

# **STATE OF ARIZONA STATEWIDE IMPAIRED DRIVING PLAN**

**JULY 1, 2014**

**IN COMPLIANCE WITH MAP-21 405(d)**

**FEDERAL FISCAL YEAR 2015  
(OCTOBER 1, 2014 – SEPTEMBER 30, 2015)**

**PREPARED FOR:**

**NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION**

**PREPARED BY:**



**JANICE K. BREWER, GOVERNOR**

**ALBERTO C. GUTIER, DIRECTOR**

**GOVERNOR'S HIGHWAY SAFETY REPRESENTATIVE**

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**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
STATEWIDE IMPAIRED DRIVING PLAN  
JULY 1, 2014**

INTRODUCTION

The three leading causes of death from vehicular crashes in Arizona are, in order of causation: 1. Speeding and aggressive driving; 2. Impaired driving; and 3. Failure to use restraint devices. The Governor's Office of Highway Safety Statewide Impaired Driving Task Force continues to seek additional reductions in the areas of impaired driving crashes, injuries and fatalities on Arizona's roadways. As a state-wide plan for reducing impaired driving, GOHS will continue providing assistance to the State, County, and local officials by:

- Providing a forum for research, discussion, and planning to reduce the incidence of impaired driving in Arizona;
- Increasing public awareness and understanding of impaired driving, and impacting the effectiveness of current laws, programs, and enforcement;
- Seeking out and instituting enforcement programs, innovative ideas, and emergent technologies to educate, prevent and deter occurrences of impaired driving; and
- Proposing traffic safety policy recommendations and serving as Arizona's primary source of information on impaired driving and its affect on public safety.

BACKGROUND

Chaired by the Director of the Governor's Office of Highway Safety, the Task Force drew membership from around the State that included agencies and organizations committed to the enforcement, prosecution, adjudication and education about impaired driving.

Objectives of the Task Force will be clearly defined by all members. All policies and programs adopted or supported will be data driven and approved by Task Force stakeholders.

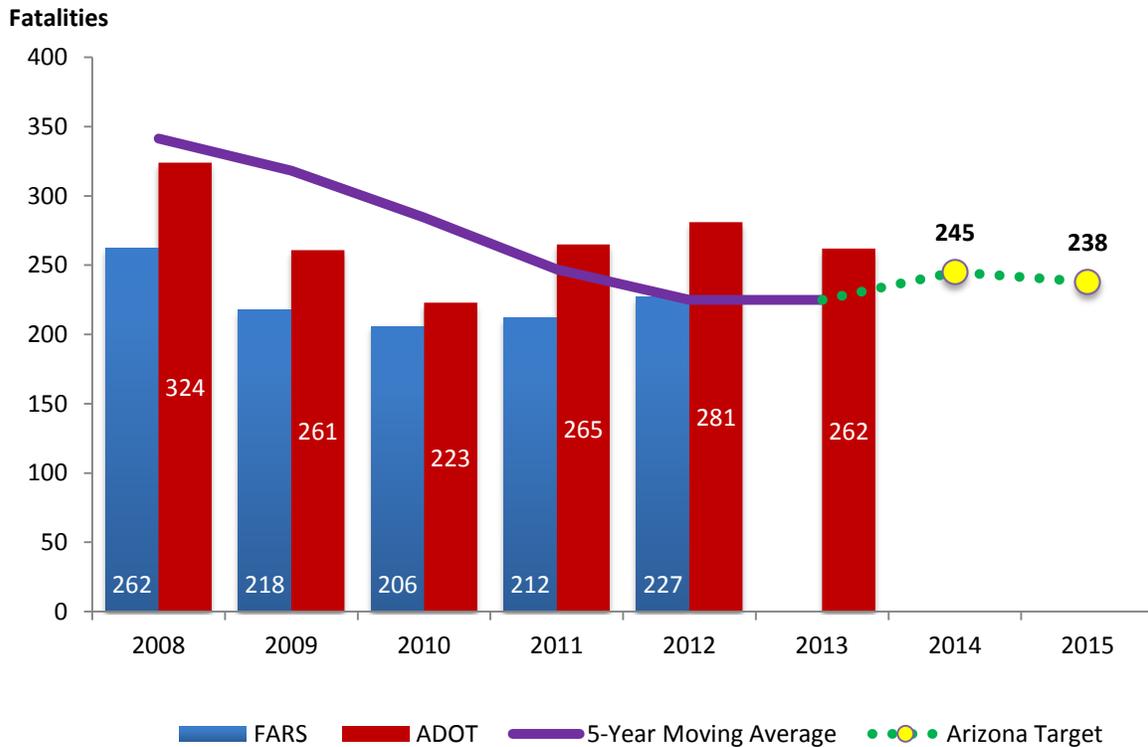
The Task Force had a meeting on Wednesday, August 21, 2013. Long-term in nature, the Task Force meets regularly with a schedule established by the Director. To increase effectiveness and maintain member involvement, sub-committees were established and the use of press releases or media announcements were utilized. Recent high-profile or tragic impaired driving collisions will be emphasized in order to inform the public and keep them engaged with the mission. Lastly, a scribe will track meeting minutes, set time-frames for strategic initiatives or goals, and make information available to the public on the website. The Director or designee will determine eligible spokespersons.

Anticipated Successes:

- 1) Stronger and more efficient communication between agencies and stakeholders
- 2) Creation of better record-keeping systems
- 3) Positive changes in impaired-driving enforcement countermeasures
- 4) Influence on impaired-driving consequences that are data-driven
- 5) More systematic/standardized approach, adopted at the State and local level
- 6) Provide a safe place for members to address potentially controversial issues
- 7) Become aware of unintended consequences of strategies before change is adopted

## STRATEGIES

**Figure 0.1 Alcohol-Impaired Driving Fatalities**



Sources: FARS (2008 - 2012); ADOT (2008 - 2013)

Retrieved May 2014

### *Explanation of the Alcohol-Impaired Driving Fatality Goal-Setting Process*

Based on the trend data shown above, GOHS has set the 2015 alcohol-impaired driving fatality goal at 238. This is 9 percent less than the 262 fatalities experienced in 2012. Through continued emphasis on enforcement and education, the GOHS believes the goal of reducing alcohol-impaired fatalities to 238 by 2015 is appropriate and achievable.

Drivers and pedestrians impaired by alcohol and both legal and illegal drugs continue to be a challenge in Arizona. Following the succession of a five-year decrease in alcohol-impaired driving fatalities from 399 in 2006 to 215 in 2011, 2012 saw an increase to 227 alcohol-impaired driving fatalities. ADOT data shows a drop in alcohol-impaired driving fatalities from 281 in 2012 to 262 in 2013. Reducing the number of impaired driver related fatalities and injuries occurring on roadways in the State remains a top safety focus area for Arizona. Research shows sustained, long-term, highly visible enforcement coupled with effective education programs reduces impaired driving crashes and fatalities.

GOHS has set the 2015 alcohol-impaired driving fatality goal at 238, which represents a 9 percent decrease from 2013. Arizona has some of the toughest impaired driving laws in the nation and is nationally recognized as having the best trained officers in the detection of alcohol-

and drug-impaired drivers. In 2013, over 31,000 DUI arrests were made, including over 4,500 related to drugged driving. This dramatic increase to 4,500 from just 700 such drugged-driving arrests in 2008 is a direct result of a state-wide expansion of the DRE and ARIDE training funded by grants through GOHS. The state has a cadre of superbly trained officers in alcohol- and drug-impaired driver detection. Additionally, Arizona provides training to law enforcement officials from other states and countries as well. Through FFY 2013, GOHS funded 75 DRE certification nights hosted by the Maricopa County Sheriff's Office for law enforcement officials from 13 other states. Arizona expects an increase in DRE certification night activity throughout the FFY 2014 and into FFY 2015 due to requests from Canadian DRE candidates to train at the Maricopa County Sheriff's Office DRE certification nights.

## **IMPAIRED DRIVING STRATEGIES**

### **Deterrence**

The Task Force will make data-driven recommendations to various levels of State and local organizations, both public and private. With the understanding that success can only be achieved through collaborative efforts between government and business, our primary strategic initiatives will focus on education, prevention, awareness, and enforcement. While not all-inclusive, the following list of initiatives will be the basis of progressive influence on policies and programs that combat impaired driving:

- 1) Identify specific impaired-driving problems in the State**
  - a) Identify regions with above average impaired driver arrest rates
  - b) Identify regions of high recidivism or repeat offender rates
  - c) Identify regions with high BAC or Extreme DUI offenders
  - d) Identify courts/regions with lower than State average conviction rates
  - e) Identify regions with above-average impaired driving collision rates
  - f) Identify the most frequently implicated prescription drugs involved in fatalities
  - g) Providing timely information to the public about the danger associated with impaired driving and the consequences for those who break the laws
  
- 2) Accelerate Drugged Driving enforcement efforts**
  - a) Strengthening Per Se laws for drugged drivers
  - b) Expand DRE program (Set goals: 10% increase by 2015, 15% by...)
  - c) Encourage ARIDE training for ALL Officers in the State
  - d) Enhance training for law enforcement on effective tools and techniques
  - e) Expand education and public awareness
  - f) Courts mandate pre-sentence alcohol and drug screening
  - g) Educate emergency hospital personnel
  - h) Research/get ahead of new prescription medications being introduced
  - i) Research/get ahead of new designer and synthetic drugs being introduced
  
- 3) Make recommendations to reduce impaired driving in the State**
  - a) Increase use of sobriety checkpoints, accompanied with intensive publicity
  - b) Use data to determine high fatality rate areas
  - c) Establish low man power/mobile checkpoints

- d) Expanded use/mandates of Ignition Interlock Devices (IID's)
  - e) As of April 2014, Arizona had 21,573 ignition interlocks in service
  - f) Expand alternative transportation options, "Get a DD...Not a DUI" Designated Drivers
  - g) Increase compliance checks at bars, convenience stores, etc.
    - i) "CUBS" details (Covert underage buyers)
    - ii) Engage Law Enforcement units other than just Traffic
      - (1) Police Explorers
      - (2) Undercover Units
      - (3) Liaison with Dept. Liquor Licensing Control
  - h) Expand Electronic Search Warrant Program
  - i) Help citizens develop a clear understanding of DUI laws and its consequences
    - i) Expand the "Know Your Limit" Program to additional Law Enforcement Agencies
    - ii) Uniformed Officers with portable breath tests (PBT's) outside alcohol serving establishments
- 4) Impaired Driving Enforcement, totaling \$1,727,295.00**
- a) Year-long sustained enforcement efforts targeting alcohol and drug impairment
  - b) High-visibility enforcement throughout the State
  - c) DUI Saturation patrols
  - d) Sobriety Checkpoints
  - e) Periodic data-driven, enhanced enforcement campaigns and Holiday Task Forces
  - f) GOHS requires funded agencies to conduct education/public awareness campaigns
  - g) GOHS mandates funded agencies to report arrest and citation data
- 5) Impaired Driving Enforcement Equipment and Supplies totaling \$337,908.00**
- a) Equipment that supports detection and processing of impaired drivers, such as PBT's, phlebotomy supplies, drug testing kits, urine/blood kits, Intoxilyzers, Livescan, Gas Chromatographs, and other laboratory equipment used to analyze blood, breath and other bodily substances, etc.
- 6) Impaired Driving Training, totaling \$290,000.00**
- a) Devoted to training, travel reimbursement, books/materials, and conference speakers in:
    - i) Standardized Field Sobriety testing (SFST)
    - ii) Drug Recognition Expert (DRE)
    - iii) Horizontal Gaze Nystagmus (HGN)
    - iv) DUI report writing and testimony
    - v) Advanced Roadside Impaired Driving Enforcement (ARIDE)
    - vi) Drug Impairment Training for Educational Professionals (DITEP)
- 7) Traffic Safety Resource Prosecutor (TSRP), totaling \$112,992.00 + \$112,992 DUI Abatement Council State Dollars**
- a) Duties are to enhance DUI prosecution efforts state-wide with focus on two goals:
    - i) Increase the visibility of traffic safety cases with prosecutors and officers prosecutors' visibility with the traffic safety community
    - ii) Increase confidence of both prosecutors and officers in courtroom testimony

- 8) **Impaired Driving Awareness and Media Buys, totaling \$421,906.00**
  - a) Utilizing local TV, radio, and print media, the GOHS Director conducts press conferences and frequent media interviews in English and Spanish regarding:
    - i) Holiday enforcement campaigns
    - ii) Constant news reports on DUI arrests
    - iii) Keeping the public informed in order to reduce impaired driving tragedies on our State highways
    - iv) An annual survey to track public perception
  
- 9) **Additionally, several funded programs target high-risk groups by employing:**
  - a) “Know Your Limit” events, where uniformed officers provide portable BAC results for patrons leaving liquor establishments before deciding to drive
  - b) Mock-Crash scenarios to educate high school students
  - c) SADD funding for education in high schools
  - d) MADD funding for court monitoring of prosecution and adjudication practices
  - e) GOHS sponsorship/coordination of “Public Safety Days” at the Arizona State Fair

## **PROGRAM MANAGEMENT**

- 1) Arizona Medical Marijuana Act and obstacles to effective DUI enforcement
  - a. Recommendation to consult Sheila Polk, Yavapai County Attorney reference innovative efforts there to address the issue was implemented.
  - b. Arizona-specific DRE validation study is being conducted.

### **Formation of Sub-Committees on the State-Wide Task Force:**

- 2) Form sub-committee to deal with DUI booking/sentencing legislation
  - a. Chief Deputy Steve Henry, Pinal County Sheriff’s Office, pointed out that cost of booking is paid by arrest agency at time of booking, or paid by Court at time of sentencing.
  - b. Courts are counting a booking at time of arrest as “time served” in place of 24 Hours in jail to avoid incurring incarceration costs at sentencing.
  - c. Sgt. Chris Andreacola, Tucson PD and member of AZPOST, recommended introducing legislation to impose 30-Day vehicle impound for all DUI arrests not just Extreme DUI will be considered.
  
- 3) Explore Re-introduction of Public Intoxication Law
  - a. Chief Deputy Steve Henry recommended review of Ca. law as they are under 9th Circuit as well. Phoenix Chief of Police Danny Garcia will convene in the fall, a committee to propose legislation on this subject.

## **CRIMINAL JUSTICE SYSTEM**

1. GOHS sponsored Judicial Conference was conducted in December 2013 in Tempe with over 120 judges in attendance.

2. GOHS sponsored Prosecutors and Law Enforcement DUI Training Conference:
  1. Will be on July 8, 9, and 10<sup>th</sup> in Phoenix. Agenda and attendees are attached.
3. International IACP DRE Conference in Phoenix – GOHS hosting July 27 to July 30, 2014 with 800 attendees.
4. Other subcommittee meetings that occurred in FFY 2014 were:
  2. Admin Per Se/Implied Consent
  3. Arizona Crash Form Revision
  4. DRE/DUI Statewide Steering Committee

#### DATA AND RECORDS

1. Computerized E-mail Search Warrants:
2. Recommendation to expand this program as soon as possible for Holiday DUI Task Force
3. Arizona Superior Court has a contract to expand the DUI eSearch Warrant program to Ten (10) additional law enforcement agencies in the State of Arizona.
4. Phoenix Police Department offered the Phoenix DUI Vans during Task Force Details to support the E-mail Search Warrant program.

#### EVALUATION

1. GOHS will continue to fund these proven and effective strategies to reduce the number of alcohol and drug driving-related fatalities by measuring progress and outcomes for the following:
  - Number of Impaired Driving Arrests
  - Number of Alcohol Impaired Driving Fatalities (BAC = 0.08%)
  - Number of Officers Trained in Impaired Driving
  - Number of Checkpoints Held
  - Number of DUI Details / Task Force Operations
  - Stats for 2013 included
  - GOHS funded 6 new DUI Processing Vans and refurbished 5 more throughout the State.

## TASK FORCE (STAKEHOLDERS)

**GOVERNOR'S OFFICE OF HIGHWAY SAFETY - A CABINET AGENCY** –DIRECTOR ALBERTO GUTIER  
**NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION** – JIM MCLAUGHLIN  
**ARIZONA DEPARTEMNT OF PUBLIC SAFETY – A CABINET AGENCY** – DIRECTOR ROBERT HALLIDAY  
**ARIZONA DEPARTMENT OF PUBLIC SAFETY- HIGHWAY PATROL**  
**ARIZONA DEPARTMENT OF PUBLIC SAFETY- CRIME LAB - VINCE FIGARELLI / STEVE BUTLER**  
**ARIZONA DEPARTMENT OF PUBLIC SAFETY -VEHICLE CRIMES UNIT**  
**ARIZONA DEPARTMENT OF TRANSPORTATION- A CABINET AGENCY - HEARING OFFICE** – ADEL ALISTER  
**AZ DEPARTMENT OF TRANSPORTATION MOTOR VEHICILE DIVISION** – JACKIE GENTNER/CINDY GAGE  
**FEDERAL HIGHWAY ADMINISTRATION (FHWA)- KARLA PETTY/KELLY LAROSA**  
**AZ DEPARTMENT OF HEALTH SERVICES – A CABINET AGENCY** – DIRECTOR WILL HUMBLE  
**AZ DEPARTMENT OF HEALTH SERVICES EMERGENCY MEDICAL SERVICES-** JAMES HARDEN, TERRY MULLINS  
**AZ DEPARTMENT OF LIQUOR LICENSE AND CONTROL- A CABINET AGENCY** – DIRECTOR ALAN EVERETT  
**MARICOPA COUNTY ATTORNEY'S OFFICE** – COUNTY ATTORNEY BILL MONTGOMERY, AARON HARDER  
**YAVAPAI COUNTY ATTORNEY** – COUNTY ATTORNEY SHEILA POLK  
**PIMA COUNTY ATTORNEY** – DEPUTY COUNTY ATTORNEY BRUCE CHALK  
**PHOENIX PROSECUTOR'S OFFICE** – BETH BARNES – TSRP/GOHS  
**MESA PROSECUTOR'S OFFICE** – JON ELIASON  
**GLENDALE PROSECUTOR'S OFFICE** – ROB WALECKI  
**TUCSON CITY PROSECUTOR'S OFFICE** – BAIRD GREEN  
**ARIZONA PROSECUTING ATTORNEY'S ADVISORY COUNCIL (APAAC)- ELIZABETH ORTIZ**  
**MARICOPA COUNTY SHERIFF'S OFFICE** – SHERIFF JOE ARPAIO, CAPT. BILL HINDMANN  
**YAVAPAI COUNTY SHERIFF'S OFFICE-** SHERIFF SCOTT MASHER  
**COCHISE COUNTY SHERIFF'S OFFICE-** SHERIFF MARK DANNELS  
**PINAL COUNTY SHERIFF'S OFFICE-** CHIEF DEPUTY STEVE HENRY  
**PHOENIX POLICE DEPARTMENT-** TRAFFIC COMMANDER GEARY BRASE, LT. SCOTT SOWERWINE  
**TUCSON POLICE DEPARTMENT-** TRAFFIC SGT. CHRIS ANDREACOLA  
**MESA POLICE DEPARTMENT-** TRAFFIC LT. MIKE BELLOWS  
**SCOTTSDALE POLICE DEPARTMENT** – TRAFFIC LT. JOE KERTESZ  
**SALT RIVER INDIAN COMMUNITY POLICE DEPARTMENT** – LT. TONY SANDOVAL  
**GILA RIVER INDIAN COMMUNITY POLICE DEPARTMENT** – GOVERNOR GREGORY MENDOZA  
**ARIZONA ASSOCIATION OF CHIEFS OF POLICE** – CHIEF MIKE FRAZIER SURPRISE PD  
**ARIZONA PEACE OFFICERS TRANDARDS AND TRAINING-** TRAFFIC SGT. CHRIS ANDREACOLA  
**ARIZONA SUPREME COURT (OFFICE OF THE COURTS)** – JERRY LANDAU  
**MARICOPA COUNTY JUSTICE COURT-** PRESIDING JUDGE STEVEN MCMURRAY, JUDGE MICHAEL REAGAN  
**CITY OF MESA COURT** – JUDGE MATTHIAS TAFOYA  
**OVERSIGHT COUNCIL ON DRIVING OR OPERATING UNDER THE INFLUENCE** – LINDA GRAY, CHAIRMAN  
**MARICOPA ASSOCIATION OF GOVERNMENTS** – SARATH JOSHUA  
**TRAFFIC RECORDS COORDINATING COMMITTEE** – RICK TURNER  
**FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION** – MATT FIX  
**ARIZONA MOTORCYCLE SAFETY ADVISORY COUNCIL** –MICK DEGN  
**NATIONAL SAFETY COUNCIL** – MARGARETTE CATHER  
**BEVERAGE ALCOHOL COMMUNITY INFORMATION COUNCIL** – STEVE CHUCRI  
**MOTHERS AGAINST DRUNK DRIVING** – EXECUTIVE DIRECTOR NICK RAY  
**STUDENTS AGAINST DESTRUCTIVE DECISIONS** – EXECUTIVE DIRECTOR JESSICA SMITH  
**ARCHANGEL FOUNDATION** – HEATHER HURST, AARON FRASER

**PHOENIX FIRE DEPARTMENT – DEPUTY CHIEF SHELLEY JAMISON, ROBERT JOHNSON, KELLY LIEBERMAN**  
**PARTNERSHIP FOR A DRUG FREE AMERICA – CEO LESLIE BLOOM**  
**ARIZONA INTERLOCK DISTRIBUTORS ASSOCIATION – GARY JOHNS**  
**GOLDBERG AND OSBORNE LAW FIRM – JOHN OSBORNE**  
**STATE FARM INSURANCE**  
**PROBATION DEPARTMENT REPRESENTATIVE**

# ARIZONA DUI STATISTICS



MEDIA CONTACT:  
 Alberto Gutier  
 602.255.3216 – Office  
 602.377.1365 – Cell  
 602.908.8900 – Cell  
 602.944.1015 – Home

## Arizona DUI Enforcement Statistics

Entered by Statewide Agencies on the GOHS Reporting System.

### Yearly Data from Calendar Year 2004 to 2013

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Contacts (Traffic Stops)	39789	49230	72057	112555	96243	148063	228146	702921	877617	830792
Sober Designated Drivers Contacted						1450	9692	6790	6641	6748
Total DUI Arrests	5255	6501	6847	10133	10409	14154	19482	31561	32174	31636
DUI Aggravated	390	435	542	906	994	1429	2007	3473	3698	3616
DUI Misdemeanor	4865	6066	6305	9227	9415	12725	17475	28088	28476	28020
DUI Extreme (.15 or above)	1476	1616	1622	3410	3302	4369	5943	9466	9002	8191
Under 21 DUI Arrests	357	427	421	655	590	783	910	1337	1532	1451
Average BAC	0.145	0.146	0.145	0.148	0.151	0.152	0.152	0.152	0.151	0.151
Seat Belt Citations	1437	1259	1387	1137	1132	3323	5439	21828	29710	27805
Child Restraint Citations	250	177	241	317	215	617	988	3435	3671	4464
Under 21 Liquor Law Citations	1118	943	1540	1502	1571	2019	3169	7708	7988	8539
DUI Drug Arrests	337	424	541	538	694	1153	1679	3579	4511	4514
Criminal Speed Citations										5626
Aggressive Driving Citations										191
Civil Speed Citations										69154
Other Citations *	23074	28789	28095	38348	43846	73600	101848	331269	377992	403905
Participating Officer/Deputies (Cumulative)	4925	6081	6522	11483	10225	15809	34300	47927	51654	45889

*These three categories of citations will be broken down by statute starting in mid - 2013 Calendar year.*

\*2004 - 2012 'Other Citations' statistics include Speed

3/18/2014

GOHS 2014 CONFERENCE AGENDA

**GOHS Law Enforcement & Prosecutors DUI Training Conference  
July 8 – 10, 2014  
Agenda**

**Tuesday, July 8, 2014**

- 7:30am – 9:30am** Continental Breakfast and Registration
- 9:00am – 9:30am** Welcoming Remarks  
Alberto Gutier, Director, GOHS  
Joe Arpaio, MCSO Sheriff  
Daniel V. Garcia, Phoenix Chief of Police  
Sheila Polk, Yavapai County Attorney  
Bobby Halliday, Director AZDPS
- 9:30am – 9:45am** GOHS Statewide DUI Task Force, Alberto Gutier, Director GOHS
- 9:45am – 10:30am** GENERAL SESSION  
Marijuana – Why Do We Care, *Sheila Polk*
- 10:30am – 10:45am** BREAK
- 10:45am – 12:15pm** GENERAL SESSION  
Prescription Drug and Medical Marijuana DUIs  
*Chip Haas, Kemp Layden, Charity Collins, Joseph Tripoli*
- 12:15pm - 1:30pm** LUNCH (Prosecutors will need to sign in after lunch)
- 1:30pm – 3:00pm** GENERAL SESSION  
Crash Reconstruction/Technology in the Courtroom  
*Cam Siewert, Aaron Harder*
- 3:00pm - 3:15pm** BREAK
- 3:15pm – 4:45pm** BREAKOUT SESSIONS
- Resilience & Hope, a Solution to Ethical Decision Making –Mark Perkovich (30 min)*  
Know Your Limit – *Tommy Jensen -(15 min)*  
Alcohol Permit Process – *Wesley Kuhl (10 min)*  
Z-86 – *Mitch Kulwin, Mike Meelhuysen (10 min)*  
DRE Cert Nights – *Paul White, Dallas Cotts and Alberto Gutier (10 min)*  
Crash Forms – *Alberto Gutier and John Carlson (15 min)*
  - Prosecutor Ethics  
*Elizabeth Ortiz, John Bellatti and Baird Greene*

**Wednesday, July 9, 2014**

- 8:00am – 9:00am**                      **Continental Breakfast and Registration**
- 9:00 am – 10:10am**                    **Welcoming Remarks**  
**John Halikowski, Director AZDOT**
- 10:10am – 10:30am**                    **GENERAL SESSION**  
**Admin Per Se/Implied Consent (*McNeely & Tyler B. Issues*)**  
**Right to Counsel, Electronic Search Warrants**  
***Beth Barnes, Sergeant Doug Opferbeck***
- 10:30am – 10:45am**                    **BREAK**
- 10:45am – 11:45am**                    **GENERAL SESSION**  
**A Case Study: The Difficult DUI (20 min)**  
***Officer Jeff Cardita, Casa Grande PD, Rockne Anderson***  
**Restitution (20 min)**  
***Officer Bill Will, Goodyear PD***  
**Vehicle Forfeiture (20 min)**  
***Prosecutor TBD***
- 11:45am – 1:00pm**                    **LUNCH (Prosecutors will need to sign in after lunch)**
- 1:00pm -2:30pm**                        **GENERAL SESSION**  
**Synthetic Drug DUI Cases**  
***Christopher Andreacola, Tucson PD, Estuardo Miranda,***  
***AZDPS, Aaron Harder, MCAO***
- 2:30pm – 2:45pm**                    **BREAK**
- 2:45pm – 4:45pm**                    **GENERAL SESSION**  
**Forensic Tools**  
**Saliva – *Officer Kevin Reynolds, Scottsdale PD (10 min)***  
**Live Scan – *Eric Thrower (10 min)***  
**UV lights – *Brad Withrow (10 min)***  
**Phlebotomy – *Daven Byrd (10 min)* Interlocks**  
**Interlocks - *Alberto Gutier and John Carlson***  
**Breath and Blood Challenges-*Beth Barnes, Ron Skwartz***

**Thursday, July 10, 2014**

<b>8:00am – 9:00am</b>	<b>Continental Breakfast and Registration</b>
<b>9:00am – 10:00am</b>	<b>GENERAL SESSION</b> <b>How to Qualify as an Expert - From <i>Frye</i> to <i>Daubert</i></b> <b><i>Beth Barnes, Jay Jacobs, Trevor Graff</i></b>
<b>10:00am – 10:15am</b>	<b>BREAK</b>
<b>10:15am – 11:15am</b>	<b>GENERAL SESSION</b> <b>The DUI Investigation: What Prosecutors Want and What the</b> <b>Defense Will Attack</b> <b><i>Caron Close, Jim Neugebauer, Tom McDermott</i></b>
<b>11:15am – 11:30am</b>	<b>BREAK</b>
<b>11:30am – 12:30pm</b>	<b>GENERAL SESSION</b> <b>DUI Legal Update/Case Law</b> <b><i>Beth Barnes, Tobin Sidles</i></b>
<b>12:30pm – 12:45pm</b>	<b>Closing Remarks</b> <b><i>Alberto Gutier, Director</i></b>

DRE 2014 CONFERENCE AGENDA

**20<sup>th</sup> Annual Training Conference on Drugs, Alcohol & Impaired Driving**

**Arizona Biltmore Hotel and Resort, Phoenix, Arizona**

**The Evolution of Drug Recognition: A Trip Back to the Basics**

**July 28 – 30, 2014**

**Daily Schedule of Events**

**Sunday, July 27th**

**8:30 am – 2:00 pm**     **DEC Program State Coordinators Meeting** (*Ernie /Chuck to develop agenda*)

**TBD – 5:00 pm**     **Conference Registration Open**

**TBD- 5PM**     **Exhibit Set-up**

**3:00 pm – 5:00 pm**     **New DRE State Coordinators Orientation** (*Ernie, Chuck and Carolyn*)

**9:00 am – 11:00 am**     **HGN Refresher Train-the-Trainer Class**

Officers Brad Withrow and Matt Slaughter Mesa Police Department

**1:00 pm – 5:00 pm**     **DITEP Instructor Certification Course (Invitation Only)**

Officers Dan Collins and Trevor Graff, Arizona DPS

**Monday, July 28th**

**7:00 am - 5:00 pm**     **Conference Registration**

**7:00 am – 8:00am**     **Continental Breakfast**

**7:00 am - 6:00 pm**     **Exhibits Open**

**8:00 am - 9:30 am**     **Opening Ceremony**

**Welcome** – Sergeant Mike Iwai, Oregon State Police

IACP DRE Section Chair

**Posting of the Colors (Multi-Agency Honor Guard)** (*Bill and Joe handling*)

**U.S. National Anthem** (Greg Dansby) (*Bill Peters Confirmed*)

**Canadian National Anthem** (recorded music unless one of singers can perform)

**Prayer and Moment of Silence** (DPS Chaplain Trinnis Killian) (*Daven handling*)

**Roll Call** (IACP DRE Section PowerPoint )

**Welcoming Remarks:**

**New Administrator – TBD (To be invited)**

National Highway Traffic Safety Administration

Alberto C. Gutier (**Confirmed**)

Director Arizona Highway Safety Office

Tom Horne (**Confirmed**)

Arizona Attorney General

Sheriff Joe Arpaio (**Confirmed**)

Maricopa County Sheriff's Office

Bill Montgomery (**Confirmed**)

Maricopa County Attorney

Daniel V. Garcia, Chief of Police (**Confirmed**)

Phoenix City Police Department

Chief Yousry "Yost" Zachary, Woodway, Texas Police Department (**Confirmed**)

International Association of Chiefs of Police or IACP President

**9:30 am – 9:40 am** The Honorable Janice K. Brewer (**Confirmed**)

Governor of the State of Arizona

**9:40 am – 10:00 am** **Keynote Speaker**

Director Robert Halliday, Arizona Department of Public Safety (**Confirmed**)

**10:00 am - 10:15 am** **Coffee Break**

**10:15 am -11:45am** **General Session: DRE Through the Ages: History and Development**

Panel: Dick Studdard – LAPD (Retired), Chuck Peltier – NHTSA, Jack Oates – NHTSA (Retired), and Cliff Vanel, Arizona Prosecutor's Office (Retired) (*All Confirmed*). Moderator: Chuck Hayes, IACP

The DRE Program has been used successfully by police officers for over 30 years as the premier tool for identifying drivers suspected of driving under the influence of drugs. The DRE Program was developed by the Los Angeles Police Department and has now evolved to all 50 states, the District of Columbia and a number of international countries. The presenters for the session will do a look-back into the history and development of the program describing it's roots, some of the original research, how the DRE curriculum was developed and how it has evolved through the years.

**11:45 am - 1:00 pm    Lunch On Own**

**1:00 pm - 2:45 pm    Breakout Sessions**

**Principles of Pharmacology and Drug Effects of Hallucinogens and Dissociative**

**Anesthetics**

Amy Miles, Wisconsin Laboratory of Hygiene (*Confirmed*)

*\*\*\* Add overview of presentation \*\*\**

**Use of Technology in the Courtroom**

Aaron Harder, Bureau Chief, Maricopa County Attorney's Office, Phoenix, AZ

*(Confirmed)*

*\*\*\* Add overview of presentation \*\*\**

**Advanced Alcohol Concepts**

Ronald Skwartz, Arizona Department of Public Safety Crime Lab, Phoenix, AZ

*(Confirmed)*

*\*\*\* Add overview of presentation \*\*\**

**Principles of Pharmacology and Drug Effects: Synthetic Cannabinoids**

Brandon Nabozny, Arizona Department of Public Safety Crime Lab, Phoenix, AZ and  
Jon Eliason, Division Chief, Major Crimes II, Maricopa County Attorney's Office  
*(Confirmed)*

*\*\*\* Add overview of presentation \*\*\**

**Improved Teaching Techniques: DRE Evaluations Interpretation. (DRE Instructors Only)**

Officers Frank Griego and Daven Byrd, Arizona Department of Public Safety, Phoenix, AZ *(Both confirmed)*

**\*\*\* Add overview of presentation \*\*\***

- 2:45 pm - 3:00 pm      Coffee Break**
- 3:00 pm - 4:45 pm      Repeat of Breakout Sessions #1-4**
- 5:30 pm – 7:00 pm      Welcome Reception**

***NOTE: Conference or Guest Badge is required for entry***

## **Tuesday, July 29th**

- 7:30 am – 5:00 pm      Conference Registration**
- 7:00 am – 8:00am      Continental Breakfast**
- 7:00 am – 5:00 pm      Exhibits Open**
- 8:00 am - 8:30 am      IACP DRE Section Awards**
- 8:30 am – 10:00 am      General Session: Personal Contact and Interview Techniques: Heads I Win,  
Tails You Lose**
- Clay Abbott, Traffic Safety Resource Prosecutor, Austin, Texas
- 10:00 am - 10:15 am      Coffee Break**
- 10:15 am – 12:00 pm      General Session: The Principles of Pharmacology and Drug Effects:**
- Cannabinoids**
- Dr. Barry Logan, NMS Labs, Willow Grove, PA (*Confirmed*)
- 12:00 pm - 1:15 pm      Lunch On Own**
- 1:15 pm – 2:45 pm      Breakout Sessions**

**Principles of Pharmacology and Drug Effects – CNS Depressants**

**Dr. Barry Logan, NMS Labs, Willow Grove, PA (*Confirmed*)**

**Why the Eyes Show Signs of Drug Usage**

Dr. Jack Richman, O.D., Boston, MA (*Confirmed*)

**NHTSA/IACP Impaired Driving Program Updates**

Bill O’Leary, NHTSA and Chuck Hayes, IACP DEC Program (*Both confirmed*)

**\*\*\* Add other NHTSA presenters \*\*\*\***

**\*\*\* Add overview of presentation \*\*\***

### **The Use of UV Lights for DRE Evaluations**

Dr. Karl Citek, Pacific University College of Optometry, Forest Grove, OR (*Confirmed*)

\*\*\* *Add overview of presentation* \*\*\*

### **Use of the DRE in Vehicular Crimes Investigation**

Sgt. Doug Opferbeck and Officer Jay Jacobs, Vehicle Crimes Unit, Phoenix, AZ Police Department (*Confirmed*)

\*\*\* *Add overview of presentation* \*\*\*

**2:45 pm – 3:00 pm      Coffee Break**

**3:00 pm – 4:30 pm      Repeat of Breakout Sessions**

## **Wednesday, July 30th**

**7:30 am – 5:00 pm      Conference Registration**

**7:30 am - 8:30 am      Continental Breakfast**

**7:30 am – 3:00 pm      Exhibits Open**

**8:30 am - 10:00 am      General Session: Using Oral Fluid in DUID Enforcement Cases**

Christine Moore, Ph.D., DABCC, Society of Forensic Toxicologists (SOFT) Committee on Drugs and Driving; Dr. Jarrad Wagner, Professor of Forensic Sciences, Oklahoma State University Center for Health; Dr. Barry Logan, NMS Labs, Willow Grove, PA., and Dr. Timothy Rohrig, Chief Toxicologist and Director of Forensic Sciences at Sedgwick County, Wichita, KS (*All Confirmed*)

The use of oral fluid as a matrix for the detection of drugs in drivers has been gaining interest and acceptance in the last few years. While law enforcement agencies in several countries have implemented saliva collection and analysis, the communities in the USA are gradually conducting field studies in various driving populations. This session will provide data to support the use of oral fluid as a biological sample for detecting drugs in drivers; provide results from research projects throughout the USA; and present guidance and protocols for the performance of field studies using oral fluid. The presenters are predominantly members of the newly established Oral Fluid Subgroup of the SOFT/AAFS DUID Committee, which is charged with providing information and guidance to the forensic community on this issue.

**10:00 am - 10:15 am      Coffee Break**

**10:15 am - 11:45 am      Breakout Sessions**

**Why You Don't See What You Thought You Saw: Limitations of Mobile Video Recording in Impaired Driving Cases and How to Mitigate Them**

Sgt. Christopher Andreacola, Tucson, AZ Police Department (*Confirmed*)

*\*\*\* Add overview of presentation \*\*\**

**Opiates: Effects on Human Behavior and Performance**

Jennifer Harmon, Assistant Director, Orange County Coroner's Department, Santa Ana, CA (*Confirmed*)

Opioids are one of the most widely prescribed and abused drug classifications. The presentation will cover the history of opioids, both illicit and prescription, as well as current use patterns. There will be discussion about how opioids are prescribed and for what therapy as well as the effects of the drugs on the brain and central nervous system. Much of the presentation will focus on common defenses encountered in driving under the influence (DUI) and intoxication cases and investigations. Defenses to be discussed included involuntary intoxication, chronic pain, tolerance and maintenance, poly-pharmacy and withdrawal. The defenses will be highlighted by actual cases encountered by the Orange County Crime Laboratory's Toxicology Section (Santa Ana, California). Finally, scientific literature references and conclusions will be provided to help aid the attendee's own review and opinion development; do opioids effect human behavior and performance?

**Prosecuting the Marijuana Impaired Driver**

Beth Barnes, Arizona Governor's Office on Highway Safety – Traffic Safety Resource Prosecutor, Phoenix, AZ and Erin Inman, Montana Traffic Safety Prosecutor, Montana City, MT (*Both Confirmed*)

*\*\*\* Add overview of presentation \*\*\**

**DRE Field Certifications – Best Practices and Protocols**

Sgt. Paul White and Officer Dallas Cotts, Maricopa County S.O., Phoenix, AZ (*Both confirmed*)

*\*\*\* Add overview of presentation \*\*\**

**DRE School Course Manager Training (*By State Coordinator Approval Only*)**

Kyle Clark, Florida DRE State Coordinator and Don Decker, Massachusetts DRE State Coordinator (*Both confirmed*)

**11:45 am - 1:00 pm    Lunch On Own**

**11:45 am - 1:30 pm**    **IACP DRE Section Midyear Meeting and Luncheon**  
(By Invitation Only)

**1:00 pm - 2:45 pm**    **Breakout Sessions Repeated**

**2:45 pm - 3:00 pm**    **Coffee Break**

**3:00 pm - 4:30 pm**    **Closing General Session: Gordon Graham, California Highway Patrol (Retired)**  
**\*\*\* Add overview of presentation \*\*\***

**4:30 pm**                **Retiring of the Colors – Conference Closing (Multi-Agency Honor Guard)**  
**(Bill and Joe handling)**

DUI ABATEMENT GRANTS AWARDED – STATE OF ARIZONA FUNDS

**DUI Abatement Council Grant Proposals**

**DUI Abatement Funds Awarded as of May 6, 2014**

Organization	Proposal #	Grant Type	Awarded	Title	Purpose
Casa Grande PD	00189	Enforcement	\$25,000.00	DUI Abatement Program	DUI Enforcement Overtime for special enforcement periods and DUI special details
Chandler PD	00169	Enforcement	\$45,000.00	DUI Enforcement	DUI Enforcement Overtime for extra traffic unit saturation patrols concentrating on apprehension of impaired drivers.
DILLC	00178	Enforcement	\$120,000.00	Underage Drinking/DUI Program	DUI Enforcement Overtime to support details such as the Covert Underage Buyer program (CUB), Target Responsibility for Alcohol Connected Emergencies (TRACE), DUI check points and Enforcement, and other youth alcohol related enforcement and training details.
Flagstaff PD	00176	Enforcement	\$40,000.00	Driving Under The Influence Task Force	DUI Enforcement Overtime for additional weekend and holiday enforcement.
Gila River PD	00184	Enforcement	\$35,000.00	DUI Abatement	DUI Enforcement Overtime and 18 PBTs and mouthpieces
Goodyear PD	00177	Enforcement	\$40,000.00	DUI Abatement	DUI Enforcement Overtime to strengthen DUI detection, enforcement, prosecution, and public education on alcohol and drug related offenses. Included are overtime expenses for personnel participating in the program, including dispatchers and phlebotomists, and to investigate impaired drivers that are involved in drug or alcohol related collisions.
Lake Havasu PD	00131	Enforcement	\$10,000.00	Operation None for the Road	DUI Enforcement Overtime to increase efforts during peak months of increased visitors.
LaPaz CSO	00187	Enforcement	\$20,000.00	DUI Abatement Grant	DUI Enforcement Overtime during holiday activities, special events, saturation patrols and sustained enforcement

Organization	Proposal #	Grant Type	Awarded	Title	Purpose
Marana PD	00185	Enforcement	\$30,000.00	Marana Impaired Drivers - Holiday DUI Task force Program	DUI Enforcement Overtime for marked patrol units targeting impaired drivers during peak DUI times in targeted locations. (Duplicate of HS-15 request, AG recommends \$30,000 award)
MCSO	00174	Enforcement	\$130,000.00	DUI Task Force Ops/Detention Support/Underage Drink	DUI Enforcement Overtime to include DUI Task Force Operations, Detention Support, Underage Drinking Enforcement and Drug Recognition Expert Certification Training.
Mesa PD	00190	Enforcement	\$100,000.00	DUI Enforcement Program	DUI Enforcement Overtime to extend deployments of DUI Squad during holiday task force operations and continuous saturation patrols
Peoria PD	00183	Enforcement	\$40,000.00	DUI Enforcement and Education	DUI Enforcement Overtime for saturation patrols on peak DUI nights, deployment of personnel during Super Bowl activities for aggressive DUI enforcement, increase support of West Valley DUI Task Force events, and provide DUI information at high schools, Youth Citizen's Police Academy, Explorer program, etc.
Phoenix PD	00180	Enforcement	\$100,000.00	DUI Enforcement	DUI Enforcement Overtime for additional and supplemental DUI enforcement activities on various days of the week and on high risk DUI nights.
Pima CSO	00171	Enforcement	\$100,000.00	DUI Abatement	DUI Enforcement Overtime with emphasis on DUI sobriety checkpoints and DUI saturation patrols, underage drinking parties, and educational components.
Pinal CSO	00172	Enforcement	\$25,000.00	DUI Enforcement Program	DUI Enforcement Overtime for 12 monthly task forces and the entire month of December for the Holiday Task Force

Organization	Proposal #	Grant Type	Awarded	Title	Purpose
Scottsdale PD	00173	Enforcement	\$100,000.00	DUI Abatement	DUI Enforcement Overtime to increase participation in the East Valley DUI Task Force, DUI Saturation Patrols, and "Know Your Limit" education details which will also include support personnel: DUI van drivers, detention staff, and vehicle impound police aids. Also for development and implementation of the Alternative Transportation Safety Program
Sierra Vista PD	00179	Enforcement	\$30,000.00	Abatement Council Task Force Grant	DUI Enforcement Overtime for officers to deploy during scheduled events (ERE will be limited to 40% in Agreement)
Tempe PD	00175	Enforcement	\$50,000.00	Impaired Driving Enforcement	DUI Enforcement Overtime to enhance enforcement capabilities to impact both alcohol and drug impaired drivers
Yuma CSO	00188	Enforcement	\$25,000.00	Impaired Driving	DUI Enforcement Overtime for DUI Task Force details on various holiday weekends and select DUI detection details throughout the year

TOTAL \$1,065,000.00









April 1, 2014

To: Arizona's Law Enforcement Agencies

Re: Revisions to the Arizona Crash Report Form

The Arizona Department of Transportation (ADOT) and the Governor's Office of Highway Safety (GOHS) want to take this opportunity to thank the law enforcement agencies throughout Arizona that participated in reviewing and revising the Arizona Crash Report Form. ADOT would like to thank Alberto Gutier and his team for the tremendous assistance they have provided in this effort.

Attached for your agency's reference is a matrix that summarizes the changes to the Arizona Crash Report Form. Each change is referenced by the form number located in the bottom left side of the Crash Report, for example the reference on Page 1 of the Revised Crash Report Form is 01-2704A1.

We request that law enforcement agencies that manually fill out the Crash Report please begin to use this form by July 1, 2014. This revised form should be available on-line by June 2, 2014 and can be downloaded at [http://www.azdot.gov/data\\_improvement/crash.asp](http://www.azdot.gov/data_improvement/crash.asp). For law enforcement agencies that utilize the Traffic and Criminal Software (TraCS) platform, these changes will be incorporated automatically into TraCS as of July 1, 2014 and the update will be sent out to those agencies using TraCS for them to install. For law enforcement agencies that utilize or are planning to submit their crash reports electronically through a secure XML Schema this year, ADOT will work individually with your IT Department of Record Management System vendor to switch over to the revised Crash Report Form on a reasonable time schedule. Our desire is to have everyone using the revised form by the end of 2014. We do not anticipate making in more changes to this form for at least two years.

Again, we truly appreciate the input and cooperation we have received from Arizona's law enforcement community. Thank you in advance for your efforts to utilize the revised form based on the above time schedules. Please feel free to contact Rick Turner ADOT's Traffic Records Program Manager at (602) 712-6227 if you have any questions or concerns about this effort.

Respectfully,

John S. Halikowski  
Director  
Arizona Department of Transportation  
206 S. 17th Avenue  
Phoenix, AZ 85007

Alberto Gutier  
Director  
Arizona Governor's Office of Highway Safety  
3030 N. Central Ave., Suite 1550  
Phoenix, AZ 85012

Attachment

ARIZONA REVISED CRASH FORM

**Summary – Revised Changes to 2014 Arizona’s Crash Report Form**

Page Reference Number	Description and Instructions
01-2704A1	<p><b>Box 4</b> – was changed to add information requested for those agencies that will be using the Traffic Incident Management System (TIMS).</p> <p>Is this a <b>Secondary Collision?</b> – Select “yes” if the collision occurs as a direct result of, or distraction created by, a prior incident on or adjacent to the roadway.</p> <ul style="list-style-type: none"> <li>• <b>Roadway Clearance Time</b> – If there was travel lane blockage, this is the time that all lanes were opened for traffic. If no traffic lanes were blocked this would be the occurrence time.</li> <li>• <b>Incident Clearance Time</b> - This is the time that the collision was cleared or moved from the roadway and is no longer a distraction to the drivers in the roadway.</li> </ul>
01-2704A1	<p><b>Box 5 Traffic Unit</b> - these boxes have stayed the same except for the Name box. In the name box we have added two check boxes for the officer to indicate if this person was ejected and/or extricated. (If either of these boxes is checked, then the officer will need to fill out boxes 31 and 32 on page 01-2704B2.)</p>
01-2704A1	<p><b>Box 6 Witness</b>– it was decided that the witness box would be moved to this location on the form and the passenger box was moved to page 01-2704B2 at the top of the page. The information needed for the witnesses has not changed.</p>
01-2704A1	<p><b>Box 7 and Box 8</b> – have not changed other than the box number. The information in these boxes is still the same.</p>
01-2704B1	<p><b>Box 1</b> – was added to this page. To be consistent with all the other pages, the Report ID information was added at the top.</p>
01-2704B1	<p>The <b>Witness box</b> and the <b>Citation box</b> were removed from this page. The <b>Witness box</b> is now on page 01-2704A1 and the <b>Citation box</b> is now on page 01-2704B2.</p>
01-2704B1	<p><b>Box 13 Relation to Junction</b> – under the Controlled Access Area (this would refer to the freeway) 16-Median Crossover-Related was added. This will allow the officer to indicate those crashes where the vehicle crossed over the median and strikes a vehicle on the other side of the median.</p>
01-2704B1	<p><b>Box 20 Distracted Driving Behavior</b> - this is a new box that has been added to gather better information on distracted driving. There are now 8 different types of distracted driving listed. The officer should check the one that best describes the incident.</p>

**Summary – Revised Changes to 2014 Arizona’s Crash Report Form**

Page Reference Number	Description and Instructions
01-2704B1	<b>Box 22 Violations/Behavior</b> – check box 16 and 19 have been moved to Box 20 Distracted Driving Behavior.
01-2704B2	<p><b>Box 25 Passengers</b> – the Passenger’s box has been moved to this page. There are three new check boxes that have been added in the Name and Address area:</p> <ul style="list-style-type: none"> <li>• <b>Transported by EMS/Fire</b> – if this passenger has been transported then the officer will indicate this by checking the box.</li> <li>• <b>Ejected</b> – if this passenger was ejected then the officer will check this box and then will need to complete box 31.</li> <li>• <b>Extricated</b> – if this passenger was extricated then the officer will check this box and then will need to complete box 32.</li> </ul>
01-2704B2	<b>Box 26 Citations</b> – was moved to this page. The information is the same as before
01-2704B2	<b>Box 30 Lane – Sidewalk (SW)</b> was added to this area.
01-2704B2	<b>Box 31 Ejection</b> and <b>Box 32 Extrication</b> – this box will only need to be filled out for those individuals where the ejected and/or extricated boxes have been checked.
01-2704B2	<p><b>Box 33 Sequence of Events</b> – the collection box in this area has changed slightly as follows:</p> <ul style="list-style-type: none"> <li>• <b>First Harmful Event of the Crash</b> – in this area you will write the First Harmful Event of the Crash. This is the first event where damage or injury occurred.</li> <li>• <b>Sequence of Events Per Traffic Unit</b> – this is where you list per traffic unit the sequence of the crash event, listing up to four of the most important events.</li> </ul>
01-2704C1	There were no changes made to this page.
01-2704C2	The only changes to this page were the removal of the Passenger and Witness information boxes.





Admin Per Se

ADOT – John Carlson, Alister, Jackie

PHX PD - Lt. Sowerwine, Lt. Opferbeck, Kemp – Joel ✓

Pinal CSO - Chief Henry

Casa Grande – Officer Cardita & his Sgt. Or Lt.

Peoria PD – Willis & Scarborough

Glendale PD – Lt. France

MCSO –

DPS - Sgt HP

MESA - MIKE Bellar

Tempe - Lady Wilson

~~ASA GDC - J~~



#### Admin Per Se/Implied Consent Affidavit

A need has arisen to address service (suspension)/non-service with regard to the extended time necessary to process the type of evidence (blood) we are collecting to substantiate the DUI/Drug charges. The suggestion has been made by some officers to remove the Admin Per Se/Implied Consent Affidavit. Several officers are already not using it for DUI/Alcohol or DUI/Drug arrests.

Additional time is necessary to process and receive the results from blood evidence obtained from a DUI/Drug suspect. This means that the results of the blood test for drugs are not available immediately following the collection of blood evidence. Because the results of the blood test for drugs are not immediately available, the officer cannot list a result on the Admin Per Se/Implied Consent Affidavit.

Some of the officers will wait for the results and send the Admin Per Se/Implied Consent Affidavit to the suspect after receiving the results. As this can take 6-7 months or longer in some cases, defense attorneys may contact the officers to get them to submit the Admin Per Se/Implied Consent Affidavit to have the hearing and avoid the suspension in court.

Some of the officers will provide the suspect with a copy of the Admin Per Se/Implied Consent Affidavit without the results and issue a suspension immediately after processing them for DUI/Drugs. The Admin Hearing Office will sometimes schedule the hearing and then vacate the Admin Per Se/Implied Consent Affidavit hearing if the officer cannot produce the blood results in time for the hearing. This can also result in the Admin Hearing Office returning the previously confiscated driver license to the suspect until the results are received and a hearing is scheduled.

Other officers who serve the Admin Per Se/Implied Consent Affidavit and issue a suspension immediately after processing are advising that the people at the Admin Hearing Office in their jurisdiction understand the time-frame is different when waiting for the results of blood tests for drugs. As such, some Admin Hearing Offices will work with the officer and not schedule the Admin Per Se/Implied Consent hearing until they receive the results.

Additionally, some officers in rural areas have tried to use the remote Admin Hearing via telephone. One agency is advising about issues including extended wait times and having to call back more than once on different numbers to get through on a line. The officers will often wait and continue to call back so as not to miss the hearing, just to have a defense attorney stipulate as soon as they realize the officer is on the phone. The officer remains unavailable for service during this time.

