

COST

The cost of the alcohol and drug evaluation is established by the provider. It is the responsibility of the defendant to pay for the evaluation. However, providers must offer alcohol and drug evaluations at a reduced fee to defendants who can prove inability to pay the full cost according to established program standards.

REGULATIONS

Providers that conduct DUI evaluations for the Court or the Office of the Secretary of State are licensed and regulated by the Illinois Department of Human Services, Division of Alcoholism and Substance Abuse. Professional evaluators working in these programs must meet standards prescribed by the Department and complete additional training annually. Programs are inspected and must conform to applicable Department Rules and Regulations in order to maintain licensure.

COMPLAINTS

The Department has statutory authority to investigate providers who conduct alcohol and drug evaluations for DUI defendants. Questions or complaints regarding DUI services rendered should be directed to:

Illinois Department of Human Services
Division of Alcoholism and Substance Abuse
Licensing and Certification
JRTC, Suite 5-600
100 West Randolph Street
Chicago, Illinois 60601-3297
312-814-3840 (Voice)
866-843-7344 (TTY)

For more information:

Call or visit your Illinois Department of Human Services' Family Community Resource Center (FCRC).

If you have questions about any Illinois Department of Human Services (IDHS) program, call or visit your FCRC. We will answer your questions. If you do not know where your FCRC is or if you are unable to go there, you may call the automated helpline 24 hours a day at:

1-800-843-6154

1-800-447-6404 (TTY)

You may speak to a representative between:
8:00 a.m. - 5:30 p.m.
Monday - Friday (except state holidays)

For answers to your questions,
you may also write:

Illinois Department of Human Services
Bureau of Customer and Provider Assistance
100 South Grand Avenue East
Springfield, Illinois 62762

Visit our web site at:

www.dhs.state.il.us

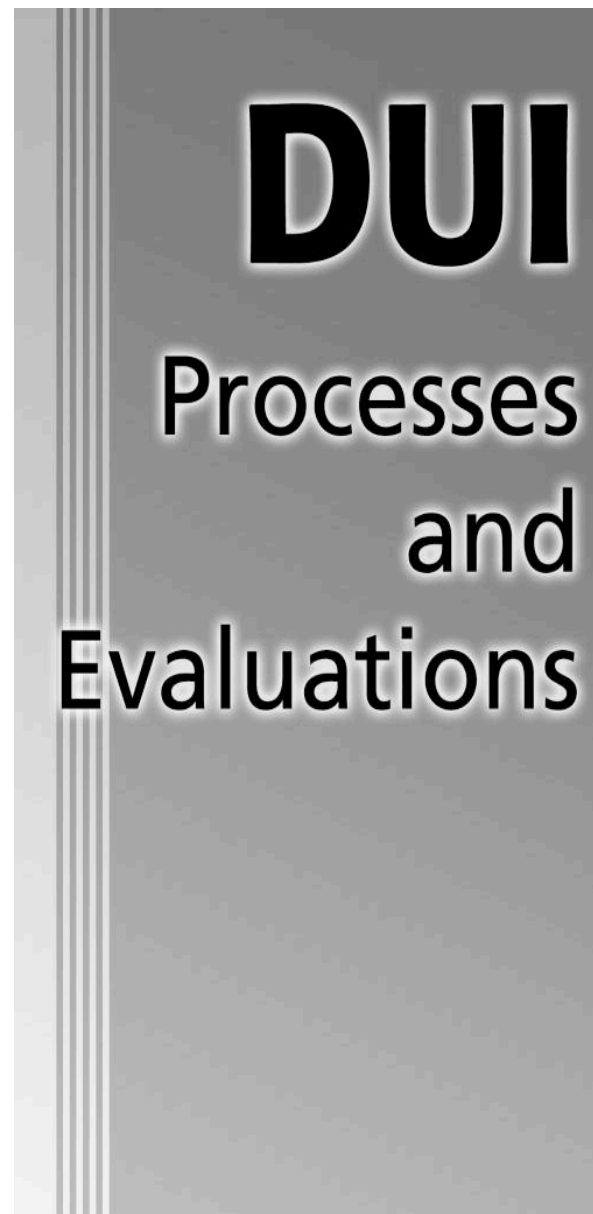


Programs, activities and employment opportunities in the Illinois Department of Human Services are open and accessible to any individual or group without regard to age, sex, race, sexual orientation, disability, ethnic origin or religion. The department is an equal opportunity employer and practices affirmative action and reasonable accommodation programs.

DHS 4499 (R-05-09) DHS/DASA DUI Processes and Evaluations
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State of Illinois
Department of Human Services



INTRODUCTION

In Illinois, anyone arrested for driving under the influence of alcohol and/or other drugs (DUI) must undergo an alcohol and drug evaluation before sentencing can occur for the DUI offense, or restricted or full driving privileges can be granted by the Office of the Secretary of State.

The purpose of the evaluation is to determine the extent of the defendant's alcohol and/or drug use and its associated risk to current or future public safety. The following areas are reviewed: the defendant's driving history, chemical test results (blood alcohol content), Objective Test score and category, and the interview with an evaluator.

The focus of the interview is past and current alcohol and drug use, specifically as it relates to driving history. Defendant responses are checked against the driving record, the Objective Test score, the results of the chemical testing, and possibly other corroborative sources. Inconsistencies must be reconciled between the defendant and the evaluator. If not, the evaluation will have no validity and could result in the following consequences:

- Denial of driving privileges by the Office of the Secretary of State.
- A request by the Court or the Office of the Secretary of State to undergo another evaluation at the defendant's expense.
- Delay of sentencing for the DUI or consideration for restricted or full driving privileges.

When the evaluation is completed, a classification and a recommendation will be determined by the evaluator and recorded on the Alcohol and Drug Uniform Report form for the Court or the Office of the Secretary of State. This form will then be sent to the Court or given to the defendant to take to the Office of the Secretary of State for the driver's license hearing.

The classification will be one of the following:

- Minimal Risk
- Moderate Risk
- Significant Risk
- High Risk

RECOMMENDATIONS

The minimum recommendation to the Court or the Office of the Secretary of State related to each classification is as follows:

Minimal Risk

Completion of a minimum of ten hours of DUI Risk Education.

Moderate Risk

Completion of a minimum of ten hours of DUI Risk Education and a minimum of 12 hours of early intervention provided over a minimum of four weeks with no more than three hours per day in any seven consecutive days, subsequent completion of any and all necessary treatment, and, after discharge, active ongoing participation in all activities specified in the continuing care plan, if so recommended, following completion of the early intervention.

Significant Risk

Completion of a minimum of ten hours of DUI Risk Education and a minimum of 20 hours of substance abuse treatment and, after discharge, active ongoing participation in all activities specified in the continuing care plan.

High Risk

Completion of a minimum of 75 hours of substance abuse treatment and, after discharge, active ongoing participation in all activities specified in the continuing care plan.

In all cases, it is at the discretion of the Court to determine what type of recommendation, if any, will ultimately become a part of the sanction for the DUI offense. However, if the alcohol and drug evaluation is for the Office of the Secretary of State in relation to the return of full or limited driving privileges, the defendant will be required to complete any recommendations contained in the alcohol and drug evaluation.

The defendant has the right to reject the completed alcohol and drug evaluation, to withdraw from the process at any time, or to seek a second opinion by obtaining another evaluation. However, any information provided may be released to the Court or the Office of the Secretary of State, upon request. If the evaluation procedure is not completed, notice will be sent to the Court or the Office of the Secretary of State.