

DRAFT

GOVERNOR'S ADVISORY COMMITTEE ON DUIII
Friday, November 3, 2023 - Meeting Minutes
Hybrid Teleconference Meeting
Salem, OR

Members Present: Chairperson Chuck Hayes, Vice-Chair Cate Duke, Sergeant Josh Wilson, Justin Nielsen, Deborah Ruiz, Lois Harvick
Members Present via Teams: Honorable Ray Crutchley
Members Absent (Excused): Lynn Howard, Chief Jason Malloy
Staff Present in person and via Teams: Ryan Stone, Brandy Anderson Gillock, Doug Bish
Liaisons and Guests Present and via Teams: Jerry Cooper (OTSC), Deanna Kemper, Nicole McAda (CLEAR Alliance), Sgt. Ryan Clarke (OSP DRE), Jonathan Munson (DMV), Sid Moore, Michael Jackson (OSP crime labs), Gary Engler (SPD), Robert Hayes (IIACP), Kevin Ely (OSP IID), Kimberly Rose Deschutes Co.), Marie Dodds (AAA)
Public Present in person and via Teams: None

Call to Order and Introductions:

Chair Chuck Hayes called the meeting to order at 9:02 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 on the recently released National Highway Traffic Safety Administration ([NHTSA Toolkit](#)). He requested everyone send them out to their safety partners. Mr. Stone will send it to all the TSO Regional Transportation Safety Coordinators (RTSCs).

Member Reports:

Lois Harvick

Lois Harvick had nothing to report.

Sergeant Josh Wilson

Sergeant Wilson had nothing to report.

Deborah Ruiz

Deborah Ruiz reported on a story she read about court mandated alcohol and drug abuse treatment in Washington state. She shared about an offender who died after they crossed into Oregon to avoid being required to undergo treatment again after a relapse and second offense in Washington.

A treatment provider reached out to Ms. Ruiz to offer funds since their services are free. Chair Hayes asked Ms. Ruiz to get information from Washington to share with the committee.

Justin Nielsen

Mr. Nielsen reported on the Centers for Medicare & Medicaid Services (CMS) guidelines and changes that the Oregon Health Authority (OHA) is considering. Every state interpreted it differently, so now providers must reapply for each level of care they want to offer. American Society of Addiction Medicine (ASAM) standards were streamlined so it would be the same for every state.

Honorable Ray Crutchley

Judge Crutchley had nothing to report.

Vice-Chair Cate Duke

Vice-Chair Duke reported she will be sending some information about the HALT Act – Honoring the Abbas Family Legacy to Terminate Drunk Driving, which can be [viewed here](#) and [here](#). She requested that everyone email Oregon representatives to let them know that they oppose this amendment by Representative Thomas Massie (KY).

The recent Victim Impact Panel (VIP) in Bend was great, and there were great interactions and comments.

Minutes of Previous Meeting:

Chair Hayes asked if there were any corrections or revisions needed for the October minutes.

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

Public Comment:

No one signed up for public comment.

At-Risk Driver Program Overview (Karen O’Fearna)

Karen O’Fearna shared her PowerPoint Presentation about the Oregon DMV At-Risk Driver Program, which can be [viewed here](#).

Transportation Safety Office (TSO) Report:

Ryan Stone reported on meeting with the GAC-Motorcycle Safety on October 19th and sharing the new communications forms with them. His TSO counterpart for that committee will be reporting to the Governor’s Office as well. The triennial highway safety plan was approved by NHTSA. \$6.5 million was approved for impaired driving for FY2024. Moving GAC-DUII meetings to different areas of the state is part of the PP&E efforts (public participation and engagement). Mr. Stone is working with Tiana Tozer to plan the January meeting in Portland. The training updates are being finalized for the Commerce and Compliance Division (CCD) and should be rolling out in January. Portland Police Bureau (PPB) is back on the scene for DUII enforcement and being very effective. A commendation letter will be sent to the Chief of Police by Mr. Stone. He prepared a communications memo based on the October meeting that will be sent to the Governor’s Office with the committee’s consent. It can be [viewed here](#).

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. [These were the suggestions discussed](#).

Old Business:

Mr. Stone is working on Legislative Concepts for 2025. The list will be updated and sent out by Ms. Anderson Gillock. Current suggestions include:

- Accident to Crash
- Implementing an open container law for cannabis and other drugs
- .05 BAC per se impairment threshold (MADD National is supporting this)
- Increased penalties for DUII crashes that result in serious injury or death
- Zero tolerance for cannabis use under the age of 21
- Sobriety checkpoints
- Increased penalties for poly-substance DUII convictions (based on new Utah law)
- FDA-approved medication to be the only drugs allowed during DUII diversion

Chair Hayes submitted a letter to Rep Helfrich thanking him for his work on passing the legislative concepts through in the 2023 session.

Employer Drug Impairment Training (EDIT) for ODOT supervisors is taking place on January 3rd in Salem (ODOT Conference room). Chair Hayes will be inviting all GAC members to attend.

Impaired Driving Strategic Plan: Mr. Stone is working through adding all the updates from the 2021 version and requested input from members. He hopes to have a draft created in early 2024. It is due to NHTSA by June 2024.

New Business:

2024 calendar: Potentially moving April 5th meeting to April 3rd or 12th. The July meeting will be moved to 12th. The January meeting will be in Portland with more details to come in December.

There are several applicants for new GAC-DUII membership. Applications are being reviewed by Chair Hayes and a couple other members.

Mr. Nielsen brought up his concerns about the continuity of care in the DUI process. We need to utilize technology more effectively and incorporate a statewide database or portal. This should be accessible to every treatment provider and/or officer affiliated with each case. The offenders should be tracked, and all steps of completion noted, so this information is readily available. He is proposing this be implemented and wants to learn how to get started. This is one of the 14 suggestions from NHTSA. Chair Hayes asked Mr. Nielsen to investigate how to get this started.

Liaison Reports:

Oregon Impact

Janelle Lawrence reviewed the current stats, which are below:

948 shifts	Straight time - July 1-Sept 15
4308 hours	15 shifts
434 DUI arrest	122 hours
57 drug impaired DUI's	8 DUI
9 MIP's	5 drugs
27 IID's	4 felonies
56 felony warrants	8.13 hours per arrest
4.54 grant hours per arrest	

Oregon State Police (OSP)

Lt. Denney reported that October was DUI heavy. They almost lost a Sgt in Roseburg when was struck by a DUI driver while administering aid to someone on the shoulder. There were 177 DUI arrests statewide. HVE: there will be a saturation event on November 17-18 utilizing approximately 45-50 officers in the Metro area. Portland Police Bureau (PPB) is doing great work getting back into enforcement. The blood/alcohol level (BAC) average since July is .12%, with the highest being .27%. He will be going to the MADD event in Boise.

Sgt. Clarke reported on the drug recognition expert (DRE) stats: In FY23, there were 570 DRE requests and 59% were responded to, which is the highest number recorded in some time. There are only 165 DREs in Oregon right now. They are working on the Advanced Roadside Impaired Driving Enforcement (ARIDE) training. Toxicology updates: 735 blood samples were sent for testing in 2022, compared to 1061 in 2023. 411 were polysubstance. Stimulants were involved in 542 of them, and 472 included cannabis. They are working on getting a tablet system to aid in data collection for the DRE program. They hope to have that in place by 2024.

Sgt. Ely shared kudos for Mr. Stone and GARD Communications for the updated brochure. They created a mailer that will be sent out to people required to have an IID to increase compliance. 7,633 drivers in Oregon have IIDs installed. There are many issues with suspended drivers having an IID installed and still driving due to a statutory loophole. He is working with the judicial system to figure out how to address this. They are getting closer to getting the court acknowledgement form completed. They are working on training officers across the state. Sgt. Wilson suggested that Sgt. Ely reach out to the District Attorney (DA) offices to clarify the importance of the IID compliance.

Oregon Transportation Safety Committee (OTSC)

Jerry Cooper reported that Wed, November 8th will be the next OTSC meeting, and he will be facilitating, as Chair Hoffer will be in Washington, DC receiving an award. Mr. Cooper will present the legislative concepts to the OTSC next week. He has served on the OTSC for 41 years and is retiring in December 2023. Chair Hoffer said he will begin attending the GAC-DUI meetings again in January.

The written Liaison Reports were reviewed and can be viewed here:

[AAA](#)

[IACP](#)

Adjourn:

With no further business before the committee, Chair Hayes officially adjourned the meeting at 11:47 a.m.

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