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DWI ankle bracelet should be permitted

Data show it can keep repeat offenders from drinking, driving.

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Drunk driving is a scourge that policymakers should be mounting an all-out assault against. Anything that helps should be used in the war to save lives and prevent injuries that too often result.

But in North Carolina, state guidelines approved in 2007 have handcuffed Mecklenburg County from using a tool local officials said has been effective: ankle bracelets that can detect alcohol use.

The guidelines prohibit the state's drug and DWI treatment courts from using the devices. Why? High-ranking state officials question whether the bracelets are reliable and say they're too pricey. Advocates for the device also say it is a victim of a turf battle and personality clashes.

If petty bickering is at play, those involved should grow up. This matter is too important for that.

We don't discount concerns about effectiveness and cost. Yet studies have shown the bracelets to be reliable - including a major study by the National Highway Traffic Safety Administration.

Also, a number of groups - including the National Association of Drug Court Professionals and the N.C. Conference of District Attorneys - have endorsed the technology. And a preliminary study by the National Center for State Courts found that repeat DWI offenders who wore the bracelets for 90 days or more were less likely to drive drunk again.

In 2005 and 2006, Mecklenburg regularly required participants in the DWI court to use them. For the first time, officials said, probation officers found it easy to catch offenders drinking. But after the 2007 ruling, the DWI court had to go back to its old approach, testing offenders with a breathalyzer, where they could easily "beat the system," a court officer said.

One other provision of N.C. law might already have been a factor in a recent death. Judges aren't allowed to put the devices on serious DWI offenders for more than 60 days. Last month, Howard Pasour, who had been ordered to wear the bracelet after his third DWI conviction, was involved in a drunken driving accident that killed 17-year-old Laura Fortenberry. He's in jail, charged with second-degree murder. Officials said he was drunk. He was allowed to remove the bracelet in January.

As for the costs - \$12 a day, paid by the offenders - Mecklenburg had already designed a program to make the devices more affordable. A six-month pilot was making it available to 100 low-income offenders. That program was halted because of the 2007 ruling.

The state should be making the devices more affordable, and thus available to all offenders who could benefit from their use. But that's a poor reason to halt use of a tool that has been used effectively to prevent some drunk driving. One look at the crushed remains of the car where Laura Fortenberry died shows why using every tool that works is worth the cost.



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