

Approved  
July 7, 2023

GOVERNOR'S ADVISORY COMMITTEE ON DUIII  
Friday, June 2, 2023 - Meeting Minutes  
Hybrid Teleconference Meeting Salem, OR

**Members Present:** Chairperson Chuck Hayes, Vice-Chair Cate Duke, Sergeant Josh Wilson, Deborah Ruiz, and Justin Nielsen

**Members Present via Teams:** Honorable Ray Crutchley

**Members Absent (Excused):** Lois Harvick, and Lynn Howard

**Staff Present and via Teams:** Ryan Stone, Miguel Lopez, Brandy A. Gillock, Tiana Tozer, Vanessa Churchill, and Billie-Jo Nickens

**Liaisons and Guests Present and via Teams:** David Beatty (DPSST), Jerry Cooper (OTSC), Janelle Lawrence (Oregon Impact), Capt. Evan Sether (OSP), Chief Jason Malloy, Glenn Cramer (NHTSA), Officer Nathan Scott, Deanna Kemper, Michael Bloom (OLCC), Deena Ryerson (DOJ – TSRP), Nicole McAda (CLEAR Alliance), Ryan Clarke (OSP), Nick Knoll, Leeor Schweitzer, Marie Dodds (AAA), Mike Jackson (OSP)

**Public via Teams:** None

### **I. Call to Order and Introductions**

Chair Chuck Hayes called the meeting to order at 9:00 a.m. and held a moment of silence to remember those who have been killed or seriously injured in crashes involving an impaired driver. He mentioned the crash that recently occurred on I-5 where a commercial vehicle hit a passenger van and seven people were killed.

### **II. Chair Report**

Chair Hayes reported looking forward to the Drugs and Impaired Driving Conference that will be held in Anaheim, CA on August 9, 10 & 11, 2023. He shared an article about a fatal crash in Salem involving a veterinarian who had seven prior DUII convictions on his record before this crash. He reported that [HB 2316](#), which would add the words *any impairing substance* to the ORS, has moved to the Ways and Means Committee. He shared an overview of the [IACP DRE Annual Report for 2022](#). It is the first time there have been over 8,000 DREs across the country and the number of evaluations completed is starting to rise again since the beginning of the pandemic. One issue that is increasing is the number of people refusing to submit to toxicology testing.

### **III. Member Reports**

#### Vice-Chair Cate Duke

Vice-Chair Duke reported that she is on a temporary leave of absence, so she did not have anything to report.

#### Justin Nielsen

Justin Nielsen reported that Oregon Recovery is now officially open in Polk County and Dallas. He also reported that the state is implementing the new standardized assessment for agencies to comply with the 1115 waiver and implementation of the ASAM standard. The state has been facilitating work groups because there are a lot of questions about the implementation and the assessment itself.

#### Deborah Ruiz

Deborah Ruiz reported that effective May 11, the Portland Police Bureau will be sending 22 officers out to high crash areas after being on hiatus for two years. The officers will work daily from 5:00pm - 3:00am, which is when impaired drivers are most likely to be on the road. Ms. Ruiz also reported that the Oregon Health Authority revised the document explaining screening processes and fees for diversions. She will send this document to the members.

#### Sergeant Josh Wilson

Sergeant Wilson reported he has been busy transitioning over to a new E-citation program. He is hoping they can start their live testing in the next couple of weeks. They had zero fatal crashes and to his knowledge, zero serious injury DUII crashes in Washington County over Memorial Day weekend.

#### Chief Malloy

Chief Malloy had nothing to report.

Honorable Ray Crutchley

Judge Ray Crutchley had nothing to report.

#### **IV. Minutes of Previous Meeting (May)**

Chair Hayes asked if there were any corrections or revisions needed for the May minutes. Sergeant Wilson pointed out a correction needed on the spelling of Trevor Cooley's name. His name is spelled "TREVER."

**MOTION: Justin Nielsen moved to approve the May 2023 GAC-DUIII minutes with the requested correction.**

**Sergeant Josh Wilson seconded. Roll call vote; majority approved. Motion passed.**

#### **V. Public Comment**

No one was present for public comment.

#### **VI. Transportation Safety Office (TSO) Report**

Ryan Stone reported that TSO will be moving from the TLC building to the DMV Headquarters building. Packing will begin June 5<sup>th</sup> and TSO will be in the new space by June 12<sup>th</sup>. The bipartisan infrastructure law that was recently passed changed the annual Highway Safety Plan (HSP) to a triennial plan, so TSO is currently working on completing that. Mr. Stone said he watched the work session for [HB 2316](#) and there was a unanimous vote to send it back with a *do pass* recommendation. The *accident to crash* bill appears to be dead. He shared that the Elkhorn Media Group had covered the story about the awards presented to the Enterprise Police Department and Trooper Boone Setzer at the DUIII Conference. ODOT Communications is also working on a story that will go out internally. He is thankful for the additional exposure.

#### **VII. Northern Idaho DUII Task Force (Officer Nick Knoll, Coeur d'Alene Idaho Police Department)**

Officer Knoll shared his presentation on the [Northern Idaho DUIII Task Force](#). Chair Hayes said he hopes Oregon can do something similar on a smaller scale.

#### **VIII. Old Business**

- Capt. Evan Sether reported that over the 24-hour period around Cinco De Mayo there were 14 DUII arrests across the state, some involving controlled substances. One of these was a driver who crashed into the Timber Bar in Boring and injured some people.
- Over Memorial Day weekend, they made 32 DUII arrests. Four of them involved controlled substances. There were several DUII injury crashes, but no OSP investigated fatal crashes.
- Ryan Clarke, who is a DRE Regional Coordinator for the Eastern Region just promoted yesterday to Sergeant of the DRE Program. He will be in the office early next week.
- The investigation on the CMV crash is ongoing. The Marion County DA's office is leading the prosecution. There were charges of DUII, seven counts of manslaughter in the second degree, and possibly an additional assault two. The NTSB, the U.S. Department of Transportation, the Oregon Department of Transportation and OSP have been working on the investigation.
- Capt. Sether announced that he has been promoted to Captain of the Patrol Services Division, and he is no longer directly supervising the DRE program, the impaired driving initiatives, or the grants. He will be staying on as a grant manager until the eventual Lieutenant is selected.
- Albany will be starting a High Visibility Enforcement Unit pilot in the next couple of months. The pilot will last for about one year and will hopefully bring some motivated, trained impaired driving practitioners to leverage those around the state at special events in problem areas.

#### **IX. 2023 Impaired Driving Assessment**

Mr. Stone reported that the final [Impaired Driving Program Assessment](#) was received and there were 14 recommendations made. He also reviewed the [memorandum](#) that was included in the mailout materials. One recommendation was that better access to contemporary data is needed. He spoke about ways Oregon can implement various processes to improve in areas such as data gathering and reporting, law enforcement technology and cooperative efforts in violations tracking, post-DUII tracking, elimination of gaps within the system between jurisdictions, judicial education training, legislative concepts, communications and media coverage and broader community involvement. He proposed completing an annual report that would be based on the goals in the strategic plan. He spoke about ways to facilitate some potential changes by adding additional members from other disciplines

and to modify the process by which the committee takes the information from liaisons by taking the input on a rotational basis. Sub-committees could be formed to focus in on specific issues. He also proposed moving the meeting location from being static in Salem to moving the meetings around the state to connect with community partners who are affected by the work that is done by this committee and its partners. Those partners could be invited to come and give public input in person. This committee could also work with the TSO regional safety coordinators to broaden the outreach.

## **X. Liaison Reports**

### AAA

Marie Dodds reported that we are now in what is called the “100 deadliest days for teen drivers.” Nationwide, more than more than 7300 people died in crashes involving teen drivers during these “100 deadliest days” from 2012-2021. Teen drivers are more likely to die in crashes when they have friends in the car. In the last 30 days, 4% of teens admit to drinking enough to exceed the legal limit. 8% admit to riding with someone who had too much to drink. 6% admit to driving within an hour after using marijuana. Chair Hayes asked her to send over that report and she said she would.

### CLEAR Alliance

Nicole McAda reported that they have been doing research on positive social norms to try to find a different approach to messaging. They are finishing up their collaborative project with the Redmond Police Department on some impaired driving related billboards. They have had some commercials launch that are also available for streaming.

### Department of Public Safety Standards and Training

David Beatty reported that they have a standardized field sobriety testing (SFST) training instructor development (SFST IDC) course in two weeks. They are full with a waiting list and have people attending from all over the state.

### Driver and Motor Vehicle Services

Jonathan Munson reported that the DMV is developing an electronic method for law enforcement agencies to submit combined implied consent reports. He will be sending out more information on that soon.

### Multi-Disciplinary Task Force

David Beatty reported that the next DUII conference will be in Bend on April 4-5<sup>th</sup>.

### National Highway Traffic Safety Administration (NHTSA)

Glenn Cramer thanked Officer Knoll for his work in Idaho and for the presentation.

### Oregon Impact

Janelle Lawrence shared the following statistics from August 1-April 30<sup>th</sup>:

- 457 shifts worked
- 2112 hours worked
- 199 DUI Alcohol arrests
- 30 DUI drug arrests
- 2 minors in possession
- 10 disabled IID's
- 33 felony warrants

She said she had just been to the OLCC in Coos Bay and attended a training they offer to bartenders and bar owners. She said attendees had expressed an interest in hearing stories about bartenders who had overserved someone. They are working on a video for people who get pulled over to watch instead of going to court. It will be available in Spanish and English, with other languages added later. It will cover DUI, speeding, distracted driving, pedestrian, and safe driving habits.

### Oregon State Sheriff's Association

Sgt. Wilson reported that over Memorial Day Weekend their DUII overtime shift deputies made 6 DUII arrests and two of the six were drug DUII's.

#### Oregon Liquor and Cannabis Commission

Mike Bloom reported on [HB3308](#) which deals with home delivery of alcohol. This bill requires delivery services to be permitted through OLCC.

#### Oregon Transportation Safety Committee (OTSC)

Jerry Cooper reported that the OTSC will meet on June 14<sup>th</sup>.

#### Oregon State Police (OSP)

Sgt. Ryan Clarke reported that he is getting settled into his new role. He will be in Salem beginning on Monday. He will be working on certifications the first week and will join Mr. Beatty for the SFST IDC the following week.

#### **XI. Adjourn**

With no further business before the committee, Chair Hayes officially adjourned the meeting at 12:13 p.m.

**Next Meeting: July 7, 2023 - 9 a.m. at DPSST and via Teams**