. The aim of the diversion program is to change patterns of behavior and decision-making in a way that will have long-lasting effects on the driving population and public safety at large, as well as to reduce the number of cases on the dockets in our court systems which will significantly reduce expenditures of resources.

**FISCAL NOTE**

In general the diversion program would have the effect of reducing revenue derived from fines by a total of \$414,750 per year, and at the same time would result in savings to the counties of \$612,058 per year.

The fiscal impact to revenue derived from fines statewide is estimated to be up to an approximate net decrease of \$414,750 per fiscal year, as follows: State: General Fund (\$35,669); Highway Distribution Acct (\$186,638); POST Fund (\$5,807); and PSIF (\$93,319). County: District Court Fund (\$93,319). Implementation costs to ITD will likely be between \$20,000 and \$60,000.

However, total savings are expected of up to approximately \$612,058 per year, which is associated with a reduced cost of public defense (\$250,322) and prosecution (\$361,736). Further savings attributable to the direct and indirect cost of incarceration and adjudication would also likely be realized, though these costs cannot be quantified at this time.

These are estimates based on data from the Idaho Supreme court, and on assumptions that could vary based upon several factors, including conviction rates; fine imposition rates; waiver rates; collection rates; whether city or county magistrate facilities are used; initial pleas from defendants; and public defender and prosecuting attorney workload distributions.

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**DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).**