

APA Board Resolution

Supporting Transdermal Continuous Alcohol Monitoring

WHEREAS, according to the National Highway Traffic Safety Administration 32,885 people died in traffic crashes in 2009 in the United States; and

WHEREAS, an estimated 10,228 people who were killed in drunk driving crashes involving a driver with an illegal blood alcohol concentration (BAC) of .08 or greater; and

WHEREAS, hardcore drunk drivers – repeat DWI offenders and drivers at high BAC levels of .15 and above – are responsible for 70% of all drunk driving fatalities; and

WHEREAS, hardcore drunk drivers are a persistent problem that impacts the safety of communities nationwide; and

WHEREAS, hardcore drunk drivers do not respond to traditional deterrence efforts and sanctions, and need more comprehensive sanctions aimed at not only punishing, but also rehabilitating them; and

WHEREAS, alcohol is rapidly eliminated from the body and therefore difficult to detect; and

WHEREAS, most technologies measure a point in time and cannot monitor alcohol consumption continuously; and

WHEREAS, research demonstrates that consumed alcohol can be reliably measured in a person's perspiration using transdermal alcohol testing; and

WHEREAS, continuous alcohol monitoring helps hardcore drunk drivers achieve extended sobriety – leading to improved thinking, better decision making, and improved responses to treatment; and

WHEREAS, continuous alcohol monitoring in conjunction with treatment works to address the root cause of the addiction to alcohol; and

WHEREAS, transdermal alcohol monitoring uses electrochemical fuel cells to measure insensible perspiration very similar to traditional hand-held breathalyzers; and

WHEREAS, the device uses a controlled sample delivery system to ensure accurate and reliable readings; and

WHEREAS, the device incorporates the minimum standard (.02 BAC) to confirm a drinking event; and

WHEREAS, there is a strong correlation between a person's blood alcohol concentration (BAC) and transdermal alcohol concentration (TAC); and

WHEREAS, transdermal alcohol monitoring devices have withstood judicial review and validation at the trial and appellate court levels; and

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WHEREAS, transdermal continuous alcohol monitoring is a valid and reliable way to detect alcohol consumption; and

WHEREAS, transdermal alcohol monitoring has been validated specifically by independent, peer reviewed literature and is being used in a research settings.

RESOLVED, APA supports the use of transdermal continuous alcohol monitoring for offenders convicted of driving under the influence (DUI/DWI) and other serious alcohol related offenses.

This resolution was adopted by a vote of the Board of Directors of the Association of Prosecuting Attorneys this first day of October, 2012.

Approved:



David LaBahn
President and CEO