

Interagency **TASK FORCE** ON Drunk Driving

Meeting Minutes

May 16, 2014 9:00 am – Noon

Opening Comments – 9:05 – Glenn Davis

Introductions

13 of 21 member in attendance, therefore we have a quorum

Legislation Sponsors' Remarks (if in attendance)

None in attendance

Representative Dave Young called Glenn Davis before the meeting and sent his regrets that he would not be at the meeting but, did want to thank the task force for all they have done to combat impaired driving. Representative Young also looks forward to working with the task force in the future.

Public Comments

Elliott: Legislative session is over and now we are working on rule making

- Edibles- addressing the labeling and packaging issues as well as public safety issues
 - Responsible vendor programs- education at point of sale
- Testing- struggle with laboratories

Davis: Colorado hosted a regional meeting of Drug Recognition Expert State Coordinators

- Set up a tour of a marijuana sales and grow facility
- Appreciates Elliott's industry and their partnership

Minutes of Previous Meeting

No corrections needed.

Motion made to accept made by Alymer, second by Flavia - motion passes.

Statistics

Summary of Key Performance Indicators (CSP) – Captain Paul Matzke

- See handout
- The Colorado State Patrol is trending an increase in DUI/D arrests in April 2014 compared to April 2013.
- April 25th-27th “Zero Tolerance/Zero Fatalities” – No deaths on our highways that weekend. – Chief Hernandez
 - Will include year to current DUI vs. DUID breakdown with the minutes.
 - Accountability report shows that although we are handing out more DUI/DUID citations, we are seeing more DUI crashes.

- The CSP has hosted fourteen education programs and touched over 2000 attendees- important because it's not always about enforcement.

Matzke: We are working with other agencies and doing the best we can.

Hernandez: We have shifted our schedules and you will see more troopers on the roads at all times.

Flavia: On the news this morning they spoke about increased DUID crashes. Did that come from CSP's stats?

Hernandez: It didn't come from us.

Elliott: It came from CSU Department of Science press release.

Hernandez: Prescription drugs impairment is prompting serious issues as well. Heroin is becoming a large problem across our country.

Flavia: We are seeing that in our data as well.

Gray: Do heroin drivers show the same impairment as DUI or other DUID drivers

Hernandez: A DRE or doctor would better answer that, but the worst I have seen is someone "huffing".

Ashby: Heroin is becoming an issue and the dosing is cheap. It causes you to present very lethargic and sleepy.

Groff: The cartels that are smuggling marijuana into North America are using the previously utilized routes to smuggle heroin. Question for Chief Hernandez- Has there been any discussion about patrolling in the early morning hours? We still have many DUI drivers on the road at 8:00 in the morning.

Hernandez: It's not being ignored but it comes down to resources, but we do have fewer DUI/DUID crashes in the morning as opposed to the evening and weekend hours.

Elliott: Hash oil and butane extraction explosions in homes-

- Removes the oils to turns them into an edible-
- The black market is trying to get into extraction, but they don't have the proper equipment and it is causing public health and safety issues.
- We need to address the enforcement of these issues.

Wood: Thank you for the discussion because many don't realize that DUI/DUID is very different

- Can you explain why there are different stats between what Janet Albee is reporting and what is on the KPI's?

Hernandez: The KPIs split it up by common code, whereas Janet's are not.

- This is an issue, not only with how agencies report their stats, but their reporting mechanisms.
- Had a meeting with the Rocky Mtn. High Intensity Data group- I think we can correlate stats with them, and will invite them to the next meeting.

State Fatality Numbers (CDOT) – Glenn Davis (CDOT)

Fatal numbers are remaining relatively the same for this time in 2013 and 2014 at 124 fatalities.

- In 2014, there have been 111 fatal crashes with 122 fatalities.
- In comparison to the same time period as above for 2013, there were 111 fatal crashes with 118 fatalities.
- Trending down, there is a good likelihood that Colorado will be about the same as last year.

Flavia: I do not have any new data, but need to know if there are other pieces of data that you would like reported?

Wood: When you find cases where there is evidence of impairment and they blow below a .05, do you test them for drugs?

Hernandez: If there is enough evidence, and the officer can articulate it, they will call in a DRE.

Ashby: If the impairment doesn't equal the results of the testing and you rule out medical you need to look at what's causing that impairment. We will typically do an 11 panel. Lithium is hard to test for, so we have to send out for that.

Hernandez: The non-charged statistics are not reported. They are documented on the trooper's timesheet, but not reported.

Wilfong: New data by county- Can we calculate the rate per county so that we can get a better idea of the issues?

Flavia: We can overlay it, but will have to work with Jan. Looking at the data set I'm talking about, we can look at the reporting and/or the clients self-report and drill it down as to what drugs are being identified.

Davis: Going back to what Ed said- if the impairment is inconsistent the officer can ask for another test type because the investigation type has changed.

Flavia: Our refusal is refusal for chemical testing- can someone refuse roadsides and other testing?

Hernandez: Yes, but the officer has to go with what they have and continue with the investigation.

Davis: If you refuse, the officer will base the case on their observations.

Matzke: It's not only our job arrest DUI/DUID, but also clear them. We don't just make arrests.

Media Relations & Significant Upcoming Events - Emily Wilfong (CDOT)

- Drive High Get a DUI campaign information
- Cannabis Cup
- The Denver Post published a picture of one of the gold fish bags with our sticker on it which helped tremendously with our campaign.
- Rockies Campaign
- New DUI banners ad billboards over Memorial Day weekend
- Pint glass proverbs
- Parking lot take-overs
- May Mobilization -CIOT

Break: 10:10

Reconvene: 10:25

Task Force Business & Presentations –

Program Management and Strategic Planning Presentation- Statewide Impaired Driving Plan – Glenn Davis (CDOT)

- Please see attached Power Point presentation
- Colorado is considered a low fatality state for funding purposes.

Anderson - Why has the LEAF funding decreased?

Davis - The state has gone from arresting 45,000 DUI drivers to 25,000 annually.

Groff - The funding will now start funding the EBAT program and CBI is coming on board as well. The total is \$75.00 per arrestee.

Davis - We will meet again and look at what we want to take on next year.

Prevention- Ellen Anderson

- Presentation- please see page 10 of the ITFDD plan for complete plan.
- Group met via email and they are still happy with their ideas, but need to start pursuing funding for the items that need funding.
- Jennifer presenting on her portion of the program- "Dare you to Move"
- The goal is to not only educate them, but connect them with the resources they may need.

Alcohol and Other Drug Misuse: Michael Elliott (MIG)

- Our group has not met in a while, but with there not being a Task Force meeting next month I will work on getting everyone back together.
- There was talk about a website and some messaging.

Davis: Explore the viability of a 24/7 DUID judicial program.

Criminal Justice System – Judge Celeste –Not present

- House Bill- Allowed drivers to get their licenses back in a more rapid time frame.
- Roadside Advisement- Steve Hooper put it together to help a driver accept roadside testing.

Davis: No Refusal Workshop

Fran: MADD and NHTSA are working on it together- it will be held July 8-9, 2014.

- Judicial and Law Enforcement ranks will be the attendees.
- Travel expenses will be covered for those that are chosen.

Davis: Advanced Roadside Impaired Driving Enforcement (ARIDE) may become a more in demand and widely used,

Casias: The reinstatement process is pulling people off the road and making the road safer. The interlock device is cutting down on the number of driving under suspension offenses.

Communication Program- Emily Wilfong (CDOT)

- We have lost some members.
- We want to provide audiences, through public awareness campaigns, education- including working with Hispanidad.
- Focus on publicizing behavioral changes and using a sober driver.

Program Evaluation and Data- Jan Hart (CDPHE)

- Will be adding new members.
- Create flow diagrams- STRACT is now working on this.
- Evaluate additional info be collected at the time of crash- being evaluated by STRACT.
- DUI statute combines DUI and DUID- wanting to separate these.
- Improving drug data collection especially at the times of crashes- this is constantly being discussed.

Legislative Update-

Davis: What can be brought forward legislatively?

- House Bill 14-1321 passed and changes the Task Force's name to Colorado Task Force on Drunk and Impaired Driving
- Senate Bill 14-129 addresses ARIDE funding from 2013

Groff - Bill 1310 passed – will set aside money to replace intoxicizers statewide.

Lightning Round Update

Chase - Check point Colorado kicks off on May 22, 2014 and runs through September 14, 2014

- Seven agencies are participating this year:
 - Aurora PD
 - Denver PD
 - Lakewood PD
 - Weld County SO
 - Jefferson County SO
 - Adams County SO
 - Larimer County SO
- Traffic Safety Champions Law Enforcement Recognition Events: (Recognizing 55 officers and 25 agencies)
 - May 14th in Grand Junction
 - May 23rd in Denver

Matzke - May Mobilization is getting ready to start.

Perea - Channel 9 aired a segment last night on DUI cases and I don't know where they are getting their stats. They spoke of the recent case in Aurora to open the segment up, but did not release the source of their stats.

Lanzer - Annual Law Enforcement Recognition will be June 11th at Mile High Station.

- MADD legislative champions will be recognized as well
- Walk like MADD 5K on August 2, 2014

Wood - Checkpoints- In addition to pre event publicity can the stats be publicized afterward as well? I was interviewed by KDVR yesterday about oral fluid devices, so keep your eyes open for the preview.

Anderson - The New York Times has published articles about "Vision Zero" in Sweden. Highway engineering is included in the plan.

- New York is adopting it. I can send out the information if you would like.

Melander - Washington State is reporting in 2013, of the 34,952 DUID arrests, 741 tested 5 ng or above. This equates to 2.1% of arrestees in Washington being above 5 ng.

Groff - As of today's date, from May 1st, we have had 11,447 tests. The average BAC is .133 statewide. The maximum test in a 12 month period was 51 year old male with a .470. There are currently 4,192 active certified operators and 505 instructors. 1,306 new operators and 37 new instructors have been trained.

- We are entertaining going to the colleges and training in the POST Academy's.

Close: One of the bills that passed was associated with DMV modernization – we will be getting everyone involved soon.

Flavia: Persistent Drunk Driver is launching a marketing campaign on the "No DUI" site over the next three years. If materials are wanted, she can distribute them.

Hernandez: To touch on "Towards Zero" Fatalities program- Many states are beginning to participate yet are not focused on engineering, but more towards enforcement.

Davis: The task force needs to look at the oral fluid devices. You can't use them on roadsides right now. CDOT cannot purchase the mechanical ones because they aren't made in America, but the other ones could cause really bad case law.

Flavia motion to adjourn, Alymer second. Motion passes

Adjourned: 11:50 am

Next meeting: Friday, July 18, 2014

In Attendance:

Glenn Davis, Colorado Department of Transportation
Chief Scott Hernandez, Colorado State Patrol
Captain Paul Matzke, Colorado State Patrol
JoAnna Pruitt, Colorado State Patrol
Brett Close, Colorado Department of Revenue
Dante Carbone, Thornton Police Department
Mark Ashby, Thornton Police Department
Anthony Perea, Weld County District Attorney's Office / Colorado District Attorneys
Council
Tom Kissler, Smart Start, Inc.
Jan Hart, Colorado Department of Public Health and Environment
Paul Aylmer, Colorado Restaurant Association
Christine Flavia, Colorado Department of Human Services, Office of Behavioral Health
Nikayla Mattison, Alcohol Monitoring Systems, representing person under 24 enrolled in
a secondary or postsecondary school
Leslie Chase, Colorado Department of Transportation
Emily Wilfong, Colorado Department of Transportation
Wes Melander, Member of the public
Mike Sack, Standard Sales LP
Shannon Westhoff, Hispanidad
Stephanie Fransen, Colorado Licensed Beverage Association
Jennifer Gray, Victim
Daniel Gagarin, Public Defender
Fran Lanzer, MADD
Ed Wood, DUID Victim Voices
Paige J., Alcoholics Anonymous
Rebecca Virtue, Smart Start Inc.
Ellen Anderson, Retired Pitkin County Sheriff's Deputy/Aspen Topsy Taxi
Jackie Urioste, Office of Behavioral Health/Provider Liaison
Mike Elliott, MIG
June Vardiman, AMS
Jeff Groff, Colorado Department of Public health and Environment
Judge Ed Casias, SCAO

Colorado State Patrol

Common Codes	January			February			March			April			May			June			July			August			September			October			November			December			
	2012	2013	2014	2012	2013	2014	2012	2013	2014	2012	2013	2014	2011	2012	2013	2011	2012	2013	2011	2012	2013	2011	2012	2013	2011	2012	2013	2011	2012	2013	2011	2012	2013	2011	2012	2013	
800	325	306	330	302	280	292	354	332	403	360	272	372	528	400	355	531	379	331	482	456	373	490	369	410	459	353	396	375	276	321	324	274	375	369	296	350	
801	29	18	19	39	30	31	36	34	43	33	21	57	57	39	29	75	46	36	54	51	32	63	43	57	40	38	44	29	31	36	40	0	36	41	26	29	
802	0	0	0	0	0	0	0	0	0	0	0	0	9	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3	0	0	0	
803	3	2	1	4	4	5	5	1	2	6	1	6	0	7	1	9	1	5	10	2	12	11	6	21	4	1	8	2	2	1	4	24	0	7	1	3	
804	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
806	0	0	0	0	0	0	3	1	0	0	1	0	0	0	2	1	0	0	0	0	0	1	0	1	0	1	5	1	2	0	3	0	0	0	0	1	1
807	3	3	4	3	3	2	5	7	6	3	2	0	1	4	4	7	6	1	7	2	6	1	3	3	5	4	4	4	3	0	2	2	6	4	3	4	
810	4	4	4	1	2	0	0	2	3	4	2	4	3	2	5	5	2	2	3	2	3	4	1	5	2	2	3	4	2	0	3	2	0	4	3	3	
811	4	3	3	1	6	0	7	13	5	1	4	10	2	3	4	4	0	2	5	2	8	3	1	8	5	5	6	1	0	8	1	1	11	6	5	10	
812	163	129	143	156	118	104	157	147	149	183	111	166	254	196	162	267	174	125	231	204	123	242	176	160	194	175	153	159	119	122	154	109	151	175	133	148	
813	29	17	19	22	22	0	21	30	0	27	35	0	28	35	33	30	15	14	27	24	13	24	28	20	28	16	17	20	16	14	24	22	14	15	15	15	
814	1	0	0	0	1	0	0	2	0	0	0	0	0	0	1	2	2	0	1	0	0	0	1	1	0	0	0	0	0	1	0	1	2	0	2	1	1
815	0	1	1	1	1	0	3	1	0	0	1	0	1	2	1	2	0	0	0	1	0	0	1	4	0	1	0	0	1	0	0	0	1	0	0	0	0
816	1	0	0	1	3	0	1	1	0	0	0	0	0	3	0	1	0	0	2	0	2	0	1	1	1	0	2	0	0	1	0	0	1	0	1	0	0
817	0	0	0	0	0	0				0	0	0	0	1	0	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0
818	6	7	7	9	6	11	15	9	13	11	10	19	12	13	10	7	15	14	15	6	15	15	11	12	17	9	8	8	10	10	8	12	7	12	8	13	
TOTALS	568	490	531	539	476	445	607	580	624	629	459	634	895	707	606	941	640	530	838	750	589	854	645	698	757	608	642	605	459	517	560	448	607	634	494	577	
Total Minus Complimentary Charges	358	328	353	342	312	323	390	368	449	397	295	433	597	441	389	611	427	369	539	509	408	557	413	472	501	393	443	408	309	357	367	276	414	414	325	382	

800	Drove Vehicle While Under the Influence of Alcohol or Drugs or Both
801	Drove Vehicle While Ability Impaired by Alcohol or Drugs or Both
802	Animal Rider on Highway Under the Influence of (Alcohol/Controlled Substance)
803	Pedestrian on Highway Under the Influence of (Alcohol/Controlled Substance)
804	Habitual User of Controlled Substance Drove Vehicle
806	Vehicular Homicide - While Driving Under the Influence of Alcohol or One or More Drugs or Both, Such Conduct was the Proximate Cause of a Death to Another Person
807	Vehicular Assault - While Driving Under the Influence of Alcohol or One or More Drugs or Both, Such Conduct was the Proximate Cause of Serious Bodily Injury to Another Person
810	Person Under 21 Drove Vehicle With BAC of 0.02 but Less Than 0.05 (First Offense)
811	Minor/Provisional Driver Possessed 1 oz or Less of Marijuana
812	Drove Vehicle With Blood Alcohol Content of 0.08 or More
813	Drove Vehicle While Under the Influence of Drugs
814	Drove Vehicle While Ability Impaired By Drugs
815	Drove Vehicle With Excessive Alcohol Content in (Blood/Breath)
816	Drove Vehicle Knowingly With Ignition Interlock Device (intercepted/Bypassed/interfered With)
817	Tampered With Ignition Interlock Device
818	Drove Vehicle Other Than Vehicle Equipped With Approved Ignition Interlock Device



Statewide Impaired Driving Plan



Program Management/Strategic Planning

Elements:

Task Forces or Commissions

Strategic Planning

Program Management

Resources

Data and Records

Communication Program



Program Management/Strategic Planning

Team:

Glenn Davis-CDOT

Chief Ticer-CACP

Capt. Ray Fisher-CSP

Dr. Robert Weltzer-P.O.S.T SME

Brenda Hahn-CSP



Program Management/Strategic Planning

Task Forces or Commissions:

Data driven analysis recommendations as it pertains to marijuana:

As data is developed it will be presented to the CTFDID for possible recommendations,

Data sources include CDOT FARS, crash records, citation, Rocky Mountain High Intensity Drug Trafficking area (RMHIDTA) and The Governor's Office.

Utilize team leaders for CTFDID subsystems:

The CTFDID will have statewide impaired driving plan team leaders periodically update the CTFDID on their progress.



Program Management/Strategic Planning

Task Forces or Commissions:

Engage State EDs and Policy Offices to make clear positions for state members:

The CDOT CTFDID has direct communication with CDOT Office of Policy and receives regular communication on CDOT positions on legislative issues.

Identify local task forces and encourage CTFDID partnerships.

Capt. Paul Maztke to report out

Work with NHTSA Region 8 office to develop “Safe Communities” for interested CTFDID members.

Working with NHTSA to determine if this type of training is available through Traffic Safety Institute

CTFDID analysis to determine which positions should be added to ensure complete representation.

HB 14-1321 changed the ITFDD to **Colorado Task Force on Drunk and Impaired Driving** and added the following to the CTFDID:

TWO REPRESENTATIVES APPOINTED BY the EXECUTIVE director of the department of human services WITH THE FOLLOWING QUALIFICATIONS:

- ONE REPRESENTATIVE WITH EXPERTISE IN SUBSTANCE ABUSE EDUCATION AND TREATMENT FOR DUI OR DWAI OFFENDERS;
- ONE REPRESENTATIVE WITH EXPERTISE IN PROVIDING MINORS, ADOLESCENTS AND JUVENILE OFFENDERS WITH SUBSTANCE ABUSE TREATMENT AND RELATED SERVICES;
- A REPRESENTATIVE OF A STATEWIDE ORGANIZATION THAT REPRESENTS PERSONS LICENSED TO SELL RETAIL MARIJUANA FOR CONSUMPTION OFF PREMISES;
- THE DIRECTOR OF THE PEACE OFFICERS STANDARDS AND TRAINING BOARD OR THE DIRECTOR'S DESIGNEE;
- A RESEARCHER WHO IS APPOINTED BY A MAJORITY OF THE TASK FORCE MEMBERS AND WHO SPECIALIZES IN DRUNK AND IMPAIRED DRIVING RESEARCH

Program Management/Strategic Planning

Strategic Planning:



Engage Colorado Peace Officer Standards and Training (POST) and local law enforcement agencies to improve impaired driving enforcement training after basic training.

Investigate best practices for POST to monitor and record SFST update training.

This will continue to be addressed with THE DIRECTOR OF THE PEACE OFFICERS STANDARDS AND TRAINING BOARD OR THE DIRECTOR'S DESIGNEE on the CTFDID

Analyze and evaluate laws through CTFDID sub-committees to address impaired driving enforcement and judicial system needs.

Pending



Regularly utilize data professionals from CDOT and CDPHE as resources for the CTFDID:

In progress, CDOT and CDPHE data professionals are available as data resources
Address limitations of data. Pending

Distribute CDOT Problem Identification publications:

In progress. Evaluate gaps in CDOT Problem Identification publications. For
evaluation after distribution.

CDOT HSO partner with CDOT Traffic Records and FARS to develop HSO immediate
access to records.

Internal discussion on this issue continue with in CDOT

Program Management/Strategic Planning

Program Management :



Use the CTFDID to inform membership on specific impaired driving issues, programs and agency procedures:

Measure progress in achieving goals, objectives and timelines through CTFDID work plan groups.

In progress. A future agenda item may be for CTFDID members to present on the group on their agencies involvement in impaired driving issues.

Engage the Governor in high-profile activities and leadership events in support of the impaired driving program.

Continuing through CDOT PRO, there was some interest from the governor's office in participating in the CSP DRE graduation/Drive High Get a DUI kickoff.



Promote use of *Countermeasures That Work: A Highway Safety Countermeasure Guide for State Highway Safety Offices, Seventh Edition, 2013.*

This is done through CDOT. Countermeasures that work is provided on the CDOT website, addressed in

CDOT funding application training. CTFDID representatives have been used to review evidence-based project examples for potential implementation in Colorado Impaired Driving projects.

Program Management/Strategic Planning

Resources:



Evaluate cost of a DUI prosecution in relation to costs borne by DUI offenders:

Pending

Evaluate Law Enforcement Assistance Fund (LEAF) to determine if statutory intent is being met relative to funding levels received by state agencies for LEAF program implementation:

Ongoing evaluation by CDOT.

Create comprehensive flow charts that address key elements in each DUI sub-system:

Pending no action undertaken at this time.



Seek compliance with NHTSA funding initiatives when appropriate for state needs. Continuing Statewide Impaired Driving Plan is an example of this partnership,

Evaluate use of other state funding resources. Ongoing. CDOT sought state funds for MJ driving awareness.

Approach private partners to generate additional resources to enhance impaired driving efforts. Pending