



## *Meeting Agenda*

March 17, 2017 9:00 am – Noon

**Opening Comments:** 9:06 am Chief Ticer

**Quorum:** 16 of 21 members

### **Introductions**

**Legislator Remarks:** none present

**Public Comments:** none

### **Minutes of Previous Meeting**

Motion to accept minutes by Casias, second by Amend. Motion Passes

CSP Chief Hernandez: Announced that today CSP is promoting Matthew Packard to Lt. Col. Look forward to his leadership. Thank you for the work that is being done to combat drunk and impaired drivers. That is the one thing we can impact from law enforcement that has an impact both through education and enhanced enforcement. Miss the group and will stop by when he can. First lateral call for CSP Academy will open in April moving forward. Legislation currently submitted to increase troopers by 11. Lateral is slated for 25 candidates but optimistic that there will be more. Program is different 12 weeks versus 23 weeks which includes a complete reboot on drunk and impaired driving. Last class was 1991.

Ticer: As a chief, if someone leaves his organization and moves somewhere else in the State it is a good thing for the State.

Ticer: Please congratulate Lt. Col Packard

### **Statistics**

Garcia: reviewed state sheet (see attached) He will provide a quarterly update

Casias: What is the difference between proactive and reactive?

Garcia: Proactive made a stop suspecting, reactive found as a result of a stop initiated for another reason.

Kelly: Can this be broken out by sections of state?

Garcia: If the stats were provided this way data would reflect where there are the greatest number of troopers.

Wood: Compared 2016 to 2014 noticed that citations have dropped by 25%, drug citations increased by 15%.

Garcia: Enhanced road side testing to recognize drug impairment-alcohol still remains a huge emphasis.

Davis: Thanks to CSP. This is how data should look.

Flavia: Can the data be drilled down by age group?

Garcia: Yes, partner with UC Denver and Post and grad students who dive into data to look at age, time of day, day of the week etc. Currently 2015 and 2016 being analyzed.

Cole: No alcohol only? Garcia: correct.

Amend: Could CSP provide a high level overview of other task force?

Garcia: Governor John Hickenlooper has authorized an evaluation of all aspects of first responder safety on the roadways of the State of Colorado. Included in this evaluation is the components of training, operations, communication and engineering. To accomplish this task, a multi-jurisdictional task force has been assembled to conduct a broad based review of these practices at all levels to include basic training, continuing education and innovative training practices.

### **State Fatality Numbers – Glenn Davis, CDOT**

Fatalities - 80 total last year, 84 this year up 5%. Weld Co. has had 7 Adams Co. has had 17 alcohol for Feb 28% of total. Just barely a low fatality state by NHTSA while Feb was a drop we are still not trending the right way.

Ellen: Is this a nationwide trend?

Davis: Yes in addition to alcohol other reasons include congestions, cheap gas, distracted (challenging to analyze). Speed is #1 factor in Colorado.

Casias: In Adams and Weld where are the fatalities (interstates, state highways)?

Glenn will look into this.

### **Felony DUI Campaign – Sam Cole, CDOT**

See attached presentation

Casias: Could we have offenders that come in for their evals watch one of these videos as a part of the assessment?

Lemley: Last year the media campaigns were “happier” what has precipitated the change in tone? Does humor get people’s attention?

Cole: The strategy when starting the marijuana campaign was humor to engage the targeted audience but it has taken a more serious direction. Campaign this summer will also be more serious. If you get too serious or outlandish it doesn’t work but research shows both humor and serious are effective.

Flavia: Rack cards at agencies is a great idea, 33,000 people come through treatment programs for DUI specific programs.

Smith: As a provider how does she get the information?

Hendricks: Agencies should have received an email from him.

Cole: He will be attending NHTSA Region 1 meeting to present on what CO is doing.

Davis: From August 5, 2015 to March 6, 2017 prosecutors filed 1,516 felony cases (including DUI, DUI Per Se, and DWAI). Of those cases, the cases with any felony conviction are:

Dep’t of Correction sentence: 158

Direct Sentence to Community Corrections: 131

Probation: 49

Probation with work release: 71

Probation with straight jail: 114

Those cases where the defendant has been convicted (found guilty or plead guilty), but not sentenced: 54

This does not include data from the 3rd JD, 15th JD, 20th JD, or 22nd JD.

Groff: Is there any way to incorporate stats into message boards? Sam: We could do that.

### **Legislation – Fran Lanzer, MADD/ Glenn Davis, CDOT**

- HB1037: Use of deadly force on an intruder in a business. The bill adds "owner, manager or employee of a place of business" in the statute, allowing for the use of deadly force in self-defense when there is a reasonable belief another person is committing a crime against a person or property in that business. – Died in State Affairs committee
- HB1044: Autocycle definition and safety requirement: State patrol, autocycle dealers and the OHV community are discussing how to define what these 'slingshot' vehicles are and what safety equipment is needed on them.
  - Passed House and Senate
- HB1123: Extend Alcohol Beverage Sales Hours: This is a repeat of prior bills introduced in years past. It extends the hours bars can serve alcohol between 2 and 7am. MADD is opposing and great great info for us to use. Many law enforcement agencies are also opposing. Passed the House with a pretty strong vote, but state agencies and law enforcement didn’t jump in lobbying until very late. Now in the Senate. The Governor recently sent out a letter asking legislators not to pass this version but to look at the data.
- SB27 Increase texting while driving penalties- amended to \$300 fine and some additional language regarding enforcement. - Passed the Senate and is in first House Committee – looks good to get out and pass House.
- SB59 - Roundabout change and turn signal - exempts use of turn signals while approaching, navigating and exiting roundabouts. Bill died on third reading in the Senate
- SB93 - Operation of bicycles in intersections - specifies bicyclists can glide through intersections under certain circumstances (no oncoming traffic, look both ways....). – died in Senate committee
- SB 213 – Autonomous Vehicles – a first step towards establishing autonomous vehicles on the road. Doesn’t impact the group, but main reason CDOT and CSP are interested in the bill is these vehicles will drastically reduce crashes, drunk driving and distracted driving in the future.

- SB229 – Penalties when Passing Stationary Vehicles, The bill adds stationary public utility service vehicles to the move over law – a Class A traffic offense. The bill increases the penalty to a Class 1 misdemeanor if the driver's actions are the proximate cause of bodily injury to another person and to a Class 6 felony if the actions are the proximate cause of the death of another person.

Groff: Are there stats that CDOT has on the impact upon their staff?

Davis: Yes they do but he doesn't have the data. Traffic workers are often more exposed but have the opportunity to plan ahead. Also includes worker responsibility. How many local law enforcement?

Amend: Injured over 12 months – 42. He does not know the % of impaired.

### **Media Relations & Significant Upcoming Events – Sam Cole, CDOT**

The State is currently in midst of St. Patrick's Day Enforcement. Spring Event Enforcement starts April 8<sup>th</sup> and move over enforcement emphasis next week.

### **Break until 10:30**

#### **Legislation continued: Lanzer**

- HB 1123: Extending of bar hours. MADD opposes and is partnering with a number of organizations. Reaching out to local police, sheriffs, DA. Passed house and passed Senate committee on party-line vote. Next step debate on the floor of the Senate was to have been yesterday but was delayed to March 24. Gov has sent a letter to all legislators opposing and showing research. Supporters have provided no research.
- SB 63 and 184: Marijuana Clubs died in committee. Establishing private clubs to allow marijuana consumption has passed the Senate.
- Felony DUI mandatory minimum is still being negotiated for a compromise bill.

Clarke: Is there a statewide law on sale of marijuana?

Kelly: State law sets dispensary hours from 8 am to 12 am local municipalities can create more restrictive hours. Denver is looking at changing theirs from 7 pm to later.

Maroney: SB 184: Private Marijuana Clubs- Clubs would not be allowed to serve alcohol or food. If it is a true private club you can bring your own alcohol. This could impact that bill.

Lanzer: Should we add consumption?

Glenn: SB 306 Motor cycle operator safety training, amended to move the program to CSP.

### **Task Force Business & Presentations**

#### **Work Group Updates**

##### **Program Management & Strategic Planning – Glenn Davis**

Met and will continue to meet quarterly. Work Groups were developed when we were a mid-range state and have kept them because they work well. Next meeting the group will look at what gaps currently exist. Also includes data and communication but those are under independent work groups.

##### **Criminal Justice –Ben Whitely**

Meeting isn't scheduled but hope to meet quarterly.

##### **Prevention – Ellen Anderson**

The work group came up with three questions they are working to answer: 1) Is increased training for alcohol servers effective in reducing DUIs? 2) Are MIP sanctions effective in reducing underage drinking and driving? 3) Do they lose license and have to retest? At next meeting they would like to invite a judge and DA to share how MIP is adjudicated across the state.

Crtawford: Worked in prevention both as a provider and researcher. Looking at evidence based strategies and will share those with the work group and the larger group as well.

### **Impaired Driver Intervention & Treatment – Christine Flavia**

Met and are ramping up for the Level II Four Plus Group will meeting monthly to start to focus on this then back off to meet every other month and address other issues. Happy to be able to provide something so needed for the treatment setting. Expect Rule Hearings. If adopted in May will become effective July 1.

### **Communication – Sam Cole**

Scheduling a meeting in the next couple of weeks to talk about upcoming campaign. Everyone on the task force has been great in assisting with the development of the campaigns.

### **Program Evaluation & Data – Jack Reed**

No report

Anderson: Is there any funding to conduct a study to determine if these strategies really do have an impact?

Ticer: There are two parts- there are always opportunities to include in annual report but there is no funding from CDOT for studies.

Flavia: Persistent drunk driver fund is to fund prevention contracts. Put it out for bid. Closes end of March.

Organizations or communities can apply for that. As long as request includes evidence based strategies they can be considered.

### **Lightning Round Update**

Lanzer: Awards selection committees are meeting to select awardees for the May 31 recognition in Denver 5-8 pm.

Info will be distributed to task force. Over 11,000 drunk driving incidents prevented through interlocks. More info on HB 1123. Could he add to July 21 agenda for a legislative meet and greet? Education level on DUI issues is lacking so this would be a good opportunity. Kristi Kelly offered to host if we needed to be closer to the capital. POST does as well.

Timkin: Working with OBH on implementation guide for the Level II Four Plus

Flavia: A campaign is underway called “#first call” encouraging people to make their first call a sober ride. Doing media and engaging organizations. It will run for the next three months. The cost of a DUI based on an average first offender is over \$13,000.

Groff: Due to recent media attention on intoxilyzers a white paper has been created on how intoxilyzers are used. It is posted on the CDPHE website.

Mitchell: DMV software deployment was successful. One of the smoothest deployments they have had. Colorado's Online Interlock System (OIS) through Colorado Interactive, which managed interlock vendor interlock installation and device download activity, has been discontinued. The former system's functionality has now been integrated into the DMV's new Driver Record Identification Vehicle Enterprise System (DRIVES). The DMV is committed to serving customers in a convenient and efficient manner and DRIVES has provided several new online e-services which are now available to the public to include: begin a driver license application online, pay tickets, pay reinstatement fees, upload documents, change address, renew a driver license, purchase and download a driving record, and many more. E services that are available to the public have greatly expanded.

Davis: Introduced his son Frank who completed an internship with Lanzer and who also had recent media attention regarding this efforts to reduce impaired driving.

Whitney: A local CSP Troop has tasked a trooper to set up a local DUI task force and is working with DA plus other agencies to coordinate county-wide saturation patrols. Ticer: doing the same thing in Larimer County.

Anderson: Recently, there has been a renewed interest on the part of the D.A. and some defense attorneys to require donations to Topsy Taxi as part of adjudication of convicted DUIs. This notion had been sporadically invoked at the level of up to \$50 over the past year, but now the level of fines has been raised to several hundred to a thousand dollars. Seeing new energy. Benefit for Topsy Taxi on March 23<sup>rd</sup> in Aspen.

Wood: DUID data bill missed the initial deadline but house leadership approved a late submission. Waiting for final format. Charges DCJ with collecting and reporting DUID data.

Graham-NHTSA: In Utah 24/7 passed, BAC lowered to .05, primary seat belt law taken off of sun set.

Ticer: Any seatbelt usage data?

Espinosa: there was a gradual increase but not what they were expecting. They did spend a lot of time educating.

Sonderup, M.: Hispanic print materials have been distributed to 14 counties and 95 organizations including law enforcement, health care and community organizations. Hispanic restaurants and grocery stores were also included in the distribution.

Ticer: Colorado is being looked to as a leader. Please share information. If you need info this is the group to get your info.

Motion to adjourn: Maroney/Mitchell Meeting adjourned 11:40 am.

**Next Meeting:** Friday, April 21, 2017 9:00-12:00pm  
Location: Colorado State Patrol Academy  
15055 S. Golden Road Carrell Hall, Building 100  
Golden, CO

**In attendance:**

Chief Bob Ticer, Loveland Police Department, Chair  
Glenn Davis, Colorado Department of Transportation , Vice Chair  
Rebecca Novak, Colorado State Patrol, Secretary  
Ben Whitney, Weld Co. DA/CDAC  
Cory Amend, POST  
Patrick Maroney, DOR- Liquor Enforcement Division  
Ed Casias, SCAO-Courts  
Kristi Kelly, Marijuana Industry Group  
Daniel Gagarin, Public Defender  
Andrew Lemley, New Belgium/Alcohol Manufacturers  
Benjamin Mitchell, DOR-DMV Driver Services  
Jeff Groff, CDPHE  
Christine Flavia, CDHS-OBH  
Chelsey Hall, CDHS-OBH  
Dave Timken, CIDRE  
Steve Garcia, Colorado State Patrol  
Chelsey Clarke, RMHIDTA  
Sam Cole, CDOT  
Ellen Anderson, Topsy Taxi  
Ed Wood, DUID Victim Voices  
Matt Sonderup, Heinrich Marketing  
Webster Hendricks, CDHS-OBH  
Stephen Schmitz, Drivable Assessments  
Wes Melander, Public  
Tom Kissler, Smart Start  
Amy Nichols, Drive Smart  
Fran Lanzer, MADD  
Joyce Smith, CAAP/CTO  
Gene Giron, MillerCoors  
Ginna Jones, CDPHE  
Kacy Crawford, CDPHE  
Jill DeRoehn, Denver Co. Court Probation  
Gina Espinosa, NHTSA Region 8  
Al Graham, NHTSA Region 8  
Laura Sonderup, Heinrich Marketing