



2013 ITFDD Meeting Dates

September 20, 2013
October 18, 2013
November 15, 2013

Meeting Minutes

September 20, 2013

Opening Statement: 9:04 – Chief Ticer

Introductions

13 of 17 members are in attendance therefore we have a quorum.

Public Comments –

Elliott – Denver finalized city ordinance, there will be businesses opening up 1/1/14

Ticer – would like to thank MADD, recent annual recognition event for law enforcement, great event. Dr. Bob Weltzer Award given to Glenn Davis (CDOT) – congratulations Glenn and well deserved

Minutes:

Motion for approval – Aylmer, second Flavia – all in favor, motion passes

I. Statistics

- a. Summary of Key Performance Indicators (CSP) – see attachment (Chief Hernandez)
 - a. Would like to see crash picture in addition to the KPIs, we will work on adding in the future
 - b. Would like to see a bigger role in education at the CSP
- b. State Fatality Numbers (CDOT) –
 - a. 328 fatalities statewide
 - b. 330 in 2012 YTD fatalities statewide
 - c. Looking at being at level in 2012 which is an uptick
 - d. Difficult to get numbers down without a primary seatbelt law
 - e. 35% of those fatalities are alcohol related

Media Relations & Significant Upcoming Events - CDOT – Emily Wilfong

- The Heat is On Campaign Update
 - 2013 Labor Day data:101 agencies, 1321 arrests, 9 fatalities
 - 2012 Labor Day data :110 agencies, 13 fatalities
- Bus tails, billboards, radio spots, interactive urinal cakes, coasters
 - Urinal cakes not as well received, however got media attention and also multiple states
- Heat is On featured on Colorado.gov
- Marijuana Impaired Driving Campaign Update
 - Implementing a campaign, work under way
 - Phone survey 800 participants, added 10 marijuana specific questions. Awaiting survey data.
 - Focus groups – 2 recreational, 1 medical, 1 industry
 - Humor, informational, enforcement based
 - Pairing with alcohol to raise awareness that it is still a DUI
 - Working with multiple partners, OBH, medical marijuana industry
 - Would like to launch campaign in January 2014
 - Working on paid media, movie theaters, etc.

- Would like to add to agenda item each meeting
- Elliott – packaging and labeling, advisory statement required, similar to alcohol
 - Some companies are able to put messaging on receipts for marijuana
 - CDOT is on board with supporting efforts
 - MMJ working on campaign messages – designing posters with multiple messages
- Illegal to give to minor, take out of state, and drive responsibly
- Jenny Cush – recently killed by a drunk driver. Well known marijuana advocate, radio show, large amount of press. Perhaps we can generate PR around it.
- Pierce – MADD – feedback on current campaign?
- Wilfong – Some comments, this is how you are spending our tax dollars? No negative feedback.
- Timken – what if any data do we have since 5ng bill was signed in May?
- Hernandez – CSP will go back through specific arrests, there has been talk about revising codes
- CSP will go back and hand count data from May
- Ticer – how many cases will be dismissed, see impairment, but falls under the ng requirement as a result of the blood test. Something that we really need to capture. Not sure who has the best system to capture that.
- Groff – finite number of laboratories to do this testing. Request made from ITFDD to labs see how many blood tests were over 5ng.
- Wilfong – trying to get a DRE/Intoxil for teen group. Whoever would like to come to the event is more than welcome. Once date is set, will e-mail out.
- Casias – Perhaps a need to review state courts to see how many result in a dismissal. The challenge will be how many result in dismissals due to the CDPHE issue. Subsection can be utilized.
- Ticer – how many are coming in above 5ng and how many are under
- Wood – test results, case number – needs to be some way to link data to other databases (i.e. judicial). Need some sort of mechanism to tie these together.
- Davis – challenges to the data, only what LE can collect. Training is towards alcohol. If you get them on alcohol, you aren't going to pursue other testing for drugs. May be impaired by both.
- Hart – Teen Driving Alliance – based on survey data, not having values in the system

Task Force Business & Presentations

Work Group Update

- **Criminal Justice System** – Steve Hooper
 - Two hour time frame for gathering evidence
 - What is necessary from a statutory viewpoint
 - Minor modifications in our law to track the McNeely case
 - Potential for name change, table until after the break.
- **Get Legal Initiative Subgroup** – Steve Hooper
 - HB1240 – availability of interlock early on as an option
 - Strong data out of other states that suggests that this is a good move
 - One of most countermeasures out there
 - Endorse the effort to properly market at the levels necessary, prosecutors, judges, treatment
 - Get back into the system, avoid additional fines
 - Get Legal may be confusing language – undocumented citizens
 - Gray – is there another task force that works on drugged driving?
 - Ticer – no, this is the only one
 - Ticer – feedback from DRE summit, now people aren't going to be suspended for a year, need to educate LE why changes occurring.
 - Hooper – a lot of push back on the issue, why am I doing all of this when they are just going to be driving soon
 - Could be a horrible misstep, but now we have an opportunity to make a difference. Unfortunately we only have this technology for alcohol, not other drugs.
 - Data shows that it is effective
 - Interlock is attached to vehicle and prohibits behavior.

- Technology is going to be ultimately the answer to this problem as it emerges.
 - Woods – warrant issue, change the law, policies and procedures, availability of technology
- **Roadside Advisement Subgroup** – Steve Hooper – see attached recommendations
 - Potential for increased refusals
 - What would be appropriate to endorse as a group
 - Refusal rate at 22-23% historically
 - This calendar year above 28%
 - Need to get back in a mindset that people are strongly encouraged to take the test
 - No requirement to provide roadside advisement, but great usefulness in providing it.
 - Data suggests if you threaten people with interlock, that is more effective than
 - Hernandez – suggest roadside advisement given at the time of refusal, not to give information upfront. Upfront may cause more confusion.
 - Casias – agree should only be upon refusal
 - Hernandez – suggest handing a written document to hand out with other documents
 - Hooper – going to be on the back of affidavit
 - Paige (AA) – if you refuse are you revoked?
 - Hooper – yes
 - Moreau – often times people in her classes indicate that they were not aware of the requirements tied to a refusal
 - Hooper – sometimes given a form, paperwork is not always helpful at that point
 - Ashby – LE this is a philosophy shift in LE to provide this advisement.
 - Perea -Officers are told not to provide legal advice. Defense argues that client would have made a different choice if provided better information. Agrees that this is a shift in current philosophy.
 - Ticer – ultimate goal is to bring refusal rates down.
 - Hernandez – human nature needs to be considered. Officers don't mind a refusal because it is less time & effort. Might need to take a look at LE that takes the time to provide this information.
 - Perea – defense attorneys advocated “if you are hammered, refuse” on radio
 - Casias – if you refuse, itemize the costs associated with a refusal
 - i.e., You going on a date with this? Are you taking a client golfing with this? - Poster with a picture of the interlock on a steering wheel
 - Hooper – will come back with draft.
- **Program Management and Strategic Planning** – Glenn Davis
 - ITFDD Statewide Impaired Driving Plan Update
 - Thank you to Glenn and Brenda
- **Prevention** – Ellen Anderson – see hand out
 - Minor changes and incorporated
 - Prioritized goals
 - Add sales to the service element
 - Priority # 2 – emphasize data analysis
 - Community based programs – emphasize education for youth
 - Recommend changes to Statewide plan
- **Communications** – Emily Wilfong
 - Made edits based on suggestion
 - Using data, need to have discussions about what data we want
- **Alcohol and other Drug Misuse** – Michael Elliott
 - Nothing to report, will follow up and report at next meeting
- **Program Evaluation and Data** – Jan Hart
 - Follow up on sticky notes from last meeting
 - Demographics (who, when)
 - Recidivism rate
 - Judicial – are you more or less likely to get convicted if you refuse
 - How many arrests result in a trial?

- Enforcement – contacts vs arrests

Name change discussion:

- TFID – Task Force on Impaired Driving
- For Prevention of Impaired Driving
- Gray – need to still have the word alcohol in the message. People know what alcohol means, but don't always understand term "impaired" – we have work to do to educate our state on what impaired. Not OK with removing the word alcohol. OK with drunk going away, but alcohol needs to go into it.
- Ticer – alcohol is still the major killer
- Wilfong – likes simplicity of smaller name, but do think that we
- Ticer – impaired can mean texting, cell phones – would this diminish our name?
- Nonie – children are more advanced in technology, teach impairment concept to youth.
- Moreau – is it too cumbersome to include drunk & impaired?
- Casias – suggest Prevention of Impaired & Drunk Driving Task Force
 - a. Prevention of Alcohol and Impaired Driving Task Force (PAID TF)
- Groff –
- Wilfong – DUI Task Force
- Hooper – dialogue from when first started, did not want to associate ourselves with task force currently in existence at the time. Need to separate ourselves with an identity separate from the other groups. Big deal in 2006, may not be a concern now
- Wilfong – focus groups associated DUI with alcohol, not other
- Stephen – AA – ultimate goal is to eradicate the problem, likes prevention in the name
- Ticer – do we need a name change, group agrees yes.
- Task Force – that's what we do
- Prevention or Elimination – that is what our mission statement says
- Leeway on impaired / drunk verbiage
- Ticer – we are on the fore front
- Hooper – consideration on terms:
 - a. Interdisciplinary – anyone want to keep? OK to remove
 - b. Important to keep Colorado on it? Not if we have the logo on it. Incorporate the flag. Ok to remove Colorado
 - c. Want to keep task force
 - d. Want to keep impaired
 - e. Want to keep some reference to alcohol – (either drunk or alcohol)
- Gray – if we can show that we are going to educate the state what "impaired" means, then we can revisit this if there is a greater understanding of impaired

CDPHE – Intoxilyzer Update Project – Jeff Groff

- Protocols employed are to ensure that there is confidence in court room that results are an accurate results
- Inclusion of additional information from each subject
- Intoxilyzer Performance Report (IPR) – from time placed in service to the time of subjects testing.
- All information that had to be compiled in the past was very time consuming. Information is now consolidated & generated with every subject testing. Provided at time of testing along with copy of certification.
- Save 10-15K man hours in state effort alone each year.
- Instruments put into service May 2013
- Identifying where gaps and needs are to get instruments to that area to meet the two hour window of testing.
- Time savings – performing training for LE directly now.
- Projected annual savings \$3-3.5 million

- Feedback received from LE, time commitment spent to do a DUI from arrest to litigation. Sometimes LE using the same amount of time to process a misdemeanor DUI as a homicide. Inefficient use of LE manpower.
- Recognize staff and what have accomplished. Done within existing FTE and budget. 3 FTE and were able to accomplish this implementation.
- Providing training directly statewide
- Ongoing training to DA
- Colorado is one of the first agencies utilizing this technology
- Major challenges, replacement plan for instrumentation. Currently funding is not in place. The initial purchase was through grant funding. It will require a change in legislation to support the replacement.
- Ticer – huge effort and they did a great job at going around the state for training and getting the instruments up.

CDOT Office of Transportation Safety – Leslie Chase, Robin Rocke, and Gina Guerrero

- See Power Point

Designated Driver of Colorado Springs – Nonie Rispin

- Overview of Designated Driver program in Colorado Springs
- Contact: Nonie Rispin 719-650-3450, e-mail: nonie@ddofcs.org
 - Website: www.DDofCS.org
- See attached letter in regards to donations and Colorado Gives Day, 12/10/13

Legislative Update

- Trooper Dave Hall will be the new CSP Legislative Liaison
- Will confirm with legislators if a need for statutory change for name change, will update the task force.
- Ticer – we welcome you to the task force

Lightning Round Update

- Gilliam – press release will go out shortly that reflects testing was accurate, but personnel issues that are being resolved.
- Timken – NHTSA announced DUI risk assessment for probation has been approved. Will be available throughout the country at no cost, only cost associated for training.
- Interlock counsel report prepared
- AA is ready if any additional information required from us
- OBH – approved new treatment rules. Go into effect 11/1/13. Now contains section on treating youth DUI offenders as well as MIP. Provide consistency across the state on how to deal with youth offenders
- Flavia – nocoloradodui website, adding marijuana content. Should be coming soon.
- Johnson – remind everyone – today is Global Be Responsible Day, wearing red – alcohol distributors are out promoting awareness for designated driver day.
- Nonie (Designated Driver Colorado Springs) – Standard Sales is a great supporter of Designated Driver of Colorado Springs.

Next Meeting: Friday, October 18, 2013

Concluded: 12:20

In Attendance:

Chief Ticer, CACP (Avon Police Department)
 Glen Davis, Colorado Department of Transportation
 Chief Scott Hernandez, Colorado State Patrol
 Stephen Hooper, Colorado Department of Revenue
 Karen Moreau, Addiction Counselors
 Dave Timken, CIDRE
 Laura Gillim-Ross, Colorado Department of Public Health & Environment

Jeff Groff, Colorado Department of Public Health & Environment
Jan Hart, Colorado Department of Public Health & Environment
Kris Johnson, Colorado Beer Wholesalers
Paul Aylmer, Colorado Restaurant Association
Paige J, Alcoholics Anonymous
Christopher Pierce, MADD
Christine Flavia, Colorado Office of Behavioral Health
Katie Wells, Colorado Office of Behavioral Health
Dr. Bob Weltzer, Colorado P.O.S.T., SME Committee
Julie Vardiman, Alcohol Monitoring System
Nonie Rispin, Designated Driver of Colorado Springs
Diana Smith, Designated Driver of Colorado Springs
Chris Ebersberg, Colorado A.A. Cooperation with Professional Community
Emily Wilfong, Colorado Department of Transportation
Chris Pierce, MADD National Office
Susan Colling, SCAO / Probation Services
Judge Ed Casias, SCAO / Courts
Mike Elliott - MMIG
Anthony Perea, District Attorney (Weld County D.A.)
Don Burmania, Colorado Department of Revenue, Liquor Enforcement
Paul Alymer, Colorado Restaurant Association
Jennifer Gray, Victim
Rebecca Virtue, Smart Start
Tom Kissler, Smart Start
Ellen Anderson, Pitkin County Sheriff's Office, Retired
Laura Sonderup, Hispanidad
Shannon Westhoff, Hispanidad
Darcy Ervick, Amelie
Mark Ashby, Thornton Police Department
Jill DeRoehn, Denver County Probation / Denver Sobriety Court
Dave Hall, Colorado State Patrol
Brenda Hahn, Colorado State Patrol