

OREGON IMPAIRED DRIVING STRATEGIC PLAN

**Presented by the
Oregon Governor's Advisory Committee
on Driving Under the Influence of Intoxicants**

April 2018



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Executive Summary

Under the direction and contribution of the statewide Governor's Advisory Committee (GAC) on Driving Under the Influence of Intoxicants (DUII), the purpose of the Impaired Driving Strategic Plan (IDSP) is to provide a comprehensive strategy for preventing and reducing impaired driving in Oregon. The IDSP provides data on the impaired driving problem in Oregon, documents ongoing initiatives to address various aspects of the problem, and discusses potential new strategies. This IDSP is provided to the National Highway Traffic Safety Administration (NHTSA) in response to the grant requirements of Title 23, Section 405(d).

Impairment – Alcohol, Marijuana and Other Drugs

Impairment from alcohol in Oregon, and across the nation has seen a slow, steady decline over the years, thanks in part to targeted enforcement, media campaigns, community partnerships, education and awareness, and overwhelming social unacceptability. However, alcohol remains the most common impairing substance found in DUII arrests and fatal and injury crashes.

In November of 2014, Oregonians voted to legalize recreational marijuana. Impacts to traffic safety are a serious concern, as DUII incidents involving marijuana have increased in other states that previously legalized it. Historical data specific to marijuana-impaired driving is in short supply, although preliminary data collected by the Oregon State Police showed a sharp increase (163%) of marijuana-involved DUII's in the first six months following legalization. There was also a 111% increase in DUII's in the same period where marijuana was shown to be a contributing factor, indicating other impairing substances were also being used. Oregon does not track DUII crimes by the impairing substance, only if a diversion or conviction is related to alcohol or drugs in general. This makes it difficult to understand the problem, recognize patterns and support thoughtful changes when necessary. Since historical data in Oregon does not include marijuana-specific information, it is difficult to predict the exact impact that legalization may have, and to also conduct any comparisons.

Impairment from alcohol is established two different ways in Oregon. First, impairment can be proved through a series of scientifically validated roadside tests, known as Standardized Field Sobriety Tests (SFST's). These include the Horizontal Gaze Nystagmus (HGN), Walk and Turn, the One Leg Stand tests. Oregon statutes refer to "impairment to a noticeable or perceptible degree," which can be identified through these tests. Oregon statute has also set a per se limit on Blood Alcohol Content (BAC), meaning that a person can be proven to be impaired if their BAC is 0.08g/ml or higher. Both the per se limit of 0.08 and the SFST's are the result of decades of science, research and validation studies to determine alcohol impairment levels. Traditionally, a DUII conviction results from a combination of these pieces of evidence in tandem.

Impairment from drugs, other than alcohol, however, can be more challenging to prove. Oregon does not have a per se limit for impairing drugs, including marijuana. Some states that have legalized marijuana, like Washington and Colorado, have established a per se limit of 5ng/ml of tetrahydrocannabinol (THC) in the blood. This level, however, was not the result of

any scientific study and does not account for a myriad of factors unique to marijuana. Marijuana impairment is very different from alcohol impairment, and much more complex. Unlike alcohol impairment, there is no scientifically conclusive threshold that consistently indicates marijuana impairment from person to person. Marijuana impairment in Oregon is currently determined by establishing presence of the substance in the driver, and by identifying impairment through the SFST's and/or the determinations made by a Drug Recognition Expert (DRE). Marijuana legalization will undoubtedly lead to more studies and research that will explore the issues of impairment and the relationship to a scientifically valid per se limit. Currently, Oregon will rely on proving presence, and establishing impairment to a noticeable or perceptible degree.

About the GAC on DUII

On December 16, 1983, Governor Victor Atiyeh signed Oregon Executive Order EO-83-20 creating the Governor's Advisory Committee (GAC) on Driving Under the Influence of Intoxicants (DUII). At that time, a need existed for an advisory committee to formulate administrative and legislative goals and objectives for reducing the incidence of DUII and monitor their implementation.

Members of the committee were appointed by the Governor's Office and were charged with broadly representing the legislative assembly, public and private organizations involved in DUII countermeasures, victims of DUII, and the general public.

In addition, committee members were appointed to heighten public awareness of the seriousness of the DUII problem, and to persuade communities to attack the DUII problem in an organized and systematic manner. This was to include plans to eliminate blockages in the arrest, trial and sentencing process that impair the effectiveness of many DUII laws. In addition, the GAC on DUII was enacted to generate public support for increased enforcement of state and local DUII laws, educate the public as to the dangers of DUII and its effects on life and property.

The Oregon Department of Transportation (ODOT) Transportation Safety Division (TSD), under the authority of the designated Governor's Highway Safety Representative, was charged with overseeing the GAC on DUII. The Executive Order of the GAC, which outlines the membership, duties, administration, and duration, is included in the Appendix of this IDSP.

Since the inception of the GAC on DUII, members and agency liaisons have worked in partnership, making significant investments of time and effort formulating a cohesive group helping leverage resources and promote change. Partnerships have been established and continue to function in ways that enables the members to broaden perspectives and develop common views of addressing the DUII problem. The GAC on DUII also acts as a multi-disciplinary resource group for the Governor's Office and the legislature, enabling them to consider cohesive and effective proposals to reduce DUII in Oregon. This is accomplished through on-going monthly meetings and planned initiatives. The GAC on DUII members and agency liaisons represent numerous stakeholders across all geographic areas of the State,

including law enforcement, driver licensing, treatment, highway safety, judicial, advocacy, legislative, and non-profit groups whose missions include addressing the impaired driving issues. The membership and their affiliations are also included in the Appendix of this IDSP.

GAC on DUII Impaired Driving Strategies

The GAC on DUII has identified some key strategies to help address the impaired driving issues in Oregon. Specific and goals and strategies of the Impaired Driving Strategic Plan include:

#1 – DUII Prevention Program Management and Activities

Oregon's DUII Prevention Programs are based on strong leadership and sound policy development. Programs and activities carried out under the Oregon IDSP are guided by problem identification and monitored for effectiveness. The GAC on DUII will promote its existence and mission through numerous avenues.

Strategies for DUII Prevention and Program Management and Activities:

1. Formalize activities of the GAC on DUII
2. Keep official minutes for each GAC on DUII meeting
3. Expand GAC on DUII membership to include key areas not currently represented
4. Formalize the operational procedures for the GAC on DUII
5. Assist in providing timely DUII prevention publications, meetings, conferences and other training and education opportunities
6. Make GAC on DUII resources available to any local, state or national organization interested in or tasked with reducing impaired driving
7. Develop short and long-term objectives in order to meet the goals outlined in the IDSP
8. Assist in enacting legislation that provides resources dedicated to DUII in the state
9. Educate state, county and local officials about the value of DUII initiatives
10. Educate and encourage law enforcement agencies to utilize DUII enforcement grant funding to assist in the statewide efforts to deter DUII

#2 – Support of Annual DUII Multi-Disciplinary Training Task Force Conference

With funding support from the ODOT-TSD, Oregon has provided an annual DUII Multi-Disciplinary Training Conference for over 20 years. In 2016, approximately 450 people attended the two-day conference which focused on Cannabis impairment, DUII case law, reducing the risk of DUII, drug testing, state marijuana laws, and lessons learned from Colorado related to marijuana legalization. In 2017, the annual conference attracted over 345 attendees and focused on addiction issues, courtroom testimony, an overview of the DUII treatment system, basic crash investigation, digital evidence collection for patrol officers, survival skills for law enforcement, and search and seizure. Each year the conference includes law enforcement, prosecutors, toxicologists, treatment and prevention providers, health care professionals, judicial, parole and probation, liquor control, motor vehicle services and other transportation safety professionals. Plans are underway for the 2018 conference that will be held in Central

Oregon in May 2018. The GAC on DUII will continue its support of Oregon's annual DUII Multi-Disciplinary Training Task Force Conference.

Strategies for the support of the DUII Multi-Disciplinary Training Conference:

1. Promote attendance by all persons interested or involved in DUII prevention, detection, enforcement, adjudication, treatment, training and supervision
2. Provide input on relevant training topics and effective impaired driving programs
3. Assist in assessing the effectiveness of the annual conferences

#3 – Increased DUII Education and Training

The GAC on DUII, through its staff and members, will provide encouragement and technical support to further the education and training of police officers, prosecutors, drug recognition experts, treatment and prevention providers, traffic safety advocates, and others involved in the efforts to reduce DUII in Oregon and nationally.

Law Enforcement Training

The ODOT-TSD and the GAC on DUII are dedicated to providing the highest quality training to Oregon law enforcement officers in detecting and apprehending impaired drivers on Oregon's roadways. To support and maximize the DUII law enforcement efforts all Oregon law enforcement officers going through basic training in Oregon are required to be trained in Standardized Field Sobriety Testing (SFST). The ODOT-TSD directly supports all SFST training conducted at the Oregon Department of Public Safety Standards and Training (DPSST) and sponsors SFST Instructor Development Courses when necessary. Annually, approximately 150 law enforcement officers receive SFST training at DPSST. SFST training is also provided through the Oregon State Police independent training academies. The SFST training is critical to optimize the removal of impaired drivers from Oregon's roadways.

Through the Oregon Department of Public Safety (DPSST) and the State's Law Enforcement Liaison (LEL), twenty-one (21) three-day SFST courses were held training 394 Oregon police officers, during the 2017 grant period (October 2016 through September 2017). In addition, 18 SFST Refresher courses were conducted, training 251 officers. These classes included a session on enforcing the state's Ignition Interlock Device (IID) laws. The sessions focused on knowing applicable laws, recognizing when an IID is required on a DMV license return, and properly citing violators. During the grant year, one SFST Instructor Development Course (IDC) class was held training 15 new SFST instructors. In addition, thirteen Oregon Liquor Control Commission (OLCC) inspectors were trained in how to recognize Visibly Intoxicated Persons. Also during the grant period, and 197 police officers were trained in the operation of the Intoxilyzer 8000 breath testing device. Oregon also invested heavily in their SFST instructors by conducting a 4-hour SFST/DRE instructor training conference. A total of 97 SFST and/or DRE instructors attended the conference to improve their skills and knowledge as SFST instructors.

In addition to the SFST training, the ODOT-TSD, working in partnership with the Oregon State Police, coordinate the Drug Evaluation and Classification Program (DECP) and the training of

Drug Recognition Experts (DRE). In many instances drivers are detained for driving actions that mirror alcohol impairment and have low or no breath alcohol content. DREs are trained to conduct a 12-step evaluation that assists in determining the category or categories of drugs that may cause impairment in a drugged driver. Because drugged driving is prevalent and is increasing in Oregon and nationally. Oregon conducted two DRE Schools in 2017. The first was conducted at the Oregon Military Academy in Monmouth on March 14-24, and the class consisted of 12 students. The second was conducted at Oregon State University in Corvallis on July 11-21, and the class consisted of 11 students. In addition, Oregon held a DRE conference in June 2017 with 135 DREs attending. The conference provided DREs with current drug trend information as well as other pertinent drugged driving training information.

Oregon currently has over 200 DREs. Oregon DREs remain of the more active in the country, conducting over 3,000 enforcement evaluations in the past two years, ranking the Oregon program in the top five each year in the country.

The Oregon DEC Program, working in partnership with ODOT - TSD also provides Advanced Roadside Impaired Driving Enforcement (ARIDE) training. The ARIDE training provides experienced DUII officers with additional training to detect drug impaired drivers and emphasizes contacting a DRE for a DRE evaluation to be conducted. Since the inception of ARIDE training in 2009, Oregon has conducted 67 ARIDE classes statewide, training 1,098 police officers and prosecutors.

Strategies for Expanding DUII Education and Training:

1. Assist in exploring ways to expand and support timely and effective DUII education and training programs to include: Standardized Field Sobriety Testing (SFST); Advanced Roadside Impaired Driving Enforcement (ARIDE); Drugs That Impair Driving (DID); Drug Impairment for Educational Professionals (DITEP); Drug Recognition Expert (DRE); Prosecuting the Drugged Impaired Driver, and other related training.
2. Support community educational and DUII awareness programs
3. Continue working with DUII Multi-Disciplinary Training Task Force to ensure the training conference is an annual event and is held geographically to encourage attendance.

#4 – Increased DUII High Visibility Enforcement

Oregon conducts frequent, highly visible, well publicized and coordinated impaired driving enforcement efforts throughout the state. These efforts are focused on those areas identified as having high incidences of alcohol or drug related crashes. With Oregon unable to conduct Sobriety Checkpoints, Saturation Patrols are used and often conducted on a multi-jurisdictional basis.

The goal of DUI Saturation Patrols is to increase the awareness of motorists regarding the dangers of impaired driving, deter those who may be impaired from driving and investigate DUII offenses to reduce the number of impaired drivers on the roadways. Saturation patrols are an important component of Oregon’s continued effort to combat impaired driving and

reduce injuries and deaths. When these efforts are funded with grants from the ODOT – TSD, they are publicized through a pre-event announcement, and at times, with a post-event news release detailing the results of the efforts. Officers working these efforts are trained in the proper administration of the standardized field sobriety tests.

The ODOT-TSD will continue to make direct contact with law enforcement agencies in the counties overrepresented in alcohol-impaired fatal and serious injury crashes and identified in Oregon’s Performance-Based Strategic Traffic Safety Plan as priority counties. All officers working grant-funded DUII enforcement overtime enforcement must be trained in Standardized Field Sobriety Testing (SFST) and preferably in ARIDE. These law enforcement agencies will be solicited to participate in selective overtime DUII enforcement efforts during the time of day, day of week and locations as identified by crash data. Due to the working relationships between the ODOT-TSD and state and local law enforcement, participation in the selective DUII overtime enforcement activities is effective. In addition, these same agencies will be solicited to participate in selective DUII overtime enforcement during the following time frames known for high alcohol usage, which include but are not limited to: Super Bowl Sunday, St. Patrick’s Day, Independence Day, Halloween, and New Year’s. Oregon’s youth alcohol-related fatal and serious injury crashes will also be addressed through selective youth-alcohol overtime enforcement. Peak enforcement efforts will focus on high alcohol usages time frames which will include graduation, proms, homecoming, and Cinco de Mayo.

Statewide DUII alcohol overtime enforcement will be conducted during the national events for the Winter Holidays Crackdown which includes Labor Day, Independence Day, Christmas and New Year’s. All selective DUII overtime enforcement efforts will be required to conduct a pre- and post-media event or activity to follow the best practices examples of advising the community of their upcoming activities, conducting the enforcement activity and then reporting the results of the enforcement activity. During all of the DUII overtime enforcement efforts a combination of saturation patrols and enforcement emphasis efforts will be utilized. In addition to using SFST trained officers, DREs will also be utilized for the various enforcement activities.

Strategies to Enhance High Visibility DUII Enforcement Efforts:

1. Increase the number of law enforcement agencies participating in national and state high visibility enforcement efforts
2. Increase the number of Saturation Patrol events
3. Increase participation of officers certified as drug recognition experts in overtime enforcement efforts
4. Increase and promote multi-jurisdictional law enforcement DUII Saturation Patrol efforts to best utilize the state’s resources

#5 – Continued DUII Legislation

The GAC on DUII will work closely with ODOT-TSD and other stakeholders to serve as a resource for local, state and federal legislative related to DUII. Through its network of members and liaisons, the GAC on DUII will offer resources, referrals or technical assistance to the Governor’s Office and/or legislative members needing direction, support or assistance with DUII related matters. Oregon remains one of very few states in the country that do not have a DUII law that includes non-controlled substances. Oregon current law is limited in that it applies to alcohol, inhalants and controlled substances.

Strategies in the Area of DUII Legislation:

1. Promote the expansion of Oregon’s DUII law to include “any impairing drug” or “any impairing substance”
2. Enact legislation to strengthen the state’s ignition interlock device laws
3. Enact legislation making it a penalty for refusing to submit to a DRE drug influence evaluation
4. Enact legislation to require blood testing for all drugs of drivers killed in crashes and report that information to ODOT-TSD
5. Enact legislation that provides resources dedicated to impaired driving in the state
6. Explore legislation to support the use of electronic search warrants or other means of quickly obtaining toxicology samples

#6 – Increased DUII Prosecution and Adjudication Efforts

Oregon strives to impose effective, appropriate and research-based sanctions of DUII offenders. Oregon has a system of graduated penalties based on the number of prior offenses committed.

ODOT TSD and the GAC on DUII is committed to strong, high visibility enforcement of our State’s laws. The statewide enforcement plan includes enforcing the following Oregon State Statutes to the fullest extent, which include:

Driving Under the Influence of Intoxicants

Under current Oregon law, a person commits the offense of driving under the influence of intoxicants (DUII) if the person drives a vehicle with .08 or more BAC; is under the influence of intoxicating liquor, cannabis, a controlled substance, an inhalant or any combination of these. The current law does not include drugs other than controlled substances.

Driving Under the Influence of Intoxicants Convictions

A person may qualify for a one-year diversion program on the first DUII offense or if more than 15 years have elapsed since the first diversion. A court will not convict a person of driving DUII if the diversion program is successfully completed. If a person is convicted of DUII, driving privileges are suspended for one year for the first conviction and three years for a second conviction within five years. If a person has three or more misdemeanor DUII convictions, or

one felony DUUI conviction, the driving privileges are permanently revoked by the court. A person may petition the court for restoration of driving privileges after 10 years.

Ignition Interlock Devices

An Ignition interlock device (IID) is required for all DUUI offenders unless granted a medical exemption or when participating in a diversion program and the impairment is due to drugs only. A court may use discretion whether the IID is required under a diversion program if the impairment is due to alcohol only and the BAC is under .08. An IID is required one year following the suspension of a first conviction, two years following the suspension of a second conviction and five years following a court ordered restoration of driving privileges on a permanent revocation. For all offenses occurring January 1, 2016, and after, the IID requirement remains in place until a person is issued a 90-day no-negative report for the last 90 consecutive days of the requirement. A court may vacate the IID requirement for diversion participants after six months following strict criteria. In 2016, there were 7,645 diversions and 7,358 DUUI convictions.

Implied Consent Laws

In Oregon, it is implied that a person driving a motor vehicle will consent to a breath, blood or urine test if a police officer arrests them for driving under the influence of intoxicants and asks them to take such a test. A person who fails or refuses to submit to a breath, blood or urine test will be subject to an administrative implied consent (IC) suspension. The suspension is separate from, and in addition to, a suspension resulting from a DUUI conviction.

Under implied consent laws, a driver will fail a test if their BAC reading is .08% or more, .04 or more if driving a commercial motor vehicle, or any amount if under 21 years of age. IC failure suspensions vary from 90 days for a first suspension to one year for a second offense within five years. IC suspensions for refusals vary from one year for a first suspension to three years for a second offense within five years.

If a person is driving a commercial motor vehicle and fails a breath or blood test, their commercial driving privileges are suspended for one year, three years or lifetime depending on the circumstances. If a person is driving a commercial motor vehicle or has commercial driving privileges and refuses a breath, blood or urine test, commercial driving privileges are suspended for three years, five years or lifetime depending on the circumstances.

DUUI Courts

One area of expansion needed in Oregon is with DUUI Courts. Currently, the City of Beaverton Municipal Court, and Multnomah and Clackamas counties have the only DUUI-focused courts within the State. These courts target DUUI offenders with a post-adjudicatory alcohol intensive supervision treatment program for eligible offenders. The purpose of the program is to reduce offender recidivism by fostering a comprehensive and coordinated court response composed of early intervention, appropriate treatment, intensive supervision, and consistent judicial oversight.

Transportation Safety Resource Prosecutors (TSRP's)

Oregon has two Traffic Safety Resource Prosecutors (TSRPs) available to assist city and county attorneys with prosecution of impaired driving and motor vehicle homicide cases. The assistance may range from providing technical assistance on pre-trial motions, depositions, pre-trial evidentiary hearings, and other hearings or the TSRPs may and have been the lead prosecutors for these types of cases. The TSRPs act as advisors to law enforcement officers, provide training at the Oregon Police Academy to all new recruits, work with law enforcement to promote a heightened awareness of victim-related issues and conduct local and regional trainings for Oregon's district attorneys, law enforcement and other partners in the DUII continuum. The TSRPs maintain and update the Oregon Prosecutor's Listserv, which is provided to all Oregon prosecutors and many police officers.

Mothers Against Drunk Driving (MADD)

The GAC on DUII supports the efforts in expanding the presence of MADD nationally and in Oregon. The Oregon MADD program has experienced a decreasing involvement and presence due to funding and national support. In 2017, Oregon was selected as one of two states nationally to receive funding from NHTSA to expand the state's program. In November of 2017, the first Task Force and Strategic Execution meeting was held in Salem. The purpose was to convene a team of experts with the purpose of identifying best practices for building capacity through public perception and volunteerism in state with high impaired driving fatalities and low MADD involvement and to execute an action plan.

The rationale is that MADD has shown enormous success towards the mission to combat drunk and drugged driving, support the victims of this violent crime, and to prevent underage drinking. A key component of MADD that will be utilized is the Courtroom Monitoring Program.

ODOT TSD and the GAC on DUII highly support the selection of Oregon as one of the two states to receive NHTSA funding support for re-ignition of MADD's presence in the State. The two specific needs are 1) To create urgency that impaired driving is still a public health threat, and 2) To translate that problem in the public's mind to create a movement to end impaired driving.

The GAC on DUII will support MADD's efforts to reinvigorate the general public in Oregon to mobilize communities around the problem of DUII and in understanding that the crime of DUII is 100 percent preventable, and that the GAC on DUII and its DUII prevention partners have the ability to end impaired driving.

To assist in the effort in Oregon, NHTSA and MADD National provided funding for a statewide Volunteer Resource Specialist (VRS). With the guidance of the VRS, a statewide plan will be developed and in place by April 2018. Both ODOT TSD and the GAC on DUII, along with our liaisons will assist in the development and implementation of the final plan.

Strategies in the Area of DUII Prosecution and Adjudication:

1. Continue to develop and provide DUII training for law enforcement, prosecutors, toxicologists and judges
2. Expand web-based training and social media on specific topics related to DUII investigation and prosecution accessible to law enforcement officers and prosecutors
3. Continue to seek opportunities to provide DUII related presentations at various conferences where prosecutors, judges and other court personnel are in attendance
4. Provide training on the use of electronic search warrant processes
5. Expand Court Monitoring of DUII related cases by MADD staff to analyze the criminal justice system to determine where breakdowns are occurring in the trials and adjudications of impaired-driving defendants, and offer solutions
6. Expand DUII Courts to assist in reducing recidivism among repeat and high-BAC offenders
7. Consider utilization of electronic DUII monitoring systems or other related programs that require periodic breath testing of convicted DUII offenders
8. Increase the number of DUII courts in the state and ensure that all courts are following the Ten Guiding Principles of DWI Courts established by NCDL and the National Drug Court Institute (NDCI)
9. Offer presentations on DUII courts, standardized field sobriety testing, the drug evaluation and classification program, alternative sanctions and emerging technologies at the judicial conference, the prosecutor's conference and the Oregon Bar conferences

#7 – Increased DUII Prevention Communications

Through ODOT – TSD, Oregon implements a statewide comprehensive transportation safety plan that supports priority policies and program efforts. Campaign materials target at-risk groups who are identified through statewide traffic data and provide special emphasis during high-risk times including the national crackdown periods and high visibility enforcement efforts.

Media and Outreach Plan

The GAC on DUII will use the ODOT-TSD media plan that has been effective in the past as well as coordinating a communication strategy with our partners, to allow everyone to be fully informed of planned media and outreach creative and actions. Such communication will provide partnership opportunities and more efficient use of limited resources. ODOT-TSD will develop campaigns that can be used by local highway safety advocate groups to standardize the message and maximize creative costs.

Earned Media

In addition to all grantees, local agencies, and organizations, the ODOT-TSD (Highway Safety Office) will continue to utilize the Governor's Office, and other state and local agencies to assist with promotional efforts to draw attention to the national and Oregon traffic safety mobilizations/initiatives.

The ODOT-TSD issues local news releases regarding the grant awarded special equipment for law enforcement agencies. All law enforcement operation grants require, as a condition of the

grant, that the grant recipient agency must hold a local news conference and/or issue a news release regarding the grant award and the related grant activity before the enforcement activity is initiated. In addition, they are required to issue a news release reporting the results of that specific enforcement operation.

The ODOT-TSD encourages grantees and other traffic safety partners to include traffic safety related data in their own news notes and newsletters in an effort to generate local media (print and electronic) interest in developing a news story item.

By reputation, the ODOT-TSD is and will continue to be the primary traffic safety news media resource. The ODOT-TSD is recognized as the best source for impaired driving related data, information and to be able to direct media representatives to other additional sources. The ODOT-TSD will continue to pursue the best ways to collect, present, and deliver impaired driving-related information to maintain its position as the best traffic safety news source.

Strategies in the Area of DUII Prevention Communications:

1. Whenever possible, work cooperatively with the media in promoting and publicizing DUII prevention, enforcement activities, and related events that assist in educating the public on the hazards of DUII.
2. Whenever possible, prepare articles dealing with DUII and transportation safety
3. Routinely distribute DUII prevention materials to the media and other organizations
4. Continue to conduct periodic public survey polls regarding DUII, including specifically marijuana and driving.
5. Continue to assist in the implementation of Oregon’s statewide comprehensive transportation plan
6. Utilize focus groups in the development of DUII campaign materials, whenever possible
7. Assist the ODOT TSD to ensure that Oregon DUII related publications and data resources are prepared in a timely manner and provided to appropriate stakeholders in support of, or involved in DUII enforcement, prevention, treatment and educational programs.

#8 – Promoting and Supporting Community and Transportation Safety

Community and traffic safety is at the core of the GAC on DUII. The safety of communities, its citizenry and the motoring public is fostered each time an impaired driver is detected, removed from the roadway, adjudicated, and receives proper and effective treatment. The knowledge base of the GAC on DUII members and liaisons will contribute to the traffic safety of their communities. By sharing their knowledge and experience with their communities and organizations they serve, GAC on DUII members and liaisons can assist in the reduction in DUII related incidents.

Strategies in the Area of Promoting and Supporting Community and Transportation Safety:

1. Continue to work closely with various partners, to include, traffic safety professionals, law enforcement, prosecutors, medical professionals, emergency medical personnel, treatment providers, driver/motor vehicle professionals, liquor and drug control personnel, prevention specialists, and educational professionals in supporting the efforts to improve transportation safety
2. Incorporate coalition/team training strategies using the structure of the community coalitions already in place
3. Continue to educate children, parents and the community about substance abuse issues
4. Assist in developing model policies for schools to address underage drinking and drug abuse issues
5. Expand Drug Impairment Training for Educational Professionals (DITEP) training for source teachers, school administrators and school nurses
6. Educate employers about the ignition interlock laws and requirements in the state
7. Assist and promote MADD's presence statewide

#9 – Supporting DUII Treatment and Rehabilitation Programs

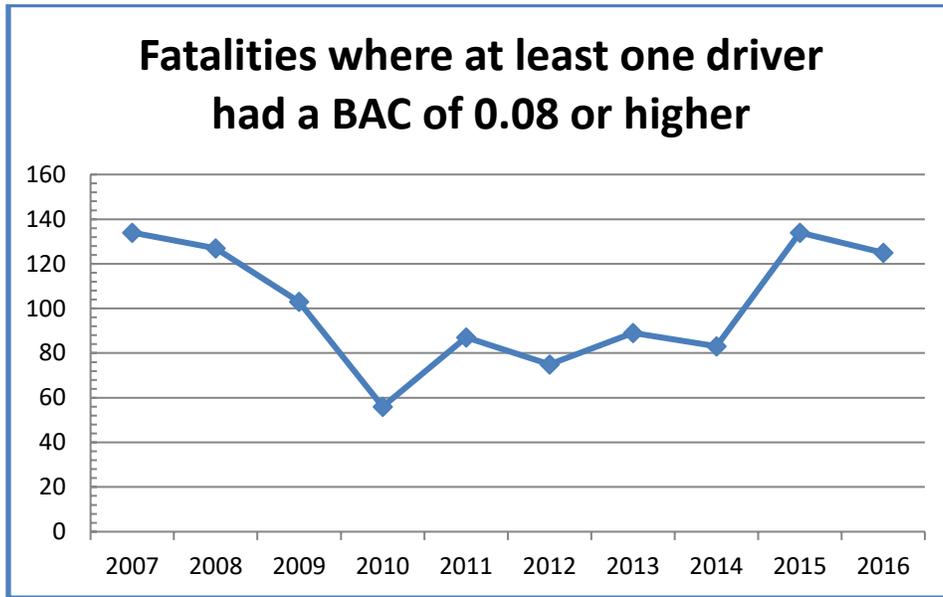
Impaired driving is frequently an indicator of serious alcohol or substance abuse problems. These problems reflect the importance to assess impaired driving offenders for a substance use disorders and implement early treatment interventions. Often, DUII behavior can be eliminated if the substance use disorder is recognized and treated in its early stages. The GAC on DUII understands and supports the statewide efforts to properly and effectively treat and rehabilitate DUII offenders. These are ever-challenging and understaffed areas. It is important that key stakeholders assist in determining its effectiveness in meeting the needs of the impaired drivers, and develop recommendations to enhance treatment efforts and reduce the incidents of repeat DUII.

Strategies in the Area of Supporting DUII Treatment and Rehabilitation Programs:

1. Support the concept that prevention and education are critical components in deterring DUII and an effective piece of the IDSP.
2. Continue to promote effective strategies to reduce impaired driving and address underage drinking by developing a multi-faceted approach to reach the highest number of target individuals
3. Support and promote effective and mandatory treatment of DUII offenders.
4. Continue efforts with the various workgroups to improve programs and reduce DUII recidivism rates among offenders
5. Continue to expand the partnership with the DUII courts to provide access to the proper DUII and substance abuse treatment providers for high risk offenders.
6. Assist in increasing access to treatment services for those individuals needing substance abuse treatment.
7. Support provider training opportunities to enhance treatment practices and understanding of co-occurring disorders

#10 – Increase DUII Program Evaluation and Data Collection

During 2016, 125 persons were killed in crashes in Oregon involving a driver with a BAC or .08 or above. This is 66.7% greater than 75 fatalities in 2012. Alcohol-impaired fatalities have fluctuated over that last decade, reaching a high of 134 in 2007 and 2016 and a low of 56 in 2010. Each year approximately 26% of all traffic fatalities in Oregon involve an alcohol-impaired driver.

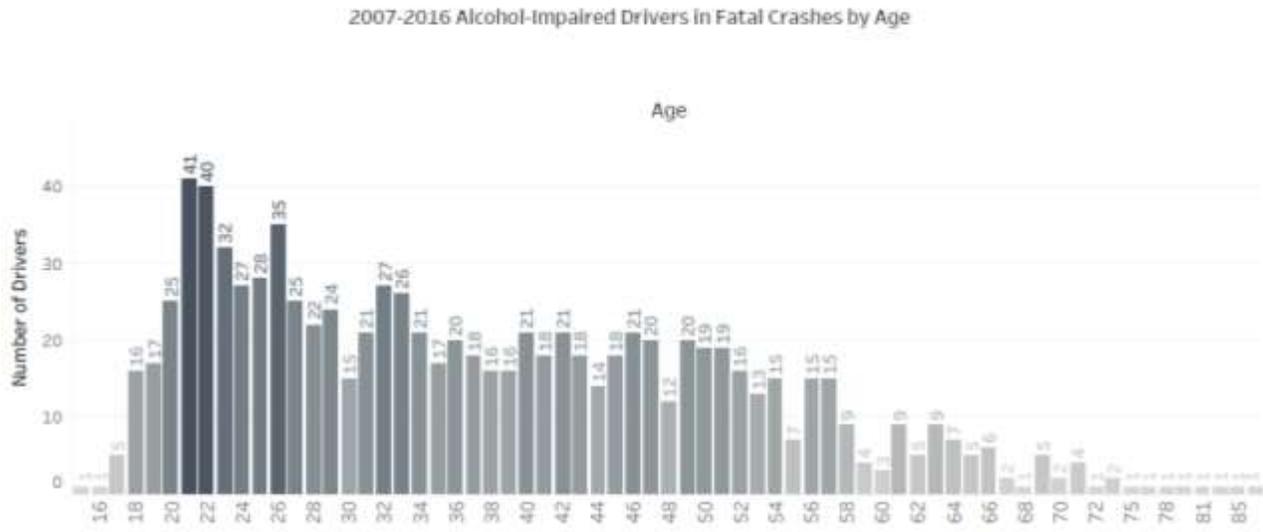


Even though the number of alcohol-impaired driving fatalities has decreased in the past decade, there has been a gradual increase in fatalities per vehicle mile traveled (VMT) in 2015 and 2016. In 2016, there were 34 alcohol-impaired driving fatalities per 100 million VMT, an increase of 43.7% since 2011.

2007-2016 Alcohol-Impaired Drivers in Fatal Crashes by BAC Value

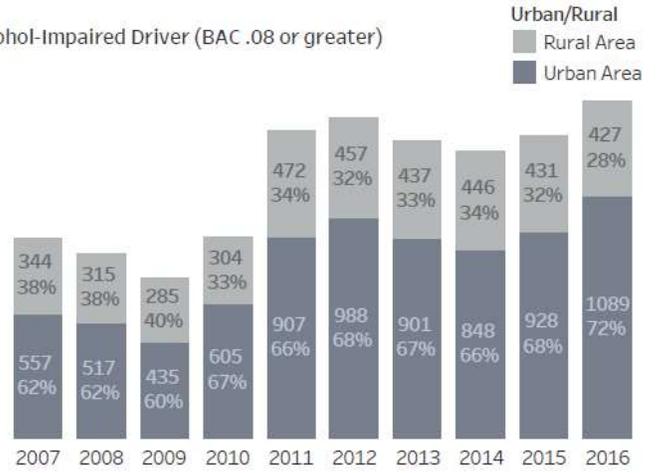


Alcohol involvement in crashes varies substantially by the age of the driver. As shown below, alcohol involvement is highest in crashes among drivers between 20-32 years of age.



Urban vs. Rural Crashes involving an Alcohol-Impaired Driver (BAC .08 or greater)

Crash Year	Rural Area	Urban Area	Total
2007	344	557	901
2008	315	517	832
2009	285	435	720
2010	304	605	909
2011	472	907	1,379
2012	457	988	1,445
2013	437	901	1,338
2014	446	848	1,294
2015	431	928	1,359
2016	427	1,089	1,516
Total	3,918	7,775	11,693



Alcohol-Involved Crashes, Fatal vs. Non-Fatal.

Crash Year	Fatal	Non-Fatal	Total
2007	164	1,450	1,614
2008	147	1,382	1,529
2009	129	1,334	1,463
2010	96	1,627	1,723
2011	116	2,410	2,526
2012	113	2,507	2,620
2013	121	2,346	2,467
2014	111	2,263	2,374
2015	176	2,219	2,395
2016	154	2,482	2,636
Total	1,327	20,020	21,347



Source: Crash Analysis and Reporting, Oregon Department of Transportation

Throughout the ODOT – TSD grant process, data is used to identify the most pressing traffic safety issues. Oregon maintains comprehensive data regarding impaired driving offenders, impaired driving crashes and the injuries and fatalities resulting there from. Data is compiled from multiple sources including the Fatality Analysis Reporting System, Oregon Driver License System, State DRE data collection system, among others, to support the State’s impaired driving program. The data from all sources is regularly evaluated to measure progress, determine program effectiveness, plan and implement new strategies, and ensure the appropriate allocation of resources. However, additional work is needed with the courts on timely electronic reporting of convictions, updating the statewide crash reporting, and working with local municipalities to do electronic reporting of crash reports.

Although Oregon’s current system of records is robust, improvements can be made in the collection and analysis of data and how this data is shared with partner agencies. The specific goals and plans to improve data systems are described below. The GAC on DUII strongly supports improvements in the collection of impaired driving data understanding the usefulness in helping to identify areas resulting in a decrease in impaired driving deaths and injuries. The GAC on DUII supports and promotes the availability, quality, collection, and use of timely data to support DUII enforcement, adjudication, programs, and initiatives.

Strategies in the Area of DUII Program Evaluation and Data Collection:

1. Explore the development of standardized electronic reporting of the Alcohol Influence Report for law enforcement agencies
2. Develop a single query to pull impaired driving arrests and disposition information from all available sources
3. Explore consolidating data collection systems to minimize duplicate data entry
4. Expand the availability of mobile data terminals, portable computers, or tablet devices for use by officers at roadside

Goals

- Reduce alcohol-impaired driving fatalities and serious injuries from the 2012-2016 average of 225 to 199 by December 31, 2020.
- Reduce alcohol-impaired driving fatality rate from the 2012-2016 average of 0.64 to 0.57 by December 31, 2020.

GAC on DUII Meeting Schedule

The proposed meeting schedule of the GAC on DUII during 2018 is as follows:

January 5, 2018

February 2, 2018

March 2, 2018

April 6, 2018

May 11, 2018

June 1, 2018

July 6, 2018

August 3, 2018

September 7, 2018

October 5, 2018

November 2, 2018

December 7, 2018

GAC on DUII Meeting Minutes

Oregon Department of Transportation

Transportation Safety Division / Governor's Advisory Committees / GAC on DUII

<http://www.oregon.gov/ODOT/Safety/Pages/GAC-DUII.aspx>

Program Evaluation

As noted in NHTSA's *Countermeasures that Work*, one of the most important actions a state can take to reduce impaired driving is conduct a thorough review of its DUII system. Alcohol-impaired driving laws evolve over time and are often extremely complex. Moreover, the various components of the DUII system are closely interrelated, so policies and practices in one part of the system can have unintended consequences elsewhere.

The GAC on DUII will continue to review the *Countermeasures that Work* annually to ensure implementation of the most important actions that will help reduce the impaired crashes in Oregon. The GAC on DUII will continue to update the IDSP annually to ensure the DUII system remains current and most effective.

Budget

The ODOT-TSD will fund projects through a combination of federal Section 402 (State Highway Safety Program Grant) and Section 405[d] (Impaired Driving Countermeasure Grant), State, and other local funding sources.

Plan Approval

The GAC on DUII met on March 2, 2018, to discuss impaired driving issues in the State and to develop this Plan. The membership subsequently approved the final version of the Plan on April 6, 2018.

Conclusion

In adopting this Impaired Driving Strategic Plan, Oregon hopes to continue its successes in reducing overall traffic fatalities by focusing on those fatalities caused by impaired drivers. The specific goals and plans outlined herein will assist in those efforts. When these strategies are fully implemented, we hope to meet our objective of reducing impaired driving fatalities by ***two percent annually***.

1st Draft 11/17/17

Revised 11/27/17

Revised 03/27/18

Revised 04/06/18

Oregon's GAC on DUII Executive Order

The Governor's Advisory Committee (GAC) on Driving Under the Influence of Intoxicants (DUII) was created by Executive Order No. EO-83-20 on December 13, 1983. The main purpose and role of the Committee is to advise the Governor and other statutorily created agencies on the problems and issues relating to driving under the influence of intoxicants in Oregon.

Oregon GAC on DUII Members (As of April 2018)

Charles E. Hayes, Chair
Cate Duke, Vice-Chair
Teresa A. Douglas
Lois E.J. Harvick
Robert D. Herried
John T. Mercer
Andy Olson
Kurt Miller
Joshua Wilson

Governor's Advisory Committee (GAC) on DUII Guidelines and Objectives

I. Purpose and Scope

The Governor's Advisory Committee (GAC) on Driving Under the Influence of Intoxicants (DUII) was created by Executive Order No. EO-83-20 on December 13, 1983. The main purpose and role of the Committee is to advise the Governor and other statutorily created agencies on the problems and issues relating to driving under the influence of intoxicants in Oregon.

Objectives

The Committee objectives are to:

- (a) Heighten public awareness of the seriousness of DUII;
- (b) Assist in the effort to end the impaired driving problem in an organized and systematic manner;
- (c) Generate public support for increased enforcement of state and local DUII laws; and
- (d) Educate the public as to the dangers of impaired driving and its effects.

II. Membership

Membership is by Governor's executive appointment. Executive appointments shall represent but are not limited to the following interests; education, enforcement, judicial, legislative, medical, prevention, prosecution, public interest and treatment.

III. Terms

Committee members shall be composed of individuals appointed by the Governor for terms of four years. The Governor appoints a chairperson from among the members of the Committee. No members shall serve on the Committee for more than two full terms of office unless the Governor deems appropriate. Members whose terms have expired will continue to serve until successors are appointed.

IV. Election of Officers

The Committee chairperson, from among the members shall be appointed by the Governor. The Committee vice-chairperson shall be selected by the Committee. In addition to serving as the presiding officers, the chairperson and vice-chairperson have all the rights and responsibilities of any other member of the Committee. The impaired driving program manager in the Transportation Safety Division shall serve as the legislative analyst and staff support. Other TSD personnel shall serve as administrative assistants.

V. Committee Duties

The primary role of the Committee is to support and assist in formulating administrative and legislative goals and objectives for reducing the incidence of DUII and to monitor their implementation. The Committee broadly represents the issues relating to the Legislative Assembly, public and private organizations involved in impaired driving countermeasure, victims of impaired drivers and the general public. Committee member duties and responsibilities include:

Presiding Officers: The chairperson presides at the Committee meetings. In the absence of the chairperson, the vice-chairperson presides. In the absence of both the chairperson and the vice-chairperson, the longest serving member of the Committee who is present presides. The presiding officer is responsible for the efficient and orderly conduct of the meetings. The presiding officer has the authority to impose reasonable restrictions, such as limiting the length of testimony or comments to relevant topics. The presiding officer may establish sub-committees if necessary to respond to legislative or other activities that impact the reduction of driving under the influence of intoxicants in Oregon.

Committee Members: (a) regular and on-time attendance at meetings; (b) notifying the Committee staff liaison if unable to attend a meeting; (c) preparing for Committee meetings by reviewing minutes and other materials provided in advance of the meetings; (d) understanding and following the democratic process; (e) examining available and relevant information before making judgments; (f) recognizing that the Committee serves the public interest; and (g) testifying before legislative committees on behalf of the Committee in support or opposition to legislative measure when asked to do so.

VI. Committee protocols

Meeting Intervals

The Committee shall meet monthly on dates established and agreed upon by the members or upon the direction of the chairperson. Committee meetings will be held at pre-designated and agreed upon locations unless the chairperson designates an alternate location. Members may attend meetings and may vote via telecommunications if necessary and pre-approved by the chairperson. Committee meetings will be posted on the Oregon Transportation Safety Division website and may be noted in press releases. When necessary, a scheduled meeting may be rescheduled or canceled by agreement of the Committee or upon direct of the chairperson.

Rules of Order and Parliamentary Procedure

The most current version of the Robert's Rule of Order shall be followed at Committee meetings.

Quorum Requirements for Meetings

A quorum is required to transact or approve/disprove Committee business. A majority of the Committee constitutes a quorum. If a quorum is not present, members may engage in discussion of issues but not take official action or otherwise exercise the authority of the committee.

Quorum Requirements for Official Action

When a quorum is present, the Committee may take official action and exercise the authority of the Committee. All official actions of the Committee must be taken by membership vote. Any member may propose a motion for the action of the Committee. A seconding motion is not required. The presiding officer may call for discussion of the motion. After discussion, or if no member wishes to speak on the motion, the presiding officer shall call for a vote. In order for a vote to be valid, at least a quorum of the entire Committee must concur in the result.

Voting

The vote of each member must be recorded for each action taken. Members who abstain from voting shall state a reason for the abstention.

VII. Meeting Agendas

To ensure that Committee members can be adequately prepared for meetings, and that the public receives notice of meetings, meeting agendas will be prepared and distributed approximately two weeks prior to the scheduled meetings. Any individual may request an item be placed on the agenda. A request must be received in writing at least 30 days prior to the date of the scheduled meeting and include:

- (a) A written statement explaining the subject matter of the item;
- (b) The action or result requested, if applicable;

- (c) The amount of time requested; and
- (d) Any other documents relevant to the item.

Any committee member may add an item to the agenda if received within a reasonable time prior to the meeting. The member will discuss the proposed agenda items with the chairperson or vice-chairperson prior to the meeting. During meetings, the Committee may request limited amendments but not add action items without prior approval.

VIII. Public Attendance and Participation

To encourage public input into the Committee's decision-making process, the following outlines the procedures for public participation during the Committee's meetings:

- (a) All Committee meetings are open to the public except when the Committee meets in executive session.
- (b) The Public Meetings Law does not guarantee public participation in a meeting.
- (c) The presiding officer is responsible to ensure orderly meetings and may depart from established procedures to invite public input.

IX. Committees and Subcommittees

The Committee or chairperson may designate committees or subcommittees (including work groups or task forces) to assist the Committee in carrying out various responsibilities. The Committee guidelines do not apply to committees and subcommittees which are governed by separate protocols according to the nature of the group.

X. Agency/Organizational Liaisons

The Committee welcomes and encourages liaison representation from various federal, state, local and private agencies involved in the prevention and reduction of impaired driving. Agency liaisons shall be approved by the Committee and included, but not limited to:

- (a) Public Health Division
- (b) Department of Public Safety Standards and Training
- (c) Driver and Motor Vehicle Services
- (d) Mothers Against Drunk Driving
- (e) National Highway Traffic Safety Administration
- (f) Oregon Association of Chiefs of Police
- (g) Oregon District Attorney's Association
- (h) Oregon Liquor Control Commission
- (i) Oregon State Police
- (j) Oregon State Sheriff's Association
- (k) Oregon Transportation Safety Division
- (l) Oregon Judicial Department
- (m) Oregon State Marine Board
- (n) Traffic Safety Resource Prosecutors
- (o) Clear Alliance

- (p) The DUII Multi-Disciplinary Training Task Force
- (q) Oregon Impact
- (r) AAA
- (s) Trauma Nurses Talk Tough