



Meeting Minutes | October 11, 2018

Welcome and New Member Introduction

Troy Walden delivered the state of impaired driving in Texas as well as other states that have legalized cannabis for recreational use and encouraged task force members in the work they are doing.

New Members

- Allison Rounsavall - TxDOT Adult Alcohol and Other Drugs Program Manager. She was previously the TxDOT Traffic Safety Specialist (TSS) in Lufkin. Allison is replacing Frank Saenz.
- Marsha Scott - TxDOT Youth Alcohol and Other Drugs Program Manager. She previously managed the Media Campaigns at TxDOT. Marsha is replacing Sherri Robelia.
- David Ocomb - Chief Planning and Research Officer at GDC Marketing. He is replacing Beth Wammack.

Visitors

- Mark Vincent - Irving PD. He is a part of their DWI enforcement unit.
- Ruby Martinez – TxDOT Program Manager. She was previously the TSS in the Pharr District.
- Carol Campa and Jessica Son - Representing for Terry Pence, who was unable to be present.

Old Business

- Support Letter for Governor's Task Force Update -- Under previous advice, we have revised the letter and will resubmit to the TxDOT Commission. The new letter has been drafted and was made available for members to review and provide feedback. After the task force meeting, the letter will be sent on to the TxDOT Commission.

New Business

- Task Force members were asked to review and sign the FY 2019 Letter of Commitment.
- Texas Statewide Impaired Driving Forum will be held February 6, 2019 in Pflugerville. The Task Force meeting will be held the following day, February 7, 2019 in Pflugerville as well. Task Force members were asked to promote the Forum to their colleagues.
- An announcement to film Member Spotlight Videos was made. Videos are filmed free of charge to members. (NOTE: These spots have since been filled). To that end, consider participating in the Learn More about the Organization Series (see below).
- "Learn More about the Organization" is a new series this year. It consists of completing 6 questions via email or phone. The interview will be featured online via the website and social media accounts. If interested in completing, please contact Paige Ericson-Graber.
- We are starting social media channels this year. We will begin with Facebook and Twitter. Organizations may be featured on both social media channels via the Spotlight videos and/or Learn More about the Organization series. An email will be circulated once those accounts are developed.

- Meeting minutes will now be made available online via the dyingtodrink.org website. This is being done in an effort for transparency as well as a resource for other coalitions and task forces to use.
- The next fall Task Force Meeting will be held Thursday, October 10, 2019 in Austin. Further details are forthcoming.
- We will be developing Performance Measures, Outcomes and Goals specifically for the Task Force. Traditionally, these have been derived from the Technical Assessment recommendations. However, many felt that after the last Technical Assessment there were many recommendations which could not be achieved by the Task Force. A survey will be sent to members for feedback on the Performance Measures, Outcomes and Goals they would like to see the Task Force take on. Survey results will be discussed at the Spring Task Force meeting and discuss potential goals and outcomes.
- Multi-State Assessment of State Impaired Driving Task Forces: Best Practices and Strategies. Click here to read the [full report](#).

TxDOT Update

- In FY 2018 – 111 projects were funded; In FY 2019 – 80 projects were funded. There were 5 Impaired Driving Media Campaigns which centered on holidays and festivities. Good outcomes and feedback have been received. There are 28 participating law enforcement agencies in the Impaired Driving Mobilizations this year.
- Project Celebration is a combination of education and lock-in events to help keep students stay safe and alcohol-free. The goal is to reduce the number of impaired driving injuries and deaths. These are held after prom or graduation. Awarded funds to over 200 schools.
- TxDOT is working to complete the RFP for FY 2020. The structure will be very similar to recent years. It will describe high priority needs, which will likely include some impaired driving. Tentatively this will be released on November 9, 2018.

Prosecutor's DWI Task Force

- A copy of the minutes are available [here](#).
- The Prosecutor's DWI Task Force took a critical eye to the 10-year plan of TDCAA and the TSRP. One of the biggest challenges that prosecutors are facing is jury selection. On December 7th, TDCAA is hosting a prosecutor-only training on jury selection. TDCAA will also be producing two videos on jury selection. This may be a one-year effort or may be continued moving forward.

Subcommittee Updates

Legislative

- If interested in joining, please let Clay Abbott or David Hodges know.
- A Doodle Poll will be sent out to establish a meeting in either late November or early December. The subcommittee plans to give an update in February on what has been filed. The subcommittee will give an update on what has passed at the fall task force meeting.
- If you are putting out PI&E related to DUI/DWI laws, please have them reviewed by Allison, Clay Abbott, and/or a lawyer. This will ensure that we are putting out consistent messaging that is correct and accurate. Be cautious when you are labeling the laws on the PI&E.

Education

- A recommendation from the Impaired Driving Technical Assessment was to distribute information about evidence-based prevention programs to K-12 schools. The subcommittee was charged with developing this resource guide. One of the largest delays in the completion of this reference book has been the need to assign the TEKS to each of the programs. This task has finally been completed (Huge Thank You to Nina).
- The Subcommittee and Task Force Administration are still working on the draft of the reference book. They are confident that a final draft of this reference book will be completed for the Spring Task Force meeting.

Website

- Website is being redesigned and reorganized. Among anticipated changes include changing the domain name from “dyingtodrink” to “Texas Impaired Driving Task Force” to better represent types of impairment and across all platforms. Social media platforms and additional detail about member programs will be integrated as well. The subcommittee is still working on the reorganizing the Resources page. The subcommittee plans to have the changes completed by the Spring Task Force Meeting.

The task force supported the changes being implemented and discussed ways to utilize the website to help members earn social media match. Members were open to using the website and expanding their reach on social media and increase their match. One way to increase the match for members to be featured in a blog post. Blog posts are one of the highest credit social media matches. One suggestion was to compile a list of everyone’s handles and hashtags to better intertwine the efforts.

Awards Selection

- There will be three award categories:
 - Texas Impaired Driving Safety Champion
The award candidate is selected by earning the most number of Task Force votes. The award recipient will receive a Spotlight Video, a glass award, and be recognized at the 2019 Forum.
 - Texas Impaired Driving Difference Maker
These are the second and third place candidates based on the Task Force vote. These winners will receive a plaque and be recognized at the 2019 Forum.
 - Honorable Mention
These candidates were selected by the Award Selection Subcommittee. They will receive a certificate and their names will be presented at the Forum; the recipients will not be called to the stage to receive the certificate.
- The Subcommittee presented a list of three anonymous/de-identified candidates and their accomplishments. Task Force members were asked to cast their blind vote to select the Champion and Difference Makers. The ballots will be tabulated and the winners will be revealed at the 2019 Forum.
- Thank you to the Task Force members for promoting the award and distributing the link to your networks. We are looking forward to the quality applications we will receive next year.

TABC Sunset Review

- Staff report will be published October 24 – 30, 2018. The Sunset Meeting, Public Testimony will be held December 12 – 13 (but it is for 7 agencies). The Sunset Meeting and Decision Finalized will be on January 9, 2019. It is recommended that if you want to testify, that you put it in writing and send it to the Sunset Commission.
- TABC Projects
 - www.2young2drink.com, Stakeholders can order outreach materials cost-free. If you will be printing large amounts of items and can use the TxDOT print shop, TABC can give you permission to print it there. If you will be printing large quantities, TABC can provide you with the art work and give you permission to print with your preferred printer.
 - Target Responsibility for Alcohol Connected Emergencies, or TRACE Program Is an enforcement operation at retail level. TABC is working to establish a toll-free number for law enforcement to contact to help with investigations. This will be a 24/7 hotline that will screen the calls and potentially dispatch a TABC officer to assist with the investigation of the licensed establishments.
 - DWI Prevention Expos
These will be done in response to changes at the local level to alcohol laws. The purpose is to educate stakeholders on the potential needs and consequences of changing the laws. Prevention advocates will be invited to promote their programs as well as be resources for communities making these changes.
 - TTI Project Focus Groups – Students
TABC is starting to look at how to educate retail establishments and entertainment districts and how to best educate those that are near colleges. The project found that messaging works best with college students when it is positive and reinforces positive behaviors. Drinking is “rampant” at tailgating parties, athletic events, and intermural events. Recommended partnering with apartment complexes to educate residents on social host laws.
 - TTI Project Focus Groups – Retailers
Most retailers are well-versed and knowledgeable about the current laws. Most appear to be following age restrictions and on-premised were concerned with not over-serving patrons. Most had experience with underage customers and refusals. Most admitted they were most likely to check an ID if they were working with someone else and less likely if the customer appeared to be in a hurry. TABC will share the final report from TTI when it is available with the larger Task Force when it is available to them.

New Projects – Lightning Round Discussion

- TMPA is hosting a Law Enforcement Impaired Driving Summit – June 24th and 25th (half day on June 24th). It will be held at the Omni South in Austin. Rooms will be available for those who are over 50 miles away. They are finalizing the agenda now. Facebook page will go live today.
- Texans Standing Tall (TST) may be changing its name. The new name is unknown at this time. TST is currently testing names. TST Advocacy Day is on February 19th. TST’s Statewide Summit is April 10-11, 2019, and there will be a scholarship form to apply for a scholarship.
- Watch UR BAC Program will be piloting a drug and alcohol impaired driving suit at some of their programs this year.

Ignition Interlock Sunset Review

TxDPS underwent Sunset Review this year for some of the divisions they have. The original Sunset Review from April 2018 recommendation was to remove TxDPS oversight of ignition interlock industry. At the public meeting held in August 2018, Sunset announced they did not accept the recommendation to remove TxDPS oversight of the ignition interlock industry. The final Sunset Staff report with Sunset recommendations, recommended that the recommendation was not adopted. As a result, TxDPS will retain oversight of the ignition interlock industry.

The industry will be monitoring the Legislature to see if anything new comes along related to interlock oversight, devices, etc. In addition, the ignition interlock industry hopes to improve the oversight and regulations. One potential new regulatory agency is the Texas Forensic Science Commission, Texas Department of Motor Vehicles, or Texas Department of Licensing and Regulation.

Task Force members discussed the history of how ignition interlock regulation ended up with TxDPS. In addition, the Task Force discussed the need for the customers to rely on their companies and devices as well as the public to rely that the devices are working and functioning as they should for public safety.

Judges are very concerned about the lack of regulations. NHTSA does not have an approved ignition interlock devices (IGN) list, but it does have device recommendations.

Closing the Gap in Ignition Interlock and Bond Conditions

Interlock Bond Statutes

Texas does not have a first offender law. If you are arrested for second offense DWI, Intoxication Manslaughter or Intoxication Assault, the magistrate shall impose an IID as a condition of bond. There is an out for the judge to waive this in the interest of justice. There is also an allowance of this statute for the magistrate to designate a monitoring authority. They can charge a \$10 monitoring fee per month to the offender for this monitoring. *Ex parte Elliot* upholds the IID condition of bond in Texas. An IID must be ordered as a condition of probation for second offenders, first offenders with a BAC of .15 or greater, DWI with child passenger, Intoxicated Assault, or Intoxicated Manslaughter.

The reason we are talking about this is research shows that the interventions are more effective if they are ordered closer to the incident. IIDs are more likely to be effective if ordered as a condition of bond. Most magistrates do not have the resources. Based on previous work, IID was only being ordered 25% of the time as a condition of bond, and 75% of the time as a condition of probation. A lot of this was due to lack of resources and education on the magistrate's part. The other issue was that reports were not being read. IID reports for misdemeanor DWIs are valuable sources of information for prosecutors and judges in determining the sentence for the offender.

Anecdotally, in training law enforcement, 95% reported that they have not seen an IID device or the license restriction. This is happening because orders are not getting to TxDPS and the suspension is over before the notice gets to TxDPS. The Government Code requires the reporting of probation departments when they are on probation but does not require this report of magistrates while the offender is on bond. Current restriction is P39. The restrictions don't get added to TCIC or any database; they stay local. This is okay in small jurisdictions but a big challenge in larger jurisdictions.

AAMVA has videos educating law enforcement officers on traffic stops with an IID. These will be shared with the larger Task Force to be included in programs and trainings.

Discussion Points

- **Monitoring Fees:** Potentially increasing fees to pay for staff time to monitor IIDs and offenders. If a probation department does the monitoring, they can charge \$20 - \$60 per month for monitoring. But magistrates cannot order the probation departments to do this. The counties that have probation departments do the monitoring have entered into agreements.
 - Collin County has pretrial monitoring. Typical caseload is around 900. They do not charge the \$10 monitoring fee, just a \$40 admin fee. But more and more, offenders are indigent, and the county must find a way to supervise the offender as well as cover the costs of the devices. Collin County has a \$10,000 budget for indigency which goes quickly.
- Need to get word out to judges to ensure that monitoring reports are being sent to prosecutors on the cases. Enact a requirement that the magistrates notify TxDPS when they order an IID as a condition of bond.
- No criminal offense for failure to install (as a condition of bond or probation). However, if the offender does not install as a condition of occupation license, then it is a Class B Misdemeanor. Would like to see this be a Class B offense. If the offender does not install, it is either contempt or a violation of probation. This would be a good tool for compliance with misdemeanor offenders. This would be particularly helpful for those on Pre-Trial and bond.
- Offenders are not a reliable source of information, so putting the onus on them to provide information to providers is difficult.
- TJCTC is conducting the DWI Bond Condition Program. Under this program, they are trying to meet with all the criminal magistrates, County Judge, probation and prosecution to address these issues in their counties. The primary issues have been:
 - Properly setting bond conditions
 - Monitoring
 - Enforcement – jurisdiction shifts during case progression through the criminal justice system.

Most effective way to get this to work is to get the probation department to buy in to this process (DWI Bond Condition Program). The challenge is that this is a local/county-based issue and that we need to ensure that counties are adopting good practices and policies.

Another gap area is during the removal process: interlocks cannot be removed without an order from the court, and often the providers are struggling to find the correct court or prosecutors to generate these orders. Often communication is the biggest hurdle; this is primarily true between the magistrates, prosecutors, and presiding judges. In addition, due to this lack of communication, there is often little follow-through and enforcement of the order to install the IID.

Summary & Adjourn

- Task Force members were encouraged to look at the upcoming events list and either attend or promote the events as they fit with the work they are doing. If you have any additional events that are not listed, please let the Task Force Administration know so that they may be added to the website and promoted to Task Force members.
- If you know someone who would want to go to TST's Summit but could not afford it, there will be a scholarship application on their website in a few weeks, or you can request one through Georgianne at gcrowll@texansstandingtall.org.

Action Items

- Based on the large group discussion, the Legislative Subcommittee discussed the need to meet earlier (now late-November to early December), so that they can be prepared for this type of legislation that may come. **David will send out Doodle Poll to subcommittee members to establish a date.**
- TTI, with Allison's approval, will share the report on Texas' Ignition Interlock Policies with the larger Task Force for their use in the legislative session. **Paige will send via email.**
- If issues with or are not receiving emails via Constant Contact, please contact Paige.
- **Once Task Force social media accounts are up and running, Paige will notify Task Force** so that members can notify their social media organizers to look out for requests/follows.
- The Task Force would like to see updated infographics on impaired driving for distribution to Legislature by Feb. 1, 2019. **Paige will lead.**
- TxDOT will determine if subgrantees can send logos to TABC in support of their TRACE program and will let the Task Force members know. **Allison will report back.**
- **Cheryl will look up Universal Code for DL's.**
- AAMVA has videos educating law enforcement officers on traffic stops with an IID.

Upcoming Events

- Our Driving Concern: Making a Difference Train-the-Trainer Workshop – Nov. 7 | Austin, TX
- Drug Impairment Training for the Texas Employer (DITTE) – Nov. 7 | Austin, TX
- Texas Impaired Driving Task Forum – Feb. 6, 2019 | Pflugerville, TX
- 2019 Spring Task Force Meeting – Feb. 7, 2019 | Pflugerville, TX
- Texans Standing Tall Advocacy Day – Feb. 19, 2019 | Austin, TX
- Lifesavers Conference – March 31 – Apr. 2, 2019 | Louisville, KY
- Texans Standing Tall's Statewide Summit – Apr. 10-11, 2019 | Austin, TX
- TMPA Impaired Driving Conference for Law Enforcement – June 24 – 25, 2019 | Austin, TX
- 2019 Drug Impact Conference – Jul. 22, 2019 | San Antonio, TX
- 2019 Fall Task Force Meeting – October 10, 2019 | Austin, TX