



## Texas Impaired Driving Task Force Meeting Meeting Minutes | October 10, 2019 at 9:30 AM

### Highlights

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### Welcome

- Paige Ericson-Graber welcomed everyone; asked participants to login to PollEv.com or to use a text message to join in the polls we will be taking.
- New members introduced themselves:
  - Mary Cunningham, Judicial Services Manager, TAC
  - Greg Degrazia, Asst. Manager License and Record Service, TxDPS
  - Asleigh Jons, Retailer Education and Compliance Analyst, TABC
  - Dr. Tara Karns-Wright, Asst. Professor, UT Health Science Center – San Antonio
  - Kate Lower, SHIFT Director, University of Texas
  - Sgt. Mark Vincent, Texas DPS Troopers Foundation
- New Visitors:
  - Trevis Beckworth, Scientific Director Breath Alcohol Testing Program, TxDPS
- Membership Expertise Needs
  - Treatment
  - Probation
  - Others?

Paige asked for any suggestions to be sent to her.

### Project Accomplishments

- Cecil Marquart (DECP Program) reported that they worked with the INSITE project at University of Dallas; report to come when complete.
- David Dorman (MADD); Power of Youth initiative presented to 16K students across TX. They are working on reinvigorating the program and compiling metrics on impact
- Nicole (TST) will become Texans for Safe and Drug Free Youth next week. They will be surveying on recreational and medical marijuana thoughts. They are looking at opportunities for health and safety issues amongst youth. Survey results will be released next week. Statewide summit is March 31-Apr 1, 2020. She will distribute the flyer. New website will be launched next week

(They have info on college campus rankings for TX colleges/universities so that parents can review alcohol policies on various colleges/universities (include what can be done that is most effective on alcohol policies)

- Bobbi Brooks (Watch UR BAC) is working in Top 25 counties. Send her an email if you would like to have resources. PEG offered to send some infographics to help.
- Lisa Minjares-Kyle (Teens in Driver Seat) is having statewide conference. Contact Lisa if you would like to exhibit. Dec. 7-9 in San Marcos. Jr high and HS students attend with focus on traffic safety. If you can't be there, they will take your info.
- Clay Abbott (TDCAA) discussed projects they are working on, and they are exploring looking at oral fluid testing again for the Prosecutors Task Force meeting, Dec. 13. Get hold of him today if you want to present something.

### **Old Business**

- Updated Impaired Driving Infographic - Impaired driving crash infographic and included in package with 2018 data. Each of the segments are broken down and are on our FB page. Members are welcome to post on their sites as well.
- Verify social media handles - Each member was asked to check the social media list to make sure their organization is correctly listed on our master list. We are trying to make sure we like and follow each other's sites.
- TxIDTF New Member Pamphlet - The TxIDTF new member pamphlet was shared with members. Additional copies are available if needed for distribution to other potential new members/recruiting tool.
- TxIDTF Newsletter - Paige shared the newsletter schedule for the rest of the year (12/15, 3/15, 6/15 and 9/15). She apologized for the delay in getting the newsletter out. Members were asked to share with others. Submission deadline is the 1<sup>st</sup> day of the newsletter month.
- Overview of TxIDTF Goals and Actions - At a previous meeting, members shared suggested goals and actions. During this meeting, members voted online or via text on which topic the TxIDTF should focus on next.

Based on the live polling results, the following are listed regarding priority:

- Marijuana Policy Areas (36%)
- Legislation (21%)
- State Impaired Driving Task Forces (14%)
- Data and Evaluation (11%)
- (Tie) Specialized Courts and Diversion Programs (7%)
- (Tie) Enforcement (7%)
- Automated Vehicles (4%)
- (Tie) Underage Impairment (0%)
- (Tie) Forensic Testing (0%)

### **New Business**

- Member spotlight videos will be on hiatus for FY 20 due to budget constraints. It is not to say that we will never again do this, but for this fiscal year it will be on hold. Current videos are still available on our website.
- Paige will send calendar invites through Meeting Invite going forward. It will still come from her, but it will reduce the steps for members.
- Texas Impaired Driving Plan was submitted to NHTSA. Paige thanked all members for their input and review and reminded them of the importance of this document in funding areas.
  - Terry Pence reiterated how important this doc is for TX applying for 402 funds. It is typically \$40 million that TX gets as a mid-range state. To be a mid-range state, a plan must be submitted and approved by NHTSA.
- About 5 years ago the NHTSA Impaired Driving Assessment was done. An outside team of objective experts will be coming in to do an assessment in 2020. This team will come in and after hearing testimony, compile a report with recommendations that Texas could make to improve its impaired driving program. Members will be asked to participate in the assessment once the date is set. Further information to come.
  - Terry said the Assessment gives recommendations to the State on what they are doing well while sharing ideas of what other states are doing that TX might consider. TxDOT will be submitting some potential dates to NHTSA with information gathered ahead of time to be sent to the team before they show up.

#### **TxDOT Update**

- Allison Rounsavall reported that TxDOT funded \$105 million in 300+ projects; 80 projects in alcohol/other drugs program area, totaling \$41 million in FY 19. In FY 20, total funding is \$90 million, awarding 71 alcohol/drug project and totaling \$39 million. In addition, there are 40 impaired driving mobilization and 155 STEP projects.
- Terry discussed concerns surrounding funding. Funding cuts were implemented and some projects did not secure funding. Planning is always difficult because it is contingent on Congressional funding. TxDOT uses trend analysis in looking at what was awarded in previous year. Essentially, there was \$4 million less carry forward for FY 19.

Looking ahead, they were looking at being overextended for 2019, which meant little carry forward, if any, for 2020. After additional trend analysis, TxDOT made the difficult decision to not fund and renew some projects. Under FASTACT = \$10.2 million. Under SAFETYLU, the State was given extra funds for enforcement, outreach efforts. During MAP-21 we still had carry forward. All of these funds have been expended, so all we have left is what is coming under FAST ACT. We anticipate receiving about the same amount (\$10.2 million in impaired driving), so they will be looking at expenditures from FY 19 and other components. TxDOT does not anticipate increases to any projects.

There was an explanation about specificity of Sec. 405B funds. IDM projects (4 specific funds) can be funded with 405B funds. STEP grants can't be funded by 405 funds. Would be in 402 funds. He pointed out that this formula structure can be very complicated.

Nov. 8, 2019 is the anticipated date for posting in TX Register. Proposal period will include online training, Q&A sessions, etc. TxDOT thanked everyone for all their hard work.

- Question: Does TxDOT anticipate mid-year FY20 opportunity to have discussions about funding?
  - TxDOT won't have a good picture until close out in mid-Dec. TxDOT stressed how important amendments are in allowing TxDOT to have additional funds available earlier if there are funds that subgrantees know they will not spend.
- Question: Should subgrantees try and submit new projects in FY 2020?
  - TxDOT encouraged everyone to submit new projects because all proposals get scored. Look at Problem ID and Solution carefully to see what has been identified. Existing solid projects are always scored high if they are doing great work and sometimes the funding runs out before all proposals can be funded.
- The Texas Transportation Commission adopted a formal goal of establishing a Goal of Zero fatalities on Texas roads by 2050, and to cut fatalities in half by 2035. As of 2018, our numbers are down. We are down to 3,648 lives lost on TX road; on average 10 people per day are killed in TX.

Nov. 7, 2000 is still date of last deathless day. Houston area press release coming on Nov. 7<sup>th</sup>, 2019 at City Hall. Keep reaching out to the public to let them know it will take all of us working together to end the streak. Social media is spreading about #endthestreak. Asked members to share this hashtag.

## **Subcommittee Updates**

### **Legislative**

- Clay Abbott updated the TxIDTF on legislative activities. The Subcommittee compiled a list of new legislation passed – complete overview [available online](#). Each area was assigned to the experts in the committee (e.g., Probation or Enforcement). Members were asked to look through carefully and review them so each project is saying the same thing.
- The biggest impact was the Hemp statute change. This is impacting prosecution across the state including lack of prosecuting simple possession cases. TxDPS is trying their best but is overloaded. Marijuana was “effectively decriminalized” although marijuana is still illegal. The Department of Agriculture will be the regulatory agency with 2 regulatory schemes. There was a public hearing in October where comments on the framework of regulating CBD oil were accepted.
  - Members were urged to be on high alert in advertising on CBD oil, which may set the stage for when MJ is passed. TxSDY is submitting comments about safety mechanisms on CBD distribution and sales. Hemp, CBD and marijuana (THC) are all from the same plant. Cannabis sativa is no longer illegal unless we can determine its THC content.
- Other pertinent legislative changes include new blue flashing light equipped vehicles will be under the “move over” law so may impact education of school children.
- Surcharges were done away with and previous charges forgiven. Passage of this law now makes thousands of drivers able to drive legally. Court costs for DWI were added to fees (in lieu of surcharges). This means that about 90% of cases will not be able to collect fees. If they are sent

to prison, there is no mechanism by which to collect these fees. DL renewal now funds at \$3 instead of \$1 to the fund.

- Deferred for DWI passed and now allows defendants to keep off their driving record if they complete. Also allows enhancement of DWI if they get a subsequent one. IID will be mandatory on deferred whereas it was not on probation. Diversion may be impacted by the passage of deferred.
- Failure to stop and render aid/hit and run. If you cause a fatality, you will go to jail. May lead to prosecutors using this instead of intoxication manslaughter because they want defendant to do the required 120 days in jail.

### Education

- Amber Trueblood and Nina Saint presented an update on the Education subcommittee. The reference book is now complete and was distributed to all members present. Health classes are now an elective and so a lot of things on alcohol are not being taught. K-6 has very few alcohol references. Very few students are being taught about driver education or the substance abuse issues. The reference book will be a great resource for public schools since these are all evidence-based programs and/or TxDOT subgrantee programs. Nina thanked the TTI staff for all their hard work.
- Amber discussed distribution of the booklet. Subcommittee members received the book but were encouraged to let us know where else it should be distributed. It is available [online](#) at the TxIDTF website. Flyers are also available to members to further promote the book. The book is a “living document” and it will be updated in FY 20. The subcommittee will also work with TTI education specialist to review and streamline the book. Members were asked to provide feedback to the subcommittee on any edits or distribution ideas.
- Question: Which Education Service Regions have received the books?
  - Region 6 ESC has requested the books but other ESCs have not gotten them yet.
  - Cecil will help facilitate distribution to other ESC’s. Nina mentioned WHISKERS (CDC database) on drugs. She sought input on drug education evidence-based programs that might be out there that we can add to the booklet.
- Others complimented the subcommittee on all their work on getting this booklet complete and the excellence of the document. Troy mentioned that he showed this booklet at the ICADTS conference in Canada and that there was interest from Japan. He congratulated the subcommittees for all their hard work.
- There was a suggestion to look at adding programs that reach other than just public schools, including employers.

### Website

- David Dorman provided the update. He discussed the subcommittee’s objectives. Great strides have been made to include the members’ page and the resources page. Community members can easily find information now, but we need to make sure they know to come to look for it on

our website. Members were encouraged to collaborate and provide feedback on what can easily become “viral” so that our spheres of influence expand.

- Future idea includes adding data subsets of where DWI’s occurred. This would be helpful when doing presentations to pinpoint where DWI’s were happening in the community. The goal is to make the website more interactive.
- Please share any resources you have so that they can be shared on the website. Members were encouraged to push their network to the website.
- There was a suggestion to direct users of the website to the TxSDY local coalitions that are working on alcohol and drug issues across the state.

### **Awards Selection**

- Lisa Robinson presented the nominations for our ID Traffic Safety awards. The subcommittee explained how the process worked and the criteria that was followed. A summary of the top 2 candidates was provided to members for their review.
- A blind vote was taken via a printed ballot. Members were asked to drop their completed ballot in the box by the registration table.

### **Upcoming Events**

Paige reminded the members that the IACP Drugs, Alcohol & Impaired Driving (DRE) Conference will be held in San Antonio next year, so it should be easy for those who budgeted conference attendance into their grants to get to instead of having to travel out of state to attend a conference of similar content. Other upcoming events are listed in the agenda that was given to members and is also found [below](#).

### **Member Spotlight Videos**

- [LEADERS](#) has reduced the time it takes a law enforcement officer to process DWI paperwork. This should be encouraging for officers to continue pursuit of DWI’s and still be able to get back in service to handle other calls. The program gathers much more detail on a DWI arrest via an electronic device instead of paper reporting. It allows for the information on the disposition of the arrest to be included in the LEADERS report.
- [TxSFY](#) (formerly Texans Standing Tall) organizes adults, youth, coalitions, agencies and others towards systems of change and improvement. TxSFY continues to educate local communities about the need to implement prevention strategies at the state level, such as keg registration, raising alcohol and tobacco excise taxes, a statewide smoke-free law, and emerging issues impacting youth substance abuse such as alcoholic energy drinks and smokeless tobacco products.

### **Large Group Discussion: Legalization of Recreational Marijuana**

- Terry noted that David Ocamb recently presented to the Traffic Safety Operations conference and pointed out that David’s agency has some extremely great results from recent marijuana surveying that they did.
- Jena Prescott introduced the discussion with an overview from the Oregon Summit on Marijuana. Jena transitioned into the large group discussion with the disclaimer that the handouts shared with members are resources and not lobby materials. After the report out,

Jena then opened the floor to the members to list any traffic safety initiatives or projects related to marijuana. This process will help us identify area gaps that are not currently being addressed so we can begin to develop programs and solutions.

- TDCAA: Drunk and drugged driving are similar when it comes to impairment and most people have alcohol and THC and other drugs. Poly-drug use is the rule, not the exception. He also mentioned that the impairment seen in alcohol stops and marijuana stops are very similar, based on recent studies.
  - His group is in its second year of teaching prosecutors in issues related to drugged driving.
  - He added that prosecutors know how to deal with drunk driving, but drugged driving is still a challenge. He recommends that the group stay proactive and do not wait for Texas to legalize marijuana to do something about it. Interstate drug traffic is on the rise. Non-smokable hemp is being sent across the borders.
  - He clarified that hemp, CBD, THC are all forms of Cannabis Sativa B. This information needs to be noted to parents and educators.
- MOCO DAO has been training officers about the poly-drug use issues. He expressed the same areas of concern as TDCAA.
- MADD's youth program will potentially add information about marijuana.
- TCMEC has been educating the judiciary on the new marijuana laws. His group has been talking about the new hemp law and vaping.
- TxDPS Troopers Foundation said if its officers smell marijuana, they need to start a DRE evaluation and test it.
- DECP State Coordinator pointed that poly-drug use is a big issue. Her group has been working with TxDPS to get all troopers ARIDE training.
- GDC Marketing has been measuring the awareness and attitudes of Texans towards marijuana to gauge what is necessary for a public education campaign when it comes to marijuana.
- RED Program mentioned that in their annual survey efforts, the group found that there has been a shift in how people perceive their driving abilities when under the influence of marijuana. He added that more people are reporting increased access to marijuana. He voices that an area of concern for the state is the lack of good information that can be distributed about marijuana and its effect on driving.
- Teens in the Driver Seat/U in the Driver Seat group surveys at the junior and high school levels. FY 19 was the first year that marijuana questions had been asked. The project will include focus group discussions that will involve the topic of marijuana use. She adds that zero-tolerance drug kits are distributed through her program.
  - She adds that the state needs to combat the perception of harm with students because people associate something legal as being safe. Her program is seeing the perception of harm has gone down.
  - She said that the state should capitalize on the vaping and THC issue. Coalitions have been doing work in the vaping area for years, but it doesn't seem to have caught up to the CBD and hemp issues.
- Watch UR BAC offers programs in which participants get to use "marijuana goggles." The goggles give participants the chance to experience the differences in perception of how

marijuana affects the body. She said that parents need to be educated in the marijuana culture and that the number one requested program is vaping education.

- TAC offers the Impaired Driving Symposium for judges, which includes topics on marijuana and driving.
- FRIDAY/ADAPT could concentrate on teaching cannabis education. He reports that officers are losing their jobs because they are using CBD products. He added that there had been an increase in products with obscure labeling.
- LEADRS recently hired a data analyst and is developing a planning committee to potentially develop an automated DRE evaluation reporting tool.
- TCJ said that a few areas that the state can focus on increasing education on drugged driving; what the DRE officers can offer during trial, and educate about drug trends and culture.
- SafeWay Driving offers drug and alcohol drug awareness programs to students.
- TxDPS – Crime Lab, Breath Testing said that education and outreach to forensic scientists on topics of drug impaired driving helps toxicologist testify in court.
- TxDPS – Crime Lab, Toxicology said that Delta 8-THC and Delta 9-THC is hard to differentiate. Toxicology labs are reporting more carboxy THC, alprazolam, and delta 9-THC. She added that there is a project between DPS toxicology lab and Sam Houston to determine the difference between hemp and marijuana.
- AAA Texas offers training to officers and prosecutors on drugged driving issues. She added that the AAA foundation also releases studies on drugged driving that can be helpful to LEs and prosecutors.
- Travis County Underage Prevention Program said that there are no programs in Travis County that teach about marijuana prevention classes. She advocates that basic marijuana prevention class with the legal and social consequences is necessary.
- SHIFT Program said that the national health college assessment looks at the frequency of drug of individual and peers use. The assessment found that there is a difference in the perception of harm. She added that social norming is necessary to fix the perception and actual use among people. She also mentioned that looking at motivations such as the release of anxiety, improving sleep, and the thought that using marijuana is safe are common factors considered by college students. She added that the perception of impaired driving via cannabis is much different. Impaired driving is high-risk driving. She is concerned that information about the dangers of drugged driving is not being shared with the student population. She recommends that the message shared with students about the drugged driving problem needs to be geared more towards shifting student's perceptions and attitudes towards the problem.
- Texas ASAP said that gathering information from treatment facilities provides insight into the admission rates. Admission rates remain stable – a quarter of admissions are marijuana, alcohol is number one, and then other drugs. Methamphetamine is the biggest threat when it comes to addiction. Her main message is that the addicted brain is the addicted brain. You get a poly-drug user in treatment. You cure one drug, people move on to other types of drugs.
- TxSFY has been working on a survey about Texans' attitudes about the legalization of marijuana; it included scenarios for the public to judge. She thinks that the most persuasive point to bring the point across is that kids are becoming addicted; and that the industry needs to be careful about creating kid-friendly products (gummy bears; flavoring, etc.). Her group is focusing on monitoring the regulatory frame on the marijuana landscape.



- TJCTC said that e-cigarettes and vaping are issues that has been increasing in the judicial education program.

## Action Items

- **TDCAA Prosecutor's Task Force.** If anyone was interested in presenting at the TDCAA's Prosecutors Task Force Meeting, they needed to get with Clay before the end of 10.10.19.
- **INSITE Final Report.** Cecil Marquart will send Individual Nystagmus Simulated Training Experience (INSITE) final report. INSITE trains and helps officers identify horizontal gaze nystagmus, which is one of the best indicators of impairment. Look for the report next month.
- **Texans for Safe and Drug Free Youth (formerly Texans Standing Tall) marijuana attitudes survey results.** Nicole will send the results from the marijuana survey, and they should be available in the next week. Look for them in a follow-up email.
- **Watch UR BAC ToolKit.** Anyone interested in having their materials included in the Watch UR BAC toolkit should send electronic copies of materials to [Bobbi Brooks](#) by November 30.
- **Exhibiting at Teens in the Driver Seat Summit.** If you're interested in exhibiting at the Teens in the Driver Seat Summit from December 7-9, 2019 in San Marcos, please reach out to [Lisa Minjares-Kyle](#).
- **EndtheStreakTX Press Event.** TxDOT is holding a #endthestreakTX Press Event on November 7, 2019 @ 10:30 AM at the City Hall in Houston. Everyone is invited to participate this event. The last deathless day on Texas roadways was almost 19 years ago. For more information about the campaign, [click here](#).
- **Education Subcommittee's Reference Book Suggestions.** The Education Subcommittee debuted the TxIDTF Recommendations for Alcohol and Drug Prevention Program K-12<sup>th</sup> Grades reference book. If you have any ideas for further distribution or content edits, contact [Nina Saint](#) and [Amber Trueblood](#).
- **Crash Data for the TxIDTF.** As requested by the TxIDTF, the TxIDTF Administration will look into the possibility of creating crash data maps and analytical tools that can be made available on the TxIDTF website.
- **NSC Opioids at Work Employer Toolkit.** The toolkit will help you understand opioids and how they impact job performance and your bottom line, recognize the signs of impairment, educate employees on risks of opioid use, incorporate the right elements into drug-related HR policies and procedures, and support employees who are struggling with opioid misuse or opioid use disorder. [Request the toolkit here](#).
- **TxIDTF Newsletter Materials.** If you have any materials that you would like included in the next newsletter edition, please send to [Paige](#) by December 1. The newsletter will be distributed on December 15, 2019.
- **FY 2020 Commitment Letter.** If you were not at the meeting, please sign and return the attached commitment letter to [Paige](#) as soon as possible. Returning the letter reaffirms your commitment to serving on the TxIDTF.
- **Next TxIDTF Meetings**
  - Thursday, February 12, 2020 | San Marcos
  - Thursday, October 8, 2020 | Austin

## Upcoming Events

- [8-hr SFST Refresher Course](#) – November 5, 2019 | McAllen, TX
- [FRIDAY Training](#) – November 6, 2019 | Bee Cave, TX
- TxDOT [Endthestreak](#) Press Event – November 7, 2019 | Houston, TX
- [ODC Drug Impairment Training for Texas Employers](#) – November 14, 2019 | Webcast
- [RED Program](#) – November 16, 2019 | Dallas, TX
- [ADAPT Training](#) – November 22, 2019 | Texas City, TX
- [Teens in the Driver Seat Summit](#) – December 7-9, 2019 | San Marcos, TX
- [Drug Impairment Training for Educational Professionals \(DITEP\)](#) – January 15, 2020 | Kilgore, TX
- [Advanced Roadside Impaired Driving Enforcement \(ARIDE\)](#) – February 4-5, 2020 | Waco, TX
- [2020 Texas Impaired Driving Forum](#) – February 12, 2020 | San Marcos, TX
- [Lifesavers Conference](#) – March 15-17, 2020 | Tampa, FL
- [Texans for Safe and Drug Free Youth](#) 2020 Statewide Summit – March 31 – April 1, 2020 | Austin, TX
- [TMCEC Traffic Safety Conference](#) – April 6-8, 2020 | Austin, TX
- [IACP Drugs, Alcohol, and Impaired Driving Conference](#) – August 6-8, 2020 | San Antonio, TX
- [ATSIP Traffic Records Forum](#) – August 9-12, 2020 | Nashville, TN