



Meeting Minutes

March 25, 2016

Opening Comments – 9:00 Chief Ticer

Quorum – 12 out of 21 members

Legislation Sponsors' Remarks (if in attendance)

Public Comments

None

Minutes of Previous Meeting

Correction to names “In Attendance,” page six:

Donia Amick – Department of Revenue, Liquor Enforcement

Elyse Contreras, Colorado Department of Public Health and Environment, Retail Marijuana

Motion to approve with corrections made by Packard, second by Maroney. All in favor, motion passes.

Statistics

State Fatality Numbers (CDOT) – Glenn Davis

- 103 total fatalities last year
- 69 fatalities, decline in 34%
- Trending low, but a lot of changes can happen
- It will take a while before we know the alcohol
- 34% fatalities in 2014 alcohol related
- 32% fatalities in 2013 alcohol related
- Designated as low fatality state for alcohol for NHTSA. 11 out of 12 years have been low fatality
- State of this size to be a low fatality state is significant
- That is an achievement of everybody in this room
- Link to fatal accident statistics by city and county:

<https://www.codot.gov/library/traffic/safety-crash-data/fatal-crash-data-city-county/fatal-crashes-by-city-and-county>

Media Relations & Significant Upcoming Events - Sam Cole, CDOT

- See Power Point
- Survey in November for statewide driving behavior
- 3600 mail surveys sent out to random sample of drivers in Colorado
 - Conducted by National Research Center, Boulder, Colorado
- Campaign launching April/May

Task Force Business & Presentations

Spanish DUI Video –

Laura Sonderup –

- Partnered with Hispanidad and CDOT to do man on the street interviews with target audience, Hispanic men, Spanish dominant, 21-54 years old.
- Share some of the misunderstandings of the state law.
- What does it mean to drive impaired?
- Are you likely to get caught?
- Making sure we are getting the right message out to the target audience.
- Spanish video with subtitles
- Intercept surveys, with small sample size
- If you would like access to this, please give business cards to Laura Sonderup. They will be posting it to a FTP site. File is too large to e-mail.

Elliott – Deportation, is that a possibility?

Packard – Don't have the ability to do deportation. Interaction, typically on a misdemeanor, that wouldn't happen. If other offenses that are more criminal in nature.

Johnson – Transferred to immigration holding and probably changes would be made in their status. Highly unlikely that an individual would be deported for a DUI

Gagarin – DUI in itself would not cause someone to be exposed to deportation. Sheriffs notify ICE and leave it up to ICE. Wait till the conclusion of criminal proceedings. Depending on how it is charged and what the penalty is, it can lead to deportation or unable to leave the country and come back in. Depends on the specifics of the case. There is potential. Federal law is extremely harsh as it relates to drug. If drugged impaired driving, federal charges may apply.

Weltzer – Where there any outliers in terms of people interviewed that felt differently?

Sonderup – Edited for content, but did not edit out viewpoints. Interestingly, people were hesitant to be on camera. All individuals signed releases. Took all day to pull those interviews to find enough men who were willing to go on camera.

Link to video:

<http://ftp.heinrich.com/ AXLv0hoDzKz8fR>

Andreas Chaparro, Telemundo

- Audience, Spanish media in general
- Constituents, high respect for law enforcement for the work you do. Congratulations, that is something that we are very proud of to create these great connections.
- Audience – 21% of population in Colorado is Hispanic
- 31% of population in Denver metro area is Hispanic
- Millennials – In most recent survey, December 2015, Spanish language
- 18-34 returning to watch television
- 35-64 Telemundo Denver was number one Spanish language media outlet, #2 regardless of language. #1 in certain time periods regardless of language
- English language media – 11-12 options.
- Spanish language media – 2 options
- 75% are from Mexican descent
- Peruvians, Columbian, PR, Cuban, Spaniards
- Bigger, broader audience
- If you don't connect or humanize with audience
- Close to 40 events every year. Without connection to community, cannot survive
- Local news, how can we provide with information that is going to empower them.

- Partnership with City of Denver PIOs, ask questions through Telemundo to ask question to city
- Build loyalty/trust portion with organizations. Talk to community face to face. Building rapport. Want to see you, touch you & understand you are doing something for them. If you don't have the connection and respect, they are really talking to me, they really care. Build that brand and that will help tremendously. Break barrier of misconception and misinformation. Build the bridge, create that trust. They are hungry for that. Very loyal. Opportunity is immense.

Ticer – Thank you for being here. Respected men from the community getting out there would be helpful?

Chaparro – Yes. Can introduce in seamless down to Earth environment. They will embrace it. Pleasure for us to do something like this.

PSA Message with Denver Police Department – tell the consumer, safety begins at home with you. Police department is here to help protect you and help you.

Ticer – Are we going to see this video on Telemundo

Sonderup – We are still working at CDOT. You are one of the first ones to see this. Wanted to get your feedback. Getting it out there to community organizations and law enforcement agencies.

Ticer – Please share link with Brenda Hahn and she will get it out.

Break: 10:12

Reconvene: 10:25

Legislative Update – Fran Lanzer

HB 16-1378

- Collection of blood testing fees.
- Currently an option in law, assumption the bill requires the court. Instead of option it would be mandatory

Groff - Replacing instrumentation. Instruments only have a finite lifecycle. 2/3 is intoxilyzers. About \$9-10 per test.

Johnson – Take this issue. Seems to me there should be a sole point or issue is. Let it stand alone, be carried on a single bill rather than placed in something. State agency legislative liaison should be working with legislators to sponsor a bill.

Groff – Agree, but as time goes on, it isn't the hot issue currently. Conversation that needs to be had.

Ticer – This is something we could assign out to Criminal Justice working group. This could be a recommendation.

Davis – Good to have a finite bullet point. Be prepared to go with it. Nice to plan ahead.

Packard – Depends on judicial district

Johnson – Greater good that can come from this, those agencies that aren't doing collection may become a little more aware. Collective purpose if the bill does move forward.

SB 16-132 – Senator Cook, sponsor of bill

- Arose out of concern where attorney was making a CORA to get personal contact information for anyone who got a DUI. Soliciting for DUI legal services.
- Information still available in a police report.
- Not removing information from everything, just removed as public information.

Groff – Forced to fight individually. Taking lion's share of legal expenses for department. Protect the privacy for that record. If they want aggregate data, CDPHE can pull that.

Flavia – HB1358 – specific to OBH statutory authority to collect science specific data. Collects data that can be considered personally identified. Never had a breach. Used to research trends. Need to have client level data to match to DOR and judicial data. Initiated to prohibit OBH to collect data. If that law passes, would not be able to provide any assistance to any other state agency. Limit ability to research trends. OBH is very concerned about it.

Mitchell – Affidavit of moment is collected by OBH on behalf of DOR. If it passes, DOR would then need an additional paper required which will add to the administrative process. Has passed on to DOR legislative liaison.

Lightning Round Update

Packard – Thanks for presentation from Telemundo. Drew an immediate connection. Biggest concept traffic safety starts at the community level, so true. CSP, Sober Driver tent at Colorado Rapids games. Would be great to have that video. Get into community groups around the state. Community driven plans on how to impact this problem and work on how to better connect with the community. Specifically in the metro area. 13 deaths in 2016 in CSP metro district. Not willing to write off a death from a traffic safety because it was a suicide. Age of person at fault continues to be 40s, 50s, and 60s. Dangerous thing you are going to do today is drive your car. How can we make it safer? CSP released money for extra enforcement for high causal factor as the fiscal year closes out for CSP. Historically you have seen targeted weekends, April and October. Very successful. Intent to make it fresh. This year, divided out to separate field districts months. Huge focus on the district during that month. There will be a weekend in that month. Media campaign. For metro district it is the month of August. Would love to see partnerships with local law enforcement agencies.

Davis – Four fatalities statewide that were ruled statewide. Agree with major, any death on the roadway is something we are concerned about. One area we are really missing out on is coroners. Only test 40% of drivers involved in crashes. Even fatals not completely tested. There are a lot of gaps; people don't realize how difficult it is to get all the data. Marijuana Two Years Later Conference last week. Tone is changing. Less confrontational, more looking to see what we can do about it.

Elliot – Presented at the Marijuana Conference. We have come a long way in the last several years. Appreciate the opportunity to have a seat at the table. Few people that came up after the conference questioning what data they are using as it relates. Marijuana does cause impairment and needs to treat as a safety issue. Presentations can blow it out of proportion. Can also cause a safety issue. Keep in perspective. Confusing the public, what is the true risk and the true threat?

Ticer – Everybody wants data. We still have to be patient, it will come. Hope is that we have good solid data.

Melander – Thanks for the insights to the conference from last week. Sparked my curiosity when I saw that public and press could not go. Information coming from CSP is the most useful in terms of counting occurrences. Particularly for counting the poly drug combination.

Nixon – Survey results were eye opening. Glad to see we are making progress. Glad to see the shift to education. Glad to see the conversation evolving. Increased awareness of poly drug use and prescription drug.

Flavia – Annual training for DUI stakeholders. Primarily probation
13th annual regional DUI offender treatment trainings. Five this year. 2 in Denver. COS and Alamosa. Invited other agencies to do presentations on drug impaired driving. Also having DREs come. Providers are very interested in what is being done to identify drug impaired driving. Primary topic is

treatment of repeat offenders (4 plus.) Will send out Survey Monkey through Brenda Hahn to distribute.

Hendricks – Excited that the language changed to impaired driving as it includes all the things we are talking about. OBH has been working on changing that with treatment providers. Trying to change the mindset of providers. Treatment program – good strong assessment tool for impaired driver based on CDC frame work and people at Harvard Cambridge. Now headed for pilot stage. Glitches in that the potential providers will have to go to Boston for initial training. If that doesn't work out, see about bringing training here. Screens for co-occurring disorders including traumatic brain injury. Trying to get a piece of research done around interlock devices. About ready to submit RFP, that will be moving forward. Collaborating with DOR and Judicial. Look at how interlock is playing in terms of reducing recidivism rate. How it affects their success rate in treatment as well as probation.

New with DOR, enhance capability in communicating driver interlock. Partnering with other states to see what they have. If you have any information, please contact her.

Mitchell – With new tool, what are some of the things we would like to hear about for this group? DMV has a lot of data, but historically it has been difficult to get it. With new system coming online, we have the ability to get this built into the program now to report out on. Idea for data points. Can be reported in any kind of time period. Can report on expressed consent, interlock, ratios of refusals of breath to blood. BAC by age group. Might be available. Program system to give this data. First time offenders to repeat offenders.

Hendricks – How specific to local data (i.e. zip code/county)

Mitchell – Something we can look into.

Wells – Will it be able to break down by age?

Mitchell – Possible we can extract by DOB. February 21, 2017 is the projected go live roll out of the system.

Groff – Any possibility that the forensic toxicology reports can be part of this report.

Mitchell – We get as part of expressed consent form, only for alcohol. Challenge is we don't have a statute that requires it, we don't collect it.

Davis – Can anyone access this data?

Mitchell – It depends, can apply for certain levels of access.

Davis - When it goes live, recommend it being an agenda item.

Bascherra – Currently in discussions about data access.

Weltzer – At a conference by CDOT/ Drivesmart Evergreen. Bring in seniors and ask them what is going on in terms of their driving. Very interesting group. Looking forward to the report going to CDOT in the next couple of months. May be some information we can draw out.

Sonderup – Prescription drug impaired driving, working with Sam Cole on. Know from research and anecdotally, Hispanic audience needs education around prescription drug impaired driving. Latinos, young men, who consume marijuana products tend to be bi cultural and bilingual. Allowing us to do prescription drug message to complement marijuana impaired driving. 11x17 posters will be coming around summertime. Potentially doing two sided posters. English on one side, Spanish on the other. Can use as it makes sense for your constituents.

Groff – Clarification on bill language. It has been revised, referred to drug testing results and blood alcohol. The bill has been clarified to protect breath alcohol. CDPHE only does breath alcohol testing. Spoken with forensic laboratories trying to figure out gaps in data are coming from. Systems are the problem. Better data for better presentations. Conclusion come to, best source for our data is the labs themselves. They are the ones doing the testing. Law enforcement sees it just long enough to turn it over to DA. Next steps are designing the structure, how it is going to be collected.

Sanfilippo – Proud to be a part of a company that provides safe alternative rides to impaired driving.

Look forward to working with you. Transportation network company. Different from taxi.

Technology using app to request a ride. Everything is handled through the app. No need to take out

your wallet. Growing very rapidly across the US and the world as well. New alternative to owning a car. Drivers sign up to drive with Uber and use their personal vehicle. No obligation to do this many trips. A lot of drivers do it in their spare time to earn extra cash. Vehicle inspection, pass a medical. They get a percentage of each fare. 75%-80% of each fare. You can use any where there is an internet connection. Mainly in front range, the mountains are starting to gain interest.

Flavia – Do you have any data on outside of the metropolitan areas that you can bring us? Outside the metro areas, there are no taxis and this really fills a gap.

Sanfilippo – Senior Driver Operations manager. Team of six that focus primarily on the driver side. There is also a media person that works on the rider side.

Mitchell – Can you explain the surge pricing?

Sanfilippo – Rates will go up when there is a shortage. Riders can decide to wait a little until it goes down or alternative public transportation. Increasing prices incentivizes drivers to come out.

Maroney - Petition for having beer and wine in grocery stores. Another petition for spirits. It will be an interesting couple of years. Possible paradigm shift in how we have done things in the past.

Dependent on what happens, things may change. Continue to work with CDOT on grant received to do increase compliance checks. Teamed up with El Paso, Jefferson, and Adams County. Heat is on campaign in December, March (St Patrick's Day), and in the summer. Cops in Shops – criminal investigators in liquor stores. Pose as employee or patron. Looking for kids coming in with fake IDs. In cooperation with liquor stores. In conjunction with Heat is On campaign, if alcohol causal factor crash, investigate to where received the alcohol or were served. If we know it is happening, will provide a 24/7 number to respond to.

Lanzer – Annual law enforcement recognition event 5/25/16 at Mile High Station in Denver. Getting ready to select this year's award winners. You are all invited to attend. Trying to tie into Memorial day enforcement wave.

HB1017 – victims impact panel was signed into law. Changes amount provider may charge from \$25 to \$50, just an adjustment for inflation. The statute hasn't been updated since the 1980s. A long needed change. Requires attend in person, rather than online. Broad support passed 59-5 in House and 31-2 in Senate. Make the program stronger to prevent more lost lives. More to come on that. Trying to figure out how to start implementing changes. Work with so many different agencies, judges, and treatment providers. Media spotlight on bill signing due to Representative Poden's recent St Patrick's Day DUI arrest. Disappointed, but proud of his work on the bill. Thank you to Joe with Uber for attending today. MADD has partnered with Uber, proud to be working together.

Cole – 396 arrests during weeklong DUI enforcement period. 79 agencies participated.

Down by 100 from prior year. Event at the Irish Snug with breathalyzers. Saturday, day of the parade.

Tested 100 drinkers, average was 0.066. Media demo. Controlled experiment – four 20 something year olds. Drink every 20 minutes. BAC and field sobriety. Covered by news station and Denver Post. Were able to show difference in gender. Continue to use breathalyzer to raise awareness. Uber has been a great partner. They partnered with us Labor Day.

Hahn – Projecting May to have meeting return to Colorado State Patrol Academy in Golden.

Motion to adjourn made by Groff, second by Packard. All in favor, motion passes.

Adjourn: 11:55 am

Next Meeting: Friday, April 15, 2016 – 9:00-12:00pm
Colorado Department of Transportation, Headquarters

4201 E. Arkansas Ave
Denver, CO 80216

In attendance:

Chief Bob Ticer, Avon Police Department
Major Matt Packard, Colorado State Patrol
Glenn Davis, Colorado Department of Transportation
Steve Johnson, Douglas County Sheriff's Office
Christine Flavia, Colorado Department of Human Services, Office of Behavioral Health
Katie Wells, Colorado Department of Human Services, Office of Behavioral Health
Webster Hendricks, Colorado Department of Human Services, Office of Behavioral Health
Ben Mitchell, Department of Revenue
Dan Gagarin, Public Defender
Fran Lanzer, MADD
Sam Cole, Colorado Department of Transportation
Laura Sonderup, Hispanidad
Matt Sonderup, Hispanidad
Joe Sanfilippo, Uber Technologies, Inc.
Jeff Groff, Colorado Department of Public Health and Environment
Selina Bascherra, Department of Revenue
Ronn Nixon, Vicente Sederberg, LLC
Wes Melander, Public
Mike Elliott, Marijuana Industry Group
Dr. Robert Weltzer, Public
Andreas Chaparro, Telemundo

CDOT Survey Driving Behaviors – Marijuana Results

Sam Cole

Traffic Safety Communications

Colorado Department of Transportation



COLORADO

Department of Transportation

Background - Survey on Driving Behaviors

- Nov. 2015 - Second annual
- Statewide
- Mailed to 3600 individuals
- Actual Sample: 839 (Margin of Error – 3%)
- Marijuana Users: 129 (Margin of Error - 9%)
- Vendor: National Research Center, Boulder

Results – Entire Sample (N=839)

Who is using (past 30 days):

- Young adults (18-34) = 28%
- Middle aged adults = 14%
- Older adults = 6%
- Average = 16% (12% in 2014)
- ALCOHOL COMPARISON:
 - Young adults drank at least once in the 30 days = 77%

Results – Entire Sample (N=839)

Driving:

- 9% drove after consuming.
- Younger adults were more likely to think they could safely drive after consuming marijuana
- Lower income respondents were more likely to think it was safe to drive after consuming marijuana.

Results – Entire Sample (N=839)

Beliefs about getting a DUI for marijuana

- 24% said they did not know how likely it was that a person would get a DUI if they drove after consuming marijuana
- Of those with an opinion, 52% thought that one **would get pulled over if they were over the legal limit** for marijuana.
 - ALCOHOL COMPARISON: 72% thought it was likely that they would get pulled over if they drove with **more than the legal limit** of alcohol in their body

Results – Marijuana users (N=129)

Overall use is up

- 2015 - 45% used 11 or more days and 38% used 1-2 days in the past 30 days
- 2014 - 22% used 11 or more days and 55% used 1-2 days in past 30 days

Results – Marijuana users (N=129)

Driving after use:

- 55% drove a motor vehicle within 2 hours after consuming marijuana in last 30 days. And they did an average of 7.1 days
 - ALCOHOL COMPARISON: 45% of alcohol users drove a vehicle within 2 hours of drinking and did so on average of 2.3 in last 30 days
- 32% strongly agree or somewhat agree that they are safe to drive under the influence of marijuana
 - ALCOHOL COMPARISON: 10% of alcohol users somewhat agree or strongly agree they are safe to drive under the influence of alcohol
- 41% strongly agree or somewhat agree it's safer to drive under the influence of marijuana than alcohol

Results – Marijuana users (N=129)

Beliefs about getting a DUI

- 51% thought it very likely or somewhat likely they would get a DUI if they drove within an hour of using marijuana. 30% = somewhat unlikely; 19% = very unlikely
- 73% thought was very likely or somewhat likely that they would get a DUI after using marijuana **and getting pulled over by law enforcement**

Results – Marijuana users (N=129)

- 38% thought it was very likely or somewhat likely they would get pulled over if they drove within an hour of **using an amount of marijuana that was above the legal limit.**
- ALCOHOL COMPARISON: 63% of alcohol users thought it was very likely or somewhat likely they would get pulled over if they drove within an hour of **drinking an amount of alcohol that was above the legal limit.**

Results – Marijuana users (N=129)

- 91% say you can get a DUI for driving after using marijuana recreationally; 1% said no; and 8% were not sure.
- 86% say you can get a DUI for using marijuana medically; 4% said no; 10% were unsure.