

WISCONSIN STATE
LEGISLATURE
COMMITTEE HEARING
RECORDS

2007-08

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on
Corrections and
Courts
(AC-CC)

(Form Updated: 07/24/2009)

COMMITTEE NOTICES ...

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****07hr_CRule_06-035_AC-CC_pt01**

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Memorandum

To: Members, Assembly Corrections and the Courts Committee

From: Rep. Garey Bies, Chair

Date: September 14, 2006

Re: CR 06-035

Attached please find a copy of correspondence Representative Rob Kreibich wished circulated to committee members.

First for Wisconsin!



Counseling and Consulting Services

September 6, 2006

Urgent Message Regarding Rule Changes to the Assessment for Drunk Driving; Rule 62.

You are going to be given new rules to approve regarding how assessments are conducted and what type of driver safety plans the OWI offenders can attend. Having worked with alcohol safety actions projects and OWIs for over 30 years I have a good feel for what works and what does not. I believe the majority of the rules are good; they make sure the OWI offenders have a quality assessment and separate the people who have a drinking problem from those who have a driving problem and require an appropriate driver safety plan that allows for the people with a drinking problem to get appropriate help and for those with a driving problem to be removed from the highways and no longer be a public safety hazard. Furthermore, the assessors are now required to have an education in alcohol and drug abuse and addiction.

There is a problem with the rules related to education requirement for the drunk drivers. The facility that does the majority of the education for the drunk drivers and the programs are through the technical colleges. They somehow have the responsibility for most of this education and do not seem to want competition. Unfortunately, not all clients fit their programs due to employment, health, family conflicts, and other issues. Many are unable to attend a structured educational program. For those few people, having an alternative educational program makes sense and is helpful. These programs are now designed with the same components as the technical colleges but are done in a shorter time frame with more flexibility and allow these people to attend. Technical colleges have been given the ability to stop any student from attending alternative education programs. They do so without ever having evaluated the value of these other programs to determine their worth. This past year, Traffic Safety School Coordinators have been given instructions to let no one attend alternative education. This is very restrictive and victimizes those who cannot meet the structured programs of the technical college. This also means that these people will probably be forced to drive anyway and choose between their license and their job. There is a good chance we will find more of these people driving after revocation. There is also a good chance we will also see higher recidivism rates in terms of OWI and other alcohol related legal issues. This will also mean that people will not be given information that may deter them from more alcohol related arrests. This could occur even though the alternative programs have a lower recidivism rate than program provided by the technical college even though the alternative education programs are giving the same information as the technical college. Even though there is a small minority of people who need these classes, technical colleges have chosen to keep

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these people from attending and therefore from having a valid driver's license. This is somewhat discriminatory and shortsighted and hopefully will not be upheld.

I ask you to consider this rule as an example of turfism and is self-serving in a way that could create more problems than it solves. It also has implications for public safety, better treatment for people with alcohol and drug problems, as well as appropriate management of licensing for DWI and OWI clients. The old saying "if it works, don't fix it" applies here. I would suggest that it is working so there is no need to make changes that support a particular entity at the expense of the well being of the whole process and the public as a whole. I would appreciate your non-support of this rule change.

Thank you for your attention to this matter.



Edward L. Ramsey
President of First Things First