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Department of Social And Rehabilitation Services

Senate Judiciary Committee
January 27, 2011

SRS in Support of SB 7
Amending the DUI Statues

Disability & Behavioral Health Services
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Dear Chairman Owens and Committee Members:

The Kansas Department of Social and Rehabilitation Services (SRS) supports the efforts of the Kansas DUI commission that has put forth SB 7 to significantly enhance the current DUI laws in Kansas. This bill will reduce the prevalence of driving under the influence rates and enhance public safety while continuing to provide opportunities for DUI offenders to receive the treatment they need along with sanctions and supervision to become law abiding citizens of Kansas.

Unlike other drug offenders, DUI offenders tend to be employed. Because of their generally more stable family situations, they can often access emotional and financial resources. But perhaps the most significant difference between the two offenders is that DUI offenders usually believe, that because alcohol is legal, they do not have a substance abuse problem.* As a result, proper and timely intervention through accurate evaluation, appropriate treatment, and ongoing monitoring has been shown to be essential interventions to successful deterrence of re-offending for this population.

The current treatment approach for the 4th time and subsequent DUI offenders in Kansas was first established in 2001 through a Memorandum of Understanding (MOU) between the Department of Corrections and SRS. This MOU outlines a comprehensive multi-disciplinary model of services which meets the requirements of the law and protects public safety while assisting the offender with developing a sustainable recovery from their substance use disorder. In order to successfully complete the 4th time DUI program, offenders must participate in a full year of recovery services. Current outcomes data show that 80 % of 4th time and subsequent DUI offenders in the program successfully complete the program. SB 7 will change the delivery of this model to 3rd time offenders. This will allow this population to benefit from these services sooner and provide the needed intervention to reduce reoffending.

Because of the gaps in our current system, many 4th time DUI offenders in the program today have not had the benefit of prior treatment despite their numerous convictions.

SB 7 bill also establishes a data reporting system for accurate determination and recording of the number of the DUI convictions. This reporting system will allow for a more accurate offender evaluation in which to determine recommended sanctions.

SB 7 also directs SRS to license DUI specialty providers and require that providers conduct all DUI assessments in a standardized, electronic format. This oversight will assure that those administering these assessments

possess proper qualifications and that the interventions recommended are evidenced based. In addition, the requirement that all assessments be conducted electronically will enable SRS to analyze the data on all DUI offenders to determine the effectiveness of this new delivery system on this population. Adequate funding is necessary to ensure that the licensing and monitoring process can be implemented and sustained. SRS is confident that through oversight of the assessment and subsequent delivery of services of DUI specialty providers, the number of incidents and reoccurrence of DUIs will be reduced.

*(National Drug Court Institute 1999)