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## Bracelets help judges track alcohol intake

BY RON SYLVESTER  
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Judge Bryce Abbott sometimes has to measure blood-alcohol levels of people who stand before him in Wichita Municipal Court to answer charges of driving while intoxicated.

That's right: They come to court drunk.

"They'll say, 'But I haven't had anything to drink since last night,' " Abbott said between court hearings last week. "That's probably the wrong thing to say, because it tells me you must have been pretty drunk last night."

In the past year Abbott and judges in the Sedgwick County District Court have been using ankle bracelets that monitor alcohol use of people who have been ordered to abstain from drinking as a condition of their probation.

Their application is up to the judge's discretion, though the bracelets generally are used for repeat offenders who have had problems with alcohol.

Every half-hour, the device, called a Secure Continuous Remote Alcohol Monitor, records alcohol levels through sweat.

"It's really a great eye in the sky," Abbott said. "Some of these people have been drinking a long time, and getting them to stop for a long period is a tall order."

### A tequila tip

The idea of measuring alcohol through sweat came from Richard Hawthorne, a scientist in Denver.

Hawthorne was working in the breath-testing business in the 1980s when his wife came home talking about how the man in the cubicle next to her still reeked of tequila the morning after drinking.

That tip helped Hawthorne develop the bracelet for Alcohol Monitoring Systems Inc. The technique is called transdermal testing. The company provides bracelets for monitoring about 100 people on probation in Sedgwick, Reno, Butler and Harvey counties.

The Denver company began testing the bracelets in 2003. A provider, Premier Monitoring Solutions, brought them to south-central Kansas about a year ago.

The cost ranges from \$10 to \$12 a day, said Premier Monitoring's Pat Hiebert. The fee is usually is paid by the person being monitored, but Wichita's municipal drug court has a grant to cover the fee for indigent offenders, Abbott said.

### Used for other crimes

Sedgwick County District Judge Clark Owens said he's found the devices useful beyond drunken-driving offenders.

"I've used them in domestic violence and other violent crimes," Owens said. "You've got people who are mean drunks, and as long as you can keep them from drinking, they aren't violent."

In the past, Owens and Abbott said it was too easy for people who couldn't stop drinking to cheat on probation.

Offenders used to take random breath tests at their probation office. But alcohol is metabolized quickly, so they could have been drinking hours before the test and not be caught.

If breath tests didn't work, offenders would be sent to jail -- the only way to make sure they didn't drink.

Hiebert said that out of 80 people using the ankle cuffs in the past year, only six have been caught drinking.

"Some people just can't control themselves, but this seems to do it, because they know they're going to get caught," Owens said.

Owens said he's seen people try to stuff socks between their skin and the bracelets.

"Then they get a tampering violation," he said, referring to one of the ways offenders can violate probation.

### **Held up in court**

So far, the bracelets have held up as viable in court.

"We've had them challenged in every state where they're used," said Kathleen Brown, a spokeswoman for Alcohol Monitoring Systems. "They've been proven reliable and viable and we're still here."

Judges in Wichita said they use the alcohol monitoring devices as an alternative to jail for repeat offenders.

"I've only had one case where these were unsuccessful," Abbott said. "And she just couldn't stop drinking."

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