

DUI Counterattack, Hillsborough, Inc. and Florida's DUI System

Helen B. Justice, M.A.
Executive Director

DUI Counterattack, Hillsborough, Inc.

- Governed by a volunteer Board of Directors
- Incorporated in 1971
- Licensed by the Supreme Court of FL from 1971 – 1993
- Licensed by Department of Highway Safety and Motor Vehicles (DHSMV) since 1994
- Non-profit organization
- User fee supported

DUI Counterattack, Hillsborough, Inc.

- Offices in Tampa and Brandon
- Registration is available:
 - in person
 - online
 - by mail
- Classes are available 7 days a week:
 - days
 - nights
 - weekends

DUI Program Governance

- Licensed by the DHSMV.
- Regulations include: certification of staff, standardized curriculum & evaluation, course fees and forms, pursuant to F.A.C. 15A-10.
- Monitoring includes: periodic, impromptu, on-site visit by site team and required financial audits.

Certification Requirements

DUI Evaluator

- Possess a minimum of a bachelor's degree in human services, nursing or a doctorate degree in medicine.
- Have a minimum of 4,000 hours of experience in one of the fields listed above.
- Complete 20 hours of pre-service training provided by DHSMV, as well as 24 hours of DHSMV approved training biennially in order to maintain certification.

Certification Requirements

DUI Instructor

- Possess a minimum of a bachelor's degree in human services, criminal justice, adult or secondary education, traffic safety, nursing or a doctorate degree in medicine.
- Have a minimum of 4,000 hours of experience in one of the fields listed above.
- Complete 20 hours of pre-service training provided by DHSMV, as well as 24 hours of DHSMV approved training biennially to maintain certification.
- In addition to Level I requirements, Level II Instructors must also:
 - Document 252 hours of clinical/therapeutic group experience
 - Didactic experience must be in a substance abuse or mental health setting

DUI Program Services

- Level I Program:
 - Completion of standardized 12 hour course;
 - Psychosocial evaluation/assessment;
 - Substance abuse counseling if deemed necessary at psychosocial evaluation / assessment;
 - Completion of course and psychosocial evaluation / assessment within 90 days of enrollment; and
 - Cost: \$265

DUI Program Services

- Level II Program:
 - Completion of standardized 21 hour course;
 - Psychosocial evaluation/assessment;
 - Substance abuse counseling if deemed necessary at psychosocial evaluation / assessment;
 - Completion of course and psychosocial evaluation / assessment within 90 days of enrollment; and
 - Cost \$410

DUI Program Services

- Psychosocial Evaluation/Assessment: All enrollees are required to attend a psychosocial evaluation/assessment to determine the need for further substance abuse treatment and/or intervention.
- Level of treatment to be determined by treatment provider.
- All treatment providers to which referrals are made shall enter into a contract or written agreement (MOA or MOU) with the DUI program and must be licensed by DCF or exempt from such licensure pursuant to Chapter 397.

DUI Program Enrollment

- Jurisdictional requirement – must attend program in the county where the individual lives, works or attends school
- Required Documents:
 - Arrest Affidavit/Crash Report
 - Breath, Blood or Urine Test Results
 - Full Driving Record
 - Picture ID
- Proof of enrollment provided to client to obtain hardship license

DUI Program Completion

- Completion certificate is issued & electronically submitted to DHSMV when class and evaluation are complete.
- If a client fails to complete the DUI program (or required treatment if referred), the DUI program notifies DHSMV resulting in a suspension until program requirements are complete.
- HSMV Form 77096 - Re-enter treatment, or treatment completion may be presented for reinstatement.

Special Supervision Services Program

Florida's DUI system provides the Special Supervision Services Program (SSS Program). The SSS Program supervises DUI offenders with either a 5 year, 10 year or permanent revocation, for the purpose of restricted license reinstatement.

This program is voluntary and includes:

- A psychosocial evaluation
- On-going case management
- Monthly monitoring
- Random chemical testing
- Additional treatment services
- Clinical annual reviews
- Ignition Interlock Device (IID)

Special Supervision Services Purpose

- To reduce the number of individuals driving without a license.
- To give those individuals that have demonstrated their ability to lead a productive and sober life an opportunity to drive legally (EPO/BPO Only).
- Abstinence Based Program: abstinence from consumption of alcohol, intoxicating, or illegal substances.

Special Supervision Services Program Eligibility Requirements

Revocation	5 years (2 DUI's in 5)	10 years (3 DUI's in 10)
Eligibility	12 months	24 months
No Driving For	12 months	12 months
Abstinence	12 months	12 months
License	EPO or BPO	EPO or BPO

Special Supervision Services Program Eligibility Requirements

Permanent Revocation	DUI Manslaughter	4+ DUI Convictions
Eligibility	5 years	5 years
No Driving For	5 years	5 years
Abstinence	5 years	5 years
No Drug Related Arrests	5 years	5 years
License	EPO or BPO	EPO or BPO

Certification Requirements SSS Evaluators

In addition to certification requirements for Evaluators, Special Supervision Services Evaluators must:

- Complete an additional 8 hours of pre-service training provided by DHSMV in the area of client supervision and management

Ignition Interlock Monitoring

Basic Specifications of the Device

- Fuel Cell Technology
- Prevents the start of the vehicle with a breath sample above 0.025, unless court order dictates a lower threshold
- Equipped with rolling retest capable of random testing while the car is still running
- Data collected through web-based reporting with access 24 hours a day, 7 days a week
- Strictly user funded

Ignition Interlock Device Vendors

There are currently 5 IID Vendors that service Florida

- Alcolock
- SmartStart
- Guardian Interlock
- Intoxalock
- Draeger

Ignition Interlock Device Costs

The average cost (plus tax) to the convicted person for an IID is:

- \$95.50 for installation
- \$72.50 for monthly monitoring and calibration
- \$25.00 for removal
- \$5.00 for insurance

Ignition Interlock Device Requirement

DUI Conviction

- First Conviction
- First Conviction if BAC ≥ 0.15 or minor in the car
- Second Conviction
- Second Conviction if BAC $\geq .15$ or minor in the car
- Third Conviction
- Fourth or Subsequent Conviction

IID Time Requirement

- If court ordered
- At least 6 months
- At least 1 year
- At least 2 years
- At least 2 years
- At least 5 years

Ignition Interlock Device Requirement

- Medical Waiver – If an individual with an IID requirement is seeking a medical waiver, they must present a medical report from an appropriate specialist to the Medical Review Board for consideration.
- Depending on the findings, the IID requirement may be modified or waived.
- If a medical waiver is issued for the IID, the individual will be monitored by a DUI program on a monthly basis for the duration of their IID requirement.

Ignition Interlock Device Program

Under the statute, DUI programs are the designated agencies that monitor interlock violations in Florida.

Definition of a Violation:

- Any two breath tests above the 0.025 breath alcohol level upon initial startup of the vehicle (within 4 hour period).
- Any refusal to submit to a required rolling retest.
- Any retest above the 0.025 breath alcohol level.
- Any evidence of equipment tampering.

Ignition Interlock Device Program

- 1st IID Violation = Face to face interview with a DUI evaluator.
- 2nd IID Violation = Case management plan appointment and monthly monitoring with the DUI program for the remainder of the IID requirement period.
- 3rd and subsequent IID Violation = Complete treatment, monthly monitoring with the DUI program, and the duration of the IID is extended by one month for each subsequent violation beyond the third violation (These are added post treatment completion).

Questions?

Contact Information:

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Thank You!