



Interagency
TASK FORCE
ON Drunk Driving



INTERAGENCY TASK FORCE
on **DRUNK DRIVING**

2009 LEGISLATIVE REPORT



SONJA MARIE DEVRIES

June 22, 1985 - July 19, 2004

Sonja Marie DeVries was an extraordinary 19 year old, with countless friends and family. She worked at the Denver Museum of Nature and Science for six summers as a teacher assistant and team leader, she was an accomplished tap dancer and was looking forward to attending Naropa University when all of that was changed in an instant when she was killed by a drunk driver while she was stopped at a traffic light.

Sonja was described by a former teacher as a “very self-motivated, intelligent, spiritual, courageous, honest, focused, mature, and beautiful, young woman.”

“The DeVries family requests that the annual report for the Interagency Task Force on Drunken Driving for 2008 represent a legacy to all the victims and their families who have walked in our shoes and lost a loved one due to an impaired driver.”

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Interagency Task Force on Drunk Driving



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EXECUTIVE SUMMARY

Summary of Enactment of Senate Bill 06-192



In 2006, Colorado Senate Bill 06-192 created the Interagency Task Force on Drunk Driving (ITFDD) in response to the tragic death of Sonja Marie DeVries who was killed in 2004 by a drunk driver who had been convicted of impaired driving on six previous occasions. Since its inception in 2006, the ITFDD has brought together executive leaders from government and other organizations that have an interest in reducing instances of impaired driving.

In 2005 the National Highway Safety Administration (NHTSA) Technical Assistance Team assessed Colorado's Impaired Driving Program and made a priority recommendation to:

“Form a state-level, multi-disciplinary impaired driving task force with high level administrative involvement and support as an integral part of a comprehensive impaired driving program.”

The Mission of the ITFDD is:

To investigate methods of reducing the incidents of drunk and impaired driving and develop recommendations for the State of Colorado regarding the enhancement of government services, education, and intervention to prevent drunk and impaired driving.

Impaired driving is a complex problem in society; one whose solution requires a diversity of approaches and perspectives. In 2007, 554 people were killed in traffic crashes in Colorado. Alcohol involvement contributed to 226 of these.

In 2008, the ITFDD successfully planned and implemented activities directly related to reducing drinking and driving within Colorado. Some of the most significant accomplishments include:

- Endorsed House Bill 08-1166 provisions authorizing an administrative revocation of a driving privilege. <http://www.leg.state.co.us/CLICS/CLICS2008A/csl.nsf/BillFoldersAll?OpenFrameSet>
- Endorsed House Bill 08-1194 successfully. This important legislation extended the length of suspension of driving privileges for certain drunk driving offenders, required the use of an ignition interlock device for restricted driving privileges, and provided for additional high-visibility drunk driving law enforcement episodes. <http://www.leg.state.co.us/CLICS/CLICS2008A/csl.nsf/BillFoldersAll?OpenFrameSet>
- Endorsed the concept of increasing the Law Enforcement Assistance Fund (LEAF) fee assessed to impaired drivers. LEAF funds are distributed to law enforcement agencies. Funds collected from LEAF are then distributed to law enforcement agencies for impaired driving enforcement. The amount assessed to convicted drivers and returned to LEAF has remained the same since the program's inception in 1983.

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- Endorsed legislation to correct inadvertent technical errors and reexamined the changes that were made through HB08-1166 to see if further improvements could be made.
 - Based on research presented to the ITFDD, identified offenders with high Blood Alcohol Content (BAC) and repeat offenders as critical target areas.

In 2009, ITFDD will continue its work in reducing incidents of impaired driving within Colorado. Key areas of focus and attention for the upcoming year include:

- Improve ignition interlock systems and protocols
- Evaluate potential for a DUI felony law in Colorado
- Explore ways to focus on repeat DUI offenders and DUI offenders with high BACs
- Provide assistance to Colorado legislators in clarifying the various statutes that address impaired driving issues

As a result of Senate Bill 06-192, the ITFDD has created a valuable forum for government agencies, private sector organizations, non-profits, and the victims of drunk driving to investigate strategies that could ultimately prevent future incidents of impaired driving. This collaborative approach to the complex issue of drunk driving must be sustained. Senate Bill 06-192 is scheduled for a Sunset Review on July 1, 2011 and the Task Force hopes to continue its work in preventing future deaths and injuries resulting from impaired driving.

Task Force Members

SB 06-192 mandates that the ITFDD shall consist of the following members and representatives:

The Executive Director, or their designee, Colorado Department of Transportation (CDOT):
Pamela Hutton, Chief Engineer and Governor's Highway Safety Representative

Executive Director, or their designee, Department of Revenue (DOR):
C. Stephen Hooper

State Court Administrator (SCOA), or their designee:
Honorable Eward J. Casias

Chief of the Colorado State Patrol (CSP), or their designee:
Colonel Mark Trostel

State Public Defender (SPDO), or their designee:
Chris Baumann, Scott Schulz

Director of the Division of Alcohol and Drug Abuse (ADAD), or their designee (now known as Division of Behavioral Health (DBH)):
Janet Wood

Director of the Division of Probation Services (DPS), or their designee:
Tom Quinn

Task Force Representatives

- A representative of a statewide association of Chiefs of Police with experience in making arrests for drunk or impaired driving:
Chief Russell Van Houten, City of Northglenn Police Department
- A representative of a statewide organization of County Sheriffs with experience in making arrests for drunk or impaired driving:
Sheriff John Cooke, Weld County Sheriff's Office (WCSO)
- A victim or a family member of a victim of drunk or impaired driving:
Carolyn DeVries
- A representative of a statewide organization of victims of drunk or impaired driving:
Emily Tompkins, State Executive Director, Mothers Against Drunk Driving (MADD) Colorado
- A representative of a statewide organization of district attorneys with experience in prosecuting drunk or impaired driving offenses:
Steve Wrenn, 19th Judicial District Attorney's Office
- A representative of a statewide organization of criminal defense attorneys with experience in defending persons charged with drunk or impaired driving offenses:
Abe Hutt, Colorado Criminal Defense Bar
- A representative of a statewide organization that represents persons who sell alcoholic beverages in Colorado:
Jeanne McEvoy, Colorado Licensing Beverage Association (CLBA)
- A representative of a statewide organization that represents distributors of alcoholic beverages in Colorado:
Steve Findley, Colorado Beer Distributors Association
- A manufacturer of alcoholic beverages in Colorado:
Bill Young, MillerCoors
- A person under 24 years of age who is enrolled in a secondary or postsecondary school:
Ana Richter, Ryan Kester



ITFFD OVERVIEW OF MEETINGS

Meetings were held at the Colorado Department of Transportation from 9:00 am – 12:00 PM every other month.

The Task Force agendas for the year 2008 are detailed in Attachment B.

Format for Meetings

- Self-Introductions: Name, agency, entity or interest represented
- Legislation Sponsors' Remarks (if in attendance)
- Public Comments (all meetings are open to the public and announcements to the meeting are posted on the CDOT website www.dot.state.co.us/TrafficSafety/DUITaskForce/index.cfm)
- Legislative Report and Update from CDOT's Office of Government Relations
- Sub-Committee Reports
- Agenda items

Significant Events

January 11, 2008

1. ITFFD members and representatives brought forward initiatives that they wanted to address in the upcoming year.

January 25, 2008

Dr. Timken, Center for Impaired Driving Research and Evaluation (CIDRE), proposed a grant application for the Implementation and Evaluation of a Motivational Supplement to Colorado's Ignition Interlock Program.

The study was to be conducted by the Pacific Institute for Research and Evaluation (PIRE), Calverton, MD. The target population is Persistent Drunk Drivers. This evaluation would have used random assignment approach to study motivational intervention and planning supplement for DUI offenders who are required to drive with an Ignition Interlock system installed in their vehicle.

The Task Force endorsed the grant application, but the study was abandoned due to difficulties developing an adequate study population.

March 28, 2008

1. New Members
 - Scott Schultz, (SPDO), replaced Chris Baumann
 - Jeanne McEvoy, (CLBA), replaced Jennifer Barton
2. New Anti-Drunk Driving Campaign

Bill Young of MillerCoors presented information regarding their new campaign called "You Hold the Key, Never Drive Drunk." The campaign urges people to take a cab or designate a driver. MillerCoors and CDOT have partnered and plan to work together during future high-visibility enforcement periods to educate the public about not drinking and driving.

3. Task Force Logo Presentation

ITFDD agreed on a selected logo.

June 6, 2008

1. Proposed Raising of LEAF Fines
2. The Law Enforcement Assistance Fund (LEAF) was created by statute in 1983. The LEAF law mandates that any driver convicted of an alcohol related driving offenses pays a \$90 fee to the LEAF fund. Monies in the LEAF fund are distributed to law enforcement agencies for DUI enforcement activities. Some members of law enforcement have expressed that the fine amount has not kept pace with costs and requested the ITFFD's guidance on how to get the LEAF fine raised.
3. A presentation was given by Denver Police Officers (DPD), Technician Dan Dunn, Sgt. Rich Coisman and Officer Dan Swint.
4. The ITFFD recommended that the officers work within the Victim's Right Sub-Committee on this issue.

July 25, 2008

1. Impaired Driving Assessment

In 2005, CDOT requested NHTSA assistance in assessing Colorado's Impaired Driving program. The NHTSA technical assessment team created a report with 81 recommendations. CDOT formed a team to address the recommendations. A presentation on the status of the Interim Progress report was given by the OTS staff. The assessment recommendations will continue to be reviewed and updated as legislation and progress is made. Several of the recommendations are being addressed by the ITFFD Sub-Committees.

Colorado will have its Impaired Driving program assessed again in 2010.

September 25, 2008

1. Representative Recognition
2. Chairperson Pam Hutton announced that Emily Tompkins received the MADD Robert C. Shearouse Employee of the Year Award.
3. Legislative Implementation – HB08-1166 and HB08-1194

HB08-1166. DOR reported that the recodification of the administrative license revocation law passed, was signed by the Governor and is in implementation. New forms reflecting statutory reference changes and specific changes in advisements are designed, approved and at print. Feedback from the legislation has been overwhelmingly positive.

HB08-1194. DOR reported that Representative Judd's ITFDD endorsed bill strengthening administrative license sanctions for first time DUI offenders and introduced Ignition Interlock availability for first offenders is in implementation.

- The increased reinstatement fee was successfully implemented on 9/1/08.
- New rules and procedures are in development.
- A web-based application to track new interlock contracts and indigent funding is in development.
- Full sanction implementation is on track for 9/1/08, with indigent funding implementation to follow in late spring 2010.

November 21, 2008

1. Introduction of new Office of Transportation Safety (OTS) Manager and the Traffic Safety Resource Prosecutor (TSRP)

Mike Nugent, the manager of OTS who comes to CDOT as a former paramedic, is excited to work with the Task Force because he has personally witnessed the effects of drunk driving.

Chris Halsor, the first Colorado TSRP, stated that his principal goal is to be a focal point and liaison to law enforcement, prosecution, other members of traffic safety and the community in order to improve the investigation and prosecution of DUI offenses, vehicle homicide/assault and other traffic related crimes. The TSRP position is partially funded through CDOT in cooperation with the Colorado District Attorneys Council.

2. Recidivism Presentation

Randall Deyle, (DBH), presented a DUI study and evaluation completed by ADAD in 2008. The study measures the effectiveness of impaired driving assessment and treatment intervention. Please refer to the report, Education/Treatment Intervention Among Drinking Drivers and Recidivism. The full report can be found at the following link: <http://www.cdhs.state.co.us/adad/Documents/DUIRecidivismStudy080709doc>.

Some of the key points made were:

- Regardless of the education/treatment level of intervention, 92.1% of the study subjects were not re-arrested after starting impaired driving services.
 - Persons not completing treatment were 44% more likely to be rearrested than those who completed treatment.
 - 78.1% of all study subjects completed their assigned intervention education/treatment level.
3. Ryan Kester replaced Ana Richter as the Person Under 24 Years of Age Who is Enrolled in a Secondary or a Postsecondary School.

The ITFDD approved the formation of a Communications Sub-Committee to support the goals and programs of the ITFDD and its Sub-Committees by providing information to state legislators, and other appropriate traffic safety agencies/audiences, on proposed impaired driving legislation and significant DUI issues.

The core of the Communications Sub-Committee is comprised of members who were already serving on other ITFDD Sub-Committees and have extensive professional public affairs and communications experience in the field of traffic safety.

4. ITFDD – Informational Brochure

Dalia Hargrave, CDOT, reported that the purpose of the brochure is for general information for interested parties. The brochure will be completed in 2009.



SUB-COMMITTEE REPORTS

2008 Sub-Committee Annual Reports

Bylaws Sub-Committee

Sub-Committee Co-Chairs:

Bill Young, MillerCoors and Paul Wood, WCSO

Sub-Committee Members:

None

Objectives:

Recommend and write bylaws that help the ITFDD operate effectively for the citizens of Colorado.

Significant Achievements:

Amended bylaws to address the procedures required to add members to the Task Force and remove members from the Task Force.

Ignition Interlock Sub-Committee

Sub-Committee Chair:

C. Stephen Hooper, DOR

Sub-Committee Members:

- Christine Byars, DBH
- Paul Hofmann, Division of Probation Services (DPS)
- Dr. David Timken, CIDRE
- Bill Young, MillerCoors
- Herman Stockinger, CDOT

Long-Term Goals:

1. Increase ignition interlock use for first offenders.
2. Improve interlock reporting systems and protocols through improved administrative rules and interlock contracts.
3. Create a “model” interlock program for integrated interlock monitoring and information for DOR hearing officer access, alcohol education and therapy providers, and probation officers.
4. Study recidivism vis a vis ignition interlock use.

2008 Objectives:

1. Track enactment of legislation that encourages ignition interlock use for first offenders. (Goal 1)
2. Develop an implementation plan for first offender legislation. (Goal 1 and 2)
3. Begin establishing a framework for a “model” interlock program. (Goal 3)

Significant Achievements:

1. After receiving the endorsement of the ITFDD for the language that ultimately became the substance of HB08-1194, members of the Sub-Committee attended and testified at legislative hearings and supported the sponsor through passage. (Goal 1, Objective 1)
2. The Sub-Committee worked closely with the PDD subcommittee to coordinate implementation of HB08-1194 with existing PDD legislation with regard to providing financial assistance to interlock drivers who cannot afford the device. (Goals 1 and 2, Objective 2)
3. The Sub-Committee supported the DOR in bill implementation design. Interlock contract revisions and new monitoring and compliance rules are in draft. (Goal 1, 2 and 3, Objective 2)
4. The Sub-Committee determined ADAD rule changes are necessary to develop offender consent for information sharing as a first step in developing a “model” interlock program. (Goal 3, Objective 3)

Intervention Sub-Committee

Sub-Committee Chair:

Captain Raymond Fisher, CSP

Sub-Committee Members:

- Chris Baumann – PDO
- Bill Young – MillerCoors
- Chief Russell Van Houten – NPD
- Honorable Ed Casias – SCOA
- Paul Hofmann – DPS
- Steve Wrenn – 19th Judicial District Attorney’s Office

Goals:

1. Define “visibly intoxicated”.
2. Investigate pre-conviction alcohol monitoring system.
3. Examine increased penalties for repeat DUI offenders.

Objectives:

1. Fatal Accident Testing – Examine a new law requiring all drivers involved in a fatal accident to submit to blood testing absent of indicia. Legislation was introduced during the 2008 session but did not pass. The legislation did not have ITFFD endorsement.
2. Felony classification for repeat DUI was discussed and it was agreed that the ITFFD should look at the issue. The Intervention Sub-Committee is requesting the ITFDD conduct a discussion panel to identify issues associated with making any recommendation on this issue.

-
3. Underage Drinkers and DUI offenders consistency in sentencing needs to improve for both underage drinkers and DUI offenders to mandatory alcohol education programs. This issue will be addressed in new judge training and with sitting judges. It was also noted that an initiative to provide licensed Level I and II alcohol education and treatment programs statewide would aid in providing consistency for these offenders. Funding for such an initiative could come from persistent drunk driver surcharges or other offender paid fines or surcharges.

This Sub-Committee considered the following:

1. Pre-conviction alcohol monitoring devices.
2. DUI prosecution teams – The TSRP will be working with this Sub-Committee on this task.
3. DUI “Fast Track” – This initiative would be to quickly adjudicate DUI offenders in order to get the offender into the system faster and reduce the opportunity for the offender to reoffend before being adjudicated from the first incident. The TSRP will be working with this Sub-Committee on this task.

Significant Achievements:

Laura K. Harris, Liquor Enforcement Division Director from the DOR provided the Sub-Committee with her perspective on standardizing responsible alcohol server training in Colorado and whether there is a need to establish a definition by regulation for when a person is “visibly intoxicated”. Ms. Harris indicated that current server training programs accredited by her division establish adequate guidelines for helping servers determine if somebody is visibly intoxicated. However, she did indicate it’s possible for the division to conduct a public hearing on the matter of establishing a definition for “visibly intoxicated” if the ITFDD chose to go this direction. With regard to standardization of server training, the division already has a strong set of criteria for what it deems to be credible server training programs and her office strongly encourages all liquor licensees to provide training to employees that have been approved by the division. Research by the Sub-Committee also found that 17,000+ servers in Colorado were trained in approved training programs in 2007.

Persistent Drunk Driver (PDD) Sub-Committee

Sub-Committee Chair:

Christine Byars, DBH

Sub-Committee Members:

- Webster Hendricks, DBH
- Steve Hooper, DOR
- Glenn Davis, CDOT
- Paul Hofmann, DPS
- Dr. Timken, CIDRE

Goals:

1. Continue to gather and evaluate data in support of reducing the defined BAC level for PDD from .17% to .15%.
2. Support implementation of interlock legislation and funding of offenders who need financial assistance with the cost of interlocks and treatment services.
3. Further identify rule, policy and practice changes that can enhance the DUI education and treatment services provided to offenders.

-
4. Continue efforts to improve the monitoring of DUI offenders.
 5. Utilize recidivism study data to clarify existing goals and identify new goals for system enhancement.

Objectives:

- Primary objective for 2008 was to gather data to build a case to reduce the defined BAC level for PDD from .17% to .15%.
- Monitor progress on ongoing objectives.
- Explore system changes that can be made through department rule and policy versus statutory changes.
- Monitor DUI specific legislation.
- Analyze results from DBH (ADAD) DUI recidivism study.

Significant Achievements:

- The subcommittee members spent much of the year evaluating data from multiple sources regarding the reduction of the defined BAC level for PDD from .17% to .15%. It was determined that although there is some indication to support the change, there was not sufficient data at this time to support a legislative initiative in the 2009 legislative session.
- Support and assist in the implementation of passed legislation (HB 1194) impacting DUI offenders and increased use of ignition interlock devices. Coordinate with prior legislation from 2006 that will assist PDD offenders in paying for interlock devices.
- In the process of furthering the efficacy of ignition interlock usage by incorporating it into DUI education and treatment programming.
- Subcommittee continues to discuss and strategize system changes that can be made to increase sanctions for multiple offenders, enhance treatment for PDD offenders, and improve clinical assessment and treatment planning for PDD offenders.
- Continue to identify and support strategies for improving the monitoring of DUI offenders through the use of web based technology and system collaboration.
- Identified potential areas for follow-up resulting from the DBH (ADAD) DUI recidivism study.

Prevention Sub-Committee

Sub-Committee Chair:

- Karen Abrahamson, DBH as of November 2008
- Bear Kay, CSP Chairperson, February 2008 to November 2008
- Emily Tompkins, MADD Chairperson July 2007- February 2008

Sub-Committee Members:

- Robin Rocke, CDOT
- Carole Walker, Rocky Mountain Insurance Information Association (RMIIA)
- Bear Kay, CSP
- Heather Halpape, CDOT
- Tiffany Hanson, MADD
- Andrea Zelenko, BACCHUS
- Heather Winner, BACCHUS
- Kathleen Gary, SW Regional Center for Applied Prevention Technology
- Lindsey Myers, Colorado Department of Public Health and the Environment (CDPHE)
- Dede Salone, DOR

Goals:

The Prevention Sub-Committee recommends clarification of the statutes that address underage drinking. The message to youth and to their parents needs to be clear. Protocols should be developed as guidelines for the use of deferred sentences and diversion. These protocols could assist citizens in their understanding of the laws, assist jurisdictions in establishing consistency in their application of the laws and assist youth in understanding the predictability of the consequences for underage drinking. Decreasing the early onset of underage drinking is a proven and effective way to decrease not only young drinking and driving, but older drinking and driving as well.

In addition, the Prevention Sub-Committee recommends that a statewide, random sample survey of adults be conducted to learn more about public perception of DUI and underage drinking, as well as public perception of law enforcement efforts to modify DUI behavior and judicial efforts regarding plea bargaining and sentencing.

Objectives:

1. To address underage drinking as a precursor to drinking and driving by all ages.
2. Underage drinkers have been shown to become the drinking driver of tomorrow – target this demographic.
3. Create and implement a plan to reach out to businesses and invite them to be a contributing resource to the efforts to reduce the incidence of drinking and driving injuries, especially as it relates to underage drinking.
4. Provide forums with information and data concerning the problem in the community and identifying science-based underage drinking and impaired driving programs.
5. Conduct a gap analysis to identify and promote champion professionals who will serve as community spokespersons to educate the public about impaired driving.
6. Study the effect on public perception of DUI and how it is affected by disparate sentencing in DUI cases.

Significant Achievements:

The Subcommittee researched a Legislative Recommendation regarding Civil Liability which would increase the financial liability and consequences of civil liability for those who allow youth access to alcohol in their home (\$150,000 liability currently).

This discussion was tabled for later in the year, and is a viable option for 2009.

As a strategy to complete Initiative Objective 6, the Subcommittee worked with DBH, formerly ADAD and a representative with Omni, to inventory studies already completed.

As a strategy to complete Objective number 3, the Subcommittee worked to identify, inventory and compile a list of DUI and Underage Drinking Prevention Coalitions. This project led to the formation of a new Subcommittee of the ITFDD, the Communications Subcommittee in November. Members of the Prevention Subcommittee discussed strategies of utilizing a network of coalitions and how best to communicate with key stakeholders in the Underage Drinking Prevention and Drunk Driving Enforcement Community.

System Improvements Sub-Committee

Sub-Committee Chair:

Abe Hutt, Colorado Criminal Defense Bar

Members:

- Steve Hooper, DOR
- Steve Wrenn, 19th Judicial District Attorney's Office
- Honorable Ed Casias, SCAO

Long-term Goals:

1. Review and analyze existing DUI criminal justice and administrative legal systems.
2. Identify areas flaws, gaps, missing communications, and system obsolescences.
3. Identify and recommend changes to existing systems to eliminate the identified problems.

2008 Objective:

1. Assist in the passage, and guide the implementation of legislation recodifying the existing administrative license revocation for DUI drivers.

Significant Achievements:

After receiving the endorsement of the entire ITFDD in late 2007 to seek legislative sponsorship and pursue legislation to clarify and recodify the existing administrative license revocation law.

1. Members of the Sub-Committee worked closely with Legislative Legal Services under Representative Judd's guidance to craft language that:
 - a. Relocated DUI definitions from the body of the criminal provisions to the beginning of Title 42.
 - b. Created defined terms in the Administrative License Revocation law, eliminating repeated references to other subsections and paragraphs and eliminating phrases of repeated verbiage.
 - c. Relocated paragraphs and subparagraphs into discrete subject areas and created section headings for each of the subject areas.
 - d. Specified that the right to a hearing is not predicated on the surrender of a license.
 - e. Clarified that it is the issuance of a temporary permit that stays the effective date of the revocation action until the disposition at hearing.
 - f. Made conforming amendments throughout Title 42.

-
2. Members of the Sub-Committee appeared and testified in the legislature as necessary to help assure the passage of the recodification.
 3. Members analyzed the new law for errors and omissions, sought and gained full Task Force approval to pursue legislation to fix a few technical errors in the bill during the '09 legislative session.

Victims Rights and Services Sub-Committee

Sub-Committee Chair:

Emily Tompkins, MADD

Members:

- Maya Thomas-Wachterman – Vice-Chair, MADD
- Carolyn DeVries, Victim Representative
- Glenn Davis, CDOT
- Dolores Mitchell, CSP
- Patti Suman, First Judicial DA's Office
- Jackie L. Urioste, DBH

Goals:

- To continue to identify opportunities for training on Victims' Rights.
- To advocate for the needs of all victims of impaired driving crashes within the ITFDD with regard to all initiatives to reduce the incidences of impaired driving.
- To work to address the recommendations identified in the Colorado Impaired Driving Program Assessment.
- Increase the LEAF fee to be consistent with current funding needs.

Objectives:

1. Training on Victims' Rights
2. Education of zero tolerance
3. Reexamine the DUI sentencing

Significant Achievements:

The subcommittee, along with subject matter experts researched and reviewed two pieces of legislation, one which received a recommendation from the ITFDD and one which did not.

- LEAF Law Change

The LEAF law for prevention of impaired driving was designed by the general assembly in 1982 to assist city and county law enforcement agencies in their efforts to prevent impaired driving and their enforcement of impaired driving laws.

The Denver Police Department (DPD) held a Multi-Agency meeting with Law Enforcement Agencies, the Health Department and members of DBH, to discuss raising the LEAF fines. Their proposal was heard at the July ITFDD meeting, and assigned to the Victim's Rights and Services Sub-Committee. The Sub-Committee investigated the fiscal impact and lifesaving consequences were investigated. Based on the research of DPD, the members and Sub-Committee members agreed to endorse, raising the LEAF surcharge which will help put more officers and equipment on the roads and highways of Colorado, thereby increasing high-visibility deterrence, which would save lives.

After answering ITFDD member's questions at three meetings, the ITFDD voted to endorse the concept of raising the LEAF fines as a measure to increase enforcement, reduce the incidences of impaired driving and to save lives in Colorado.

- SB-140 Mandatory Toxicology Tests Following Serious Traffic Crashes

Sub-Committee approved of the overall goals of the legislation, but heard concerns and identified issues that needed to be addressed: The bill should only include crashes that result in death and not serious bodily injury which is difficult to ascertain on scene. The way the bill is written, in fatal crashes involving multiple vehicles all drivers would have to be tested whether or not they are the obvious cause, which packs a fiscal impact as well as a logistical issue for law enforcement. The bill was brought back to the ITFDD as a whole, which voted not to support endorsing the bill.

- ITFDD Brochure

The subcommittee brought forward a brochure created by Dalia Hargrave, CDOT Training and Organizational Development Specialist with input from the subcommittee members, which is intended to orient any person to the ITFDD. This brochure provides information on the origin, history, goals and objectives of the ITFDD to all interested parties, and has been approved by the ITFDD members, with some changes.

- National Crime Victims' Rights Week

With the help of Colorado Public Relations Experts, the Victims' Rights and Services Subcommittee educated the public on Victims' Rights regarding those who are impacted by alcohol-related crashes with awareness-raising events and an earned-media campaign during National Crime Victims' Rights Week Justice for Victims – Justice for All, April 13-19, 2008.

National Crime Victims' Rights Events Included:

- A well-covered press event on the steps of the capitol. Speakers and attendees included Members and Representatives of the ITFDD and Victim Representatives.
- The Subcommittee and experts wrote "Colorado Crime Victims' Rights Week" Proclamation, signed by Governor Bill Ritter.
- With the help of guests and sub-committee members, we were able to coordinate a "9News Helpline feature on 9news". Victim Advocates from law enforcement, district attorneys, and MADD were featured on the 9HelpLine to field calls and answer questions from anyone impacted by alcohol-related crash.

Communications Sub-Committee

Chair:

Bear Kay, CSP

Members:

- Emily Tompkins, MADD
- Carole Walker, RMIIA
- Heather Halpape, CDOT

Background:

The Prevention Sub-Committee recommended a Communications Sub-Committee be constituted to support the ITFDD and all the Sub-Committees. The core of the Communications Sub-Committee is comprised of members who have served on other ITFDD Sub-Committees and have extensive professional public affairs and communications experience in traffic safety. The ITFDD approved the formation of the Communications Sub-Committee at the November 2008 meeting.

Goals:

- Creation of an ITFDD informational overview brochure in cooperation with the Victims Rights and Services Sub-Committee.
- Provide recommendations to ITFDD on appropriate educational materials.
- Provide assistance in expanding information available on the ITFDD website.

Objectives:

The Communications sub-committee will support the goals and programs of the ITFDD and its sub-committees by providing information to state legislators, and other appropriate traffic safety agencies/audiences, by providing information on proposed impaired driving legislation and significant DUI issues.

Significant Achievements:

The sub-committee worked with the ITFDD to create a letter to the legislature inviting them to discuss any pending legislation that involve impaired driving issues. See Attachment C.

ATTACHMENT A

Senate Bill 192



NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

SENATE BILL 06-192

BY SENATOR(S) Groff;
also REPRESENTATIVE(S) Riesberg, Borodkin, Carroll M., Coleman,
Gallegos, Garcia, Green, Larson, Merrifield, Romanoff, Todd, and Witwer.

CONCERNING A TASK FORCE ON DRUNK DRIVING.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Part 13 of article 4 of title 42, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

42-4-1306. Interagency task force on drunk driving - creation - repeal. (1) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

(a) DRUNK AND IMPAIRED DRIVING CONTINUES TO CAUSE NEEDLESS DEATHS AND INJURIES, ESPECIALLY AMONG YOUNG PEOPLE;

(b) IN 2003, THERE WERE OVER THIRTY THOUSAND ARRESTS FOR DRIVING UNDER THE INFLUENCE OR DRIVING WHILE ABILITY-IMPAIRED;

(c) ALTHOUGH COLORADO HAS TAKEN MANY MEASURES TO REDUCE THE INCIDENTS OF DRUNK AND IMPAIRED DRIVING, THE PERSISTENT REGULARITY OF THESE INCIDENTS CONTINUES TO BE A PROBLEM, AS

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

EVIDENCED BY THE CASE OF SONJA MARIE DEVRIES WHO WAS KILLED IN 2004 BY A DRUNK DRIVER WHO HAD BEEN CONVICTED OF DRUNK DRIVING ON SIX PREVIOUS OCCASIONS; AND

(d) ACCORDING TO THE FEDERAL NATIONAL HIGHWAY TRANSPORTATION SAFETY ADMINISTRATION, OTHER STATES WITH A STATEWIDE INTERAGENCY TASK FORCE ON DRUNK DRIVING HAVE SEEN A DECREASE IN INCIDENTS OF DRUNK AND IMPAIRED DRIVING.

(2) THERE IS HEREBY CREATED AN INTERAGENCY TASK FORCE ON DRUNK DRIVING, REFERRED TO IN THIS SECTION AS THE "TASK FORCE". THE TASK FORCE SHALL MEET REGULARLY TO INVESTIGATE METHODS OF REDUCING THE INCIDENTS OF DRUNK AND IMPAIRED DRIVING AND DEVELOP RECOMMENDATIONS FOR THE STATE OF COLORADO REGARDING THE ENHANCEMENT OF GOVERNMENT SERVICES, EDUCATION, AND INTERVENTION TO PREVENT DRUNK AND IMPAIRED DRIVING.

(3) (a) THE TASK FORCE SHALL CONSIST OF:

(I) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION OR HIS OR HER DESIGNEE WHO SHALL ALSO CONVENE THE FIRST MEETING OF THE TASK FORCE;

(II) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE OR HIS OR HER DESIGNEE;

(III) THE STATE COURT ADMINISTRATOR OR HIS OR HER DESIGNEE;

(IV) THE CHIEF OF THE COLORADO STATE PATROL OR HIS OR HER DESIGNEE;

(V) THE STATE PUBLIC DEFENDER OR HIS OR HER DESIGNEE;

(VI) THE DIRECTOR OF THE DIVISION OF ALCOHOL AND DRUG ABUSE IN THE DEPARTMENT OF HUMAN SERVICES;

(VII) THE DIRECTOR OF THE DIVISION OF PROBATION SERVICES OR HIS OR HER DESIGNEE;

(VIII) THE FOLLOWING MEMBERS SELECTED JOINTLY BY THE

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MEMBER SERVING PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (a):

(A) A REPRESENTATIVE OF A STATEWIDE ASSOCIATION OF CHIEFS OF POLICE WITH EXPERIENCE IN MAKING ARRESTS FOR DRUNK OR IMPAIRED DRIVING;

(B) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION OF COUNTY SHERIFFS WITH EXPERIENCE IN MAKING ARRESTS FOR DRUNK OR IMPAIRED DRIVING;

(C) A VICTIM OR A FAMILY MEMBER OF A VICTIM OF DRUNK OR IMPAIRED DRIVING;

(D) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION OF VICTIMS OF DRUNK OR IMPAIRED DRIVING;

(E) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION OF DISTRICT ATTORNEYS WITH EXPERIENCE IN PROSECUTING DRUNK OR IMPAIRED DRIVING OFFENSES;

(F) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION OF CRIMINAL DEFENSE ATTORNEYS WITH EXPERIENCE IN DEFENDING PERSONS CHARGED WITH DRUNK OR IMPAIRED DRIVING OFFENSES;

(G) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION THAT REPRESENTS PERSONS WHO SELL ALCOHOLIC BEVERAGES AT RETAIL;

(H) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION THAT REPRESENTS DISTRIBUTORS OF ALCOHOLIC BEVERAGES IN COLORADO;

(I) A MANUFACTURER OF ALCOHOLIC BEVERAGES IN COLORADO;
AND

(J) A PERSON UNDER TWENTY-FOUR YEARS OF AGE WHO IS ENROLLED IN A SECONDARY OR POSTSECONDARY SCHOOL.

(b) MEMBERS SELECTED PURSUANT TO SUBPARAGRAPH (VIII) OF PARAGRAPH (a) OF THIS SUBSECTION (3) SHALL SERVE TERMS OF TWO YEARS BUT MAY BE SELECTED FOR ADDITIONAL TERMS.

(c) MEMBERS OF THE TASK FORCE SHALL NOT BE COMPENSATED FOR OR REIMBURSED FOR THEIR EXPENSES INCURRED IN ATTENDING MEETINGS OF THE TASK FORCE.

(d) THE INITIAL MEETING OF THE TASK FORCE SHALL BE CONVENED ON OR BEFORE AUGUST 1, 2006, BY THE MEMBER SERVING PURSUANT TO SUBPARAGRAPH (I) OF PARAGRAPH (a) OF THIS SUBSECTION (3). AT THE FIRST MEETING, THE TASK FORCE SHALL ELECT A CHAIR AND VICE CHAIR FROM THE MEMBERS SERVING PURSUANT TO SUBPARAGRAPHS (I) TO (VII) OF PARAGRAPH (a) OF THIS SUBSECTION (3), WHO SHALL SERVE A TERM OF TWO YEARS BUT WHO MAY BE REELECTED FOR ADDITIONAL TERMS.

(e) THE TASK FORCE SHALL MEET NOT LESS FREQUENTLY THAN BIMONTHLY AND MAY ADOPT POLICIES AND PROCEDURES NECESSARY TO CARRY OUT ITS DUTIES.

(4) THE TASK FORCE SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, ON OR BEFORE JANUARY 15, 2007, AND ON OR BEFORE EACH JANUARY 15 THEREAFTER.

(5) (a) THIS SECTION IS REPEALED EFFECTIVE JULY 1, 2011.

(b) PRIOR TO SAID REPEAL, THE INTERAGENCY TASK FORCE ON DRUNK DRIVING CREATED PURSUANT TO THIS SECTION SHALL BE REVIEWED AS PROVIDED IN SECTION 2-3-1203, C.R.S.

SECTION 2. 2-3-1203 (3) (x), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

2-3-1203. Sunset review of advisory committees. (3) The following dates are the dates for which the statutory authorization for the designated advisory committees is scheduled for repeal:

(x) July 1, 2011:

(V) THE INTERAGENCY TASK FORCE ON DRUNK DRIVING CREATED PURSUANT TO SECTION 42-4-1306, C.R.S.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Joan Fitz-Gerald
PRESIDENT OF
THE SENATE

Andrew Romanoff
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Karen Goldman
SECRETARY OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

Bill Owens
GOVERNOR OF THE STATE OF COLORADO



ATTACHMENT B

Meeting Agendas

January 25, 2008 – 9:00 AM to Noon

Interagency Task Force on Drunk Driving
Colorado Department of Transportation
CDOT Auditorium

- I. Introductions
 - a. Self-Introductions: Name, agency, entity or interest represented
 - b. Legislation Sponsors' Remarks (if in attendance)
 - c. Public Comments (Limited to 5 minutes)
- II. Implementation and Evaluation of a Motivational Supplement to Colorado's Ignition Interlock Program
 - a. Dr. David Timpken
- III. Sub-Committee Goals

Sub-Committees

By Laws Sub-Committee Members

Bill Young, Chair MillerCoors

Prevention Sub-Committee Members

Emily Tompkins, Chair – Mothers Against Drunk Driving

Intervention Sub-Committee Members

Captain Ray Fisher, Chair – Colorado State Patrol

Victim Rights and Roles Sub-Committee Members

Emily Tompkins, Chair – Mothers Against Drunk Driving

Ignition Interlock Sub-Committee Members

Steve Hooper, Chair Colorado Department of Revenue

System Improvements Sub-Committee

Abe Hutt, Chair – Colorado Criminal Defense Bar

Persistent Drunk Driver Sub-Committee

Christine Byars, Chair – Colorado Department of Human Services – Alcohol and Drug Abuse Division

- III. CDOT Legislation Report
 - a. Herman Stockinger or Tom Lorz
 - IV. Proxy Procedures
 - V. Distribute 2008 Legislation Report
 - VI. Calendar
-



March 28, 2008 – 9:00 AM to Noon

Interagency Task Force on Drunk Driving
Colorado Department of Transportation
CDOT Auditorium

- I. Introductions
 - a. Self-Introductions: Name, agency, entity or interest represented
 - b. Legislation Sponsors' Remarks (if in attendance)
 - c. Public Comments (Limited to 5 minutes) – Dr. David Timken
 - II. New Members
 - a. Scott Schultz, Public Defender's Office – Replacement for Chris Baumann
 - b. Jeanne McEvoy, Colorado Licensed Beverage Association – Replacement for Jennifer Barton
 - III. CDOT Legislation Report and Update
 - a. Herman Stockinger or Tom Lorz
 - IV. New Drunk Driving Campaign
 - a. Bill Young, MillerCoors
 - V. Task Force Legislative Approach
 - a. Christine Byars, ADAD
 - VI. Task Force Response to Current Events
 - a. Emily Tompkins, MADD
 - VII. Task Force Logo Presentation
 - a. Glenn Davis, CDOT
 - VIII. Sub-Committee – Report Outs and One or Two Top Priorities for 2008
 - Bylaws Sub-Committee**
Bill Young, Chair – MillerCoors
 - Prevention Sub-Committee**
Bear Kay, Chair – Colorado State Patrol
 - Intervention Sub-Committee**
Ray Fisher, Chair – Colorado State Patrol
 - Victim Rights and Roles Sub-Committee**
Emily Tompkins, Chair – Mothers Against Drunk Driving
 - Ignition Interlock Sub-Committee**
Steve Hooper, Chair – Colorado Department of Revenue
 - System Improvements Sub-Committee**
Abe Hutt, Chair – Colorado Criminal Defense Bar
 - Persistent Drunk Driver Sub-Committee**
Christine Byars, Chair – Colorado Department of Human Services – Alcohol and Drug Abuse Division
 - IX. Next Meeting
 - a. May 23, 2008 – 9:00 - Noon, CDOT Auditorium
 - X. Adjourn
-



June 6, 2008 – 9:00 AM to Noon

Interagency Task Force on Drunk Driving
Colorado Department of Transportation
CDOT Auditorium

- I. Introductions
 - a. Self-Introductions: Name, agency, entity or interest represented
 - b. Legislation Sponsors' Remarks (if in attendance)
 - c. Public Comments
 - Pat Blakey and Representative Fischer – Update/Senator Shaffer will participate via telephone
 - Robin Hanney, Private Citizen referred by MADD
- II. CDOT Legislation Report and Update
 - Herman Stockinger or Tom Lorz, CDOT
- III. House Bill 1194 – Additional DUI Enforcement Episodes
 - Glenn Davis, CDOT
- IV. Victim's Sub-Committee
 - Dalia Hargrave, CDOT – Welcome Committee for New DUI Task Force Members
- V. Raising the LEAF Fines
 - Lieutenant Charles Smith, Denver Police Department
- VI. Boulder Police Department – Chief Beckner's Memorandum on Underage Drinking
 - Chief Russell Van Houten, Northglenn Police Department
- VII. Proposal For A New Sub-Committee
 - Bear Kay, CSP
- VIII. Sub-Committee Updates
 - Bylaws Sub-Committee Members
 - Prevention Sub-Committee Members
 - Intervention Sub-Committee Members
 - Victim Rights and Roles Sub-Committee Members
 - Ignition Interlock Sub-Committee Members
 - System Improvements Sub-Committee Members
 - Persistent Drunk Driver Sub-Committee Members



July 25, 2008 – 9:00 AM to Noon

Interagency Task Force on Drunk Driving
Colorado Department of Transportation
CDOT Auditorium

- I. Introductions
 - a. Self-Introductions: Name, agency, entity or interest represented
 - b. Legislation Sponsors' Remarks (if in attendance)
 - c. Public Comments
- II. Impaired Driving Assessment
 - Carol Gould, CDOT
- III. CDOT Legislation Report and Update
 - Melissa Nelson
- IV. Review Proposal of New Sub-Committee
 - Public Affairs Relations
- V. Recommendations by Sub-Committee to the Legislature
 - Sub-Committees should have their recommendations ready to for legislature to consider for 2009.



September 26, 2008 – 9:00 AM to Noon

Interagency Task Force on Drunk Driving
Colorado Department of Transportation
CDOT Auditorium

- I. Introductions
 - a. Self-Introductions: Name, agency, entity or interest represented
 - b. Legislation Sponsors' Remarks (if in attendance)
 - c. Public Comments
- II. Nomination for a new Person Under 24 Years of Age Who is Enrolled in a Secondary a Postsecondary School
- III. CDOT Legislation Report and Update
 - Melissa Nelson or Tom Lorz
- IV. Review of Public Affairs Proposal
 - Judge Casias
- V. Review of Proposed Legislation Which Will Be Supported by Task Force
 - Sub-Committees should have their recommendations ready for Legislature to consider for 2009.
- VI. Sub-Committee Updates



November 21, 2008 – 9:00 AM to Noon

Interagency Task Force on Drunk Driving
Colorado Department of Transportation
CDOT Auditorium

- I. Introductions
 - a. Self-Introductions: Name, agency, entity or interest represented
 - b. Legislation Sponsors' Remarks (if in attendance)
 - c. Public Comments
- II. Introduction of new Office of Transportation Safety Manager and the Traffic Safety Resource Prosecutor
 - a. Michael Nugent
 - b. Chris Halsor
- III. Recidivism Presentation
 - Randall Deyle
- IV. Nomination for a new Person Under 24 Years of Age Who is Enrolled in a Secondary a Postsecondary School
- V. Recommendations for the 2009 Annual Report
- VI. Sub-Committee Updates



ATTACHMENT C

Legislation Letter

Dear Sir or Madam Legislator:

On behalf of the Colorado Driving Under the Influence Task Force, I extend to you an invitation to discuss any legislative initiatives involving alcohol and driving issues with our committee. The committee is a legislatively-created committee to address the issues the community encounters with alcohol related driving issues. As you are well aware these types of cases can have a devastating impact on families, communities, and the State of Colorado.

The committee consists of members from various backgrounds including victims of alcohol related driving tragedies, law enforcement, the judicial system, distributors of alcohol products, breweries, restaurant and business interests, treatment and prevention agencies, drivers licensing agencies, the criminal defense bar, and other civic and members of the public who are interested in this issue.

Many of our committee members have been involved in the legislative process and are familiar with the requirements necessary for successful legislation. With the expertise and commitment of the members of this committee, we are willing to review legislative initiatives and offer insight on any proposed bills. Hopefully, our assistance can ensure the passage of good laws that have a positive impact in our communities and address this ever present issue. If you are interested in attending a committee meeting, please do not hesitate to contact me. I will make the necessary arrangements to have you placed on a meeting agenda. I can be reached at the contact information listed below:

Edward Casias, Post Office Box 185, Breckenridge, CO 80424, (970) 547.2620
E-mail: ed.casias@judicial.state.co.us

Hopefully, arrangements can be made to have you attend a committee meeting before the next legislative cycle begins.

Very truly yours,

Edward J. Casias
Legislative Subcommittee Chair
Colorado Interagency Task Force on Drunk Driving

ATTACHMENT D

2005 MADD – Colorado Memorial Quilt



In 2005 MADD Colorado victim survivors came together to create a memorial quilt to honor Colorado victims of alcohol-related crashes. Some of the quilt squares bear law enforcement badges or the American flag as a symbol of the victim's service to our country. Some squares are scribbled in children's hand or delicately stitched with names, and messages of love, remembrance and hope. In 2007 alone, 226 people were killed in Colorado in alcohol-related crashes, and countless others were injured. This quilt shows just a small group of people that have lost their lives, or been injured by the preventable crime of drunk driving. It has traveled all over Colorado to serve as a reminder that each drunk-driving crash statistic has a face, a name, and is loved.



2005 MADD – Colorado Memorial Quilt

Interagency Task Force on Drunk Driving

Chair, Pamela Hutton, Chief Engineer
Colorado Department of Transportation

For more information or staff assistance, please contact:

Mike Nugent, Manager
Colorado Department of Transportation
Office of Transportation Safety
4201 E. Arkansas Avenue
Denver, Colorado 80222
Voice: (303) 512-5400
Fax: (303) 757 9219

Email: mike.nugent@dot.state.co.us



Interagency
TASK FORCE
ON Drunk Driving

