



**GOVERNOR'S ADVISORY COMMITTEE ON DUII**  
**Friday, January 8, 2016 Meeting Minutes**  
**Department of Public Safety Standards and Training**  
**4190 Aumsville Hwy. SE**  
**Salem, Oregon**

**Members Present:** Connie Cabrera, Teresa Douglas, Cate Duke, Chuck Hayes, Terry Timeus

**TSD Staff Present:** Troy Costales, Dan Estes, Jeff Greiner, Rachelle Nelson

**Guests Present:** David Beatty (Department of Public Safety Standards and Training), Marie Dodds (AAA Oregon/Idaho), Linda Gott (NMS Labs), Mary Grosso (Driver and Motor Vehicle Services), LeeAnn Hastings (Oregon Association of Hospitals and Health Systems), Bob Herried (Addictions Recovery Center), Robert Jones (Oregon State Police), Amy Joyce (ODOT Government Relations), Janelle Lawrence (Oregon Impact), James Lynch (Oregon Liquor Control Commission), Marianne Novotny (Oregon State Sheriff's Association), Greg Plummer (Oregon State Police), Mandi Puckett (CLEAR Alliance), Jeannette Robart (Oregon Impact), Deena Ryerson (Oregon Department of Justice), Nathan Scott (Portland Police Bureau), Evan Sether (Oregon State Police – Albany), Kristin Twenge (Mothers Against Drunk Driving), Ric Walker (Smart Start of Oregon), Alison Webster (Office of Administrative Hearings)

### **I. CALL TO ORDER AND INTRODUCTIONS**

Chair Chuck Hayes called the meeting to order and introductions were made. Chair Hayes asked for a moment of silence in remembrance of the cause of reducing impaired driving related deaths and injuries in Oregon.

### **II. CHAIR REPORT**

Chair Hayes reported that the National Highway Traffic Safety Administration released their *Traffic Safety Facts* 2014 data report on alcohol-impaired driving. The report can be found at <http://www-nrd.nhtsa.dot.gov/Pubs/812231.pdf>. He shared a publication from the Canadian Centre on Substance Abuse entitled "*Cannabis Regulations: Lessons Learned in Colorado and Washington State*"; a report called "*Survey of States: For the First Time, Colorado Leads the Nation in Regular Marijuana Use Among Youth (Smart Approaches to Marijuana)*"; a handout highlighting the number of Drug Recognition Experts per state, and another NHTSA publication entitled "*Drug-Impaired Driving: Understanding the Problem and Ways to Reduce It*". Chair Hayes further reported on the Ethan Couch case. He also shared that there is a judge in Buffalo, NY who ruled that a woman having a BAC of more than three times the legal limit received a false reading due to a medical issue that turns yeast into alcohol in her system. Discussion ensued.

### **III. MINUTES OF PREVIOUS MEETINGS**

Chair Hayes asked if there were any additions or changes to the November 6, 2015 meeting minutes.

**MOTION: Cate Duke moved to approve the November 6, 2015 meeting minutes as submitted. Connie Cabrera seconded the motion. With no further discussion, the motion passed unanimously.**

Chair Hayes asked if there were any additions or changes to the December 4, 2015 meeting minutes.

**MOTION: Teresa Douglas moved to approve the December 4, 2015 meeting minutes as submitted. Ms. Duke seconded the motion. With no further discussion, the motion passed unanimously.**

#### **IV. TSD REPORT**

Dan Estes reported that he received the good news from the National Highway Traffic Safety Administration that Oregon remains a low rate state for impaired driving. He distributed a Pacific Institute of Research and Evaluation study on underage drinking laws by state. P.I.R.E. is proposing underage drinking law training. There is little information on it yet, but he would like the Committee to decide if it is something Oregon might be interested in. Mr. Estes reported that in early December, Chair Hayes and he were able to sit down with ODOT Communications staff, Shelley Snow, to discuss raising the media profile of the Committee. He further shared that he attended the B-SOBR graduation in Beaverton. He introduced the Jeff Greiner. Mr. Greiner is the Transportation Safety Division liaison to the Governor's Advisory Committee on Motorcycle Safety. Both he and Mr. Greiner are looking for ways to partner in order to maximize resources. Lastly, he informed the Committee that he will be meeting with Mandi Puckett to set up a grant for CLEAR Alliance. Discussion ensued.

#### **V. 2017 LEGISLATIVE CONCEPTS**

Mr. Estes reminded the Committee that the concept that they will forward in the 2017 legislative session is the definition of impairing substances as they relate to a DUII arrest. Discussion ensued.

#### **VI. AGENCY LIAISONS**

##### Oregon Impact

Janelle Lawrence reported that \$437,000 was requested for the 2017 grant year. They were able to fund \$370,000 of those requests. There are forty-three agencies on board; eight of which are new partners for Oregon Impact. She reported that there were twenty-seven DUII arrests in November with just a few agencies reporting. She shared that Badge Data is running well and saving time on paperwork. She also reported that education requests for cannabis related issues have increased and they are working with CLEAR Alliance on those issues. Lastly, she shared that Deputy John Greer from Clackamas County Sheriff's Office celebrated his 20<sup>th</sup> year of working with Oregon Impact. Discussion ensued.

##### Oregon Liquor Control Commission

James Lynch reported that they started accepting applications for producers on January 4, 2016. Taxation of the product also started on January 4, 2016. He further shared

that they are continuing the hiring process for the new positions, along with several alcohol related positions. Discussion ensued.

#### Oregon State Police

Greg Plummer reported that they responded to 103 crashes, including six fatal crashes, over the Christmas holiday period. They had 31 DUII arrests during that period. Twenty-three were alcohol only; six were controlled substances only, and two were a combination. He also reported that there were 175 crashes involving 3 fatal crashes with four deaths (one of which involved alcohol) over the New Year's holiday period. There were 54 DUII arrests. Thirty-four were alcohol only; sixteen were controlled substances only, and four were a combination. He further shared that they are preparing for a Patrol in-service which includes a standardized field sobriety testing refresher course for everyone Sergeant and below with the OSP. It begins in February and run through June. They received grant money to send troopers to the DUII conference in Bend. They plan to send seventeen people with the scholarship funds. Discussion ensued.

Evan Sether reported that they are preparing for the upcoming Drug Recognition Expert Conference that will be held in Bend, Oregon in April. They are looking and integrating recognition of mental health issues into their DRE Conference though it may not happen this year. He has been looking at getting an intoxilyzer in the Albany patrol office, but the statistics from the breath testing in the area may not support it. They are looking at re-promoting the Drug Impairment Training for Educational Professionals training and possibly creating a shorter, four-hour class, for some schools. They are also working with the Driver Education Advisory Committee to update the section in the driver education manual that applies to drug and alcohol impaired driving. They will also try to incorporate DREs into the driver education program. Lastly, he shared that are still trying to manage the attrition rates for DREs. Discussion ensued.

Robert Jones reported that they are also trying to manage attrition in the OSP laboratory. He shared that the evaluation for the Time of Flight spectrometer is going well. Discussion ensued.

#### Oregon State Sheriff's Association

Marianne Novotny reported that there were twenty-three DUII arrests during the combined holiday periods of Christmas and New Year's. Twenty were alcohol only and three were drug only. She also shared that there were 337 DUII alcohol arrests and 43 DUII drug arrests in the first quarter of the 2016 grant year. Discussion ensued.

#### Oregon Transportation Safety Committee

Troy Costales reported that the Silver Falls Planning Workshop will be held January 20 – 21, 2016 and asked that the members that participate connect with the member of the GAC on Motorcycle Safety to discuss the connection between impaired driving and motorcycle riders.

### Traffic Safety Resource Prosecutor

Deena Ryerson reported that “Protecting Lives, Saving Futures” course will be held February 29 through March 3, 2016. She shared that issues with marijuana are taking up a good portion of her time. She also reported that Sgt. Sether and she conducted a webinar on investigating marijuana related DUIIs. Mr. Estes gave an update on the second Traffic Safety Resource Prosecutor position. Discussion ensued.

### CLEAR Alliance

Mandi Puckett shared that availability of data is a huge concern for their program. She indicated that Washington has funded a data research project that should be released within a few months. She reported that they are preparing Spanish versions of each of their tools. She reported that the 2016 CLEAR Alliance Drug Education Conference will be held July 6 – 7, 2016 at the Eagle Crest Resort in Redmond, Oregon. She also shared that online registration is open. She has been told that there is a proposal in Washington for home delivery of marijuana. She further shared that there is a report that comes out every year from the Department of Human Services that will have the marijuana data removed from it this year. CLEAR Alliance will be writing a letter requesting that the data be included. Chair Hayes will also send a letter on behalf of the Committee. Lastly, she gave an update on the curriculum they are developing. Discussion ensued.

### Department of Public Safety Standards and Training

David Beatty reported the training numbers for the first quarter of the 2016 grant year. He also reported that the solicitation for award nominations are due by February 19, 2016 and there has only been one submitted to date. The award nomination information can be found at [www.regonline.com/2016DUII](http://www.regonline.com/2016DUII). Discussion ensued.

### Driver and Motor Vehicle Services

Mary Grosso reported that in 2014 there were 7,439 DUII convictions, 27% decrease from 2010. There were 8,244 DUII diversions in 2014, a 28% decrease from 2010. In 2010, there were 171 felony DUIIs. After ORS 813.011 (two priors in 10 years and any subsequent is a felony) went into effect in 2011, there has been an average of 450 DUII felonies per year. Lastly, she shared that they are starting to see an increase in restore orders on DUII revocations. Discussion ensued.

### Multi-Disciplinary Task Force

Kristin Twenge reported that online registration is open and echoed the need for award nominations.

### Oregon Association Chiefs of Police

Terry Timeus shared that one of his officers attempted to stop a vehicle that was wanted for a hit and run in Tualatin. The driver took off when the officer got out of the patrol car and continued to pursue them. She drove off at 5 mph and got on I-205. She was inhaling air dusters in order to beat the ignition interlock device. Discussion ensued.

Not on the Agenda – Governor’s Advisory Committee on Motorcycle Safety

Jeff Greiner reported that 30% of motorcycle rider fatalities to date this year are related to alcohol. He and Mr. Estes are partnering to try to reduce those numbers.

**VII. OLD BUSINESS**

Transportation Safety Action Plan Policy Advisory Committee Update

Chair Hayes reported that they met in December and a lot of recommendations are being made. Mr. Estes will be attending the February meeting on his behalf.

Interim Legislative Workgroup on Ignition Interlock Devices

Mr. Estes reported that Amy Joyce has a meeting with Representative Olson next week. They plan to have a kick-off meeting sometime in February during session.

DWI Dashboard Questionnaire

Chair Hayes reported that Rachelle Nelson will be compiling the surveys that have been received from members of the Committee to be ready for the May meeting. He will be looking for three members to be on a sub-committee to review the by-laws. He requested that members that are past their term limit write him a letter that lets him know whether they want to continue on or not.

Not on the Agenda – Hospital Blood Draws

LeAnn Hastings reported that the hospital association has been working with the OSP and the Oregon Department of Justice regarding the issues of blood draws that occur in hospitals, specifically in the Emergency Department. She gave an update on what has come out of those meetings. Discussion ensued.

**VIII. NEW BUSINESS**

Not on the Agenda – May Meeting

The May 13, 2016 meeting will be devoted to strategic planning. Chair Hayes gave an overview of what the agenda will look like.

**IX. ADJOURN**

The next meeting will be held on Friday, March 4, 2016 at the Department of Public Safety Standards and Training. With no further business brought before the Committee, Chair Hayes officially adjourned the GAC on DUII meeting.