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September 10, 2021

Ms. Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: AICC Petition for Emergency Relief Related to 3G Transition, GN Docket No. 21-304
Reply Comments of the North Dakota Attorney General's Office

Dear Ms. Dortch,

My name is Duane Stanley and I am a Special Agent with the North Dakota Bureau of Criminal Investigation (NDBCI) which is a division of the North Dakota Attorney General's Office. One of my current roles with the NDBCI is the Program Administrator for the states 24/7 Sobriety Program.

North Dakota's 24/7 Sobriety Program provides an alternative to incarceration for individuals charged with, or convicted of, driving under the influence of alcohol or controlled substances, domestic violence, abuse or neglect of a child, or other offenses in which alcohol or controlled substances are involved. Program participants are held accountable for their sobriety with SCRAM Continuous Alcohol Monitoring (SCRAM CAM) bracelets, SCRAM Remote Breath devices, twice daily supervised breath testing, transdermal drug patches and urinalysis. The program has been in place statewide since 2008 and has grown over the years. In 2016, the state averaged 2100 daily participants on the program with over 900 being monitored by SCRAM devices. Today we continue to have approximately 700 participants monitored with SCRAM equipment. State law mandates repeat DUI offenders be placed on the program for 12 months and offenders with four or more DUI's mandated to be on the program a minimum of two years.

We have read the comments filed by Alcohol Monitoring Systems, Inc. (AMS) in the FCC's 3G shutdown proceeding (GN Docket No. 21-304) and agree with the need for AT&T to extend its 3G data service until December 31, 2022. Our organization is dependent on the use of ankle bracelets and other EM devices that rely on having 3G network connectivity. If 3G services were to be terminated before our organization has had an opportunity to upgrade its devices and arrange a swap-out with each monitored offender, there will be significant public safety consequences.

We would lose the ability to have 24/7 remote alcohol testing for any offenders ordered to participate in the 24/7 Sobriety Program as a sentence from the court specifically those mandated by state law as described above. This will have a direct impact on the safety of citizens across the nation who utilize our roadways. It would also affect the quality of life for those citizens who have been victims of individuals convicted of domestic violence and abuse and neglect of a child who are ordered to participate in the 24/7 Sobriety Program for alcohol monitoring. Domestic violence caseloads would be much more difficult to manage to enforce compliance with protective orders, substance abuse treatment, and to ensure physical separation from the victim.

SCRAM continuous monitoring is the only technology empirically shown to support long-term behavior change and reduce recidivism.

We urge the FCC to extend the timetable for 3G network shutdown as a matter of public safety so organizations that rely on electronic monitoring can transition to 4G and 5G networks in a safe and orderly manner.

Respectfully submitted



Duane Stanley, Special Agent
24/7 Sobriety Program Administrator
North Dakota Attorney General's Office
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