

**OVERSIGHT COUNCIL
ON DRIVING OR OPERATING
UNDER THE INFLUENCE
ABATEMENT**

**Fiscal Years 2005 and 2006
ENFORCEMENT
AND
INNOVATIVE PROGRAMS**



Dec. 1, 2004 Cycle I Nov. 30, 2005



May 1, 2005 Cycle II April 30, 2006



Oct. 1, 2005 Cycle III June 30, 2006

OVERSIGHT COUNCIL ON DRIVING OR OPERATING UNDER THE INFLUENCE ABATEMENT

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Transportation – MVD
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PROGRAM SUMMARY FY 2005 AND 2006

The Oversight Council on Driving Or Operating Under the Influence (DUI) Abatement (the Council) was established in 1998, pursuant to A.R.S. §28-1303, as a part of the State of Arizona's continuing effort to address the serious problem of motorists driving under the influence of alcohol or drugs. Among other things, the Council is authorized to evaluate pilot programs that use emerging technologies to educate, prevent or deter DUI and to award grants in furtherance of this objective and to support certain preventative measures.

The DUI Abatement Fund, which is administered by the Council, was established pursuant to A.R.S. §28-1304. The fund is derived from fines levied against persons convicted under the following:

- ❖ A.R.S. §28-1382 Driving Under the Influence of Intoxicating Liquor or Drugs
- ❖ A.R.S. §28-1383 Aggravated Driving Under the Influence of Intoxicating Liquor or Drugs

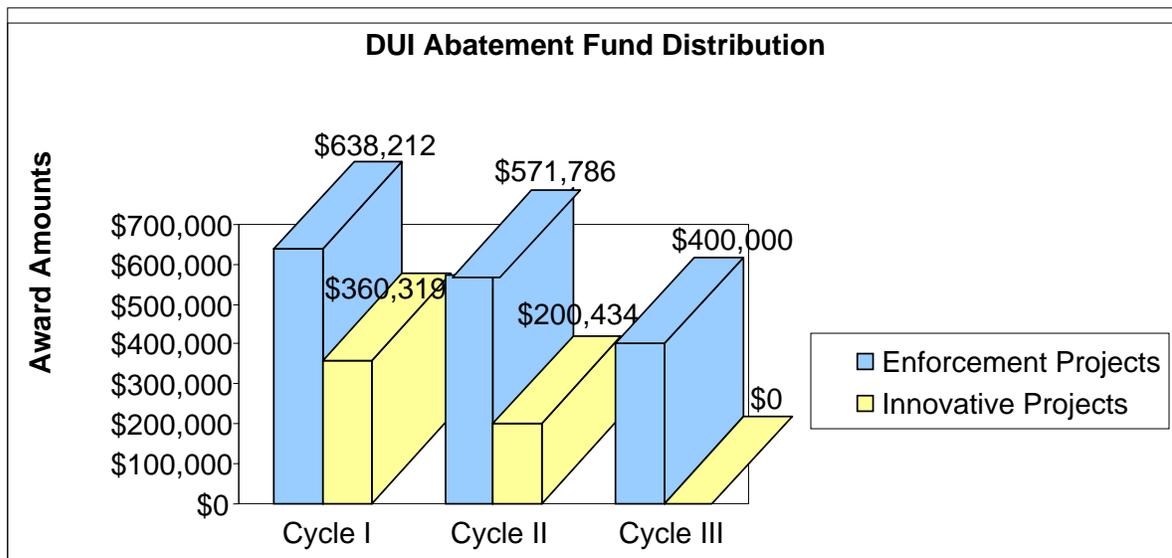
The fund monies are made available for grants relating to the following two purposes only:

- ❖ Enforcement purposes, prosecutorial, judicial activities, and alcohol abuse treatment services related to preventing and abating driving or operating under the influence occurrences in a motor vehicle or a motorized watercraft.
- ❖ Innovative programs that use emerging technologies to educate, prevent, or deter occurrences of driving or operating under the influence in a motor vehicle or motorized watercraft.

This report provides summary information on projects receiving funding from the DUI Abatement Fund during Cycle I (December 1, 2004 – November 30, 2005), Cycle II (May 1, 2005 – June 30, 2006), and Cycle III (September 1, 2005 – June 6, 2006). Because the approved projects spanned two fiscal years, FY 2005 focused on grant awards while FY 2006 is able to provide results from the innovative projects.

DUI ABATEMENT FUND DISTRIBUTION

In Cycle I (December 1, 2004 – June 30, 2005), the DUI Abatement Council distributed a total of \$883,959 in award funds from the DUI Abatement Fund to 52 projects in the state. During Cycle II (May 1, 2005 – June 30, 2006) the Council awarded a total of \$772,220 in award funds to 32 projects in the state. The Council awarded \$400,000 for enforcement projects only in the state during Cycle III (September 1, 2005 – June 30, 2006). Below is a graph representing the breakdown for enforcement and innovative projects for all three cycles.

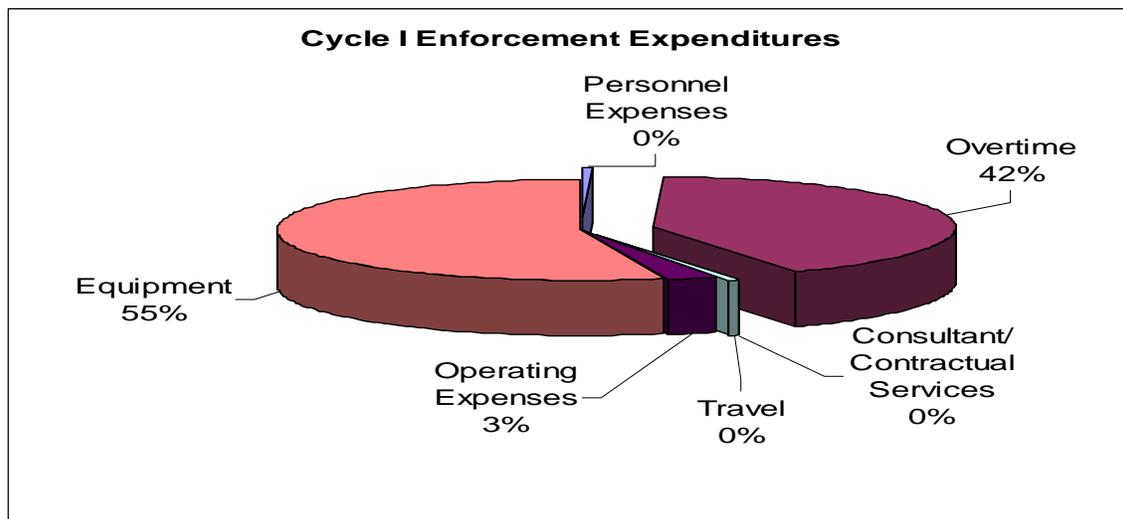


As the graph above indicates the majority of funding continues to go to enforcement activities within the state. As designated by statute, seventy percent (70%) of funds are directed to support enforcement activities, while twenty-five percent (25%) support innovative projects. Five (5%) is allocated for the administration of the fund.

ENFORCEMENT PROJECTS

CYCLE I

As previously mentioned grant funds may be used for enforcement purposes, prosecutorial and judicial activities, and alcohol abuse treatment services related to preventing and abating driving or operating under the influence occurrences in a motor vehicle or a motorized watercraft. As the graph below indicates, the majority of the enforcement funds were used for equipment purchases and overtime.

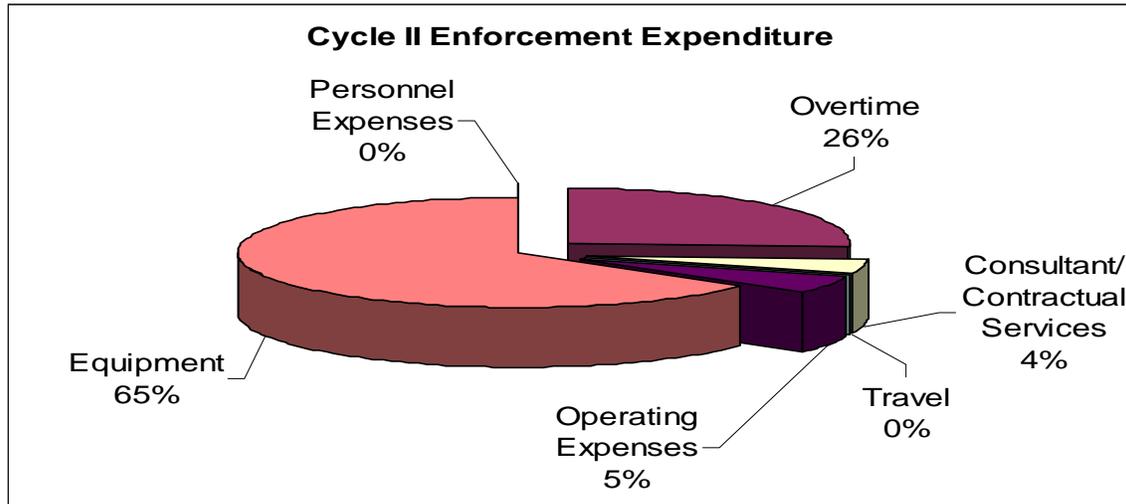


The vast majority of the equipment expenditures from participating agencies used the grant funds to purchase Preliminary Breath Test Instruments (PBT) and Intoxilyzer 8000s. In conjunction with the PBT equipment several agencies purchased digital video camera surveillance equipment to install in patrol cars or transition for VHS to digital systems. In an effort to increase convictions several departments sent their officers to phlebotomy training and purchased phlebotomy kits to be used in the field.

As expected, the participating agencies used overtime to increase patrol during the weekly peak hours and 14 major holidays. In addition to increased patrols, several agencies used the overtime hours to allow their officers to conduct community education programs and attend specialized training.

CYCLE II

During Cycle II, enforcement program expenditures on equipment increased by ten percent (10%) and overtime decreased by sixteen percent (16%) as the graph below indicates:



The Council concentrated on ensuring local and state law enforcement agencies had the necessary equipment to investigate the occurrences of DUI. As with Cycle I, grant funds were used primarily to purchase Preliminary Breath Testing Instruments and Intoxilyzer 8000s. A few departments used the funds to purchase and install digital video surveillance systems in officers' cars.

CYCLE III

During Cycle III (September 1, 2005 – June 30, 2006) the Council awarded \$400,000 to sixteen (16) projects within the state for overtime only to increase patrol during peak weekly hours and 14 major holidays.

DUI Abatement Fund Enforcement Grantees / Cycle I

Cochise County

Cochise County Sheriff's Office	\$25,000
Sierra Vista Police Department	\$25,136

La Paz County

La Paz County Sheriff's Office	\$27,200
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Maricopa County

Avondale Police Department	\$10,500
Chandler Police Department	\$2,337
El Mirage Police Department	\$10,000
Goodyear Police Department	\$5,111
Glendale Police Department	\$34,226
Maricopa County Sheriff's Office	\$21,460
Mesa Police Department	\$40,000
Peoria Police Department	\$46,800
Phoenix Police Department	\$27,000
Scottsdale Police Department	\$18,000
Scottsdale Prosecutor's Office	\$19,960
Surprise Police Department	\$2,725
Tempe Police Department	\$50,712
West Valley Chiefs of Police	\$25,500

Mohave County

Mohave County Sheriff's Office	\$8,252
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Pinal County

Eloy Police Department	\$28,650
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Pima County

Oro Valley Police Department	\$14,954
Pima County Attorney's Office	\$5,000
Pima County Sheriff's Office	\$79,249
Tucson Police Department	\$30,000
Sahurita Police Department	\$7,310
Tohono O'odham National Police Department	\$12,050

Santa Cruz County

Nogales Police Department	\$18,385
Patagonia Marshal Office	\$10,000

Yavapai County

Flagstaff Police Department	\$10,320
Cottonwood Police Department	\$1,200
Prescott Valley Police Dept	\$5,000
Sedona Police Department	\$10,000
Yavapai County Sheriff's Office	\$26,672

Yuma County

San Luis Police Department	\$24,732
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State Agencies

AZ Department of Game and Fish	\$59,300
AZ Department of Liquor Licenses	\$109,000
AZ Department of Public Safety	\$157,153

DUI Abatement Fund Enforcement Grantees / Cycle II

Cochise County

Cochise County Sheriff's Office	\$12,000
SE Task Force	\$25,000

Greenlee County

Clifton Police Department	\$15,000
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Gila County

Hayden Police Department	\$4,500
Payson Police Department	\$8,000

Graham County

Safford Police Department	\$20,596
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Maricopa County

Glendale Police Department	\$18,454
Maricopa County Attorney	\$33,460
Maricopa County Sheriff's Office	\$30,000
Mesa Police Department	\$68,000
Phoenix City Prosecutor's Office	\$32,981
Phoenix Police Department	\$30,000
Surprise Police Department	\$18,010
Tempe Police Department	\$15,700

Mohave County

Kingman Police Department	\$7,885
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Pinal County

Florence Police Department	\$5,915
Mammoth Police Department	\$2,214
Kearny Police Department	\$4,500

Pima County

South Tucson Police Department	\$10,540
Sierra Vista Police Department	\$19,125

Santa Cruz County

Nogales Police Department	\$12,500
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Yavapai County

Flagstaff Police Department	\$20,160
Chino Police Department	\$13,390

State Agencies

AZ Department of Public Safety	\$143,856
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DUI Abatement Fund Enforcement Grantees / Cycle III

Gila County

San Carlos Police Department \$4,000

Graham County

Hayden Police Department \$7,465

Maricopa County

Chandler Police Department \$11,858

Peoria Police Department \$25,000

Maricopa County Sheriff's Office \$22,000

Tempe Police Department \$22,000

Pinal County

Pinal County Sheriff's Office \$15,000

Florence Police Department \$25,000

Gila River Police Department \$7,800

Kearny Police Department \$7,157

Pima County

Pima County Sheriff's Office \$25,000

Tucson Police Department \$60,000

Santa Cruz County

Nogales Police Department \$40,000

Yavapai County

Flagstaff Police Department \$12,720

Prescott Valley Police Department \$15,000

State Agencies

AZ Department of Public Safety \$100,000

INNOVATIVE PROJECTS

Innovative projects used emerging technologies to educate, prevent, or deter occurrences of driving or operating under the influence in a motor vehicle or motorized watercraft. In Cycle I (December 1, 2004 – June 30, 2005), the Council awarded \$360,319 to nine innovative projects within the state. During Cycle II (May 1, 2005 – June 30, 2006), they awarded \$200,434 to five projects within the state. As previously mentioned, no innovative projects were awarded grants in Cycle III (September 1, 2005 – June 30, 2006).

Innovative Grantees

CYCLE I

Arizona Department of Liquor	\$40,000
Arizona Department of Transportation	\$50,000
Coconino County Superior Court	\$55,000
Governor's Office of Highway Safety	\$25,000
Maricopa County Adult Probation	\$50,000
Peoria Justice of the Peace	\$22,597
Phoenix Prosecutor's Office	\$36,000
SADD DUI Task Force	\$56,722
Yavapai County Attorney's Office	\$25,000

CYCLE II

Arizona Department of Public Safety	
Scientific Analysis	\$54,597
Arizona Department of Public Safety	\$25,000
Governor's Office of Highway Safety	\$50,000
Pinal County Sheriff's Office	\$40,837
Tucson Police Department	\$30,000

INNOVATIVE PROJECTS

CYCLE I

❖ **Arizona Department of Liquor Licenses and Control**
\$40,000

Project Title: KICK UNDERAGE DRINKING Project

Project Description: The Department of Liquor is committed to continuing comprehensive bilingual alcohol abuse and DUI awareness training seminar called KICK UNDERAGE DRINKING. Funding is being used to schedule presentations to the middle, high school, and freshman college students. Funding will also be used to create and distribute handouts and pamphlets on the dangers of underage drinking. Students who successfully complete the training will receive DLLC embossed pencils and literature as a reminder of the program's message. Additionally, DLLC has partnered with other state, local, and tribal law enforcement agencies and non-profit organizations to present alcohol abuse and DUI awareness training to community organizations.

Results: During the course of the grant, 17,322 high school students throughout Arizona were taught the KICK UNDERAGE DRINKING program. Both traditional and alternative high school programs participated as well as university and community college students. In addition, contacts have been established with communities on Indian reservations to expand the program. Department of Liquor Licenses and Control officers participated in town halls and educated community coalitions about the issue of underage alcohol consumption.

❖ **Arizona Department of Transportation**
\$50,000

Project Title: Driver Improvement Automation Enhancement

Project Description: The Arizona Department of Transportation, Motor Vehicle Division Driver Improvement Unit is directly responsible for the review of investigation packets from individuals requesting reinstatement of driving privileges after a revocation. Because of outdated software, the computer system often rejects records, resulting in the manual processing of approximately 11,000 records annually. Funding is being used by DOT to update computer software, thus decreasing manual review and eliminating the delay that keeps questionable drivers on the roads and highways in Arizona.

Results: The updated computer software has been developed and implemented.

❖ **Coconino County Superior Court**
\$55,000

Project Title: Coconino County DUI/Drug Court

Project Description: The Coconino County DUI/Drug Court is a post-plea, pre-adjudication model of justice wherein defendants are offered a stipulated sentence for their criminal charge. The defendant is sentenced on the DUI charges. All other charges are deferred upon completion of the program. If participants successfully complete the program, they could receive a reduced sentence and avoid a felony conviction on their records. If participants fail to graduate, they will receive the stipulated sentence for the deferred charges. Felony DUI offenders who are terminated from DUI/Drug Court commonly spend a year in prison for an endangerment charge. DUI/Drug Court emphasizes expedited case processing, a non-adversarial system, access to a continuum of alcohol treatment and rehabilitative services, regular random breath and urinalysis tests, immediate sanctions and incentives for program progress, and regular and ongoing judicial monitoring. Other requirements include employment or education and support group attendance. Funding is being used to increase the total population by 40 percent with the target population being repeat felony DUI offenders.

Results: The Superior Court in Coconino County reported that over the course of the grant over 2,388 urinalysis tests were given to DUI/Drug Court defendants and only 2% came back positive. During the grant period, the program averaged about 42 DUI participants. The court documented that a total of 2,465 treatment sessions and 3,138 support group sessions were received by program participants. The court reported only seven cases of recidivism throughout the grant, and 90% of participants are employed. The court is working with the Native Americans for Community Action (NACA) to provide culturally sensitive services.

❖ **Governor's Office on Highway Safety**
\$25,000

Project Title: Dangers of Impaired Driving

Project Description: In effort to bridge the informational gap between enforcement periods and high-profile new stories, the GOHS partnered with the *Arizona Republic* and created a special news section on impaired driving to reach a large audience throughout the state. The articles were created using state and federal studies, reports and statistics to the media organization editors, photographers, and production staff to produce the educational supplement.

Some topics addressed were laws regarding drinking and driving, financial/legal penalties for DUI arrests/convictions, real life stories from convicted motorists and victims etc. Additionally, a substantial amount of copies were produced by GOHS to distribute through other events and partners during the year.

Results: As a result of the grant, 500,000 copies of the DUI special insert were distributed in the *Arizona Republic* on August 28, 2005. Additional copies were distributed around the State.

❖ **Maricopa County Adult Probation Department**
\$50,000

Project Title: Secure Continuous Remote Alcohol Monitor (SCRAM)

Project Description: Maricopa County's DUI Court has been in continuous operation for over six years and has had 361 successful program graduates. Maricopa County DUI Court started using the SCRAM technology as a pilot project during fall 2003. SCRAM is the first and only automated alcohol testing ankle bracelet. It tests offenders 24 times a day, every day, regardless of consumption and reports tamper attempts as well as drinking events. SCRAM has since been implemented as an ongoing element of DUI Court with guidelines for its use and a strategy for participants to pay a portion of the cost. DUI participants wear the bracelet during their first 90 days in the program. The technology can also be employed when relapses occur. Funding is being used to pay for electronic monitoring services for expanding the DUI Court program from 300 participants to 600 participants.

Results: Due to a slower than expected growth rate, the scope of the project was changed to maintaining services to the current SCRAM population. The Probation Department reported that the program grew to 288 clients from 276, and the average length of monitoring for successful completers was 83 days. The average percent of clients who successfully complete the initial SCRAM monitoring increased from 89% to 91%.

❖ **Peoria Justice of the Peace**
\$22,597

Project Title: Operating Under the Influence (OUI) Abatement Video

Project Description: The video documentary focuses on the real and tragic consequences that often result from an OUI accident. This video chronicles what happens in an OUI related fatality. The video begins with the governmental agencies involved in the investigation and prosecution of an OUI fatality to the incarceration consequences of a felony or misdemeanor conviction. The goal of

this project is to educate the users of Arizona waterways regarding the laws and serious consequences of OUI in Arizona. The video is being distributed to every Superior Court and Limited Jurisdiction Court in Arizona that has a lake or waterway in its jurisdiction. The video serves as a preventative educational tool that is available at no cost to any school, governmental agency, or boating safety organization in Arizona.

Special Note: As a direct result of the national attention this project received from the CBS National News broadcast of July 29th 2005, Peoria Justice of the Peace Judge Anderson has received numerous requests for copies of the final DVD product. These requests have included the United States Army Corps of Engineers as well as police and game & fish departments from as far away as New York.

Results: The *Operating Under the Influence: Navigating Disaster* video scripted and developed by the Peoria Justice of the Peace was distributed by the Administrative Office of the Courts, Arizona Supreme Court to all general and limited jurisdiction courts in the State.

❖ **Phoenix City Prosecutor's Office**
\$36,000

Project Title: DUI Community Education Programs

Project Description: The educational television series seeks to educate the public about the reality and reliability of DUI enforcement and to create a realistic expectation of courtroom prosecution. The Phoenix City Prosecutor's Office is utilizing grant funds to produce six 30-minute television programs that will be broadcast on Phoenix Channel 11. Each program will be broadcast approximately 40-50 times to an audience of over 280,000 households, reaching 400,000 viewers. Copies of previously aired programs will be made available for other governmental agencies or any other interested media.

Results: The Phoenix City Prosecutor's Office developed and produced six 30-minute television programs that were broadcasted approximately 20 times each on Phoenix Channel 11 and the distributed to additional city channels in the metropolitan Phoenix area. Each segment provided information about various aspects of DUI offenses as a deterrent to driving while impaired.

❖ **SADD DUI Task Force**
\$56,722

Project Title: These Lights Will Silence Your Night

Project Description: Funding was used to produce a unique, exciting, and unprecedented television and point-of-consumption advertising campaign that reminds drivers not to drink and drive during the holiday season. The campaign included the following:

- Television advertisements
- Distribution of 250 posters that feature the "These Lights Will Silence Your Night" theme to local establishments
- Worked with local establishments who provided a free ride home to any patron that had too much to drink.

Results: Arizona SADD produced public service announcements and bought television air time to inform the public of the dangers of driving or operating under the influence.

❖ **Yavapai County Attorney's Office**
\$25,000

Project Title: Prosecutor's Viewpoint on DUI

Project Description: This project began in 2002 when Yavapai County Attorney's Office received funds from the Governor's Office of Highway Safety to produce television and radio commercials featuring local professionals from the community discussing DUI collision investigations and the impact on themselves personally. The goal of the project is to decrease drinking and driving in Yavapai County by educating the public about the consequences from a prosecutor's viewpoint. Funding is being used to expand the education campaign to include print media, and to access radio and television stations not previously used.

Results: Funding was used to purchase television commercial air time and newspaper advertisements to continue educating the public about the consequences of drinking and driving from a prosecutor's perspective.

INNOVATIVE PROJECTS

CYCLE II

❖ **Arizona Department of Public Safety**
\$25,000

Project Title: Reduce Active Warrants for DUI

Project Description: The overall goal of the project will be to reduce the number of individuals with warrants for DUI in Maricopa County. At the time of application, there were 14,588 outstanding warrants statewide for individuals who have been arrested for driving while impaired. In Maricopa County alone, there were approximately 7,000 outstanding warrants for DUI offenders. Funding is being used to establish a proactive program designed to bring DUI offenders to justice. The Central Patrol Bureau is combining criminal investigative assets with patrol assets to create a protocol that will use overtime funding to actively locate and arrest DUI suspects with outstanding warrants.

Results: During the grant period, DPS conducted five enforcement details specifically planned to "round up" suspects with DUI warrants. Of the 261 warrant packages that had been worked up, those packages resulted in 109 arrests with 141 warrants cleared.

❖ **Arizona Department of Public Safety, Science Analysis**
\$54,597

Project Title: Gas Chromatograph / Dual Mass Spectrometry System

Project Description: This project seeks to assist DPS forensic toxicologists with demonstrating recent marijuana usage corresponding to the time of the vehicular homicide or aggravated assault. The funding is being used to assist with the lease of highly sophisticated scientific instrumentation, which can eliminate the blood matrix effects and allow the THC (the active ingredient in cannabis), to be identified and quantitated. This instrument known as Gas Chromatograph/ Dual Mass Spectrometry is the system that premier toxicology quantization laboratories outside Arizona are transitioning to for cannabis analyses and is the instrument of choice for the foreseeable future. Implementing this dual mass spectrometry is innovative and would be a first for Arizona.

Results: The DPS Forensic Science Laboratory purchased an enhanced performance hybrid quadrupole/linear ion trap LC/MS/MS to be used in the analysis of cannabis and other drugs in blood. Delivery and installation occurred immediately prior to the grant's expiration.

❖ **Governor's Office of Highway Safety**
\$50,000

Project Title: Actual DUI Offender Testimonials

Project Description: Governor's Office in partnership with the Arizona DUI Task Forces created television ads, billboards and printed material to educate viewers about the dangers and real penalties of impaired driving through testimonials of actual DUI offenders. These testimonials were similar in nature to the testimonials given by offenders who are advertising for defense attorneys. Instead of having offenders praise the work of defense attorneys, the offenders provided testimonials about the complete outcome of their impaired driving arrests: the money it cost, how they lost their license, had to pay fines, spent mandatory time in jail, affected their jobs and personal lives, etc. The ads direct viewers to a website that will include information such as Arizona's drinking and driving laws and penalties; testimonials from offenders and victims; relevant DUI and crash data for Arizona; and referrals for alcohol/drug abuse treatment and resources.

Results: The Governor's Office of Highway Safety purchased advertisement time on nine television stations. The ads were aired beginning Labor Day weekend 2005.

❖ **Pinal County Sheriff's Office**
\$40,837

Project Title: Impaired Driver Pilot System

Project Description: Funding is being used to pilot a tracking system in five patrol cars that will track each impaired driving offender from arrest through dismissal or sentence completion resulting in deterring and preventing occurrences of driving or operating under the influence in a motor vehicle. The system allows officers to scan information off the magnetic strip on driver's licenses, retrieve wants and warrants in seconds. It allows officers to complete the citations electronically. The system works at improving accuracy and completeness of case and criminal history information by allowing for a single point of data entry.

Results: Pinal County Sheriff's Office purchased three laptop computers, three data radios and all installation equipment. At the time of the grant expiration, the equipment was being installed and the software pilots to run the WANTS & WARRANTS software from the patrol cars were commencing. In addition, software and hardware training materials for the officers was developed.

❖ **Tucson Police Department**
\$30,000

Project Title: Underage Drinking Education

Project Description: The project involves the overtime deployment of three officers and a sergeant conducting alcohol awareness workshops to educate potential underage drinkers of the consequences of stealing alcohol, driving impaired, and being in possession of alcohol. Workshops are being conducted at various high schools, college campuses, and community events. More than 40 alcohol awareness training seminars have been scheduled during the 2005-2006 school year with an attendance expected of more than 5,000 students.

Results: Tucson Police Department taught 2600 students at 16 local high schools and participated in two safety fairs that had over 2000 students and adults. There was a 7% decrease in underage DUI arrests from August 2005 – April 2006 when compared to the same time the year before. During the same time period, the number of minors in possession arrests decreased by 6%.