

Interagency **TASK FORCE** ON Drunk Driving

Colorado Department of Transportation
April 24, 2009 - 9:00 am-Noon
Mount Evans Conference Room, CDOT – Shumate Building

Interagency Task Force on Drunk Driving (ITFDD) created by enactment of Senate Bill 06-192 whose mission is to:

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

I. Introductions

Members

- Pam Hutton, Chair
- Colonel Jim Wolfenbarger
- Christine Flavia
- Steve Hooper (Absent)
- Thomas Quinn
- Honorable Ed Casias
- Scott Schultz (Absent)

Representatives

- Bill Young (Absent)
- Emily Tompkins
- Carolyn DeVries
- Jeanne McEvoy (Absent)
- Abe Hutt (Absent)
- Paul Wood (Absent)
- Chief Russell Van Houten
- Steve Findley (Absent)
- Steve Wrenn
- Ryan Kester (Absent)

Others in attendance

Mike Nugent
Glenn Davis
Robin Rocke
Tom Lorz
Dr. David Timken
Paul Hofmann
Gene Giron
Bear Kay
Nonie Rispin
Chris Halsor

Ron Osgood
Robert Weltzer
Kristen House
Molly Sausaman
Carole Walker
Raymond Fisher

- A. There were no Legislation Sponsors' in attendance.
- B. Public Comments
 - i. Dr. Timkin brought up the issue of the drinking age. He handed out editorials that were published in the Boulder Daily Camera for everyone's reference. Dr. Timken also wanted to let everyone know that the group behind the Amethyst Initiative which supports lowering the drinking has moved its headquarters to DC.
 - ii. The Division of Behavioral Health (DBH) was contacted by the Denver Post for information about recidivism rates and treatment issues with people convicted of DUI. The Denver Post also inquired about what the ITFDD is working on and supporting, i.e. Felony DUI and Primary Seatbelt Law. The DBH instructed the Denver Post that the Denver Post would have to contact the chair of the ITFDD for any information or comments about what the ITFDD is working on or supporting.
 - iii. Carolyn DeVries was also contacted by the Denver Post regarding this article. She was interviewed for the article regarding the repeat offender drunk driver that killed her daughter Sonya.

Emily Tompkins State Coordinator for MADD was also interviewed for the Denver Post article.

II. Introduction of Representative from Colorado State Patrol

- 1. Pam Hutton introduced Colonel James Wolfinbarger as the new Chief of the Colorado State Patrol.

III. Designated Drivers of Colorado Springs Program Description

- A. Nonie Rispin runs Designated Driver in Colorado Springs.
<http://www.noduisprings.com/>
 - i. Designated Driver of Colorado Springs is a free service that will take people and their car home when they have had too much to drink. They operate Tuesday thru Saturday between 10:00 pm and 3:00 am. They have driving teams of 2 that drive people home safe in their own vehicle. Their service is funded by sponsors. They currently only operate in Colorado Springs but would like to eventually expand the service to other areas of Colorado.

IV. Nominations for Task Force Vice Chair

- A. Pam Hutton asked from nominations for a new Vice Chair. Christine Flavia nominated Colonel James Wolfinbarger and Emily Tompkins seconded the nomination. The ITFDD voted and the nomination passed. Colonel James Wolfinbarger is the new ITFDD vice Chair.

V. CDOT Legislation Report and Update

- A. Tom Lorz from CDOT's Office of Government Relations distributed a Legislative Tracking Report and all the bills on the handout mention the words alcohol or DUI in their text. Some of the key points made were:

B.

- i. SB09-133
Short Title: Surcharge CO Traumatic Brain Injury Fund
Sponsors: SPENCE—PRIMAVERA
The bill was revised to add members of military that were injured in explosions
- ii. SB09-296
Short Title: Seat Belt Primary Offense
Sponsors: BOYD—RYDEN
CDOT has been very active with this bill as it progresses through the legislature.

VI. Request for ITFDD support to oppose HB09-1266. Repeal of the loss of driving privileges as a penalty for certain crimes.
<http://www.leg.state.co.us/clics/clics2009a/csl.nsf/fsbillcont3/606C6622ABEED2E58725753C007>

A. The member that requested this agenda item was not present to discuss. There was no discussion of this item.

VII. Sub-Committee – Updates

A. By Laws Sub-Committee
No Update

B. Prevention Sub-Committee
No Update

C. Intervention Sub-Committee
i. Three objectives:

Investigation for a Felony DUI law for repeat drunk drivers

- a. Sub-committee believes there needs to be a discussion about felony DUI law with whole ITFDD

2. Underage drinking

- a. Binge drinking needs to be looked at and possible treatment solutions
- b. Sub-committee has been looking at South Dakota's program for post sentencing and alcohol monitoring

3. Server Training and Server Intervention

- a. How can servers take action and employment protection

- ii. The sub-committee would like the ITFDD to define intervention and define the roles of the sub-committee

D. Victim Rights and Roles Sub-Committee

- i. Three objectives:

1. Felony DUI/mandatory DOC

- a. The committee decided to separate mandatory DOC from felony DUI to make felony DUI a more feasible option to pursue
- b. Discussed two options: 1. Pursuing HB 1313, sponsored by House King and Senate Penry which did not get passed in appropriations in 2007. Contacting those sponsors and requesting their input on reviving this bill.

- c. Option 2: Adding language to CRS 42-2-201, Habitual Traffic Offense, to criminalize an “Aggravated Alcohol Habitual Traffic Offenders.
 - d. In lieu of DOC time, could technology assist with house arrest, alcohol monitoring, and eventually an interlock to ease fiscal impact to taxpayers and still monitor offenders?
 - e. The subcommittee would like to invite the feedback of the Task Force and ask for any assistance in those areas where appropriate.
- 2. Decrease deferred judgments for alcohol-related traffic offenses
 - a. Amended from eliminating deferred judgments for alcohol-related traffic offenses to decrease deferred judgments
 - b. Invite the Traffic Safety Resource Prosecutor (TSRP) for Colorado to provide input on training and alternatives
- 3. Victims Rights Act compliance training from system to victim survivors
 - c. Items to Track:
 - i. TSRP training and exploring alternatives (sentencing, charging, etc.)
 - ii. Mandatory Blood Draw/ “No refusal” (Avon, Eagle Co.)
 - iii. Invite Chief Brian Kozak from Avon to discuss his experiences, successes and challenges in attempting a “No refusal weekend”
 - iv. Make Standard Field Sobriety Testing certification mandatory in P.O.S.T.

E. Ignition Interlock Sub-Committee
No Update

F. System Improvements Sub-Committee
No Update

G. Persistent Drunk Driver Sub-Committee

- i. The sub-committee is still gathering evidence to support the .15 BAC level for persistent drunk driver
- ii. They are working with the ignition interlock sub-committee on having the interlock requirement correlate with the treatment requirement. They believe there will be a positive outcome.
 - 1. The sub-committee believes this can possibly be done when the treatment rule revision is done by including the interlock requirement into treatment education.
 - 2. The sub-committee believes that the interlock is an important part of treatment but is not a substitute for monitoring, it should be used in addition to monitoring
- iii. Christine Flavia provided information about a new media campaign website: www.playitsafeandcheap.com
 - 1. The site has general information about DUI's and alcohol consumption and its target audience is 21-34 yr old males
 - 2. The website is being advertised in radio, TV, and internet banner ads

H. Communications Sub-Committee

- i. Bear Kay provided a brochure that the communication sub-committee created for the ITFDD. The sub-committee would like everyone to review the brochure and send comments to either Bear Kay or Heather Halpape and they will provide a revised copy at the next meeting. Also at the next meeting the sub-committee would like to discuss distribution of the brochure.
- ii. The sub-committee would like to create a new website for the ITFDD. They would like the website to be user-friendly and contain links to other sites containing information about DUI's.
- iii. The sub-committee would like to create materials about DUI issues for the members of the ITFDD to be able to distribute through their respective agencies, if they chose to do so.
- iv. The sub-committee believes the ITFDD needs to discuss the ITFDD's ability to comment publicly about issues such as what the ITFDD is working on and what they are supporting and who would be the correct person to contact for the comments, i.e. the ITFDD chair, vice chair, etc.

VIII. Other Agenda Items

- A. The Victim and Intervention sub-committees would like the ITFDD to have an in-depth discussion about the Felony DUI law so both committees can move forward with recommendations.
 - i. The discussion should focus around gathering evidence that having a felony DUI law will reduce DUI's, why Colorado should have a felony DUI law, what does the law mean for each affected party (i.e. law enforcement , courts, DOC, etc.), and what the fiscal note is for such a law.
 - ii. A motion was put forth to have an extended ITFDD meeting on May 29, 2009 that will have an emphasis on felony DUI with a panel discussion to follow and a write up of the outcome of the meeting will be presented at the July 24, 2009 ITFDD meeting. Panelist for this meeting will be selected by May. The motion was seconded and passed.

IX. Next Meeting

- a. May 29, 2009 – 9:00 – Noon, CDOT Auditorium

X. Adjourn