



CTFDID Meeting Dates

September 20, 2019
October 18, 2019
November 15, 2019
December 20, 2019
January 17, 2020
February 21, 2020

Meeting Notes

Colorado State Patrol Academy
15055 S. Golden Road, Carrell Hall Building 100
Golden, CO 80401
Friday July 19, 9:00 am – Noon

The mission of the Colorado Task Force on Drunk and Impaired Driving (CTFDID) is to support the prevention, awareness, enforcement, and treatment of drunk and impaired driving in Colorado through strong partnerships with public, private and non-profit organizations.

The CTFDID brings people together, creating a forum for victims and advocates to access many experts and resources in one place. It provides a formal mechanism to leverage resources in order to create a multi-faceted approach to solving a problem which is often minimized and understated in our community. The CTFDID acts as a resource for the legislature, enabling it to consider more cohesive, well-thought-out proposals.

- I. Welcome, Introductions and Mission Statement-Chief Bob Ticer, Loveland Police
 - a. Chief Ticer read the mission and vision of the Task Force
 - b. All attendees introduced themselves
 - c. Introduction of new members and newly positioned members
 - i. Legislators in attendance:
 1. Sen. Lois Court, Denver and Arapahoe Counties
 2. Rep. Colin Larson, Jefferson County
 3. Rep. Dylan Roberts, Eagle & Routt Counties
 4. Rep. Brianna Titone, Jefferson County
- II. Introduction of Colorado Legislators-Fran Lanzer, MADD
 - a. Legislators introduced themselves during self-introduction
 - b. Rep. Dylan Roberts was recognized for his work on HB 19-1146, Tandem DUI Per Se as one of the co-sponsors (link to the bill here: <https://leg.colorado.gov/bills/hb19-1146>)
- III. Statistics:
 - a. State Fatality Numbers-Christine Demont-CDPHE
 - i. Christine Demont was not present; numbers were presented by Leslie Chase, CDOT, and, Tricia Miller, CTFDID Secretary.
 1. Fatality statistics as of July 1, 2019:
 - a. 213 Fatal crashes compared with 272 same time last year, 52 suspected impaired
 - b. 232 total fatalities compared with 294 same time last year, 58 suspected impaired; 25%
 - c. Unrestrained fatalities 79, 26 suspected impaired; 33%
 - d. Total occupant vehicle fatalities 162
 - e. 49% percent unrestrained fatalities
 2. Fatality by vehicle type

- a. Occupant vehicles 162
 - b. Motorcycles 36
 - c. Pedestrians 25
 - d. Bicyclists 4
 - e. All other/unknown vehicle 4
 - f. Scooter 1
3. Counties with highest number of fatalities to date
 - a. Denver 28, 7 suspected impaired
 - b. El Paso 26, 8 suspected impaired
 - c. Weld 26, 2 suspected impaired
 - d. Adams 23, 7 suspected impaired
 - e. Jefferson 20, 7 suspected impaired
 - f. Arapahoe 15, 6 suspected impaired
4. Request to add the number of people seriously injured and to break down the statistics by age group
- b. Marijuana Statistics-Jack Reed-CDPS/Recommendations to address marijuana and other/driving-Chief Ticer (15 minutes)
 - i. Chief Ticer on marijuana impaired driving
 1. Long bill gives funding through CBI to test blood at no cost to local agency. It is an 11 panel screen – tests for active and inactive compounds. Goes into effect July 1, 2019.
 2. Impact:
 - a. If a person is stopped, chooses breath analysis, registers .08 or higher, no further testing is completed to see if other substances are present. If the person chooses a blood test, it is usually tested only for alcohol. Drug screening of blood can cost agencies up to \$300. Because this is a significant expense, it is often not completed. Now the blood can be tested without financial burden on local law agency.
 - ii. Recommendations from 2018 annual report
 1. Look at 5 nanogram (ng) level
 2. Rep Roberts asked about if the 5 ng level is a good number
 - a. Chief Ticer. One challenge with the 5 ng level is that an officer will notice impairment, but it may be hours before the driver is tested and, by then, the levels have dropped off. The funding for drug testing from the long bill may help provide data to inform this issue.
 - b. Sen Court. It was difficult to determine a number for impairment via marijuana. There wasn't research and there are differences in tolerance level. Medical vs recreation makes it difficult to arrive at a number – medical user's tolerance may be higher. Also, if someone is taking medical marijuana, it might not be alright to "punish" them for taking their medicine. It would be helpful to have information on medical users vs recreational users in terms of tolerance or levels.
 - c. Kim Faber offered for have a DRE give a presentation to the Task Force.
 - d. Kristi Kelly. Zero (0) ng was unrealistic but 5 ng level does not have as strong a correspondence with impairment as blood alcohol levels

- do. Idiosyncrasy of marijuana plant means that recent consumption does not necessarily correlate with impairment.
- e. Jeff Groff. Looking at alcohol vs marijuana vs polydrug use for impairment. CBI doing 11 panel test will provide useful data. Real challenge is for prosecution due to a reliance on the 5 ng number. Chronic user can exceed 100 ng. Infrequent user may hit 50 ng. About 3 hours later, they are back below 10 ng. The number doesn't have the same weight as an alcohol number, which is a solid number. DREs are the subject matter experts so more weight should be provided to the DRE observation in court, rather than the ng number.
- iii. Marijuana impaired driving statistics presentation, Fran Lanzer
 1. Slides from presentation are attached at end of these notes.

IV. Presentations:

- a. Primary seat belt-Chief Ticer, Ginna Jones, CDPHE (15 Minutes)
 - i. Slides from presentation are attached at end of these notes.
- b. State funding for impaired driving enforcement-Leslie Chase, CDOT (5 Minutes)
- c. CTFDID Priority Recommendations from 2019 annual report-Chief Ticer (10 Minutes)
 - i. Look at 5 ng level for marijuana impairment
 - ii. Identify ways to ensure sustainable funding for local, high-visibility impaired driving enforcement
 - iii. Study to determine the viability of devices that allow law enforcement to detect presence of drugs during roadside testing
 - iv. Primary seat belt law
- d. Sheriff Fisher. It is important to deal with texting in order to impact traffic safety

V. Legislator questions and legislator ideas for 2020 (30 Minutes)

- a. Sen Court:
 - i. Everyone should know who their representatives are – if you want them to represent you, let them know what you want. (link to look up your senator and representative: <http://leg.colorado.gov/findmylegislator>).
 - ii. ACLU is concerned about racial profiling and civil liberties when it comes laws on hands-free texting. Biggest supporters are motorcyclists, bicycle riders and people with disabilities.
 - iii. Will bring back hands-free cell phone bill; Rep Roberts will be house sponsor. Susan Dane is head of group of motorcyclists who will work on this with Sen. Court.
 1. It is difficult to determine if a driver is texting (which is not allowed) and placing a call (which is allowed) so it is hard to enforce the existing texting law.
 - iv. Will consider bringing back primary seat belt bill.
- b. Rep. Titone
 - i. Bill that intersects with CTFDID work is focus on mental health education. Looking at anger, suicide and substance abuse.
- c. Rep. Roberts
 - i. Focus remains on drug impaired driving
 - ii. There was a lot of opposition on HB19-1146. We need more conversation and better coalition; there was a lot of opposition and not a lot of cohesion. Changing

the 5 ng statute or changing how drug impaired driving is handled in Colorado is a very contentious issue. Need to work more with marijuana industry, defense bar, and district attorneys' council more. Would welcome input on how to make the bill successful with more input and coalition-building.

- d. Rep. Larson
 - i. Need to cut into a broad swath of the majority party to set aside false narratives about racial profiling and put in place "common sense" laws
 - ii. Would like to remove "vulnerable road user" requirement from a statute that provides for a punishment of 12 points on a driver's license for Reckless Driving; "Vulnerable road user" means only people not in a car.
- e. Leslie Chase, CDOT – CDOT funding
 - i. \$1.2 million from NHTSA for highway safety specifically for agencies in Denver, Adams, Jefferson, Aurora, and the Colorado State Patrol
 - ii. Funding source: LEAF funding
 - 1. First goes to CDPHE then CBI then CDOT then Human Services. CDOT has not received LEAF funding since November of 2017; used to get \$800K.
 - iii. Secondary source of funding is: 1st time drunk driving fund
 - 1. Were supposed to get \$2 million, only given \$1.5 million
 - 2. 2020 is probably the last year CDOT will receive this money.
 - iv. Received funds this year from marijuana bill.
 - v. CDOT needs to match federal funding; if they don't have state funds they will not have adequate match funds.
 - vi. Jeff Groff
 - 1. LEAF Fund is a penalty imposed on people convicted of DUI. It is now \$90 fee - \$75 goes into LEAF; \$15 goes to judicial.
 - 2. Over 50% tests are breath tests; 200 instruments must be maintained, facilities must be inspected. LEAF is the only funding source. It is important to find a stable funding source for the equipment and maintenance of equipment.

VI. Break

VII. Resume CTFDID Business

VIII. Minutes of Previous Meeting

- a. Motion to pass minutes. Minutes passed.

IX. Legislation – Fran Lanzer, MADD/Mike Honn, CSP

- a. CSP is beginning budget discussions
- b. Jim Burack: rulemaking on marijuana delivery and hospitality laws in August: August 9 – hospitality, August 30 - delivery
 - i. Here is the link to get involved:

<https://www.colorado.gov/pacific/enforcement/med-2019-rulemaking>

X. New CDOR (Licensing) Representative to the CTFDID: Crystal Soderman, CDOR

- a. Introduced Crystal Soderman

- XI. Presentations:
 - a. Al-Anon-Rebecca King and Kevin St. Croix
 - i. Presented information on what Al-Anon is and can do (<https://al-anon.org/>)
 - b. Interlock-Crystal Soderman, CDOR (30 Minutes)
 - i. Due to time constraints this presentation will be moved to the September CTFDID meeting

- XII. Media Relations & Significant Upcoming Events – Leslie Chase, CDOT
 - i. Memorial Day weekend DUI statistics
 - 1. 322 DUI arrests, up from 301 the previous year
 - 2. Top agencies were CSP, CO Springs, Denver, El Paso Co.
 - ii. Preliminary 4th of July statistics
 - 1. 310 DUI arrests, down from 340
 - 2. Top agencies were CSP, Denver, CO Springs, Grand Junction
 - iii. Upcoming DUI campaigns are Summer Strikeout (7/19-29), Sturgis Rally (8/2-12), and Labor Day Crackdown (8/16-9/3)
 - b. Click it or Ticket statistics
 - i. May Mobilization - Citations up from 5,903 last year to 8,296 this year
 - ii. Loveland was the municipal police department that led the state in seat belt enforcement (as Chief Ticer pointed out)

- XIII. Task Force Work Group Updates
 - a. Program Management & Strategic Planning – Leslie Chase
 - i. No updates
 - b. Criminal Justice – Jennifer Knudsen
 - i. Not present
 - c. Prevention – Adam Musielewicz
 - i. No updates
 - d. Impaired Driver Intervention & Treatment – Webster Hendricks
 - i. Continuing to tweak Level II Four Plus
 - ii. Will be scheduling a meeting with the treatment work group
 - e. Communication – Sam Cole
 - i. Not present
 - f. Program Evaluation & Data – Jack Reed
 - i. Jack not present because doing a presentation at Auraria; may bring that presentation to the CTFDID

- XIV. Public Comment/Lightning Round Update
 - a. Rep. Titone
 - i. Mental Health first aid class being offered at Red Rocks College on August 24 (<https://www.facebook.com/events/red-rocks-community-college-arvada-campus/mental-health-first-aid-class/1193973097416291/>)
 - b. Webster
 - i. OBH is implementing HB19-1237, Licensing Behavioral Health Entities (<https://leg.colorado.gov/bills/hb19-1237>)
 - c. Fran

- i. Law enforcement awards in Westminster on May 22. Information is attached at the end of these notes.
 - ii. Fran met with Denver Bronco rookie players to speak with them about dangers of impaired driving. They have done this for the past few years. No player who has gone through the program has had a DUI; statistically, DUI is the #1 off field challenge for NFL players.
 - iii. Walk like MADD events are upcoming - <https://www.walklikemadd.org/>
- d. Michelle Stone-Principato, DOR Liquor Enforcement
 - i. Enforcement team worked with Mesa County Sheriffs at Country Jam in Grand Junction
 - 1. 157 summons, 137 were for minors in possession of alcohol; 7 citations for procuring alcohol for underage person; 29 using fraudulent ID, 5 false reports, 2 using a false ID to enter the event, 2 obstructions of a peace officer, and 1 criminal impersonation
- e. Glenn Davis
 - i. Glenn met with leaders in cannabis industry, the governor, and his staff.
 - ii. Glenn brought up CTFDID recommendation re: 5 ng limit
- f. Crystal Soderman
 - i. Updating crash form to include information on suspected drug use
 - ii. Working with OBH on Level II treatment
- g. Jim Burack
 - i. Is there discussion about where the hospitality will be located? Next to restaurants could create concern
- h. Katie Wells
 - i. Looking for help in getting data on convictions for Minors in Possession (MIPs); Liquor Enforcement may be able to help. So might Judge Casias.
- i. General public
 - i. CDPHE and CDOT are working with rural agencies in rural resort communities to better understand youth and young adult alcohol use and abuse in those communities
 - ii. Polysubstance use: adults who binge drink have about 3X the odds of using marijuana compared to non-drinkers; about half of the binge drinking adults use marijuana daily.
 - iii. Tuesday Black. Successfully implemented court monitoring project in 4th and 2nd districts and will expand to 18th and 1st districts.
 - iv. Seatbelt use can become a habit and is modeled by adults to children.
 - v. Ben Mitchell and Glenn Davis went to the Association of Ignition Interlock Program Administrators Conference. CO is leading the way in the nation and other countries on out interlock program.

XV. **PLEASE NOTE:** September meeting is not in our regular meeting room. The governor will be holding a meeting in our regular meeting room. Our meeting will be in the main Academy Building (with the memorial statue in front) in classroom C6. State employees should wear their ID badges for ease of entrance into the building. Because another meeting will be going on, parking may be limited.

XVI. Next Meeting: September 20, 2019

a. Next Meeting Time: 9:00-12:00pm

b. Next Meeting Location:

**Colorado State Patrol Academy
15075 S. Golden Road
Main Building, Room C6
Golden, CO**

The Governor will be holding a meeting in our usual meeting room so parking may be limited. Please carpool, if possible.