

DRAFT

GOVERNOR'S ADVISORY COMMITTEE ON DUIII
Friday, October 6, 2023 - Meeting Minutes
Hybrid Teleconference Meeting
Salem, OR

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

Members Present via Teams: Honorable Ray Crutchley, Lois Harvick, Chief Jason Malloy

Members Absent (Excused): Lynn Howard

Staff Present in person and via Teams: Amy Joyce, Ryan Stone, Brandy Anderson Gillock, Shari Davis, Vanessa Churchill, Jeff Greiner, Billie-Jo Nickens, Doug Bish, Jonathan Munson, Rose Senger

Liaisons and Guests Present and via Teams: Jerry Cooper (OTSC), Deanna Kemper, Michael Bloom (OLCC), Nicole McAda (CLEAR Alliance), Sgt. Ryan Clarke (OSP DRE), Jonathan Munson (DMV), Sid Moore, Robert Jones (OSP crime labs), Michael Jackson (OSP crime labs), Gary Engler (SPD), Kent VanderKamp (Deschutes County Sheriff's Office, representing Clear Alliance), Deena Ryerson (TSRP), David Beatty (DUII Task Force/DPSST), Robert Hayes (IIACP), Kevin Ely (OSP IID)

Public Present in person and via Teams: None

Call to Order and Introductions:

Chair Chuck Hayes called the meeting to order at 9:01 a.m. and held a moment of silence to remember those who have been killed or seriously injured in crashes involving an impaired driver.

Chair Report:

Chair Hayes reported that he was a guest speaker at the Missouri Highway Safety Conference in Columbia, MO last week. There was discussion about the national impaired driving problem, polysubstance crashes increasing, and traffic enforcement needing increase.

Member Reports:

Jason Malloy

Chief Malloy reported that he will be attending the International Association of Chiefs of Police (IACP) Conference in San Diego next Friday.

Lois Harvick

Lois Harvick reported that their in-person attendance for Victim Impact Panels (VIP's) continue to increase. They have also increased the Drug Enforcement Expert (DRE) presence at the VIP's from two or three to five or six.

Honorable Ray Crutchley

Judge Ray Crutchley reported that the Governor's Executive Appointments Advisor Brandy Hemsley had asked to meet with him to discuss how the Governor's Office can better support planning, training, and support of board members and committees. They discussed increasing DUII awareness and developing a closer relationship between the Governor and the GAC. He said Ms. Hemsley will likely be reaching out to Chair Hayes and other board members for more input. He reported that the Deschutes County Drug and Treatment Court is closing due to losing their treatment coordinator, and the Polk County Court is also closing.

Sergeant Josh Wilson

Sergeant Wilson reported being busy in September with traffic safety grant work and patrolling for DUII's over Labor Day weekend. He is hosting an ARIDE class at the Lake Oswego City Hall on November 9th-10th. He reported touching base with a defense attorney named Jason Short, of the *Gilroy, Napoli, and Short Law Group*. Mr. Short is interested in applying for membership on the GAC-DUII. He also reported on the increasing problem with fentanyl and xylazine.

Deborah Ruiz

Deborah Ruiz reported on her experience at the *Walk Like MADD* event. She said she was impressed with Cate Duke's hard work, and the connection she has with the families she works with.

Justin Nielsen

Mr. Nielsen reported on his concerns about the money that was allocated by the legislature for specialty courts. He said

the funds are sitting at the Central Office of the Department of Human Services (DHS). This money was intended to supplement the cost of required treatment services that aren't covered by Medicaid, to help providers with their expenses. He reported on the newest developments with the 1115 waiver. Medicare changed their Addiction Standard of Addiction Medicine (ASAM) guidelines, to offer standardized care across the state. He said providers were required to reapply for certificates of approval issued by the Oregon Health Authority (OHA), to determine the ASAM levels of care they offer. The deadline was October 1st, which he adhered to. OHA decided shortly after the deadline to suspend the application requirement, so they could get further clarification from the Centers for Medicare & Medicaid Services (CMS) about how to execute this transition.

Vice-Chair Cate Duke

Vice-Chair Duke reported on her *Walk Like MADD* event, and said they didn't quite meet their \$5000 goal, but it was still a great event. There is another one in Bend this weekend.

Minutes of Previous Meeting:

Chair Hayes asked if there were any corrections or revisions needed for the September minutes. Three corrections were requested: Gary Engler should be listed as a liaison for SPD, not PPD. Chair Hayes asked that the Iowa Judge's opinion that he had shared at the previous meeting be added to the minutes. Justin Nielsen asked for the last sentence of his member's report to be revised.

MOTION: Sergeant Justin Nielsen moved to approve the September 2023 GAC-DUIII minutes with the requested corrections. Josh Wilson seconded. Roll call vote: majority approved. Motion passed.

Public Comment:

No one signed up for public comment.

Transportation Safety Office (TSO) Report:

Ryan Stone reported on the recently completed media he partnered with TSO's Heidi Manlove to create, which is available in Spanish as well as English. He led a conversation with the members about where their first regional meeting should be, and who they would like to be invited to them. Mr. Beatty asked if the meeting location could be booked through the afternoon so the DUII Taskforce could meet there as well. Mr. Stone confirmed that travel costs will be covered by his grant. He reported that the TSO was planning their 2024 Conference. He said he plans to connect with the Governor's Policy Advisor about the legislative concepts once they are decided upon. The Impaired Driving Strategic Plan needs to be revised and approved by June. He reported that Amy Seely is returning to the Traffic Safety Resource Prosecutor (TSRP) role to assist Ms. Ryerson. The Oregon State Police (OSP) High Visibility Enforcement Unit (HVEU) was awarded additional funds for the upcoming grant year. The Intoxilyzer 8000 replacement project has been funded.

Impaired Driving Assessment Report:

Chair Hayes reviewed the recommendations that came out of the Impaired Driving Assessment and asked members to bring forth suggestions for improvement. He asked Judge Crutchley to investigate the possibility of implementing an annual mandatory judicial education requirement for trial judges. He requested that Sgt. Ely to check in with his ignition interlock device (IID) working group and get suggestions for how to improve adding an indicator to driver licenses for anyone required to have an IID. He asked Ms. Ruiz to work on how to improve communications with non-English speaking communities. He asked Mr. Beatty to investigate ways to determine DUII offenders who are high risk for repeating the behavior. Chair Hayes asked Ms. Duke to share this report with her team at MADD.

Old Business:

Chair Hayes stated that Sgt. Ely might not have had time to review the notes in the Impaired Driving Assessment about the IID program and/or comments from Judge Crutchley from last month's meeting but asked again that he take them to his IID work group. He then discussed the candidates who are interested in applying for GAC-DUII membership. He is working on replacing Representative Noble. The GAC still needs an education representative, ideally at the statewide level or a large school district, at around the 8th grade or high school level. They also still need someone from the medical community, and a few other categories.

New Business:

There will be an employer drug impairment training in Salem November 29th or 30th. This intention is to teach employers about how to identify drug impairment in the field and was developed within the IACP Drug Evaluation and Classification (DEC) program.

Liaison Reports:

Oregon Impact

Janelle Lawrence submitted a written report, which outlined their current statistics through August 31st:

- 4 shifts worked with 42 hours of straight time
- 3 DUII Alcohol arrests
- 2 DUII Drug arrests
- 0 MIP
- 0 Interlock
- 1 Felony Warrant
- 10.5 hours of grant funds per arrest

International Association of Chiefs of Police (IACP)

Robert Hayes introduced himself and reported being busy planning the upcoming conference in San Diego. The Drug Evaluation and Classification (DEC) Program is busy implementing Advanced Roadside Impaired Driving Enforcement (ARIDE) classes. He is also beginning planning for the IACP Impaired Driving and Traffic Safety (IDTS) Conference, which will be in Washington, D.C. in August of 2024.

Driver and Motor Vehicle Services

Jonathan Munson reported on commercial drivers who have been granted a diversion when they're not truly eligible for it. The DMV developed a report to identify these drivers. They are working on taking the appropriate action. They are also working on identifying drivers who have multiple diversions on record, outside of the 15-year time frame where they would be allowed to be granted diversion again and taking appropriate action there. They have found that some law enforcement agencies are completing an older version of the Implied Consent Combined Report (ICCR). He has been in contact with law enforcement agencies to ensure they have the most current version, which is January of 2023. He will be attending the Oregon Association of Court Administration Conference on October 15th-17th.

CLEAR Alliance

Nicole McAda reported they are working on several prevention-based projects in the realm of impaired driving and extending the current impaired driving campaign. In August, they partnered with local State Farm team on a *Did You Know* concept, sharing the impaired driving perspective of an insurance agent. These latest *Did You Know* videos will be available for free download on their website within approximately the next 30 days.

Oregon Liquor and Cannabis Commission

Michael Bloom reported on the recently passed legislation that allows home delivery of alcohol, which will become effective on January 1st. He said that on October 11th, there would be a Rule Hearings & Advisory Committee Meeting that all are welcome to attend.

Department of Public Safety Standards and Training (DPSST)

David Beatty reported that they have increased the number of managers, instructors, and coordinators to help support the increase in classes they will be offering. They are having trouble finding instructors for their wet labs and classroom training. He asked for recommendations for instructors, and invited GAC-DUII members and liaisons to volunteer for one of their wet labs.

Oregon Judicial Department

Judge Crutchley had nothing to report.

Oregon State Police (OSP)

Robert Jones reported their backlog is down to 45% of the backlog they had in April. Their urine samples are still behind.

They have two new scientists who will be fully trained by March, 2024, and two more training in Springfield. They are scheduling an expanded scope of accreditation audit in May of 2024.

Sgt. Ryan Clarke reported being down to 165 DRE's in Oregon. There is a DRE school scheduled for April, 2024. ARIDE classes are increasing. They have three grants approved for 2024. He is working on implementing a nationwide tablet system.

Mothers Against Drunk Driving (MADD)

Cate Duke reported that NHTSA Region 10 Summit will be December 13th in Boise, ID. Lodging scholarships are available. Touch base with Ms. Duke if interested.

Oregon Transportation Safety Committee (OTSC)

Jerry Cooper reported that he will be retiring at the end of 2023, providing his successor has been appointed. The OTSC will be meeting on October 11th at 9:30am. He will recommend Jane Aiken as his GAC-DUII liaison replacement.

Adjourn:

With no further business before the committee, Chair Hayes officially adjourned the meeting at 11:46 a.m.

Next Meeting: December 8, 2023 - 9 a.m. at DPSST and via Teams