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## Meeting Notes

10:00 AM

Welcome Introductions

Larry Krantz

- TxDOT Update

David Palmer

- David introduced himself as the Director of the Behavioral Traffic Safety (BTS) Program at TxDOT.
- Background: Former law enforcement who has experience being a subgrantee of TxDOT.
- Approach: Leverage subgrantee experience to enhance grantee/sub-grantee processes; prioritize partnerships and collaboration on projects.
- RFPs: STEP and General RFP will be released November 14<sup>th</sup>.
  - Updates to RFP documents and processes; communication with Program Managers (PMs) allowed after release.
  - For assistance, direct questions to your PM or to [egrantshelp@txdot.gov](mailto:egrantshelp@txdot.gov).
  - Responses will be compiled and shared in a FAQ document.
  - Subcontractors:
    - Include a draft subcontract in the RFP submission (signature not required at this stage).
    - When contracts begin Oct 1, 2026, upload the signed subcontract as a supplemental document.
- Impaired Driving Forum (2027):
  - Considerations discussed with Task Force members.
  - Feedback requested from membership.

10:15 AM

FY2026 Task Force Events

Christine Adams

- **Congratulations to the Texas Impaired Driving Task Force!**
  - National Liquor Law Enforcement Association will honor the Texas Impaired Driving Task Force with the John W. Britt Community Service Award – Nominated by David Doggett
  - “For an extraordinary dedication to reducing and eliminating deaths and injuries caused by impaired driving in Texas. Your work as a partnership of impaired driving safety stakeholders embodies the spirit of this award.”
  - Nicole Holt and Texans for Safe and Drug Free Youth will also be awarded for their efforts on alcohol to-go.
- **Assessment Questions and Testimony**
  - Hybrid model (portal + in-person testimony).
  - Portal opens Nov 17 – Dec 12; reopens in January for Round 2.

- Training scheduled Nov 13 at 1:00 PM CST; recording and FAQ will be available for reference.
- In-person testimony expected February 23-25; flexibility requested for scheduling.
- Assigned questions will be distributed; regional input encouraged.
- **Impaired Driving Forum**
  - Scheduled for March 25<sup>th</sup> in San Marcos; logistics will be shared soon.
  - Speaker suggestions requested; list will be compiled and shared for feedback.
- **Meetings**
  - February 5<sup>th</sup> - Prepping for in-person testimonies for the Impaired Driving Assessment
  - March 26<sup>th</sup> – Day after Forum – Discussing Impaired Driving Plan
  - August 6<sup>th</sup> – Wrap-up year
  - Calendar invitations will be distributed. It is imperative that you respond to those invitations appropriately. This is how we will receive a headcount for our new venue. Please try to avoid changing your RSVP the week of the meeting.

10:30 AM

#### Quarterly Updates

- **Judicial Bond** **Judge Weiser**
  - Bond & Changes:
    - [SB 9](#): Public Safety Report - New Requirement for Judges when setting bond; Effective 4/1/2026
      - Includes current supervision status (e.g., parole, probation)
      - Includes bail status or pre-trial program participation
      - Includes active warrants, including supervision violations
    - [Article 17.027 CCP](#): Notify other county if felony arrest occurs while out on felony bond. Notification required by next business day; Effective 1/1/2026
      - Court must consider revoking, modifying, or re-evaluating prior felony bond after new arrest; Effective 4/1/2026
    - District Judges will handle more felony bail / bond decisions (rather than magistrates); training planned for District Judges.
      - [Chapter 54 \(Government Code\)](#): magistrates cannot release on bail if defendant:
        - Is charged with a felony and was on bail, parole, or supervision for another felony
        - Has 2+ prior felony convictions and served time in TDCJ
        - Is under an immigration detainer
      - Magistrates cannot release on bail for defendants charged with:
        - Murder, Capital Murder
        - Aggravated Kidnapping
        - Aggravated Sexual Assault

- [Art. 17.029](#) CCP Added: District Judges can review bail decisions made by magistrates who lack trial jurisdiction over the felony charge.
  - No personal bond for:
    - Fentanyl murder
    - Felon in unlawful possession of a firearm
    - Terroristic threat (Class A or higher)
    - Unlawful firearm possession
    - Defendants on parole at time of new offense
- [Art. 17.151](#): Release required if state not ready for trial:
  - Felony: after 90 days
  - Class A Misdemeanor: after 30 days
  - Class B Misdemeanor: after 15 days
- [Art. 17.09 Section 3 Amended](#) CCP in response to Art 17.151: Judge may re-order arrest if bond is:
  - Defective
  - Excessive
  - Insufficient
  - Sureties unacceptable
  - Other good and sufficient cause
- [Art 17.092](#): Magistrates cannot reduce bond set by a District Judge. Only higher courts (Supreme, Criminal Appeals, Appeals, or District Judges) may modify bond.

- Legislative Updates

**Clay Abbott**

- DWI Law Changes:
  - [SB 745](#): Intoxication manslaughter becomes aggravated 1st-degree felony if multiple deaths occur in one crash
    - Sentences for multiple victims are stacked, not concurrent
    - Punishment: 5–99 years or life
  - [SB 826](#): DWI in a school zone during reduced speed hours = state jail felony; Penalties include up to 2 years in state jail.
    - Felony resources will be allowable, CPS will be able to intervene.
    - Need to get word out of this law to schools, organizations, parents, etc.
  - Grayson's Law ([HB2017](#)):
    - Targets defendants with:
      - Prior convictions, intoxication manslaughter charges, and immigration violations.
    - Key Provisions:
      - Intoxication manslaughter becomes a 1st-degree felony if the defendant has prior intoxication offenses and is unlawfully present in the U.S.
      - Minimum sentence: 10 years calendar time, no probation or parole eligibility until served.
      - Criminal trespass may be charged, but arrest/prosecution of non-citizens is restricted.
      - Supremacy Clause may limit state prosecution of

- immigration-related offenses.
  - Chapter 51 enforcement by DPS and others is ongoing, despite legal challenges and prosecutorial limitations.
- Clay will share meeting minutes from the DWI Prosecutor Task Force with members for review. He will also share more regarding new program initiatives aimed at supporting early-career prosecutors through the DWI Prosecutor Task Force.
- Cannabis & THC Regulation:
  - Ongoing efforts by TABC, DSHS, and DPS to regulate THC products; comment period expected mid-November.
  - David Doggett will present a full TABC report at the February Task Force meeting.
    - Licensing Data:
      - ~800–900 dual hemp/alcohol license holders
      - Current estimate may be low due to multi-location permits
      - Hope is that regulations will require one permit per site
      - Clarification needed for accurate enforcement
  - Considerations when creating regulations:
    - Applicable taxes (ideally supporting crime labs)
    - Ensure regular reporting between agencies
    - DPS coordinating statewide compliance with other agencies
    - If regulations allow local opt-outs, encourage communities to consider that option.
      - Texas has dry counties for alcohol. Similarly, Colorado allowed jurisdictions to opt out of cannabis dispensary zoning.
  - A multi-agency study was requested to review regulations
  - [HB 309](#) did not pass—it stalled without support or hearings.
  - [SB 3 \(vetoed\)](#) would have removed all THC products from shelves
  - [Federal Appropriations Bill](#):
    - Bill includes a provision that could ban intoxicating hemp products, threatening the hemp consumables market.
    - 39 State Attorneys Generals urged Congress to close the 2018 Farm Bill loophole allowing unregulated THC products.
    - If THC products are banned, other impairing substances may remain, potentially becoming substitutes.
    - Most products affected are already outside FDA guidelines, but lack enforcement.
    - Local law enforcement may need support to remove these products without relying solely on executive orders.
  - Enforcing existing FDA rules could help clean up the market ahead of expected FDA action.

- THC Products in Stores: Found in on-premise locations; risk when consumers drive after use.
  - [GMA Story](#)
  - Labeling Issues: Misleading THC beverage labels—small cans with multiple servings, high total THC.
  - No Tax or Oversight: No taxation or funding for regulation; loopholes allow sale of chemically altered products.
  - Regulatory Gaps: Products like kratom remain unaddressed; agencies overwhelmed and underfunded.
  - Agency Collaboration: DSHS, TABC, DPS working together; regulations in progress.
  - Enforcement Challenges: Limited inspections; some stores unlicensed or misclassified.
  - Legalization Path: Task force aims to set priorities—visible enforcement, public info, no mixed consumption.
  - Industry Influence: Alcohol sellers expanding into THC; potential conflicts of interest.
  - “Zebra Striping” Concept: Alternating alcohol and THC beverages in on-premise locations; raises safety concerns.
  - Upcoming Rules: TABC to release rules soon; public comment period expected Nov 14–17 (30 days).
  - New Consumers: Education and prevention initiatives needed; Task Force Subcommittees will develop priorities and messaging.

- Education and Prevention

**Emma Dugas**

- Focus on collaboration with SROs and community outreach.
- Plans for infographics and public education campaigns by year-end.
  - Collaboration with the Alcohol and Cannabis Subcommittee
- Explore opportunities to present at TX SRO Conference (July 2026).

- Toxicology

**Trevis Beckworth**

- New THC testing method implemented; breath alcohol recalibration planned for 2026-2027.
- Law for managing toxicology evidence:
  - There is a large backlog of toxicology kits (approx. 50,000 pieces of evidence).
  - New law requires labs to notify prosecutors annually about all toxicology evidence they hold and request instructions.
  - If prosecutors do not provide a written denial, labs can destroy the evidence after 90 days via this law.
  - Labs want to partner with prosecutors to clarify what can be destroyed.
  - Goal: If destruction is permissible, prosecutors should inform labs promptly.
- Labs addressing backlog and improving turnaround times (have hired ~20 people); forensic internship program proposed ([SB1620](#)).
- Discussion on NHTSA’s push to end “stop testing” policies; significant resource implications.

- Trend in Labs: Many labs are raising the threshold for stopping alcohol testing (e.g., to BAC levels from 0.10 to 0.15).
- Current Practice: State lab operates at a 0.10 BAC limit (by DPS policy, not statute).
- Potential Changes Discussed:
  - Increase BAC threshold further.
  - Expand testing to include cases with live victims who have bodily injury.
  - Broaden the number of categories excluded from testing.

12:00 PM

## LUNCH

1:00 PM

### Oral Fluid Testing

**Rob Duckworth**  
**Brian Swift**

- NASID's Role: Focuses on impaired and drugged driving; oral fluid testing is a core initiative.
- Founded with support from Responsibility.org to address drugged driving.
- Proven Effectiveness: Michigan pilot (2017–2019) showed strong results; now advancing toward permanent adoption.
- National Support: Presentation highlights benefits and implementation in other states; endorsed by NHTSA.
- Operational Advantages: Oral fluid testing improves detection windows and enhances confidence in impairment assessments.
- Technical Considerations: Contamination concerns; THC behavior and detection dynamics explained.

2:00 PM

### Probation Liaison Program - IDA

**Andrea Henderson**

- Emphasis on validated tools for DWI population (RANT, CARS, IDA).
- IDA highlighted as free, NHTSA-supported tool for risk/needs assessment.
- Encouraging adoption in TX probation processes; potential use in pretrial.
- Supervision Tools:
  - Remind departments of available tools for DWI clients; screening and assessment guide supervision and treatment.
- IDA (Impaired Driving Assessment):
  - Free, NHTSA-supported tool; measures risk/needs and guides referrals.
  - Helps identify high-risk offenders (1/3 who won't self-correct) vs. low-risk (2/3 who will).
  - Includes self-report, history, and cross-validation for accuracy.
- Validated DWI Tools:
  - RANT, CARS, and IDA (TRAS not validated for DWI).
    - RANT: Cost associated with use.
    - CARS: Computerized, free, includes mental health component
    - IDA: Free, widely accessible.
- Effective Strategies:
  - Match clients to appropriate programs; address mental health early.
  - Use brief interventions, accountability, and swift sanctions.
- Texas Initiatives:
  - Region 6 exploring IDA adoption; meetings with CJAD to integrate into

probation.

- Potential expansion in Bexar, Brazoria, and El Paso; interest in pre-trial use with MOUs to protect client info.
- Training:
  - Anyone can be trained on IDA (probation, treatment providers); contact Andrea for certification ([probationreg6@csg.org](mailto:probationreg6@csg.org); 713-962-4432).

3:00 PM

Conclusion and Adjournment

