

Wyoming Liberty Index

62nd Wyoming Legislature ★ 2014 Budget Session

SF0031, 24/7 sobriety program.

Sponsors: Joint Judiciary Interim Committee

Aye votes: Representatives Baker, Barlow, Berger, Blake, Blevins, Blikre, Brown, Burkhart, Byrd, Campbell, Cannady, Coleman, Connolly, Davison, Eklund, Esquibel, K., Filer, Freeman, Gay, Gingery, Goggles, Greear, Greene, Halverson, Harshman, Harvey, Hunt, Hutchings, Jaggi, Kasperik, Kirkbride, Kroeker, Krone, Larsen, Lockhart, Loucks, Lubnau, Mader, McKim, Miller, Moniz, Nicholas, B., Northrup, Patton, Paxton, Petroff, Piiparinen, Reeder, Semlek, Sommers, Stubson, Throne, Walters, Watt, Wilson, Winters, Zwonitzer, Dn. and Zwonitzer, Dv. Senators Anderson, JD S02, Anderson, JL S28, Barnard, Bebout, Burns, Case, Christensen, Coe, Cooper, Craft, Dockstader, Driskill, Emerich, Esquibel, F., Geis, Hastert, Hicks, Hines, Johnson, Landen, Meier, Nicholas, P., Nutting, Perkins, Peterson, Ross, Rothfuss, Schiffer, Scott and Von Flatern

Nay votes: Representatives Madden and Teeters

Signed by the Governor.

Comments

Creates a 24/7 sobriety program. To be funded by gifts, grants or federal funds (guess which the legislature is relying on). The program is intended to provide for intensive drug or alcohol testing of offenders.

U: The fiscal impact, in the form of revenues and expenditures of the proposed program, is indeterminable. This bill allows funds from the national government to be used by the program which sort of dances in a gray area of the US Constitution. The national government is empowered to make commerce regular among the several States, which can lead one to presume that regular commerce should be safe. If commerce should be safe, than one could presume that safe drivers are not drug and alcohol impaired which could serve as the "Constitutional" justification for use of federal funds. This is pushing the point of commerce an awfully long ways, but we'll say that it is still knocking around in the land of shades of gray which means that we will just remark on it and not call it on its Constitutionality one way or another. The purpose of the program, to reduce the number of repeat crimes that are related to substance abuse by monitoring an offender's sobriety through intensive alcohol and drug testing and immediate and appropriate enforcement of violations, is commendable but discriminatory. Since the program is to be self-funding, that is commendable on its face, but this means that it will be more available to the wealthy than to the poor which means that it is likely to be viewed as a "get out of jail free" card for the rich and well-connected. Inequality is corrosive to government in general and causes unrest among the People which then can be used to centralize more power into the government. By that measure, this bill is corrosive to Liberty. A more Liberty-friendly approach would be for this program to be funded by government monies to make it equally available to all who can benefit from it. This use of funds could be justified as a way to lower the population of incarcerated persons and thereby decreasing the total prison costs of the State of Wyoming—providing, of course, that this program is indeed cheaper than locking a person up.

Weighted Rating: -0.50. Unweighted Rating: -0.50.

Categories

General Government, and Individual Rights

For more information on the categories:

<http://wyominglibertyindex.info/2014/methodology.html#thecategories>

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