

Meeting Minutes

September 18, 2015

Opening Comments – 9:00 Chief Ticer

Introductions

17 of 24 members in attendance, therefore we have a quorum.

Self-Introductions: Name; Agency, Entity or Interest Represented

Legislation Sponsors' Remarks (if in attendance)

None in attendance.

Public Comments

None

Minutes of Previous Meeting

Casias, second by Fisher. All in favor, motion passes.

Statistics

State Fatality Numbers (CDOT) – Glenn Davis

Data through 9/13/15

- 372 Fatalities in 2015 through 9/13/15
- 349 Fatalities in 2014 through 9/13/14
- Increase of 7%
- 20 occurred in Jefferson county
- 12 Arapahoe county
- Biggest month was March
- 32% of fatalities alcohol related
- Haven't made an impact of where we want to be so far this year.
- Motorcycle fatalities have really gone up this year, there were 11 in a two week period

Media Relations & Significant Upcoming Events

Sam Cole, CDOT

- Labor day a lot of outreach
- Three events in LoDo over Labor Day weekend. Try out personal breathalyzers, works with smart phone. It was a big wake up call for a lot of people that didn't realize that they were over the limit with a couple of drinks.
- 750 people come through, had really good conversations with people about drinking and driving.
- Good interaction with Hispanic outreach
- CSP Trooper Alvarado has been an excellent spokesperson for the Hispanic community

Laura Sonderup, Hispanidad

- Hit events and festivals really hard this summer so that we had one on one conversation in language.
- Mexican Independence Day -120,000 people. Trooper Alvarado was on stage in uniform. The repor his has with the community is amazing.
- 215 LE agencies will be getting a supply of Spanish brochures with impaired driving and seat belt messaging. Thanks to Captain Fisher for suggesting the idea.
- Ticer Apps with phone, are you finding that awareness is being raised that people are seeing that people are surprised that they are impaired.

Task Force Business & Presentations

Vacant Positions

Chris Samson, Position to replace Off-Premise Alcohol Retail Business.

Groff – Consider including a position for member of the medical community in the future.

Ticer – Agree with you, certainly they can come and participate. If we have one of those opportunities in the future to make the statutory change.

Program Management & Strategic Planning – Glenn Davis, chair

- Looking at same recommendations from last year.
- Primary seat belts
- Preliminary devices to detect use of marijuana
- Type of statistical tracking for drug impairment
- Have heard there may be a bill for a 24/7 program
- Subject to alcohol testing 24/7, jailed if impaired

Criminal Justice – Deputy Chief Steve Johnson, chair (not in attendance)

Whitney – meeting prior to October meeting to fine tune recommendations

Prevention – Ellen Anderson, chair (not in attendance)

See hand out

Lemley- Concerns for it being a state position that it may take more time to get the position in place

Fisher – This is important for promoting an alternative ride. Not sure if there is any other state working on this. Important to find where this position could be housed.

Davis – Expressed concerns for funding for position at CDOT.

Wells – Suggested adding content for impaired driving to individuals that get minor in possession.

Casias – Suggested a better place to put the minor in possession (MIP) possible impaired driving training into 30 hour DMV requirement to get permit.

Hanson – The online doesn't stick as much. There should be an additional thing to teach this age group.

Casias – Licensing component – Alive at 25 program.

Tracy – Weld County Drive Smart – it is about driving. Larimer County Party Program – it is about partying and choices you make. Dare You to Move is more about what is driving you to make self-defeating choices. The prevention groups need to coexist and collaborate together.

Ticer – Maybe see if there is another fit for where this position could exist, or maybe make language more open. Second part, love what Judge Casias is saying, tying impaired into

permit program. Perfect audience to get that. We know online learning isn't going to be as robust. Be aware that some areas may not have in classroom format and only have online options.

Impaired Driving Intervention and Treatment – Christine Flavia & Sue Parker (co-chairs)

- Would like to acknowledge all the other people that have been working hard the last three months on developing the structure for the felony DUI. Recognizing that current structure while good, there are some gaps for that specific population. Entertained changing the treatment structure for 4+ DUI offenders, adding a level.
- OBH can license for proposed new level. If it was a fifth track, it could be more of the same. We want it to be very different, very distinctive, and assessment driven.
- Established a structure still in draft form. Will go into second phase of rule revision, expect to come out next spring.
- Length of time 18 months with 180 hours of services. Currently 110 hours over 13 months.
- Battery of screening and assessment tools
- Population TBI, problems with cognitive functioning, grief/loss issues, co-occurring disorders
- New tool available CARS does an excellent job of looking at co-occurring disorders.
- Will select a set of tools to provide an assessment
- Very excited about it,
- October 7 at OBH
- Draft of Level III rules right now, in final stages of tweaking those before they go out to the DUI stakeholder community that will be open for public comment.
- Recognize need for need for first, second, and third time offenders, however this is where we need to start. If we try to launch this level of treatment for all offenders, we won't be successful.

Gregarin – In terms of Level III – any idea of what that would look like so that we can pass on to his clients?

Flavia – Will be assessment driven. Unresolved issues that don't fit well into standard DUI treatment. Much more individualized.

Communication – Sam Cole, chair

• See media update

Break: 10:00 Reconvene: 10:15

Data & Program Evaluation – Nicole Richmond (not in attendance)

Jeff Groff – See Power Point

Action: Hahn will e-mail out flow charts to distribution e-mail list

Casias – quick way to get number of people charged, run it by DUI statute charges

Groff – As we were going through these meetings, if the DA doesn't file that charge, would we be missing a chunk?

Casias – Most are served by summons, the DA decides how they are going to disposition Flavia – OBH does not get lab results, it is based on what probation gets from the police report. What treatment gets is information from probation that is entered into ADDSCODS. Probation is entering it into ADDSCODS.

Legislative Outreach – Fran Lanzer, chair

Looking at setting up a call very soon. Will try to get legislators to attend November meeting.

Lightning Round Update

- Fisher Doing work to provide training to port of entry officers that might need to have some sort of law enforcement intervention. Colorado State Patrol's 80th anniversary next week, open house at academy. Anyone is welcome to attend.
- Elliott Working on rule making hearings this summer. Production management, how much can facilities grow? A lot about testing, ownership issues. Don't have final rules in hand yet, hopefully will have in another month or two. Denver has scheduled a Denver working group to work on bonding issues. Bonding companies are ditching the industry in mass. Looking for a city solution. Issues about pesticides. Whether moratorium in Denver will continue. No new recreational stores allowed, only if had medical license. Trying to decide if moratorium should expire or continue. Retail marijuana program is scheduled to sunset. It will be on the table with lots of opportunities to make it.
- Hanson Reaching audiences, instead of radio, should look at online radio (i.e. Pandora.) There is currently a distracted driving ad on Pandora that is a good one. Feels it speaks to his age bracket.
- Davis We do hit that market and can have Sam bring in some examples.
- Ticer Wanted to point out, I am not in that demographic, but listens to Pandora. It is reaching other age brackets as well.
- Tracy Channel 9 News will be doing a story of her presentation at a high school. Meeting with educators today, highlighting the differences between her programs workbook and what else is available. Please feel free to reach out if you have questions on what Dare You to Move program is.
- Lanzer 10/10/15 new Walk Like Madd event in Greeley. 11/7/15 save the date notice for candle light vigil for victims and survivors of impaired driving in Lakewood 4:30-6:30pm.
- Timken Busy with implementing working on revising material. Modifications on assessment instruments. Having a national training in Las Vegas area in early December. Adolescent driving impaired training in the next week. Working on getting more interlock counsel training.
- Gregarin Partnering to help people with criminal convictions that might be eligible for expungement or sealing of records for individuals required to register for juvenile offenders. For the next 2-3 months a lot of free volunteer lawyers available helping out on the front range to help people who might be suffering from permanent convictions that might be able to help. Denver Post did a story on. If anyone needs help on, let him know.
- Lemley DOR LE along with industries, all three tiers are coming together 10/6/15-10/7/15 Colorado Alcohol Symposium. How to be compliant with state regulations and how to work together. If anyone is interested, let him know. Will be held at Metro State University.
- Mitchell DOR, the driver license system just started development of Driver Record Identification Vehicle Enterprise Solution (DRIVES) Vendor, Fast Enterprises, is working on. 24 month process. Began on September 1st, will keep you posted.
- Hendricks Marketing materials highlighting noduicolorado website available, take as many as you like. Please see handout.
- Sonderup Trooper Alvarado will be able
- Parker September is National Recovery month. If you know of someone who is in recovery, give him words of encouragement. Walk, bike ride
- Wells OBH is hosting a recovery forum 9/29/15 all about Young People in Recovery (YPR). Will send flyer to Brenda to distribute
- Flavia Catalog for the marketing materials, see hand out. If you or people you know want to order materials, please e-mail peast@webbstrategic.com
- Lamson Looking forward to filling that gap for representing the off premise alcohol

Whitney – Have had first five felony DUIs in Weld County since 8/5/15. Seen a wide variety of individuals.

Casias – Have had some significant felony and serious injury hit and run. They think alcohol was involved in both of them. It has shaken his community. Anxiously awaiting Jenn Knudsen coming to Judicial conference. There are a lot of questions. Judicial branch is ready to take notice.

Davis -10/1/15 – CDOT is transferring to POST.

Nixon – Thank Sam for his efforts for his success on drunken driving campaign. Would like to see how it translates to drugged driving. Acquire funding for DUI drugged driving campaign for prescription drug use. Have talked to some legislators. Reached out to governor's office to discuss issues and opportunities as well.

Kingery DUI court training on 9/28/15, contact her if you are interested in learning more on that. Five new jurisdictions that have just started a DUI court.

Robnett (Cannabis Patients Alliance) – Proud of their alliance and collaborative relationship with child endangerment. Keeping kids safe from substances. Talks about different phases of life from pregnancy all the way to teen years. Brought some cards if you all could take a look at. It is a work in progress.

Menjivar – Fort Carson military base, have taken home over 2,300 people since Dec 1. Their program does it every Friday and Saturday night.

Motion to adjourn: Fisher, second by Lanzer.

Adjourn: 11:49 am

Next Meeting: Friday, October 2, 2015 Colorado Department of Transportation 4201 E. Arkansas Ave. Auditorium Conference Room Denver, CO 80222

In attendance:

Chief Robert Ticer, Avon Police Department

Glenn Davis, Colorado Department of Transportation

Sam Cole, Colorado Department of Transportation

Captain Ray Fisher, Colorado State Patrol

Brenda Hahn, Colorado State Patrol

Andrew Lemeley, New Belgium Brewing

Katie Wells, Office of Behavioral Health

Christine Flavia, Office of Behavioral Health

Webster Hendricks, Office of Behavioral Health

Sue Parker, Colorado Alcohol Addiction Professionals (CAAP)/ New Journey to Wellness

Ben Mitchell, Colorado Department of Revenue, Driver Control

Judge Ed Casias, State Court Administrators Office, Courts

Amy Kingery, State Judicial, SCAO

Dr. Dave Timken, CIDRE

Ben Whitney, Weld County District Attorney's Office

Fran Lanzer, MADD Colorado

Jennifer Tracy, Victim

Amber Gray, Victim Family Member

James Hanson, Student Under 24

Michael Elliott, Marijuana Industry Group
Daniel Gagarin, Public Defender's Office
Jeff Groff, Colorado Public Health & Environment
Ronn Nixon, iComply, LLC, Cannabis Policy Advocate
Ed Wood, DUID Victims Voices
Jennifer Knudsen, TSRP, Colorado District Attorneys Council
Ashley Schluck, Wyoming Department of Transportation, Highway Safety Office
Jack Reed, Colorado Department of Public Safety, Division of Criminal Justice
Laura Sonderup, Hispanidad
Shannon Westhoff, Hispanidad
Bob Batchelor, Elixi
Chris Lamson, Coloradans For Safety
Liz Couture, Colorado Safety Association
Teri Robnett, Cannabis Patients Alliance
Edgardo Menjivar, Fort Carson Army Substance Abuse Program

<u>Prevention Work Group Proposals (**DRAFT 09/17/15**) to the entire CTFDID (Colorado Task Force on Drunk and Impaired Driving).</u>

The Prevention Work Group offers the following three suggestions to the CTFDID for inclusion in the 2015 Annual Report.

- Create staff position (or partial position) of "Alternative Ride Liaison" within CDOT, Division of Transportation Safety who will:
 - Gather information on all types of existing alternative ride programs. Information to include both non-profit rides and for-profit ride services, in Colorado and nation-wide. Various funding sources would be an important part of this library.
 - Gather information about all the concomitant issues associated with alternative rides that might be barriers such as overnight parking, retrieving vehicle the next day, parking tickets, etc..
 - Organize and cross-reference this information in a manner such that anyone
 in any jurisdiction in Colorado can access it specific to local needs: by
 population, by rural/urban, by for-profit/non-profit, by availability (all the
 time/only certain hours of the day/only certain days), etc..
 - Provide information to any jurisdiction, when requested, via e-mail, phone, and in-person.
- Support the Colorado Office of Behavioral Health in revising their required treatment rules regarding services to youth who receive their first Minor in Possession offense to include education about drinking/impaired driving in the required education classes.
- Promote and collaborate with already-existing community-based programs that work towards the prevention of drunk/impaired driving. Dare You To Move, Larimer County Party Program, and Weld County Drive Smart are examples of this type of program.

CTFDID:

Data and Evaluation Subcommittee

Members:

Janet Allbee (CSP)

Lisa Barker (CDPHE)

Carolyn Berry (POST)

Susan Colling (CSC)

Jeff Groff (CDPHE)

Brenda Hahn (CSP)

Benjamin Mitchell (CDOR)

Jack Reed (CJD)

Nicole Richmond (CDPHE)

Ashley Brooks-Russell (CSPH)

Dr. David Timken (CIDRE)

Jackie Urioste (CDHS)

Ed Wood (DUID Victim's Voices)

Objective

To answer the following evaluation questions:

What is the DUI/DUID prevalence of.....

- a) Impaired drivers cited by law enforcement for DUI/DUID?
- b) Impaired drivers involved in a motor vehicle crash resulting in no injury?
- c) Impaired drivers involved in a motor vehicle crash resulting in an injury?
- d) Impaired drivers involved in a motor vehicle crash resulting in a fatality?
- e) What is the impairing substance in each DUI/DUID case?

Process

- **1. RESEARCH** The DUI/DUID process from stop to disposition.
- 2. OUTLINE The DUI/DUID Case Lifespan.
- **3. EVALUATE** The current sources of critical data points.
- **4. IDENTIFY** The gaps in data collection.
- **5. ASSESS** The practical and realistic solutions.
- **6. RECOMMEND** The specific changes to current processes.
- 7. **COLLECT** The relevant data in one centralized location.
- **8. SHARE** The data with stakeholders and partners.
- **9. EDUCATE** The public and elected officials.

Complexity

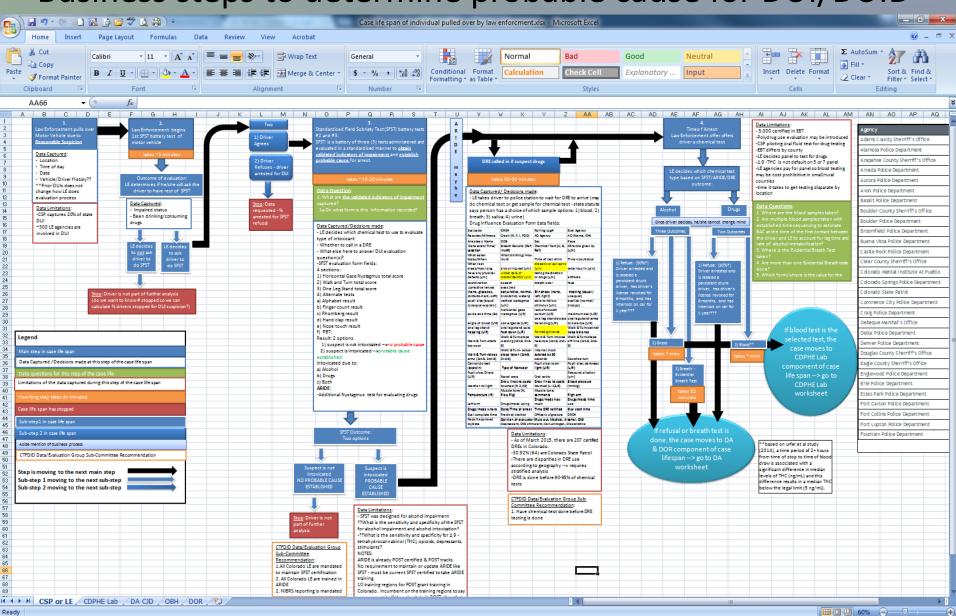
- Colorado's DUI/DUID process is highly complex and requires a numerous state agencies and public engagement to reduce drunk and impaired driving in our state.
 - Law Enforcement
 - State Judicial
 - Department of Revenue
 - Department of Transportation
 - Office of Behavioral Health
 - Department of Health
 - Elected Officials
 - Colorado Citizens
 - Private Entities
 - Other State and Federal Partners

Challenges

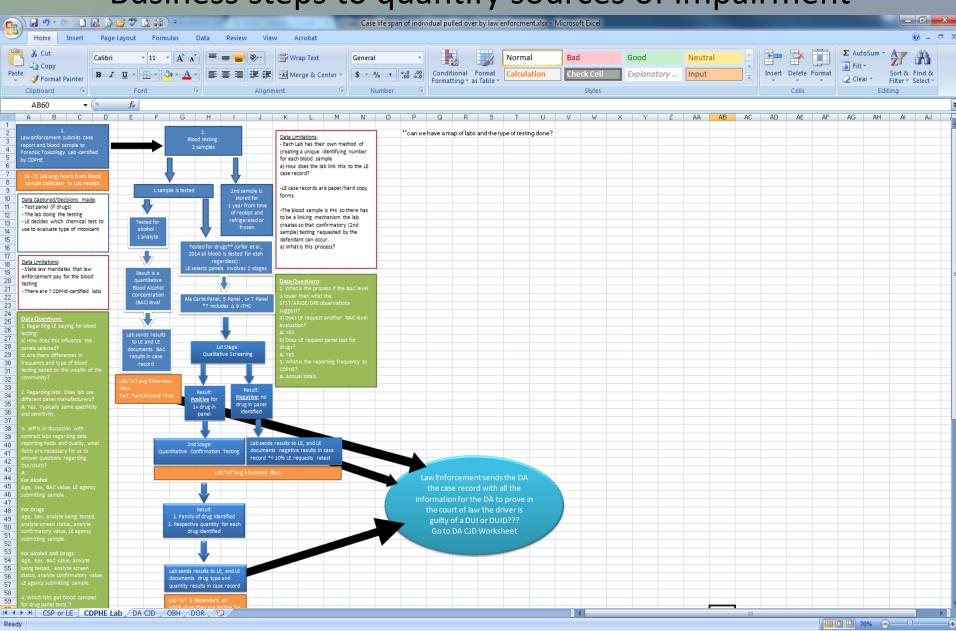
- 5 different state agencies involved in the process for 1 case
- Data challenges
 - Incompatible and Outdated databases that are not able to always communicate together.
 - Paper (faxes, copies, written reports)
 - Example: BAC levels sent to probation
 - Unique identification numbers for each case within agencies not shared across agencies
 - Example: The DA assigns unique identifiers for each case based on agency case #, court case # (this makes it hard to link court data with driver's license data)
 - Jurisdiction of who "owns" the data
 - Does driver own data on laboratory work?
 - Does driver own data on driver control records?

Law Enforcement:

Business steps to determine probable cause for DUI/DUID

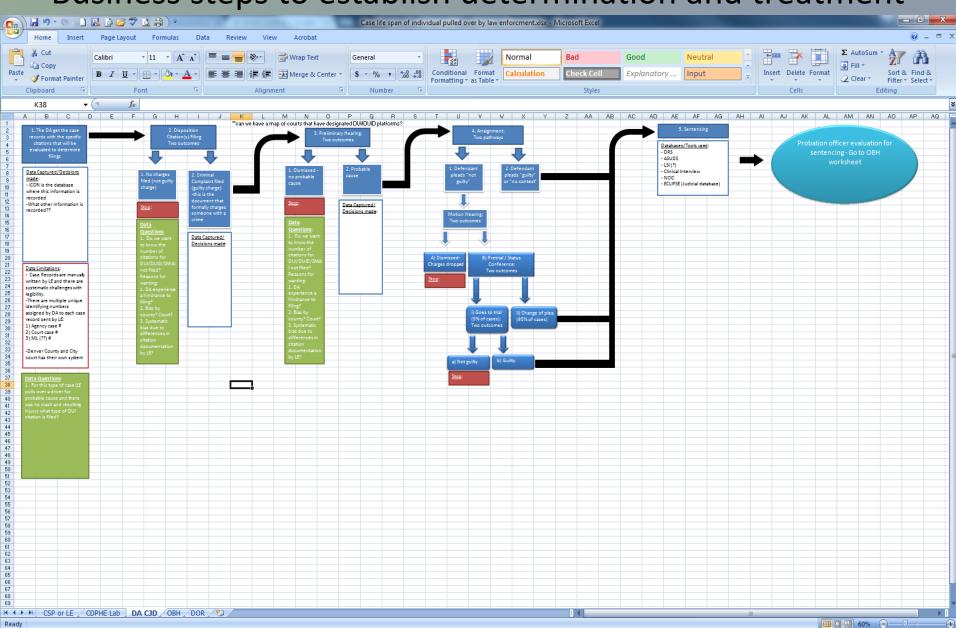


Forensic Toxicology Laboratory Testing: Business steps to quantify sources of impairment

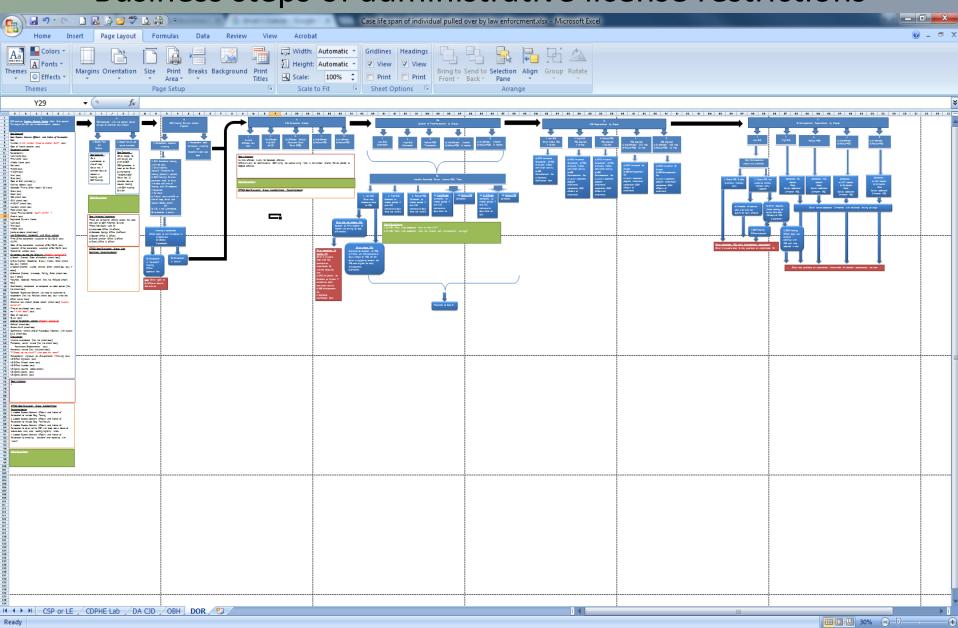


Colorado Judicial Court:

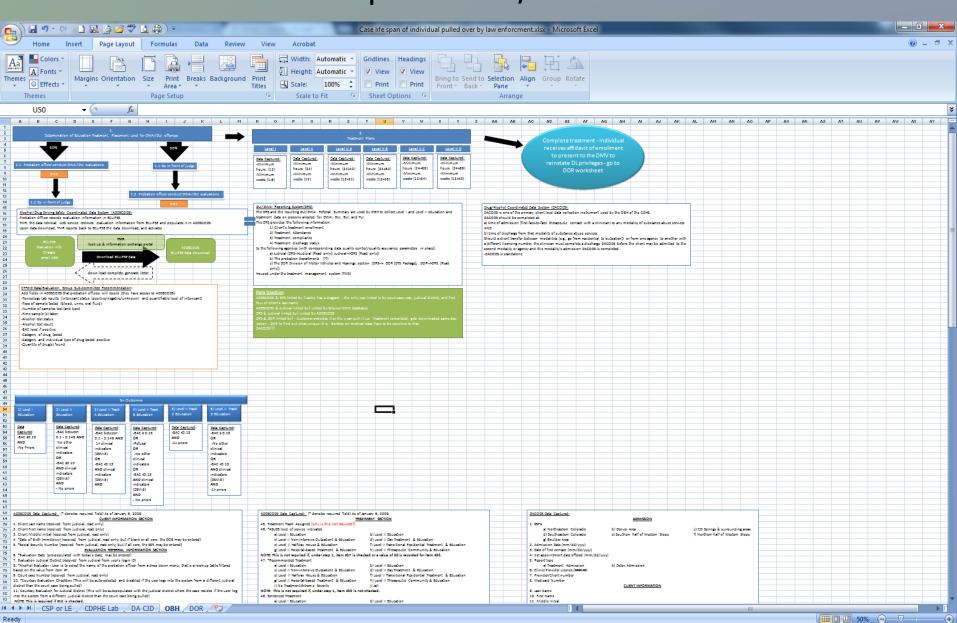
Business steps to establish determination and treatment



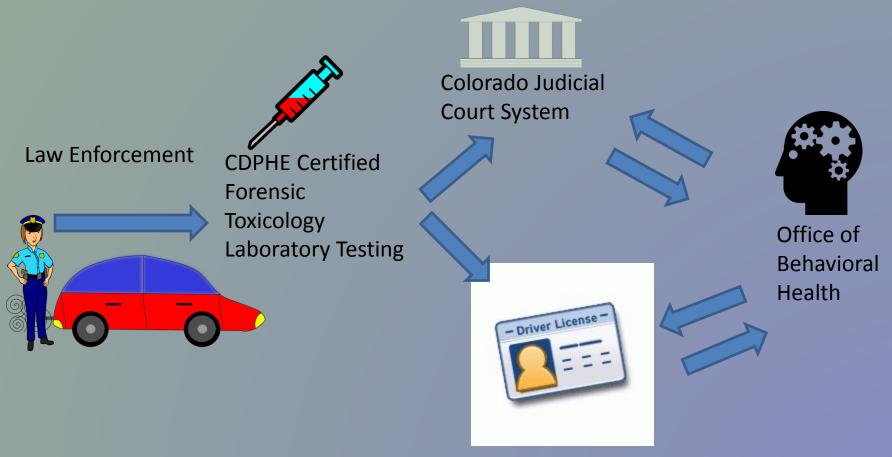
CDOR, DMV, Driver Control, Interlock Program: Business steps of administrative license restrictions



Office of Behavioral Health: Business steps for DUI/DUID treatment



Case Lifespan Summary



Colorado Department of Revenue Department of Motor Vehicles Driver Control Interlock Program

4 - Recommendations

- 1. All Law Enforcement Officers trained and certified on ARIDE (roadside maneuvers).
- 2. All Law Enforcement Officers consistently use NIBERS to track all DUI/DUID citations issued.
- 3. Office of Behavioral Health (OBH) treatment providers enter a total of 6 additional fields of information into the TMS-ADDSCODS system.
- 4. Establish a common working analytical file that is updated from the TMS-ADDSCODS system and the NIBERS system on an ongoing basis that can be accessed by stakeholders.

Problem Identification #1

- Not all law enforcement officers are trained and certified on ARIDE (roadside maneuvers)
- NHTSA requires officers are currently certified in SFST prior to being certified in ARIDE
- NHTSA only requires a one-time certification in ARIDE.
- 4. SFST certification requires recertification every two-years.

Recommendation #1

 All Colorado Law Enforcement Officers who perform DUI/DUID enforcement be certified in ARIDE maneuvers.

Problem Identification #2

- NIBRS (National Incident Based Reporting System) is the federal database used by the Colorado Bureau of Investigation (CBI) to submit citation information.
- NIBRS tracks the citations issued by law enforcement. Citations issued do not necessarily equate to the charges filed by the District Attorney.
- NIBERS is not always consistently used by law enforcement for reporting DUI/DUID charges and is a federal database.

Recommendation #2

- All DUI/DUID citations issued by law enforcement officers are entered consistently into a centralized database maintained by CBI.
- 2. Extracts of those citations are downloaded on a consistent basis into a common working analytical file to be accessed by stakeholders.
- 3. Personal identifiers are not needed for this data extract.

Problem Identification #3

- 1. Forensic Toxicology laboratory results are provided to the requesting law enforcement agency directly. These results are provided to the District Attorney and to DOR.
- 2. Results are not recorded by either the DA or DOR and cannot be easily tracked as each case is "silo-ed".
- 3. Systems used to track individuals are either outdated or only not able to communicate with each other. There is no single or centralized database for DUI/DUID offenders.
- 4. All defendants are required to undergo evaluation by an OBH treatment provider regardless of the charges filed by both the courts and DOR.
- 5. OBH treatment providers receive the laboratory results.
- 6. OBH Providers report to both the courts/probation and to DOR the status of the treatment. (completion or failure to complete)

Recommendation #3

- OBH treatment providers receive the critical information needed to assess the data gaps identified by the ITFDID.
- 6 Additional fields are need to be added to the TMS-ADDSCODS database used by OBH treatment providers to include:
 - 1. Time of Arrest (found of police report)
 - Time of sample collection (found on lab report)
 - 3. Type of sample collected, eg. Blood, urine, saliva (found on lab report)
 - 4. Analyte(s) found in sample (found on lab report)
 - 5. Analyte(s) measured result (found on lab report)
 - 6. Number of prior offenses, if any.
- 3. OBH has the ability to add these fields to the current database.
- 4. Extracts of these data points are downloaded on a consistent basis into a common working analytical file to be accessed by stakeholders.
- 5. Personal identifiers are not needed for this data extract.

Problem Identification #4

- 1. Lack of State database capacity
 - The state of Colorado currently does not have the capacity to answer comprehensive public health and public safety questions surrounding DUI/DUID prevalence rates.
- Lack of efficient means to capture and analyze critical data in one central location.
 - To attain the evaluation goals, the state will need to link information from each agency for each case.

Recommendation #4

- Create a linked analytical file that is updated on an ongoing basis.
- 2. Extract data from the NIBERS and TMS-ADDSCODS databases.
- 3. Removal of personal identifying information.
- 4. Establish data sharing and publication guidelines.
- Access to the data extracts by stakeholders for analysis.
- 6. OIT support to the data will be required.

ITFDID Data Committee next steps

- Partner with OBH treatment providers and executive staff.
- Outline data schema for enhanced OBH database.
- 3. Partner with OIT officials to develop the shared analytical file.
- 4. Create data usage guidelines and recommendations.
- 5. Identify initial and potential ongoing costs.

Conclusion

- Currently, the data to help drive educational outreach and policy decisions is not being effectively captured and analyzed.
- 2. The TFDID Data Committee recognizes that there are many other valuable data points that would be useful, so additional recommendations will be likely moving forward.
- The 4 recommendations being proposed are a great start for Colorado and will serve as the foundation for further study and future recommendations.

Thank You

Questions?