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Have these judges been drinking? Check their ankles

Drug court convention allows judges, others to test out alcohol-monitoring anklets.

By **ERIC CARPENTER**

The Orange County Register

ANAHEIM – Judges, prosecutors and probation officers have been spotted this week around the Anaheim Convention Center with electronic devices attached to their ankles to monitor their booze intake.

Not that these law-enforcement officials are known to have a problem with their alcohol consumption.

Instead, they are testing a developing technology known as SCRAM, for Secure Continuous Remote Alcohol Monitor, which is becoming increasingly common as a way to keep tabs on chronic drunken drivers.

The devices are being shown off at the 15th

annual Drug Court Training Conference, which runs through today in Anaheim.

About 9,600 devices are in use nationwide. Some 2,000 offenders in Orange and Los Angeles counties have used the devices.

"I think the most effective thing about these devices is that they are 24 hours a day, seven days a week. Offenders know they are being monitored," said Mack Jenkins, chief probation officer for San Diego County.

Jenkins has tested the device and, he said, saw firsthand how effective they are. He helped bring the monitoring devices to this county's drug court several years ago when he worked in the Orange County Probation Department.

"They are a real deterrent, since people know that there's no way around it – they are being monitored all the time," Jenkins said.

The judges and prosecutors who wore the anklets this time around had them attached as the daytime conferences wound down, before they headed out for dinner and drinks.

A monitor on the device reads vapors found in the sweat emitted from the skin. The data is read every 30 minutes and transported by modem to a processing center in Colorado, read by professional analysts and transmitted to local law-enforcement officials.

Some who wear the devices have tried everything to foil them, including sticking a business card and a piece of bologna in between the monitor and their skin, said Terry Fain, director of sales for Alcohol Monitoring Systems. But the data can track when it has been tampered with or when alcohol is accidentally spilled on it.

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Mary Margaret Madden, a deputy district attorney from Nevada, agreed to attach the device to her ankle Thursday night to test it out.

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She sat in a chair as the monitor was tightened to her leg, and within 10 minutes she was on her way to enjoy her night out and a few drinks.

The next morning, she would return to review her data, discuss its effectiveness – and have the device removed.

"We like to have this in a controlled environment where people can test it out, but they won't be driving and can be in constant contact with us if they have any concerns," Fain said.

While those at the convention are wearing the devices for just hours, most people who have been repeatedly convicted of drunken driving aren't so fortunate. The devices are typically attached to repeat DUI offenders who have been ordered to abstain from any alcohol use. In those cases, the devices stay on for an average of 90 days, Fain said.

Some privacy advocates have objected to the devices, and other critics have said they are overly burdensome because they assume that offenders deserve to be jailed again if they slip up at all.

James Irving, a Northern California prosecutor, sees it differently: "These are chronic offenders that are a threat every time they drink and get behind the wheel. A technology that could stop them from hurting another person should be embraced."

Irving tested the anklet. "It's not something you can ignore. But that's the point," he said. "You look stupid, but it reminds you to stop before you do something stupid."

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