

Can I be arrested for Public Drunkenness in Scottsdale, AZ?

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No, you cannot be arrested for public drunkenness in Scottsdale, Arizona, and you can thank Scottsdale City Judge James Blake for that. In December 2011, a ruling by Blake barred Scottsdale police from arresting obnoxious intoxicated people in public. While you do have Judge Blake to thank, you can also thank Arizona law, A.R.S. 36-2031 which prohibits local governments from enforcing or enacting laws that include drunkenness or intoxication as an element of the offense.

While the City of Scottsdale attempted to appeal the ruling, local police are currently not allowed to cite or arrest people who are heavily intoxicated in public, even if they pose a danger to themselves or others. However, Scottsdale police spokesman, Sgt. Mark Clark assured residents that “officers will not ignore people who are inebriated and pose a danger to themselves or others. Because disorderly conduct and other laws still apply, officers can cite and arrest drunks if they are a nuisance.”

The ruling does not reverse previous public intoxication convictions.

Jeremy Geigle is a criminal defense attorney and shareholder at JacksonWhite. He has been practicing over 8 years and has handled thousands of felony and misdemeanor counts. He works in both adult and juvenile court handling DUIs, aggravated felonies and sex crimes in Arizona. He works in Federal, State and local jurisdictions including Phoenix, Mesa, Gilbert, Chandler, Scottsdale, Glendale, Tempe and Peoria. Mr. Geigle is a 5-Star-Client-Rated Attorney on Avvo. To read more about what former clients are saying about hiring Mr. Geigle or to set up a free consultation, please visit www.jacksonwhitelaw.com/criminal-defense-law.

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