

Interagency **TASK FORCE** ON **Drunk Driving**

Meeting Minutes July 15, 2011

Col. Wolfinbarger (Chair) called the meeting to order.

Attendees:

- Abe Hutt
- Jeanne McEvoy
- Robert Ticer
- Christine Flavia
- David Timken
- Heather Garwood
- Kris Johnson
- Paul Wood
- James Wolfinbarger
- Bill Young
- Wesley Knox
- Heather Skrypek
- Steve Wrenn
- Jill Hart
- Stephen Hooper
- Jennifer Gray
- Cassandra Rocha
- Paul Aylmer
- Lisa Finch
- Pete Webb
- Ellen Anderson
- Edward Casias
- Michael Elliott

Introductions and Initial Comments:

All present introduced themselves. There were no legislative or public comments. Kris Johnson and Jeanne McEvoy asked that references to “alcoholic beverages” be changed to “alcohol beverages” wherever they exist in ITFDD documents and name plates. The TLRC will meet for the first time in this summer in August, and CSP & CDOT will be there.

Approval of Minutes from Last Meeting:

Steve Hooper moved to approve the minutes, and Christine Flavia seconded. Minutes from the May 20th, 2011 meeting were approved unanimously.

Summary of Key Performance Indicators:

Information was presented regarding the number of CSP-investigated DUI/DUID-caused crashes and DUI/DUID arrests during the months of January through June in 2011 and 2010. A summary is attached. Over the 4th of July weekend, the Patrol covered two alcohol-related fatal crashes (both Western Slope) and wrote over 80 citations. Statewide, there were 545 citations and three DUI/DUID-caused fatal crashes (additional one in Denver).

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DUI Accident Reconstruction Presentation (Master Sergeant Enloe and Technician Waters)

Presentation on the Colorado State Patrol's accident reconstruction practices illustrated by the documentation of a DUI crash on C-470. Copies of the presentation are available on CD by request to Jill Hart

(jill.hart@cdps.state.co.us) or 303-589-1144.

A vote to allow Steve Hooper to act as Chair for the remainder of the meeting passed unanimously.

Media Relations & Significant Upcoming Events (WebbPR for CDOT)

CDOT is about to launch a new drugged driving prevention campaign. Messages include "Drugged driving is the same as drunk driving" and "Don't drive the high way." The campaign addresses both marijuana and prescription drugs. Statistics are showing a lot of drug interaction, and CDOT has had input from Drug Recognition Experts (DREs) and DOR staff. The kickoff will be on August 19 (with checkpoint week kickoff). Focus groups are being held with dispensaries and permit holders. The tagline "Prescription for DUI" will be tested. The campaign will include radio, billboards, busboards, Rx posters, gas toppers, social media, and a new fact sheet. 5 DREs (who have been focus groups) will be doing interviews.

Michael Elliott shared that the Medical Marijuana Industry Group (MMIG) is planning its own campaign and is looking for a government agency to partner with.

A motorcycle safety campaign called "Ride Smart Foothills" that is providing locked storage for motorcycles and is increasing in its usage.

Workplan Updates:

Discussion of sponsoring recodification of interlock law (Steve Hooper):

Propose that ITFDD endorse establishment of a small committee to take our interlock law and clean it up and clarify it. It would be similar to what happened in 2008 with the administrative license revocation law, when we had a law that was scattered all over the place. We went through that law and reorganized it, cleaning up inconsistencies, adding headings, and making it flow much like the DUI stop and revocation flows. We would be looking for authority to draft a legislative proposal that is endorsed by this group and to seek a legislative sponsor.

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Our interlock law came into place at 2000, and it was clean. However, it has been “played with” each year since then, and it has become a “cobbled” piece of legislation that is confusing. We need to put together re-draft of this law to reorganize and clarify, but not change any substance. (If we want to change substance, we should do it in another bill.)

DOR is validating numbers through the mainframe system, but we appear to have around 19,000 interlocks installed in Colorado (not number of restricted drivers). Before passage of that legislation, we had about 7,000-8,000. With the first offender law and early availability of repeat offenders, we’ve increased it. Recodification would be helpful because we have not had adequate buy-in and clarity. Feedback on recodification of other laws suggests that this would be very helpful and popular. To increase usage of the program (as stated in the ITFDD workplan), we would like to go forward with a committee.

Examples of clarifications include the fact that there are some requirements that don’t fit well together. The insurance requirement was a long-time requirement, but now first offenders who “opt in” to the interlock program have lost their ability to have a shorter-term SR22. Jeanne McEvoy asked about sunset and the timeline for this. The current codification has been in place for 10 years. Last time, with a more complicated effort, redrafting took about eight weeks. We will have a written digest before we move forward.

Judge Casias moved that we authorize a committee to provide proposed draft language to go forward with recodification of the interlock legislation. Chief Ticer seconded. The motion passed unanimously. The committee will include Abe Hutt, Judge Casias, Jennifer Gray, and Steve Hooper.

NoDUIColorado website update (Christine Flavia):

We presented on content and got good feedback from the last task force meeting, and we are currently incorporating it. We are in the final stages of tweaking the content, and as soon as it is done, a link will be sent out and more feedback will be requested at future ITFDD meetings.

ITFDD Bylaws and Structure (Bill Young):

There is nothing substantive in the changes, just updates to the membership.

Steve Hooper asked about the change of “alcoholic” to “alcohol.” The legislation says “alcoholic,” but we could change it. Steve Hooper proposed a motion to change all references to “alcoholic.” Judge Casias seconded. The motion carried unanimously.

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Jeanne McEvoy moved that under the name, the wording be changed to “created ... and reauthorized by SB 11-093.” Chief Ticer seconded. The motion carried unanimously.

Discussion ensued around the language of “victims and advocates,” and whether that was limiting. A motion was made to add “other interests” to the line. Abe Hutt seconded the motion. The motion carried unanimously.

The question was raised about whether the problem of DUI is minimized or understated (as listed in the purpose). It is complicated and it does persist. Abe Hutt made a motion to change the sentence to say “[it provides a formal mechanism to leverage resources in order to create a multi-faceted approach to solving a problem](#)” which is significant, persistent, and dangerous in our community.” Chief Ticer seconded, and the motion carried unanimously.

Jeanne McEvoy asked about replacing vacancies. If a member leaves, the nomination of his/her successor would be based on the member’s (or the member’s associated group’s) input.

Jeanne McEvoy made a motion to accept the bylaws as drafted and amended. Steve Wren seconded the motion. The motion carried unanimously.

Lightning Round Updates:

Christine Flavia reported that she attended the Marijuana per se work group of drug policy subcommittee of the CCJJ, and it went well. There was a presentation on the science behind marijuana use and driving. Harder data on drug related crash involvement is needed. There were questions as to why we need another law and why the current law insufficient. There is a “sense” that there will be another attempt at legislation, but it will depend on this working group.

Heather Garwood will be the new representative of Probation Services after Tom Quinn’s retirement.

Dr. Timken mentioned that there will be additional interlock enhancement trainings coming up, and to date, the group has trained 300 counselors around Colorado.

Chief Ticer reported that he sat on the MADD committee for the law enforcement awards. The Law Enforcement Recognition dinner is on September 14 at 5pm. Chief Ticer also asked about the replacement of the Intoxilyzers which is a huge concern. Jill Hart related that there were discussions going on at the state level related to how we could address the situation statewide. This week, there was a head-on suspected DUI/DUID crash with an Avon police vehicle.

Michael Elliott said that he looks forward to working on the PR campaign.

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Paul Wood stated that the Weld County Sheriff's Office will be reorganizing, so he is waiting to see if he will be continuing on the task force. One of the Weld County Sergeants was also "t-boned" by a drunk driver recently, but was not hurt.

Cassandra Rocha reported that the Denver County Court has gotten underway with its sobriety court with about 16 people. They probably had about 30-50 eligible, but 2nds are declining. Limit is 200. There are 3 full case-load officers, and a coordinator is doing a partial case load as well.

Heather Skrypek from Summit Prevention Alliance mentioned that the federal government is now approving social norming campaigns with messages such as "most medical marijuana patients don't drive while under the influence."

Kris Johnson announced that 7/16 is a brew fest in Breckenridge, and this is 1st event where they are debuting the guidelines recently put into place. The brewers will be listing the alcohol content of samples.

Jeanne McEvoy stated that they are having a challenge to double the number of employees/owners/managers who complete TIPS training (goal 3000). Also possibly incentivizing businesses to train employees.

Bill Young related that Gene Giron fell 15 feet off a ladder on July 3rd. He has multiple injuries including a closed head wound which is affecting his vision, a vertebrae fracture requiring a neck brace, and elbow & wrist injuries which have him in a cast from hand to shoulder. He is currently at Spalding Rehabilitation Hospital in Aurora and hopes to make a full recovery.

Judge Casias thanked Heather Skrypek for coming and is very interested in her efforts.

Steve Hooper (DOR) has a new Senior Director of Motor Vehicles, Mike Dixon and a new Executive Director, Barbara Brohl. We have seen an increase in ignition interlocks, but also have a significant drop in the number of DUI arrests. In 2008, the filings = 31,422, 2009 = 31,801, 2010 = 29,296, and 2011 = 26,545. Refusals have also gone up to 35% (from 28-31%). CSP enforcement is not down, although the citations are. Chief Ticer stated that Avon DUIs are up 120%. Refusals may be a subject for further discussion. Christine Flavia would be interested in looking at the issue with Chief Ticer and put together something for discussion at September's meeting.

Ellen Anderson used to keep the numbers on saturation patrols with multiple agencies. The contacts were generally 4-6%. She has discussed with CDOT that success should be measured by the percentage of arrests as a percentage of contacts. She also related that Aspen (by ordinance) requires 100% of bouncers (in addition to the 100% of managers, and 75% of bartenders already required) to be trained in signs of intoxication & intervention. Bill Young asked for those involved in the ensuing discussion to meet briefly to discuss seller/server training as mentioned in the strategic plan.

Next Meeting: September 16, 2011 in Building 100 at the CSP Academy