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## Meeting Notes

10:00 AM

Welcome Introductions

**Christine Adams**

- Introduced New Members and Guests
  - Terry Wilt – Travis County underage Drinking Prevention Program (in place of Sarah Martinez)
  - Nancy Winn – Texas Department of Transportation, Program Manager
  - Taylor Vanegas – Montgomery County District Attorney’s Office, Vehicular Crimes Unit

- TxDOT Update

**Carol Campa**

- Completed RFP in January 2024. There were 288 proposals (including STEP).
- Scoring process has been completed. Now reviewing the scores and determining funding.

- FARS Data / Revised CR-3

**Jim Markham**

- Jim presented at the Texas Impaired Driving Forum on the pending changes to the CR-3
  - He received good feedback from officers in attendance.
- A field for “expect alcohol involved? Yes or No” will be added for all KA crashes (also will add for drugs)
  - Will help close the gap between the FARS numbers and CRIS numbers (e.g., in 2021 – FARS reported over 1900 BAC>0.08 fatal crashes in Texas and CRIS reported just over 800 BAC>0.08 fatal crashes
    - Discrepancy comes from NHTSA estimating BAC>0.08 for all fatal crashes without a reported BAC/alcohol involved. Adding the field for “Expect alcohol involved? Yes or No” will help reduce some of the crashes the estimation applies to
      - Also adding “Expect drugs involved? Yes or No”
- TxIDTF members requested a check box for polydrug use be added in the CR-3 revisions

10:30 AM

New Business

**Christine Adams**

- 2024 Texas Impaired Driving Forum
  - There were 263 attendees. This represents a slight increase from the previous year.
  - The Forum moved from the Norris Conference Center to the Southpark Hotel in an effort to increase space. However, TxIDTF members reported that the space was still cramped for some sessions.

- To help predict the most popular sessions and plan appropriate size rooms better, it was suggested the Forum Planning Team can have attendees register for breakout sessions in advance
- It was requested to provide CEU for prevention stakeholders. The Forum Planning Team will try to accommodate that request for next year.
- The Opening Plenary Session was well received. Attendees enjoyed the Pause for Purpose, followed by the awards.
- By not having a speaker during lunch, it allowed time for networking.
- Sessions were a good amount of time at 1 hour and 15 minutes.
- Next year, requested lapel mics. The handheld mics were difficult to use for some speakers.
- TxIDTF members suggested a mix of both general sessions and breakout sessions so the most relevant speakers can be seen by all. Speakers/topics for 2025.
  - More Texas speakers were requested for 2025.
  - A session on SBIRT was requested.
  - Drug trends (Contact for Toxicologist in Louisiana – Judge Weiser)
  - Ryan Smith was great! Can he come back and present next year in person? He had to present virtually this year due to travel issues.
  - More on coalition building.
  - Law Enforcement Phlebotomy Programs in Texas – Roundtable Discussion
  - DWI Plea Bargains

11:00 AM

## Quarterly Updates

- **Judiciary** **Judge Weiser**
  - Notable Changes: Drugged Driving, Cannabis Products, Lab Analysis
  - Bonds – still implementing SB6
    - No changes since last update.
    - Continuing judicial education on SB6
    - Required 8 hours available online
    - 1 hour bail refresher available online
    - Criminal Justice Conference 1 hour Breakout: “Bonds, Bonds, Bonds and More Bonds”
  - Upcoming Education – February
    - Criminal Justice Conference: The Intersection of AI and Impaired Driving, Breath and Blood Evidence Issues in DWI Cases, DWI Jury Charges
    - “Noontime Knowledge” discussion of mandatory traffic fines
  - Upcoming Education – March
    - 2024 Basic and Advanced DWI Court Team Training (open to all new team members – not just judges)
      - Basic Day One: The Promise of DWI Courts, Addiction and the Brain, Screening and Assessment, Supervising Offenders, Drug Testing

- Basic Day 2: Behavior Change 101, Staffing and Court Review, Limitations and Liabilities, Sanctions and Incentives, DWI Court Viewing and Discussion
  - Advanced Day 1: Change Agent, I'm Not Sick, I Don't Need Help, Assessments and What to Do With Them, Have You Done Everything to Avoid Termination?, Top Ten Crashes on the Road to Good Communication, Team Role Breakouts
  - Advanced Day 2: Research-Driven Therapies for Survivors of Trauma, Is Marijuana Medicine? What We Know and What We Don't Know, The Importance of Law Enforcement in Your DWI Court
- Upcoming Education – April
  - Regional Conferences: The Benefits of Judicial Collaboration in Impaired Driving Cases, DWI Case Law Update, DWI Plea Bargain Issues: What Would You Do?
- Texas has one of the best judicial education programs in the country
- Retailer Enforcement and Education **David Doggett**
  - TABC is starting their underage drinking initiatives with spring break coming up
    - Operations in South Padre Island and Corpus Christi
    - Operations at SXSW Festival in Austin
    - Operations at the Fiesta Celebration in San Antonio
  - Consumer Delivery/Alcohol To Go
    - During the COVID Pandemic the Governor issued Executive Orders that relaxed the control of how alcoholic beverages were sold.
    - After the pandemic, the 87<sup>th</sup> Texas Legislature codified this into law to allow bars and restaurants to continue delivering and selling A/B to go with stipulations.
    - Eligibility of Certain Retailers: Mixed Beverage and Private Clubs:
      - Must holder a Food and Beverage Certificate
      - Must be sold with a bonafide order of food.
      - Alcohol must be in the original container sealed by the manufacturer or in a tamper-proof container by the retailer.
      - For consumption off the premises
      - May also make deliveries
    - Eligibility of Certain Retailers: Consumer Delivery Permit (CD)
      - The CD permittee may make deliveries of alcoholic beverages only in response to bona fide orders placed by the consumer. The holder may employ or contract with a driver to deliver alcoholic beverages from an authorized retailer's premises to an ultimate consumer located in an area that is legal/wet for the type of beverage being delivered. The beverage being delivered must be sold to the consumer by specifically authorized retailers that hold a license or permit including off-premise locations.

- Any person delivering alcohol under this authority must **be at least 21 years old** and hold a valid driver's license.
  - Requirements for Completing a Delivery: The same standards for selling/serving alcohol to consumers on a retailer's premises apply to delivering alcohol to consumers located off the retailer's premises. It is illegal to deliver an alcoholic beverage to a minor or an intoxicated person. Additionally, **it requires the recipient of the alcohol to present the driver with valid proof of their** identity and age before the alcohol is handed over to the recipient.
  - Few complaints have been filed about Alcohol To-Go/Consumer Delivery but TABC started doing compliance checks in the Summer of 2023.
    - To determine the level of compliance regarding Consumer Delivery (CD) Permits and licensed locations offering alcohol to-go.
    - Field Operations along with Audit and Investigations (A&I) conducted operations over a two-month period.
    - Field Operations focused on public safety violations and A&I on regulatory violations.
    - Consumer Delivery Violations (98 attempts) – complicated operation (requires hotel rooms, numerous undercover minors, logistically difficult and time consuming)
      - 10-Making A/B Available to a Minor (Criminal Only)
      - 1-Improper Packaging (Admin Only)
    - To-Go Violations (101 attempts) – minor operation, did not order online (orders placed in-person)
      - 29-Sale to Minor (Adm/Crim)
      - 21-Improper Packaging (Adm Only)
      - 4-Permit Removal (Adm Only)
      - 1-Sold without Food (Adm Only)
      - 2-No FB (Adm Only)
  - Question: Would law enforcement arrest a delivery driver with an open container? Would prosecutors pursue charges? Issue with intent of the driver. Businesses are protected from criminal charges.
- Impaired Driving Enforcement Training and Detection **Carlos Champion**
  - On track to meet all FY 2024 training expectations for SFST, DRE, ARIDE
    - 369 DREs
    - 43 DRE Instructors
    - 121 DRE Agencies
    - 561 Enforcement Evaluations in 2023
  - Issue identified with nonuniform SFST training across the State.
    - SFST is the base to DRE and ARIDE. Officers must perform a SFST proficiency test in DRE/ARIDE classes but it has become clear that officers are completing the tests differently depending on how they were trained. This is an issue since



military/veteran contact in Texas. Nancy Winn to reach out to drug treatment court contacts.

3. Develop partnerships with major corporations, or their representative professional associations, to expand the reach of the impaired driving program and potential funding and/or incentive opportunities.
- Prevention:
    1. Promote and support placement of school resource officers (SROs) in schools throughout Texas.
      - Prevention Subcommittee to address school representative.
  - Enforcement:
    1. Support the expansion of Law Enforcement Advanced Data Reporting System (LEADRS).
      - The Executive Committee signed a letter of support to utilize LEADRS as a foundational component for a statewide DWI tracking system. **Is there anything else the TxIDTF can do to support this recommendation?** Not at this time - the letter is in the hands of TxDOT leadership.
    2. Encourage the Texas Chiefs of Police Association and the Sheriffs' Association of Texas to develop traffic safety committees.
      - Kevin Harris to reach out to Chiefs of Police Association contacts.
  - Prosecution:
    1. Write a white paper setting out the requirements and rationale for a complete *driving while intoxicated tracking system*.
    2. Obtain technical assistance to determine if and how the prosecutor case management systems currently in use can share data and what other agencies might be included in the sharing.
      - Clay working on questionnaire to survey prosecutor offices on the requirements and rationale for a DWI tracking system. Expected to be completed in FY2025.
  - Adjudication:
    1. Work with Law Enforcement Advanced Data Reporting System (LEADRS) and other justice information systems to design a path forward to have a *driving while intoxicated tracking system*.
    2. Invite the tribal court judges and staff to attend the Texas DWI training.
      - TxIDTF members to reach out to tribal contacts. Clay has invited tribes to prosecutor trainings. David has been requested to provide SFST training to the Kickapoo tribe (issue with funding)
  - Alcohol and Other Drug Misuse
    1. Identify, train, and support qualified assessment and evaluation professionals in underserved areas.
    2. Conduct an impact evaluation of driving while intoxicated courts.

- The Governor's Specialty Court Advisory Council will be conducting an evaluation of two DWI Courts in 2024:  
Dallas County Misdemeanor DWI Court, Dallas County Felony DWI Court
- TxIDTF members then broke out into stakeholder groups to discuss the Plan more thoroughly. All revisions are due to Christine by March 15.

3:00 PM

Conclusion and Adjournment

- Next Meeting: April 25, 2024 at the Norris Conference Center in Austin, TX