State: ARIZONA

Contact Persons:

DUI Offender Program(s)

Name: Jay McGahee
Address: Office of Behavioral Health Licensing
150 North 18th Avenue, Suite 410
Phoenix, Arizona  85007
Telephone #: 602-542-1025
Fax#: 602-364-4801
Email: john.mcgahsee@azdhs.gov
Web Address: www.azdhs.gov

See below ADHS: (602) 542-1000

Is the contact person for DUI reciprocal agreement program information (interstate transfers) the same as the DUI Offender Program Contact Person listed on page one?

No.

If not, please indicate the contact’s name, address and phone number:

Name: Michelle Skurka
Address: Office of Substance Abuse
150 N. 18th Ave., Suite 200
Phoenix, AZ 85007
Telephone #: (602) 364-4558
Fax#: (602) 364-4570
Email: michelle.skurka@azdhs.gov
Web Address: www.azdhs.gov

Driver License Revocation and Suspension Program

Name: Arizona Department of Transportation
Address: Motor Vehicle Division
1801 W. Jefferson
Is the address where offenders mail paperwork for license reinstatement the same as the Driver License Revocation and Suspension Program Contact Person’s address listed on page one? If not, please indicate the address:

Same.

State Alcohol and Drug Abuse Authority

Name: ADHS/Behavioral Health Services

Address: 150 N. 18TH Ave., Ste 200
Phoenix, Arizona 85007-3242

Telephone #: (602) 364-4558
Email: michelle.skurka@azdhs.gov
Web Address: www.azdhs.gov

NHTSA Representative

Name: Paul Snodgrass

Address: Region IX
211 Main Street, Suite 100
San Francisco, California 94105

Telephone #: 415-744-3089
Email: paul.snodgrass@nhtsa.dot.gov
Web Address: www.nhtsa.dot.gov

I. DUI Offender Program Mandate

A. Under what authority does your state's DUI Offender Program operate?

Each DUI Service Agency approved by the Department of Health Services to conduct DUI screening and education programs must comply with A.R.S. 28-492.06 and A.A.C. R9-20-101 Et Seq.
B. Who exercises this authority?

1. Court Administrator  
2. Law Enforcement  
3. Human Services (ADHSA)  
4. Transportation  
5. Driver License  
6. Probation  
7. Other  

Arizona Department of Health Services.

II. DUI Offender Program Management

A. Who typically administers the DUI Offender Program at the local level?

Approximately 200 individually approved programs across the state, inclusive of some city and/or county prosecutors offices. A mix of for-profit and non-profit organizations.

B. What services (education, detoxification, treatment, etc.) are typically provided by the DUI provider? What statewide curriculum do you use?

Screening.
Education - a minimum of 16 hours of our own curriculum.
Treatment - This may or may not include detoxification.

C. What is the typical length of services offered by the DUI provider?

(1) Length of Juvenile/Youth Curriculum:
(2) Length of 1st offender curriculum: A 16 hour class completed within 8 consecutive weeks.
(3) Does your state require classroom education for multiple offenders? The judge can hear the assessment recommendations (16hrs of education plus 20 hours of group therapy and possibly jail as well as interlock before they can reinstate their driver license.)
(4) Length of multiple offender curriculum: Varies, but no less than 16 hours of education plus 20 hours of group therapy.
(5) Other services:

D. Approximate cost per client, please list.
(1) Education for 1st offenders: Varies  
(2) Education for multiple offenders: Varies  
(3) Evaluation/Assessment: Varies  
(4) Fees to state office that provides oversight: None  

E. How are quality services assured? Please describe briefly.

Initial survey to establish provider as a licensed/approved DUI service(s) program. Annual renewal survey to ensure ongoing compliance with rules and statutes.

1. Credentialing
   (a) Who is responsible for credentialing/certifying DUI Programs?

   Arizona Department of Health Services, Office of Behavioral Health Licensing.

   (b) Who is responsible for credentialing DUI program staff?

   Department of Health Services, Office of Behavioral Licensing.  ADHS does not "credential/certify" DUI program staff. Must meet minimum requirements as per rules. ADHS specifically licenses/approves programs, not individual staff.

2. Standards of Program Operation
   (a) Who sets and monitors standards?

   ADHS/Office of Behavioral Health Licensing.

   (b) If there are not any standards, what guidelines are generally followed?

   Must meet minimum requirements according to Arizona Administrative Code (A.A.C.), Title 9, Chapter 20.

3. Training of Direct Service Providers (i.e. instructors and evaluators)
   (a) How are training needs assessed for those individuals dealing with DUI clients?

   Determined by provider supervisors within the program and compliance with rules. Employees who conduct DUI services are
required to have a minimum of 24 hours annually of continuing education in drug and/or alcohol treatment or prevention.

(b) What types of training are offered?
As per above.

(c) Who conducts training?
As per above.

4. Do you publish periodic or annual reports?
Not currently.

F. How is the DUI Offender Program supported?

State: X Percent  Federal: _____ Percent
Client Fees: X Percent  Other: ________________

(1) Is this support adequate?
Adequate information is not available at this time.

G. List any studies that have been completed within the past five years on your program's effectiveness.
None at this time (ADHS).

III. DUI Offender Management

A. Are there any criteria for clients entering the program?
Yes.

B. Are there any incentives for entering the program?
Reinstatement of Drivers License.

C. Is there any use of presentence screening?
Rarely.

D. Are clients assessed or evaluated for alcohol and drug problems and/or other indications of public safety risk?
Yes.

E. Does your evaluation process consist of:

*Face-to-face interview:* Yes.

*Objective Tests:* Yes. Approved assessment instruments are:

Driver Risk Inventory (DRI).
Michigan Alcoholism Screening Test (MAST).
MMPI MAC.
Mortimer-Filkins.

*Specific Paperwork:* Yes. Documentation must include:

Alcohol content level at time of arrest.
History of alcohol or drug abuse.
Previous treatments.
Impairments in medical, social or occupational functioning due to drug abuse.
Recommendation re: Education and/or treatment.

F. Do you have criteria for referral to treatment? If so, what are the criteria?

Yes. All clients assessed to be "Level I" should be referred to treatment.

G. Briefly describe any case management* procedures used while the client is in your program.

Determined by client needs, services and staff availability.

*Case management is defined here as an administrative function to ensure the coordination of client services and needs and the continuity of care with other community services. The ultimate goal is to ensure appropriate planning and treatment assignments.

H. Is a completion determination made?

Yes.

I. Who makes the determination?

Licensed/approved provider.

J. What criteria is used for determining completion status?
Participation/Attendance in Program; additional criteria may be required as determined by program.

K. What are the benefits of a successful completion?

Dependent on court order and ADOT/MVD stipulations. Ultimate goal for offender is reinstatement of drivers license.

L. What are the consequences of an unsuccessful completion of the program:

of the program: Court is notified of offenders failure to complete. Specific consequences are determined by the courts.

of treatment: The screening agency is notified who in turn notifies the court or the probation office.

M. What kind of client records are kept?

ADHS has set policies delineating what the client record shall retain for each level client. Client treatment record must include treatment plan and related progress notes delineating progress/gains in program.

N. What are the treatment program selection criteria for the client? How is a treatment provider chosen by the client?

Level I clients are referred to a treatment program licensed by the Department and approved as a DUI Service Agency. Offender is provided three (3) provider options. Criteria may include, but not be limited to, program fees, locations, program delivery hours, etc.

O. What is the focus of treatment provided?

Identification of issues, measurable goals, and efforts toward or resolution of treatment issues.

P. Are individualized treatment plans required? If yes, please define.

Yes. In conjunction with Arizona Administrative Codes (A.A.C.) Title 9, Chapter 20, a written plan of treatment and service is based on the initial evaluation of treatment needs under the supervision or conducted by a physician, psychiatrist, psychologist or certified mental health professional. Client participation in the development and implementation of the plan is required by law and indicated by client signature.

Q. How are treatment agencies licensed and by whom?
Treatment agencies are licensed by the Office of Behavioral Health Licensing with the utilization of ACC, Title 9, Chapter 20.

R. Does the DUI system require programs to use only licensed providers?

No. Agencies may be approved by the Arizona Probation Dept.; however, this approval is contingent on a review by the Probation Department using ACC Title 9, chapter 20.

S. What are the treatment requirements?

(1) Is it required for first offenders and multiples? Dependent on offenders score according to screening criteria.
(2) Statutory minimums? A minimum of 10 individual or group sessions totaling a minimum of 36 hours completed within 4 months.
(3) Other minimums?
(4) Typical number of hours?
(5) Length of time to provide hours?
(6) Cost of treatment?

T. What are your state's referral rates to treatment for first time offenders as made by the DUI programs?

ADHS/BHL does not track this information.

U. What are the lengths of your state’s driver license suspension/revocation for each of the following offenses?

First DUI Offense: 30 to 90 day suspension.

Second DUI Offense: If 2nd DUI occurs within 5 years mandatory revocation for 1-3 years.

Third DUI Offense: If 3rd DUI occurs within 5 years, a mandatory revocation for 3 years.

Other Offenses (specify): No response provided.

Comments: No response provided.

V. Describe any other sanctions imposed on the DUI offender related to vehicle impoundment, monitoring devices and or interlock devices. (Examples of devices are ignition interlock, ankle bracelet with portable tracking, home based random breath video identification system, and remote alcohol testing with voice recognition.)
Ignition interlocks and ankle bracelets are used in Arizona but not the other two examples noted. Consult Admin. Office of the Courts at 602-542-9301 (D. Byers) or Department of Corrections at 602-255-4240 (N. Schoemig) for more information concerning these sanctions.

W. What are your latest numbers that reflect

(1) How many individuals were arrested for their first DUI offense?
(2) How many individuals were convicted of their first DUI offense?
(3) How many repeat DUI offenders were arrested?
(4) How many repeat DUI offenders were convicted?

Statistical data is not available at this time.

IV. Out-of-State DUI Offenders

A. What are the DUI program completion requirements (Education and/or Treatment) for licensees of your state who receive a DUI, then move to another state?

First DUI Offense: Education/treatment must be completed or screening agency is notified who in turn notifies the court.

Second DUI Offense: Same as above.

Third DUI Offense: Same as above.

Other offenses (specify): Same as above.

Comments: It is up to each individual program as to whether they will accept an individual from another state. The program is required to have policies and procedures to inform the client of both the court (criminal) and DMV (civil) requirements as well as any discrepancies between the two.

B. What are your state’s requirements for individuals who are licensed in another state but receive a DUI in your state?

Residents of your state: Must make arrangements for court appearance. Subsequent processes and penalties are arranged through courts.

Non-residents (travelers): Same as residents.

List any special restrictions or comments: Not currently in rule process for ADHS.
C. What are your state’s requirements for individuals who are licensed in another state, receive a DUI in that state, move to your state and want to complete your DUI program?

Individual must bring respective court orders/paperwork reference entry into Arizona program. Individual must be screened prior to program referral and attendance.

D. What are the sanctions for having a DUI conviction outside of your home state?

Not currently in rule process for ADHS.

V. DUI Countermeasures and States Responsible Authority

A. Briefly describe the other DUI countermeasures and responsible authority in your state. Include public information and education, MADD, enforcement, judicial, legislative, driver licensing and program evaluation.

As the State of Arizona looks ahead to the decade of the Nineties, our challenge is to deter individuals from driving impaired and to reaffirm our belief that driving under the influence of alcohol or drugs is no longer socially acceptable. The Governor's Office of Highway Safety will continue to look for creative ways to achieve higher levels of deterrence, enforcement, greater efficiency in our court system and public information and education.

The following activities, programs and countermeasures will be implemented in Arizona through this 408 DUI Impact Plan:

1. COMMUNITY BASED ALCOHOL PROGRAMS

Development and support of community based alcohol/drug countermeasure programs (Community approach to problem identification, problem solution and development of countermeasure programs).

Community Based Alcohol Programs will be continued into their second or third phase in the cities of Avondale and Casa Grande. County wide programs will also be continued in the Coconino and Graham counties. Community Based Alcohol programs will be developed in the City of Scottsdale and in Pinal County.

Through the 1991 HSP, CTSP's were introduced in Gila, Coconino, and Yavapal Counties. These programs are also on-going in the cities of Apache Junction, Cottonwood, Casa Grande, Mesa, Page, Phoenix, and Tucson, Past Highway Safety Plans include community based alcohol programs in Prescott Valley, Show Low and Peorie.

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2. ENHANCED ENFORCEMENT

DUI enforcement programs, training for police officers, enhanced deterrence (perceived risk of arrest), and lower BAC levels.

The Department of Public Safety, in cooperation with local law enforcement agencies continues to utilize multi-agency task forces targeting the DUI driver through sobriety checkpoints and increased DUI patrols. The Maricopa, Yavapai, Coconino, Pima and Graham County Sheriff's Office will also enhance their multi-agency DUI task forces and sobriety checkpoint activity.

High visibility mobile enforcement response units specifically designed to reduce the amount of time the patrol officer must spend processing the DUI suspect will be operational in the cities of Phoenix, Mesa and Tempe. The Maricopa and Pima County Sheriff's Office will also utilize these mobile enforcement units which will enhance sobriety checkpoint, multi-agency task force and public information activities.

The Report Every Drunk Driver Immediately (REDDI) program continues to be an accessible link to the community and an effective enforcement tool.

3. DUI LICENSE SUSPENSION

Enhancement of the DUI license suspension process and improved tracking and analysis. Assistance will be provided to the Motor Vehicle Division to provide law books and specialized training in the areas of due process, evidence, hearing techniques, judicial review and professional responsibility.

A statewide statistical data base for impaired driving statistics from law enforcement, judiciary, licensing, prosecutorial and appellate actions in Arizona is still in its inception. This data needs to be maintained and will be utilized as an evaluation tool as well as support for future legislative support and 410 reapplication.

4. TECHNOLOGY TRANSFER SYSTEMS

Computer assisted training programs will be developed and utilized by the Governor's Office of Highway Safety to provide technical assistance to state and local agencies.

The Alcohol Data Acquisition and Management System (ADAMS) pilot program has been introduced in fifteen sites in Maricopa County. Seven additional sites will be selected for participation.

5. 408 SUPPORT

Program support required for qualification of subsequent year 408 funding these efforts center on meeting basic and supplemental criteria under section 408.

A validation study of the Arizona Drug Recognition Expert (DRE) program will be conducted. Arizona has and undoubtedly will continue to take on the legal challenges of the DRE program nationwide. Without rigorous scientific study of current data to demonstrate the validity and reliability of DRE, it will be difficult to defend the program in court hearings.

6. PUBLIC INFORMATION AND EDUCATION

Heightened public awareness through public information and education.

The passage of tough DUI legislation has reinforced the Governor's and state legislature's commitment to the deterrence of driving while impaired by drugs or alcohol. The determination of Arizona to deal effectively with the impaired driver is evidenced by legislative amendments to the DUI law over the past three decades.

Our public information and education efforts will support the youth, server training and commercial motor vehicle related DUI components of the DUI Omnibus Bill.

Public information efforts will also be directed toward the impaired pedestrian issues in Arizona.

In assessing the progress that has been made thus far, we realize that we continually face greater challenges. It is our hope that the programs identified in this plan once implemented, will reinvigorate our progress and generate further reductions in vehicle crashes.
The above information was compiled by the State of Arizona, coordinated and printed by the Bureau of Driver Education and DUI Programs, Florida Department of Highway Safety and Motor Vehicles.