

# SCRAM<sup>x</sup>® SYSTEM

## FREQUENTLY ASKED QUESTIONS



### How does SCRAMx measure alcohol in sweat?

One percent of everything we consume is expelled through our skin in the form of insensible perspiration. The SCRAMx Bracelet uses transdermal analysis, which means it is sampling and testing the insensible perspiration that is always on your skin. The Bracelet includes the same fuel cell found in breath testing devices. The fuel cell reacts with ethanol in order to measure for the presence of alcohol. So instead of breathing into the system, the SCRAMx Bracelet takes in a sample of the perspiration in order to test for the presence of alcohol.

### Why do courts order 24/7 alcohol monitoring instead of just random alcohol tests?

It is not just possible, but probable, that someone can drink and test negative for alcohol just hours later using breath, blood, or urine testing. Some specific types of urine tests can see residual indicators of alcohol several hours after a standard urine test would show alcohol. But only if there was a very high level drinking event, and not with a level of accuracy that can ensure the courts that someone was not drinking alcohol.

Breath, blood, and urine testing are accurate and reliable for on-the-spot alcohol testing, such as a roadside sobriety test. But the body metabolizes alcohol very quickly, and once the process is complete, there are virtually no trace elements left in the body to facilitate detection. While drugs leave residual indicators in the body for hours, days or even weeks that are fairly easy to test for, alcohol does not. As such, long-term monitoring programs that test for alcohol consumption either randomly or even one to two times a day are very easy to circumvent.

### What is House Arrest?

**House Arrest is not to be confused with GPS monitoring.** While GPS (Global Positioning System) functionality can be used to track the precise location of an individual, a vehicle, or a cell phone 24/7, “House Arrest” generally refers to home confinement. House Arrest can also be referred to as “home detention,” “curfew monitoring,” “RF” (Radio Frequency), or the general category term of “electronic monitoring.”

With House Arrest, a person is confined to their residence on a pre-approved schedule that generally will allow for work outside the home, restricting the offender to their home during non-working hours. An offender may also be allowed to leave their home for specific, pre-approved purposes, such as a visit to probation, school class schedule, treatment/AA sessions, or medical appointments. House Arrest may also be used to confine an offender 24/7 at the discretion of the court.

### How does House Arrest monitoring work?

During times the offender is required to be at home, the Bracelet is continuously communicating with a Base Station, which is placed in the home and plugged in to a conventional phone line. The Base Station, in turn, is constantly communicating, via the phone line, to a secure, web-based application where alerts are generated and all data is stored. Any anomaly or disruption



# SCRAM<sup>x</sup>® SYSTEM

## FREQUENTLY ASKED QUESTIONS



will create an alert that the offender is out of range, has removed the bracelet, or any other number of potential violations.

### **What kinds of tests are conducted by the SCRAMx Bracelet?**

**RF/LOCATION:** When an offender is sentenced to home confinement, during the pre-determined times that the offender must be home, the Bracelet and Base Station communicate continuously to ensure that the offender is within the required range. In turn, the Base Station is continuously communicating, via the phone line and the Internet, to a web-based application where reports and alerts are generated.

**TRANSDERMAL ALCOHOL:** Once every 30 minutes, the Bracelet will sample the Insensible Perspiration on the offender's skin in order to measure for alcohol consumption.

**ANTI-TAMPER TESTS:** The Bracelet incorporates a number of features to ensure tests are accurate and from the proper subject. Temperature sensors and an Infrared sensor that measures the reflective quality of the skin ensure that the bracelet is in place and that nothing has been placed between the skin and the bracelet in an attempt to obstruct the alcohol testing. A number of other strap and battery sensors ensure the bracelet is in place and on the proper subject. The Bracelet also continuously conducts diagnostic tests to ensure the unit is functioning properly.

### **How does the House Arrest system work in conjunction with the alcohol testing?**

While the House Arrest component of the system is continuously communicating with the Base Station when the offender is required to be at home, the alcohol sampling system tests the insensible perspiration and performs additional anti-tamper testing every 30 minutes and downloads the data once or as many as six times each day. If an offender misses their scheduled download of alcohol data, the Base Station will look for the bracelet every 30 minutes until it's within range and the download is complete. The system will also generate Missed Communications alerts to notify the authorities that the communication time was missed.

The supervising authority must approve the curfew schedule for every offender. Some schedules might be set and consistent seven days a week. Some might have a "work week" schedule with five work days and then a different "weekend" schedule. Others might have variations each week based on changing work schedules.

# SCRAM<sup>®</sup> SYSTEM

## FREQUENTLY ASKED QUESTIONS



### **Do the alcohol results transmit to the data center continuously like the House Arrest data?**

No. Because of the size and complexity of that data, and because all alerts are confirmed based on results from an entire drinking event, not just a single test result, the data is generally downloaded once each day. In some instances, for higher risk offenders, an agency might require uploads of the alcohol data as often as six times a day.

### **When are authorities alerted to a violation?**

The alcohol testing data is generally uploaded once each day. Any alerts will be reviewed and confirmed, and authorities will be notified of a confirmed violation within 24 hours.

House Arrest notifications can be customized by the supervising authority to either be real-time, where immediate notification (termed Priority Notification) of a violation is made to an assigned officer, or on the notification schedule of their choice. Priority Notifications can be made via fax, email, text or online alerts. The most common notification protocol is daily reporting, with the ability to log on any time to see a full event log for any individual offender.

### **Why would an offender be on both House Arrest and Continuous Alcohol Monitoring?**

In general, any offender sentenced to monitoring with SCRAMx has had an alcohol-related offense, has displayed a history of alcohol-related criminal behavior or has been assessed as having alcohol misuse issues.

#### **Possible scenarios for dual-function monitoring:**

- Courts often sentence DUI and other high-risk alcohol offenders to House Arrest/home confinement in an attempt to limit their ability to be out drinking and re-offending, particularly during night time and weekend hours. SCRAMx allows a court to both limit their activity and exposure to the community and address the alcohol misuse with Continuous Alcohol Monitoring.
- The activation of House Arrest monitoring can be used as an immediate sanction for a violation while being monitored for alcohol. Likewise, the discontinuation of House Arrest monitoring can be used as an incentive or reward for monitored offenders who are doing well with their supervision.
- The laws in many states allow House Arrest monitoring to be used in lieu of incarceration, and an offender will receive credit for time served.
- Even in jurisdictions where the law may not expressly stipulate that Home Arrest can provide credit for time served, House Arrest is used to mitigate jail and prison overcrowding and the associated costs.

# SCRAM<sup>®</sup> SYSTEM

## FREQUENTLY ASKED QUESTIONS



### **Is everyone on SCRAMx monitored both for alcohol and home confinement?**

No. AMS estimates that 20 to 30 percent of their monitored offenders will be sentenced to the dual-function system monitoring for both alcohol and home confinement.

### **How much does SCRAMx cost and who pays for it?**

The offender will pay an initial installation fee that will range from \$50 to \$100. The average daily monitoring fee nationwide for the Continuous Alcohol Monitoring-only component is \$10-12 per day.

The average daily monitoring fee nationwide for the combined functions (Continuous Alcohol Monitoring and House Arrest) is \$13-15 per day.

A number of factors are used when determining the daily monitoring fee in a particular area, including, but not limited to, the offender's wage, court-related fees and fines, the monitoring period and whether there is a service provider in that area.

The SCRAMx System, like many electronic monitoring programs used today, is generally delivered on an offender-pay model, meaning that the offenders pay either all or a significant portion of the cost for the equipment and daily monitoring fees. If there are costs above and beyond what an offender can pay, then generally, some type of government funding will subsidize the daily cost. In some instances, the local SCRAMx Service Provider will make a small portion of its SCRAMx inventory available to indigent offenders at no cost.

### **What is a Service Provider?**

It is very common in community corrections for jurisdictions to outsource services such as drug and alcohol testing, polygraphs, classes and GPS or home arrest monitoring. It is often more cost-effective to outsource these functions than to support them with the staff and resources required to manage these programs. An AMS or SCRAMx Authorized Service Provider may focus only on providing SCRAMx program management, or they may offer a menu of corrections services to the local courts.

### **Have SCRAMx test results been upheld in court challenges?**

Yes. The reliability and accuracy of both transdermal alcohol testing and the SCRAM System have been upheld in court challenges in every state where SCRAM is in use, predominantly in probation or bond revocation hearings.

In addition, SCRAM monitoring has been upheld in Evidentiary Hearings across the country, where both the technology and the expert testimony provided for SCRAM met the standards of Daubert, Frye or a hybrid standard, depending on the court. In addition, SCRAM technology, testimony and evidence have been upheld as reliable in a state Supreme Court ruling (South Dakota) and an Appellate Court ruling (Indiana). A detailed and up-to-date report of the AMS Court Support Program and some transcripts are available from the AMS media relations staff upon request.

# SCRAM<sup>x</sup>® SYSTEM

## FREQUENTLY ASKED QUESTIONS



### **What types of offenders are being sentenced to SCRAM<sup>x</sup>?**

SCRAM<sup>x</sup> programs are being used to support treatment and to enhance supervision for:

- First-time, underage and multiple-time drunk driving offenders.
- Domestic violence offenders when alcohol is considered to be a contributing factor in their offense.
- Family court, either to enforce a parent's sobriety or to assess a parent for their level of alcohol problem. Often SCRAM<sup>x</sup> monitoring is required as a condition of custody or visitation.
- Underage drinking offenders, as a method to assess and deter drinkers under the age of 21 from re-offending.
- Drug Court offenders, who often turn to alcohol as their drug of choice once they are being actively tested for drugs.

### **How does an offender get sentenced to wear SCRAM<sup>x</sup>?**

- A requirement to wear SCRAM<sup>x</sup> is generally a result of a judge's ruling—either as a direct order to place an offender on SCRAM<sup>x</sup>, or as an order for an offender to enter a treatment or supervision program where SCRAM<sup>x</sup> is a component.
- Parole and probation may also assess an offender and determine that SCRAM<sup>x</sup> is appropriate for an offender and make monitoring a component of their supervision program.
- An offender may pursue the use of SCRAM<sup>x</sup> pre-trial in an effort to demonstrate to the court that they have taken their offense—and their alcohol misuse—seriously, and that they are making a good faith effort to address that problem. SCRAM<sup>x</sup> can provide an offender with an evidence-based way to demonstrate their sobriety to the court.

### **Where in the criminal justice process is SCRAM<sup>x</sup> used?**

SCRAM<sup>x</sup> is used at several points throughout the criminal justice cycle, including:

- Pre-trial supervision, as a condition of bond
- As a supervision tool for an offender sentenced to adult probation
- As part of a specialty court program, such as a DUI, Domestic Violence, Drug Court or Veterans Treatment Court
- As a condition of parole for offenders released early due to jail or prison overcrowding

# SCRAM<sup>x</sup>® SYSTEM

## FREQUENTLY ASKED QUESTIONS



- To support offender re-entry programs, where intensive community supervision is a condition of parole
- As a sanction and assessment tool for misdemeanor underage drinking violators

### **How long are offenders sentenced to wear SCRAMx?**

To-date, sentences have ranged from two weeks for misdemeanor underage drinkers who were caught drinking on a college campus to 10 years for an offender convicted of killing a child in an alcohol-related traffic accident. The most common type of program requires an offender to complete an average of 90 consecutive days of compliance (no drinking or tamper events) in order to successfully complete the SCRAMx component of their program.

### **What happens to offenders who are caught drinking or tampering with SCRAMx?**

That's up to the supervising agency. Generally, progressive sanctions are implemented, ultimately resulting with revocation of bond or probation and possibly incarceration. The type of punishment for violations and how quickly it escalates to incarceration depends on the laws and programs of that offender's supervising agency, the severity of their offense and the orders of the court.

### **How much does a person have to drink to register a positive on SCRAMx?**

SCRAMx will detect very low level drinking events. The fuel cell technology used to test for ethanol is the same fuel cell technology that's become an industry standard in Breathalyzers. As such, the standard for confirming an alcohol consumption event, for either a Breathalyzer or SCRAMx, is a minimum 0.02 Blood Alcohol Concentration (BAC). As a reference point, that might be the general equivalent of a 180-pound male consuming less than two drinks (a drink defined as 5 ounces of hard liquor) on an empty stomach in less than an hour. Should an offender drink to a level lower than 0.02 BAC, while SCRAM will likely see it, and a probation officer may opt to address that with an offender, AMS considers it to be a positive consumption violation once it surpasses the 0.02 BAC threshold.