



# INTERAGENCY TASK FORCE on DRUNK DRIVING



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2009 LEGISLATIVE REPORT

Interagency  
**TASK FORCE**  
ON Drunk Driving



Interagency  
**TASK FORCE**  
ON Drunk Driving



## SONJA MARIE DEVRIES

June 22, 1985 - July 19, 2004

Sonja Marie DeVries was an extraordinary 19 year old, with countless friends and family. She worked at the Denver Museum of Nature and Science for six summers as a teacher assistant and team leader. She was an accomplished tap dancer and was looking forward to attending Naropa University. All of that was changed in an instant when she was killed by a drunk driver. A drunk driver drove his truck 60-70 miles per hour in a 35 mile per hour zone and struck Sonja, who was stopped at a traffic light, waiting for it to turn green. The offender had six prior DUIs.

Sonja was described by a former teacher as a “very self-motivated, intelligent, spiritual, courageous, honest, focused, mature, and beautiful young woman.”

“ The DeVries family requests that the annual report for the Interagency Task Force on Drunken Driving for 2009 represent a legacy to all the victims and their families who have walked in our shoes and lost a loved one due to an impaired driver.

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Interagency Task Force on Drunk Driving

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# EXECUTIVE SUMMARY

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In 2006, Colorado Senate Bill 06-192 created the state's Interagency Task Force on Drunk Driving (ITFDD) in response to the tragic death of Sonja Devries who was killed in 2004 by a drunk driver who had been convicted of impaired driving on six previous occasions. Since its inception in 2006, the ITFDD has brought together senior leaders from government and other organizations that have an interest in reducing instances of impaired driving.

## **The mission of the Task Force is:**

*To investigate methods of reducing the incidents of drunk and impaired driving and develop recommendations for the State of Colorado regarding the enhancement of government services, education, and intervention to prevent drunk and impaired driving.*

## **Recommendations resulting from 2009 activities:**

- It is recommended that the Colorado Legislative use and recommend the ITFDD as a source of subject matter expertise in the examination of proposed legislation that would enhance and strengthen Colorado laws in order to decrease drunk and impaired driving.
- While final recommendations from the Commission on Criminal and Juvenile Justice (CCJJ) were not available at the time of this report, members of the ITFDD have monitored the activities of the CCJJ and the Task Force has voted to support in concept the efforts of the CCJJ in the area of increased sanctions, intervention, treatment requirements and monitoring for repeat and high BAC offenders. Specifically, the Task Force recommends that the legislature give serious consideration to increased mandatory jail terms, probation, treatment requirements, alcohol monitoring, and interlock use for repeat and high BAC offenders.
- The legislative charter for the Task Force expires July 1, 2011. Since its inception in 2006, the members of the ITFDD have established strong interagency ties, studied current DUI countermeasures, prevention, intervention, and techniques for reducing DUIs. The Task Force has successfully endorsed legislation that enabled interlock use for first offenders and that improved administrative sanctions for impaired drivers. It has studied in depth the myriad considerations for instituting a DUI felony law. It has studied the BAC differential for persistent drunk drivers and is developing recommendations for lowering the statutory level. The work is important and the work continues. The Task Force recommends legislation to extend the Task Force charter for additional years.
- With the unanimous endorsement of the Task Force, the legislature passed HB08-1166 recodifying, reorganizing, streamlining and clarifying Colorado's existing administrative license revocation law governing alcohol related driving arrests. However, as a result of the massive drafting effort, there were inadvertent omissions and inconsistencies introduced into law. The Task Force recommends a legislative effort to correct these inadvertent technical deficiencies.

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### **2009 Activities:**

Impaired driving is a complex problem in society, and one whose solution requires a diversity of approaches and perspectives. In 2007, Colorado had 554 people killed in traffic crashes. Alcohol involvement contributed to 226 of these.

In 2009, the Interagency Task Force on Drunk Driving (ITFDD) successfully planned and implemented activities directly related to reducing drinking and driving within Colorado. A few of the most significant accomplishments include:

- The ITFDD endorsed House Bill 08-1194 legislation that successfully passed the state legislature in May, 2008. This important legislation extended the length of suspension of driving privileges for certain drunk driving offenders, required the use of an ignition interlock device for certain offenders, and provided for additional high-visibility drunk driving law enforcement episodes.
- The ITFDD endorsed House Bill 08-1166 legislation that reorganized and clarified provisions authorizing an administrative revocation of a driving privilege.
- The provisions authorizing administrative revocation successfully passed the state legislature in March, 2008.
- The ITFDD endorsed the concept of increasing the Law Enforcement Assistance Fund (LEAF) penalties. Currently drivers who are convicted of impaired driving offense pay \$90.00 to LEAF. Funds collected from LEAF are then distributed to law enforcement agencies for impaired driving enforcement. The amount assessed to convicted drivers and returned to LEAF has remained the same since the program's inception in 1983.
- The ITFDD reviewed research related to DUI offender recidivism and identified offenders with high Blood Alcohol Content (BAC) and repeat offenders as critical target areas.
- In-depth felony DUI discussion.

### **Proposed 2010 activities:**

In 2010, the Interagency Task Force on Drunk Driving (ITFDD) will continue its work in reducing incidents of drunk driving within Colorado. Key areas of focus and attention for the upcoming year include:

- Improve ignition interlock systems and protocols
- Make improvement, if needed, to provisions authorizing an administrative revocation of a driving privilege
- Re-examine Sub-Committee goals
- Investigate felony DUI provisions through the Intervention Sub-Committee
- Explore ways to focus on repeat DUI offenders and DUI offenders with high BACs.
- Provide assistance to Colorado legislators in clarifying the various statutes which address impaired driving issues
- Continue to support the concept of increasing the LEAF fines to provide adequate funds for DUI enforcement

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As a result of Senate Bill 06-192, the ITFDD has created a valuable forum for government agencies, private sector organizations, non-profits, and the victims of drunk driving to investigate strategies that could ultimately prevent future incidents of impaired driving. This collaborative approach to the complex issue of drunk driving must be sustained. Senate Bill 06-192 is scheduled for a Sunset Review on July 1, 2011 and the Task Force hopes to continue its work in preventing future deaths and injuries resulting from impaired driving.

### **Task Force Members**

- Executive Director, or their designee, Colorado Department of Transportation (CDOT):  
Pam Hutton, Chief Engineer and Governor's Highway Safety Representative
- State Court Administrator (SCOA) or their designee:  
Honorable Edward J. Casias
- Chief of the Colorado State Patrol (CSP) or their designee:  
Colonel James Wolfinbarger
- State Public Defender's Office (SPDO) or their designee:  
Scott Schultz
- Director of the Division of Alcohol and Drug Abuse (ADAD) or their designee, now known as the Division of Behavioral Health(DBH):  
Janet Wood
- Director of the Division of Probation Services (DPS):  
Thomas Quinn

### **Task Force Representatives**

- A representative of a statewide association of Chiefs of Police with experience in making arrests for drunk or impaired driving:  
Chief Russell Van Houten, City of Northglenn Police Department
- A representative of a statewide organization of County Sheriffs with experience in making arrests for drunk or impaired driving:  
Sheriff John Cooke, Weld County Sheriffs Office (WCSO)
- A victim or family member of a victim of drunk or impaired driving:  
Carolyn DeVries
- A representative of a statewide organization of victims of drunk or impaired driving:  
Emily Tompkins, State Executive Director, Mothers Against Drunk Driving (MADD) Colorado
- A representative of a statewide organization of District Attorneys with experience in prosecuting drunk or impaired driving offenses:  
Stephen Wrenn, 19th Judicial District Attorneys Office
- A representative of a statewide organization of criminal defense attorneys with experience in defending persons with drunk or impaired driving offenses:  
Abe Hutt, Colorado Criminal Defense Bar
- A representative of a statewide organization that represents persons who sell alcoholic beverages in Colorado:  
Jeanne McEvoy, Colorado Licensing Beverage Association (CLBA)

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- A representative of an organization that represents distributors of alcoholic beverages in Colorado:  
Steve Findley, Colorado Beer Distributors Association
  - A manufacturer of alcoholic beverages in Colorado:  
Bill Young, MillerCoors
  - A person under 24 years of age, who is enrolled in a secondary or post secondary school:  
Ryan Kester

# ITFDD OVERVIEW OF MEETINGS

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Meetings were held at the Colorado Department of Transportation (CDOT) Headquarters from 9:00 am – 12:00 pm every other month. On two occasions the meetings were held from 9:00am – 3:00pm.

## Format for Meetings

- Self-introductions: name, agency, entity or interest represented
- Legislation Sponsors' Remarks (if in attendance)
- Public Comments (all meetings are open to the public and announcements to the meeting are posted on the CDOT website: [www.dot.state.co.us/TrafficSafety/DUITaskForce/index.cfm](http://www.dot.state.co.us/TrafficSafety/DUITaskForce/index.cfm))
- Legislative Report and Update from CDOT's Office of Government Relations
- Sub-Committee Reports
- Agenda Items

## Significant Events

### January 23, 2009

1. ITFDD members and representatives brought forward their recommendations for 2010 Legislation.

#### **Communications**

Bear Kay reported that his Sub-Committee's main goals are:

- To create appropriate Task Force communications for distribution to Legislators and Traffic Safety Opinion Leaders in Colorado
- To create appropriate information on drunk driving for distribution to Task Force members and Representatives
- To improve the website information by making it more user friendly
- To add a victim or a family member of a victim of a DUI/Impaired driver to the Communications Committee

#### **Ignition Interlock Sub-Committee**

Steve Hooper reported that the Sub-Committee has not met since submitting their annual report information but that the goals will remain the same.

- To continue developing a successful data resource model in conjunction with the intervention and treatment providers along with probation officers

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- To continue on the development of the recidivism study
  - The Sub-Committee may need assistance from the Task Force in streamlining the Intervention Law by making it easier to understand
  - To continue to work on keeping track of HB1194 dictation

### **Persistent Drunk Driving**

Christine Flavia reported that the Sub-Committee's two primary objectives are:

- To continue to review the data that support reducing the definition of BAC level from .17 to .15
- To continue to collaborate on implementing a simpler system change for Human Services, Revenue, and the Judicial Department levels

### **Prevention Sub-Committee**

Karen Abrahamson, Chair, reported that they had a meeting on December 4, 2008. Some of the key points that she mentioned were:

- The Sub-Committee has elected to use the Logic Model supplied by Pacific Institute of Research and Evaluation that shows documentation for what actually works to prevent drinking and driving
- The Pacific Institute of Research and Evaluation has another Logic Model that prevents underage drinking
- The Sub-Committee's main focus for next year is to sort out underage drinking laws
- The Sub-Committee may need a clean-up bill granted through the Legislature
- The Sub-Committee wants to work on combining another active Task Force with the Underage Prevention and Production Workgroup
- Mentioned the possibility about using volunteers to help sort out laws/clean up bills
- Pam suggested that Karen be added to the agenda to discuss the logic model

### **Victims Rights and Services Sub-Committee**

Emily Tompkins reported the Sub-Committee's main goals are:

- Consideration of a Felony DUI statute
- Reducing deferred judgments for alcohol-related traffic offences
- Victims Rights Act compliance training from system to victim survivors

### **April 24, 2009**

1. The new Chief of the Colorado State Patrol, Colonel James Wolfenbarger was introduced to the Task Force.
2. Nonie Rispin represented Designated Driver in Colorado Springs (DDCS)  
<http://www.noduisprings.com/>

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DDCS is a free service that will take people and their vehicle home when they are impaired. DDCS operates Tuesday through Saturday between 10:00 pm and 3:00 am. DDCS has driving teams of 2 staff members who drive the people home safely in their own vehicle. Their service is free because the teams are funded by sponsors. They currently only operate in Colorado Springs but would like to eventually expand the service to other areas of Colorado.

3. Colonel James Wolfinbarger was nominated for Task Force Vice Chair, and accepted.
4. The ITFDD Communications Sub-Committee draft brochure was shared with the members.

### **May 29, 2009**

1. The Prevention Sub-Committee changed its name to Prevention of Alcohol Related Consequences. This Sub-Committee is now having combined meetings with the Underage Drinking Prevention and Reduction Workgroup.
2. The Intervention Sub-Committee will be facilitating a panel discussion about strengthening Colorado's DUI laws by adding a felony DUI charge at the extended July 24th meeting.
3. The Communications Sub-Committee presented the new ITFDD brochure.
4. The Ignition Interlock Sub-Committee would like to conduct a study of how effective the new interlock laws are
  - The study will find out if the new laws are having an effect and if they are reaching the right population
  - The study would cost between \$100,000-\$200,000 per year and would be more statistical based than interview based.
5. 43-4-901 high-visibility drunk driving law enforcement.  
High-visibility drunk driving law enforcement added four additional required impaired driving enforcement episodes per year to CDOT's impaired driving enforcement strategic plan. NHTSA funds will be used over Superbowl weekend and will be funding checkpoints over the first 3 weekends in June to make sure that Colorado meets the requirements of High-visibility drunk driving law enforcement.
6. A new memorial crash vehicle is being announced. It is the Stricklen crash car. It will be unveiled on June 2, at 10:30am on the west steps of the Capital. The car will travel the state.

### **July 24, 2009 – Felony DUI Discussion**

1. Overview of Law Enforcement

Paul Hofmann and Captain Ray Fisher (Colorado State Patrol)

A Felony DUI is about changes in the paths in the Correctional system. Juvenile cases which are handled through Juvenile Court are generally County Court cases. Misdemeanors are handled through the County Court. All of the felony cases are handled through the District Court. Most of the DUI cases are run through the County Court. Some DUI cases land in the Juvenile system and some DUI's land in District Court.

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## 2. Overview of Prosecution

Chris Halsor (Colorado District Attorney's Counsel) (CDAC)

In a felony filing, a law enforcement officer brings a file which contains what they believe gives rise to a felony charge. There are specific prosecutors who work on these cases. The prosecutors review the filings and determine whether or not this is acceptable. Those charges are submitted through the courts and there is a seventy-two hour window if a person is in custody.

## 3. Overview of Defense

Scott Schultz (Public Defenders Office) and Abe Hutt (private Defense Attorney)

For felony charges for multiple conditions for driving under the influence, more litigation will ensue. There will be more trials and more hearings. If someone is charged with a felony, they have 72 hours to be brought before the court and be advised of the charges. On the day of official advisement, they have the right to a preliminary hearing within 30 days. At that time the Prosecution must provide some evidence that there is probable cause to arrest this individual.

## 4. Overview of Court Process

Judge Ed Casias (Summit County Court)

There will be a change in the bond statute to have bail set at about \$10,000. District Court Judges would see defendants from out of State who already have two or three priors. This would affect the defendants' ability to leave the state as far as a bond, as well as if they get sentenced.

## 5. Overview of Supervision

Tom Quinn (Director, Probation Services) and Mary Nagler (Deputy Chief Probation Officer, 19th Judicial District)

Specific deterrence refers to punitive strategies intended to dissuade a given criminal from repeating his crime.

General deterrence refers to the overall suppressive effect on crime that occurs when we punish the offender: it causes everybody else to think twice.

Incapacitation means depriving criminals of the ability to commit crimes. The Interlock is a form of incapacitation.

Rehabilitation or treatment strategies aim to transform his character and/or behavior by a wide variety of educational, therapeutic and improvement programs.

## 6. ITFDD – Informational Brochure

ITFDD brochure has been put up on the CDOT website.

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### September 25, 2009

1. Stephanie Villafuerte, the Deputy Chief of Staff for Community Outreach and Administration – Governor’s Office attended this meeting, which had an agenda item of Law Enforcement Assistant Funds (LEAF) and State budget.
2. Presentation from the representatives from the Commission on Criminal and Juvenile Justice. Arapahoe County Sheriff Grayson Robinson and Don Quick, District Attorney of Adams County.
3. Passing of Karen Abrahamson. Karen was a valued employee with the Colorado Department of Human Services, Division of Behavioral Health. Karen was an invaluable colleague, someone who was devoted to the conditions of underage drinking and driving. If you needed a resource or any data, she was that resource.

Karen’s role on this task force was to remind us not to forget the youth, the underage drinker and how that contributes to drinking and driving.

Karen’s work actually got on the table 19 years ago, when Colorado signed a bill for zero tolerance for underage drinking

4. Alternatives to Felony DUI and Potential Changes to CRS
  - Presentation by Steven Talpins, Vice President, Alcohol Monitoring Systems.

### November 20, 2009

1. MADD and NHTSA hosted a Region 8 – six state Interlock conference to stakeholders to discuss the optimization of using Interlock devices.
2. A Strengths Weakness Opportunities and Threats (SWOT) analysis was conducted.



# Sub-Committee REPORTS

## 2009 Sub-Committee Annual Reports

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### By-laws Sub-Committee

**Sub-Committee Chair:**

Bill Young

**Sub-Committee Members:**

- Paul Wood

**Objectives:**

Recommend and write by-laws that help the Interagency Task Force on Drunk Driving operate effectively for the citizens of Colorado.

**Significant Achievements:**

Amended by-laws to address the procedures required to add members to the task force and remove members from the task force.

### Ignition Interlock Sub-Committee

**Sub-Committee Chair:**

C. Stephen Hooper, Department of Revenue (DOR) DMV

**Sub-Committee Members:**

- Christine Flavia, CDHS, DBH (ADAD)
- Glenn Davis, CDOT
- Paul Hofmann, State Judicial SCAO
- Dr. David Timken, CIDRE

**Goals:**

1. Increase interlock use in Colorado.
2. Improve Interlock monitoring and reporting.
3. Develop and implement treatment intervention program administered through DBH for interlock restricted drivers who have compliance problems while on interlock.
4. Identify, adopt, and develop interlock program best practices.

**Objectives:**

1.
  - a. Successfully implement HB08-1194, the legislation that introduced strong interlock incentives for first offenders.

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- b. Educate offenders, treatment providers, defense bar, prosecutors, and judges on the interlock program and changes in the laws, specifically the availability of interlock for first offenders.
  - c. Fully implement interlock financial assistance authorized By-Laws through the Department of Revenue as well as the Persistent Drunk Driver Fund.
  - d. Create incentives in alcohol education and therapy programs for early interlock enrollment.
2.
    - a. Revisit interlock reporting practices to develop more consistent and uniform interlock vendor/provider reporting.
    - b. Make interlock drive log reports available online to alcohol education and therapy treatment providers.
    - c. Educate treatment providers on proper interpretation of interlock drive log information.
3.
    - a. Establish authority for interlock intervention program in both CDHS and DOR rules.
    - b. Develop intervention program as part of existing Level II alcohol education and therapy.
    - c. Establish protocol for ongoing coordination between treatment providers, DOR, and interlock vendor/providers. Investigate interlock programs in other jurisdictions and identify successful practices as well as lessons learned.
    - d. Identify and implement program modifications that can be accomplished without legislation.
    - e. Develop recommendations to the Task Force for those best practice program modifications that require legislation.

***Significant Achievements:***

1.
    - a. HB08-1194 incentive based interlock for first offenders is in place with approximately 50% of expected enrollees participating.
    - b. DOR, DBH, State Judicial, and CDOT have worked together throughout the year to present updated interlock information at statewide training episodes for treatment providers and probation staff, judges, and prosecutors.
    - c. New contracts are in place for three of Colorado's four interlock providers, with the last due shortly. These contracts and the rollout of the web-based system will enable full implementation of authorized indigent funding.
    - d. CIDRE, working with DOR and DBH, is developing the interlock treatment intervention in such a way as to provide some time benefits to those who install interlocks early.
  2.
    - a. Web-based data entry, matching, and reporting system is in development and should go live in test by the beginning of 2010. This will result in significant interlock reporting and data improvements.
    - b. The new contracts with the vendors specify that drive log reports will be available to alcohol education and therapy treatment providers.
    - c. Once the enhanced interlock treatment intervention program begins, training will commence on drive log interpretation.
  3.
    - a. The Sub-Committee drafted language for changes to CDHS rules to authorize the interlock intervention program curriculum.
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- b. As stated in 1.d., CIDRE, working closely with colleagues in the research and treatment community, has begun developing the Interlock treatment intervention program as an enhancement to Level II alcohol Education and Therapy.
  - c. Development of this protocol is in its infancy.
- 4.
- a. Some members of the Sub-Committee, with the support of the ITFDD, MADD, and the National Highway Traffic Safety Administration, attended the regional interlock Institute in the fall, gained insight into best practices and lessons learned in surrounding states, and developed action items for implementation in Colorado.
  - b. The Sub-Committee identified the need for more and better education to law enforcement, judges, and prosecutors regarding interlock devices, the law, policy, and procedures. DOR and the Colorado State Patrol have begun planning for video training to be made available to all law enforcement.
  - c. Best practice changes that would require legislation include interlock as a condition of bond for high BAC and repeat offenders, exploring license plate seizure with interlock installation as a condition of restored registration, and encouraging a change in federal law to eliminate conditional driving as a requirement of early interlock use.

### **Communications Sub-Committee**

#### ***Sub-Committee Chair:***

Bear Kay, CSP

#### ***Sub-Committee Members:***

- Emily Tompkins, MADD
- Carole Walker, RMIIA
- Molly Sausaman, RMIIA
- Heather Halpape, CDOT

#### ***Goals:***

The Communications Sub-Committee will support the goals and programs of the ITFDD and its Sub-Committees by providing information to state legislators and other appropriate traffic safety agencies/audiences, by providing legislation and significant DUI issues.

#### ***Objectives:***

1. Provide recommendations to ITFDD on appropriate educational materials.
2. Provide assistance in expanding information available on the ITFDD website.
3. Develop a communications plan to promote the existence of and mission of the ITFDD.
4. Develop uniform message points for members on the ITFDD.
5. Coordinate experts and interested parties to address ITFDD with information and proposed DUI legislation.

#### ***Significant Achievements:***

1. The Communications Sub-Committee developed an informational brochure that was provided to members of the Colorado General Assembly. The brochure is also available for download from the ITFDD web page on the CDOT web site. It is also an attachment to this report.
2. The ITFDD web page was updated to include more information about the task force. Also, the process began to develop information, messaging, and strategic communications on DUI prevention.

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## Intervention Sub-Committee

### **Sub-Committee Chair:**

Captain Raymond Fisher

### **Sub-Committee Members:**

- Honorable Ed Casias, Summit County Judges/SCOA
- Chief Russ Van Houton, Northglenn Police Department/CACP
- Captain Raymond Fisher, Colorado State Patrol
- Steve Wrenn, 19<sup>th</sup> Judicial District Attorney/CDAC
- Bill Young, MillerCoors
- Paul Hofmann, Division of Probation Services
- Scott Schultz, Colorado Public Defenders Office

### **Objectives:**

1. The purpose of the Intervention Sub-Committee is to identify and develop strategies, ideas, and system improvements to assist the ITFDD in achieving its legislative charge to reduce incidents of drunk and impaired driving. This is accomplished by researching and developing ideas and initiatives brought forward by the members of the Intervention Sub-Committee and the ITFDD that provide a method for specific intervention to eliminate or reduce incidents of drunk and impaired driving. The following topic areas are currently being studied and developed by the Intervention Sub-Committee for consideration by the ITFDD:
  - a. Develop strategies to increase penalties for repeat offenders.
  - b. Develop a standardized pre-conviction alcohol monitoring system.
  - c. Define “visibly intoxicated”.
  - d. Fatal Accident Testing.
  - e. Underage Drinkers or Underage DUI offenders.
  - f. Traffic Safety Resource Prosecutor Program (TSRP).
  - g. DUI “Fast Track” and DUI Courts.
  - h. Server Training.
  - i. Server Intervention.

### **Goals:**

1. The Intervention Sub-Committee will continue to develop the following initiatives and strategies that have not been addressed and brought forward to the ITFDD:
  - a. Develop strategies to increase penalties for repeat offenders.
  - b. Develop a standardized pre-conviction alcohol monitoring system.
  - c. Define “visibly intoxicated”.
  - d. DUI “Fast Track” and DUI Courts.
  - e. Server Training.
  - f. Server intervention.

### **Significant Achievements:**

1. The Intervention Sub-Committee successfully facilitated a discussion surrounding the creation of a felony DUI statute for repeat offenders. This discussion involved the members of the ITFDD and several interested parties. It was determined that it would not be feasible at this time to pursue a felony repeat DUI offender statute because of the fiscal implications and Colorado’s existing statutes that allow for a felony to be charged under the aggravated habitual traffic offender statute.
2. The Intervention Sub-Committee provided feedback and information to the Colorado Criminal and Juvenile Justice (CCJJ) Drug Policy Task Force DUI Working Group. The

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intent was to communicate the issues the Intervention Sub-Committee was currently working on in order for the CCJJ Drug Policy Task Force DUI Working Group to consider in developing recommendations.

### **Persistent Drunk Driver (PDD) Sub-Committee**

#### ***Sub-Committee Chair:***

Christine Flavia (formerly Byars), CDHS, DBH (ADAD)

#### ***Sub-Committee Members:***

- Christine Flavia, CDHS, DBH (ADAD)
- Webster Hendricks, CDHS, DBH (ADAD)
- Steve Hooper, DOR/DMV
- Glenn Davis, CDOT
- Paul Hofmann, State Judicial, SCAO
- Dr. David Timken, The Center for Impaired Driving Research and Evaluation

#### ***Goals:***

1. Distribute the white paper that recommends the reduction of the defined PDD BAC level to .15.
2. Support changes to the DBH treatment and DOR rules that enhance services to DUI offenders.
3. Continue efforts to improve the monitoring of DUI offenders and facilitate collaboration between agencies.

#### ***Objectives:***

1. The primary objective for 2009 was to gather data to support a reduction in the statutorily defined BAC level for PDD offenders from .17 to .15.
2. Enhance services for the PDD offender.
3. Support ignition interlock sanction.
4. Utilize technology for effective monitoring and supervision of DUI offenders.
5. Enhance predisposition DUI treatment services.

#### ***Significant Achievements:***

1. The Sub-Committee met six times in 2009.
2. The PDD Sub-Committee met with the Ignition Interlock Sub-Committee to coordinate common goals and tasks.
3. The Sub-Committee members identified data variables available to examine Colorado-specific data that might show a relationship between BAC and recidivism.
4. DBH and DMV collaborated to analyze driver records and in November 2009 issued a draft white paper clearly demonstrating that at a BAC under .15, first time DUI offenders are less likely to re-offend and get a subsequent DUI. The final paper should be completed by December 31, 2009.
5. DBH is revising their Substance Use Disorder Treatment Rules to include required education on ignition interlock devices in all DUI education programs and to facilitate a new DUI treatment component specifically for DUI offenders with an ignition interlock requirement. This is accomplished without statutory changes and enabled through DOR rule and DBH rule and policy.
6. DBH continues to enhance their Treatment Management System that enables probation to monitor DUI offenders in treatment through the use of web-based technology. DBH

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- and State Judicial have collaborated to link data from judicial's data system to DBH's data system, further improving the accuracy of the DUI offender data in the system.
7. DBH is a partner in a pilot project with metro Denver detoxification facilities to encourage those detox clients, who are there as a result of a DUI, to enter into DUI education services within 30 days of discharge from detox.
  8. DBH, Judicial, and DOR continue to collaborate to increase the quality and efficiency of services to DUI offenders.

## **Prevention of Alcohol Related Consequences formerly Prevention Sub-Committee**

### ***Sub-Committee***

Chair: Vacant

### ***Sub-Committee Members:***

#### ***Objectives:***

1. The Sub-Committee's main focus next year is to sort out underage drinking laws.
2. The committee would like to combine with the Underage Prevention and Production Workgroup.

#### ***Significant Achievements:***

1. The Sub-Committee changed its name to Prevention of Alcohol Related Consequences.

## **Victim's Rights and Services (VRSS) Sub-Committee**

### ***Sub-Committee Chair:***

Emily Tompkins

### ***Sub-Committee Members:***

- Emily Tompkins, State Executive Director, MADD Colorado
- Maya Thomas-Wachterman, Victim Advocate, MADD Colorado
- Carolyn DeVries, Victim Representative, ITFDD
- Glenn Davis, Program Manager, Impaired Driving Unit, Office of Transportation Safety, CDOT
- Jackie L. Urioste, Provider Liaison, DBH (ADAD) Evaluation Information Services
- Marty Foery, Victim/Survivor
- Bear Kay, Public Affairs, Colorado State Patrol

#### ***Objectives/Significant Achievements:***

The VRSS is made up of victim/survivor representatives, representatives from MADD, CDOT, DBH, and other community agencies who provide a voice and a perspective to the issue of Victims Rights and DUI through the judicial process beyond adjudication. The VRSS met six times during 2009 in between ITFDD bi-monthly meetings and prioritized the following issues to focus on for this calendar year:

1. Consideration of a Felony DUI Statute
2. Reducing deferred judgments for alcohol-related traffic offenses.
  - a. Evaluate information required for next steps.

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3. Victims Rights Act compliance training from system to victim survivors.
    - a. Evaluate information required for next steps.

In addition, the VRSS agreed to track the following issues secondarily and monitor their progress:

1. Mandatory Standard Field Sobriety Training (SFST) for all peace officers.
2. Mandatory Blood Draw/No Refusal.
3. Exploring alternatives (sentencing, charges, etc.) Traffic Safety Resource Prosecutor (TSRP).
4. Reducing deferred judgments for alcohol-related traffic offenses.

TSRP Chris Halsor has agreed to discuss ideas and help facilitate this discussion for the VRSS's next scheduled meeting. His curricula for "The Comprehensive DUI" will be educational for this topic as well as Victims Rights Act compliance training from system to victim survivors.

#### ***Consideration of a Felony DUI Statute***

In the May 29, 2009 ITFDD combined meeting, Victim Representative Carolyn DeVries made clear the importance of felony DUI, an issue which the VRSS has made a number one priority. The discussion that followed illustrated a need for all members and representatives to learn more in order to make an informed decision.

Thus the Felony DUI panel was scheduled for the June meeting. Members Captain Fisher of the CSP, Steve Wrenn of the Weld County District Attorney's Office, Paul Hofmann and Tom Quinn of the Probation Department, along with the State Traffic Safety Resource Prosecutor, Chris Halsor, developed the curriculum for the highly educational session.

#### ***Victims Rights Act compliance training from system to victim/survivors***

For the second year in a row, the VRSS educated the public on Victim's Rights regarding those who are impacted by alcohol-related crashes with awareness-raising events and an earned media campaign during National Crime Victims' Rights Week commemorated April 26 to May 2, 2009.

The VRSS enlisted support from Victim Advocates from local law enforcement agencies, District Attorney's Offices, MADD, and we were featured on the 9HelpLine to field calls and answer questions for anyone impacted by an alcohol-related crash.

#### ***Mandatory Standard Field Sobriety Training (SFST) for all peace officers***

The Director of the Colorado Peace Officer Standards and Training (POST) Board, John Kamerzell, attended the August VRSS meeting to educate the members on SFST to explore possibilities for expanding requirements for that training. The VRSS learned that there is neither one central training center nor one central funding source for each Colorado law enforcement officers' training. There are 13,425 certified Peace Officers in Colorado currently. Some may not need SFST training if their duties would not put them in an environment where they would be contacting impaired drivers. However, some peace officers who make traffic contacts are without SFST education or are lacking the refresher training required to be in compliance.

Of the 325 law enforcement agencies in Colorado, all should evaluate which peace officers need SFST training.

The next steps for VRSS to make SFST a more effective tool for peace officers are:

1. Encourage SFST training in POST as required training and agencies' basic training academies.

- 
2. Define the peace officers who are likely to make traffic contacts for Mandatory Blood Draw/No refusal. The VRSS has been tracking the results of Chief Brian Kozak's efforts in Avon, Colorado, who has worked to implement "no refusals" or mandatory blood draws by seeking search warrants for impaired drivers who refuse a chemical test. This strategy comes with skeptics and opponents, including those on the ITFDD, whose concern is that there is already a sanction in place for a refusal to take a chemical test, which is a year suspension of the driver's license.
  3. MADD National Law Enforcement Liaison, Carl McDonald, was asked by Chief Kozak for a letter of support for his efforts as he attended a Town Council Meeting in July. The Town Council approved this strategy; however, there have been no reports that the strategy has been implemented.

**Goals:**

The next task of the VRSS is to take action on the next steps from the SFST/POST research.

1. Encourage SFST training in POST to be required training and agencies' basic training academies.
2. Define the peace officers who are likely to make traffic contacts.

Once a draft is created, it will be brought forward to the ITFDD combined meeting.

With the November 2009 ITFDD Strategic Planning Meeting, the VRSS will decide on which issues to focus upon within the new ITFDD's prioritized issues. We are also recruiting new members including victim/survivors to help carry on the legacy left by Carolyn DeVries, who was responsible for the legislation that created the ITFDD in honor of her daughter, Sonja.



# ATTACHMENT A

## Senate Bill 192

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**NOTE:** This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



SENATE BILL 06-192

BY SENATOR(S) Groff;  
also REPRESENTATIVE(S) Riesberg, Borodkin, Carroll M., Coleman,  
Gallegos, Garcia, Green, Larson, Merrifield, Romanoff, Todd, and Witwer.

CONCERNING A TASK FORCE ON DRUNK DRIVING.

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** Part 13 of article 4 of title 42, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**42-4-1306. Interagency task force on drunk driving - creation - repeal.** (1) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

(a) DRUNK AND IMPAIRED DRIVING CONTINUES TO CAUSE NEEDLESS DEATHS AND INJURIES, ESPECIALLY AMONG YOUNG PEOPLE;

(b) IN 2003, THERE WERE OVER THIRTY THOUSAND ARRESTS FOR DRIVING UNDER THE INFLUENCE OR DRIVING WHILE ABILITY-IMPAIRED;

(c) ALTHOUGH COLORADO HAS TAKEN MANY MEASURES TO REDUCE THE INCIDENTS OF DRUNK AND IMPAIRED DRIVING, THE PERSISTENT REGULARITY OF THESE INCIDENTS CONTINUES TO BE A PROBLEM, AS

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

---

EVIDENCED BY THE CASE OF SONJA MARIE DEVRIES WHO WAS KILLED IN 2004 BY A DRUNK DRIVER WHO HAD BEEN CONVICTED OF DRUNK DRIVING ON SIX PREVIOUS OCCASIONS; AND

(d) ACCORDING TO THE FEDERAL NATIONAL HIGHWAY TRANSPORTATION SAFETY ADMINISTRATION, OTHER STATES WITH A STATEWIDE INTERAGENCY TASK FORCE ON DRUNK DRIVING HAVE SEEN A DECREASE IN INCIDENTS OF DRUNK AND IMPAIRED DRIVING.

(2) THERE IS HEREBY CREATED AN INTERAGENCY TASK FORCE ON DRUNK DRIVING, REFERRED TO IN THIS SECTION AS THE "TASK FORCE". THE TASK FORCE SHALL MEET REGULARLY TO INVESTIGATE METHODS OF REDUCING THE INCIDENTS OF DRUNK AND IMPAIRED DRIVING AND DEVELOP RECOMMENDATIONS FOR THE STATE OF COLORADO REGARDING THE ENHANCEMENT OF GOVERNMENT SERVICES, EDUCATION, AND INTERVENTION TO PREVENT DRUNK AND IMPAIRED DRIVING.

(3) (a) THE TASK FORCE SHALL CONSIST OF:

(I) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION OR HIS OR HER DESIGNEE WHO SHALL ALSO CONVENE THE FIRST MEETING OF THE TASK FORCE;

(II) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE OR HIS OR HER DESIGNEE;

(III) THE STATE COURT ADMINISTRATOR OR HIS OR HER DESIGNEE;

(IV) THE CHIEF OF THE COLORADO STATE PATROL OR HIS OR HER DESIGNEE;

(V) THE STATE PUBLIC DEFENDER OR HIS OR HER DESIGNEE;

(VI) THE DIRECTOR OF THE DIVISION OF ALCOHOL AND DRUG ABUSE IN THE DEPARTMENT OF HUMAN SERVICES;

(VII) THE DIRECTOR OF THE DIVISION OF PROBATION SERVICES OR HIS OR HER DESIGNEE;

(VIII) THE FOLLOWING MEMBERS SELECTED JOINTLY BY THE

---

MEMBER SERVING PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (a):

(A) A REPRESENTATIVE OF A STATEWIDE ASSOCIATION OF CHIEFS OF POLICE WITH EXPERIENCE IN MAKING ARRESTS FOR DRUNK OR IMPAIRED DRIVING;

(B) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION OF COUNTY SHERIFFS WITH EXPERIENCE IN MAKING ARRESTS FOR DRUNK OR IMPAIRED DRIVING;

(C) A VICTIM OR A FAMILY MEMBER OF A VICTIM OF DRUNK OR IMPAIRED DRIVING;

(D) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION OF VICTIMS OF DRUNK OR IMPAIRED DRIVING;

(E) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION OF DISTRICT ATTORNEYS WITH EXPERIENCE IN PROSECUTING DRUNK OR IMPAIRED DRIVING OFFENSES;

(F) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION OF CRIMINAL DEFENSE ATTORNEYS WITH EXPERIENCE IN DEFENDING PERSONS CHARGED WITH DRUNK OR IMPAIRED DRIVING OFFENSES;

(G) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION THAT REPRESENTS PERSONS WHO SELL ALCOHOLIC BEVERAGES AT RETAIL;

(H) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION THAT REPRESENTS DISTRIBUTORS OF ALCOHOLIC BEVERAGES IN COLORADO;

(I) A MANUFACTURER OF ALCOHOLIC BEVERAGES IN COLORADO;  
AND

(J) A PERSON UNDER TWENTY-FOUR YEARS OF AGE WHO IS ENROLLED IN A SECONDARY OR POSTSECONDARY SCHOOL.

(b) MEMBERS SELECTED PURSUANT TO SUBPARAGRAPH (VIII) OF PARAGRAPH (a) OF THIS SUBSECTION (3) SHALL SERVE TERMS OF TWO YEARS BUT MAY BE SELECTED FOR ADDITIONAL TERMS.

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(c) MEMBERS OF THE TASK FORCE SHALL NOT BE COMPENSATED FOR OR REIMBURSED FOR THEIR EXPENSES INCURRED IN ATTENDING MEETINGS OF THE TASK FORCE.

(d) THE INITIAL MEETING OF THE TASK FORCE SHALL BE CONVENED ON OR BEFORE AUGUST 1, 2006, BY THE MEMBER SERVING PURSUANT TO SUBPARAGRAPH (I) OF PARAGRAPH (a) OF THIS SUBSECTION (3). AT THE FIRST MEETING, THE TASK FORCE SHALL ELECT A CHAIR AND VICE CHAIR FROM THE MEMBERS SERVING PURSUANT TO SUBPARAGRAPHS (I) TO (VII) OF PARAGRAPH (a) OF THIS SUBSECTION (3), WHO SHALL SERVE A TERM OF TWO YEARS BUT WHO MAY BE REELECTED FOR ADDITIONAL TERMS.

(e) THE TASK FORCE SHALL MEET NOT LESS FREQUENTLY THAN BIMONTHLY AND MAY ADOPT POLICIES AND PROCEDURES NECESSARY TO CARRY OUT ITS DUTIES.

(4) THE TASK FORCE SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, ON OR BEFORE JANUARY 15, 2007, AND ON OR BEFORE EACH JANUARY 15 THEREAFTER.

(5) (a) THIS SECTION IS REPEALED EFFECTIVE JULY 1, 2011.

(b) PRIOR TO SAID REPEAL, THE INTERAGENCY TASK FORCE ON DRUNK DRIVING CREATED PURSUANT TO THIS SECTION SHALL BE REVIEWED AS PROVIDED IN SECTION 2-3-1203, C.R.S.

**SECTION 2.** 2-3-1203 (3) (x), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

**2-3-1203. Sunset review of advisory committees.** (3) The following dates are the dates for which the statutory authorization for the designated advisory committees is scheduled for repeal:

(x) July 1, 2011:

(V) THE INTERAGENCY TASK FORCE ON DRUNK DRIVING CREATED PURSUANT TO SECTION 42-4-1306, C.R.S.

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**SECTION 3. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

\_\_\_\_\_  
Joan Fitz-Gerald  
PRESIDENT OF  
THE SENATE

\_\_\_\_\_  
Andrew Romanoff  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

\_\_\_\_\_  
Karen Goldman  
SECRETARY OF  
THE SENATE

\_\_\_\_\_  
Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED \_\_\_\_\_

\_\_\_\_\_  
Bill Owens  
GOVERNOR OF THE STATE OF COLORADO

# ATTACHMENT B

## Meeting Agendas

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### January 23, 2009 - 9:00 am-Noon

Interagency Task On Drunk Driving  
Colorado Department of Transportation  
CDOT Auditorium

Interagency Task Force on Drunk Driving (ITFDD) created by enactment of Senate Bill 06-192 whose mission is to:

***Investigate methods of reducing the incidence of drunk and impaired driving and to develop recommendations for the State of Colorado regarding the enhancement of government services, education and intervention to prevent drunk and impaired driving.***

- I. Introductions
  - a. Self-Introductions: Name; Agency, entity or interest represented
  - b. Legislation Sponsors' Remarks (if in attendance)
  - c. Public Comments
- II. Chief Trostel Recognition
- III. CDOT Legislation Report and Update
  - a. Melissa Nelson or Tom Lorz
- IV. 2009 Legislative Annual Report
- V. By-Laws Amendment - Person Under 24 Years of Age Who is Enrolled in a Secondary a Postsecondary School
  - a. Bill Young
- VI. Sub-Committees Recommendations for 2010 Legislation
- VII. Confirmation of 2009 ITFDD Meeting Dates
- VIII. Sub-Committee – Updates

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***By-Laws Sub-Committee***

Bill Young, Chair - MillerCoors

***Prevention Sub-Committee***

Karen Abrahamson, Chair - Colorado Department of Human Services, Division of Behavioral Health

***Intervention Sub-Committee***

Ray Fisher, Chair - Colorado State Patrol

***Victim Rights and Roles Sub-Committee***

Emily Tompkins, Chair - Mothers Against Drunk Driving

***Ignition Interlock Sub-Committee***

Steve Hooper, Chair - Colorado Department of Revenue

***System Improvements Sub-Committee***

Abe Hutt, Chair - Colorado Criminal Defense Bar

***Persistent Drunk Driver Sub-Committee***

Christine Flavia, Chair - Colorado Department of Human Services – Division of Behavioral Health

***Communications Sub-Committee***

Bear Kay, Chair - Colorado State Patrol



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**April 24, 2009 - 9:00 am-Noon**

Interagency Task On Drunk Driving  
Colorado Department of Transportation  
Mount Evans Conference Room, CDOT – Shumate Building

- I. Introductions
  - a. Self-Introductions: Name; Agency, entity or interest represented
  - b. Legislation Sponsors' Remarks (if in attendance)
  - c. Public Comments
- II. Introduction of Representative from Colorado State Patrol
  - a. Colonel James Wolfinbarger
- III. Designated Drivers of Colorado Springs Program Description <http://www.noduisprings.com/>
  - a. Nonie Rispin
- IV. Nominations for Task Force Vice Chair
- V. CDOT Legislation Report and Update
  - a. Melissa Nelson or Tom Lorz
- VI. Request for ITFDD to oppose HB09-1266. Repeal of the loss of driving privileges as a penalty for certain crimes. <http://www.leg.state.co.us/clics/clics2009a/csl.nsf/fsbillcont3/606C6622ABEED2E58725753C007>
  - a. Steve Hooper (DOR) and Karen Abrahamson (DBH)
- VII. Sub-Committee – Updates

***By-Laws Sub-Committee***

Bill Young, Chair - MillerCoors

***Prevention Sub-Committee***

Karen Abrahamson, Chair – Colorado Department of Human Services, Division of Behavioral Health

***Intervention Sub-Committee***

Ray Fisher, Chair - Colorado State Patrol

***Victim Rights and Roles Sub-Committee***

Emily Tompkins, Chair - Mothers Against Drunk Driving

***Ignition Interlock Sub-Committee***

Steve Hooper, Chair - Colorado Department of Revenue

***System Improvements Sub-Committee***

Abe Hutt, Chair - Colorado Criminal Defense Bar

***Persistent Drunk Driver Sub-Committee***

Christine Flavia, Chair – CDHS, Division of Behavioral Health

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**Communications Sub-Committee**

Bear Kay, Chair - Colorado State Patrol

VIII. Other Agenda Items

IX. Next Meeting

a. May 29, 2009 – 9:00 – Noon, CDOT Auditorium

X. Adjourn



**May 29, 2009 - 9:00 am-Noon**

Interagency Task Force on Drunk Driving  
Colorado Department of Transportation  
CDOT Auditorium

- I. Introductions
    - a. Self-Introductions: Name; Agency, entity or interest represented
    - b. Legislation Sponsors' Remarks (if in attendance)
    - c. Public Comments
  
  - II. Sub-Committee – Updates
    - By-Laws Sub-Committee***  
Bill Young, Chair - MillerCoors
  
    - Prevention Sub-Committee***  
Karen Abrahamson, Chair – Colorado Department of Human Services, Division of Behavioral Health
  
    - Intervention Sub-Committee***  
Ray Fisher, Chair - Colorado State Patrol
  
    - Victim Rights and Roles Sub-Committee***  
Emily Tompkins, Chair – Mothers Against Drunk Driving
  
    - Ignition Interlock Sub-Committee***  
Steve Hooper, Chair - Colorado Department of Revenue
  
    - System Improvements Sub-Committee***  
Abe Hutt, Chair - Colorado Criminal Defense Bar
  
    - Persistent Drunk Driver Sub-Committee***  
Christine Flavia, Chair – Colorado Department of Human Services, Division of Behavioral Health
  
    - Communications Sub-Committee***  
Bear Kay, Chair - Colorado State Patrol
  
  - III. Proposed change to ITFDD By-laws. Amendment to Article III, Add Section 2 – Vacancies
    - a. Commander Paul Wood – Weld County Sheriff's Office
  
  - IV. Other Agenda Items
  
  - V. Discussion/Panel Selection – Felony DUI Law
    - a. Ray Fisher, Colorado State Patrol
-



**July 24, 2009 - 9:00 am-3:00 pm**

Interagency Task Force on Drunk Driving  
Colorado Department of Transportation  
CDOT Auditorium

- I. Introductions
  - a. Self-Introductions: Name; Agency, entity or interest represented
  - b. Legislation Sponsors' Remarks (if in attendance)
  - c. Public Comments
  
- II. Sub-Committee – Updates
  - By-Laws Sub-Committee***  
Bill Young, Chair - MillerCoors
  
  - Prevention Sub-Committee***  
Karen Abrahamson, Chair – CDHS, Division of Behavioral Health
  
  - Intervention Sub-Committee***  
Ray Fisher, Chair - Colorado State Patrol
  
  - Victim Rights and Roles Sub-Committee***  
Emily Tompkins, Chair - Mothers Against Drunk Driving
  
  - Ignition Interlock Sub-Committee***  
Steve Hooper, Chair - Colorado Department of Revenue
  
  - System Improvements Sub-Committee***  
Abe Hutt, Chair - Colorado Criminal Defense Bar
  
  - Persistent Drunk Driver Sub-Committee***  
Christine Flavia, Chair – CDHS, Division of Behavioral Health
  
  - Communications Sub-Committee***  
Bear Kay, Chair - Colorado State Patrol
  
- III. Other Agenda Items
  
- IV. Discussion/Panel – Felony DUI Law  
Chris Halsor, Colorado District Attorney's Council



### September 25, 2009 - 9:00 am-Noon

Interagency Task Force on Drunk Driving  
Colorado Department of Transportation  
CDOT Auditorium

- I. Introductions
  - a. Self-Introductions: Name; Agency, entity or interest represented
  - b. Legislation Sponsors' Remarks (if in attendance)
  - c. Public Comments
    1. Stephanie Villafuerte, Deputy Chief of Staff for Community Outreach and Administration – Governor's Office
- II. Representatives from the Commission on Criminal and Juvenile Justice
  - a. Grayson Robinson, Arapahoe County Sheriff
- III. Status of LEAF
  - a. Herman Stockinger or Melissa Nelson, CDOT - Office of Government Relations
  - b. Glenn Davis, CDOT - Office of Transportation Safety
  - c. Christine Flavia, Division of Behavioral Health
  - d. CDOT Public Relations Office
- IV. Treatment Provider Alliance Presentation  
Dr. Karen Moreau, President  
Tammy Lovejoy, Program Director - Horizon Counseling and Education Center, LLC
- V. Alternatives to Felony DUI and Potential Changes to CRS
  - a. Steven Talpins, Vice President - Alcohol Monitoring Systems, Change/Chairman and Chief Executive Officer - National Partnership on Alcohol Misuse and Crime (NPAMC)
- VI. Reformation of the Prevention Sub-Committee
  - a. Christine Flavia
- VII. Legislative Update
  - a. Melissa Nelson or Tom Lorz, CDOT - Office of Government Relations
- VIII. Passing of Karen Abrahamson
  - a. Christine Flavia
- IX. Sub-Committee – Updates

***By-Laws Sub-Committee***

Bill Young, Chair - MillerCoors

***Prevention Sub-Committee***

Vacant

***Intervention Sub-Committee***

Ray Fisher, Chair - Colorado State Patrol

***Victims Rights and Roles Sub-Committee***

Emily Tompkins, Chair - Mothers Against Drunk Driving

***Ignition Interlock Sub-Committee***

Steve Hooper, Chair - Colorado Department of Revenue

***System Improvements Sub-Committee***

Abe Hutt, Chair - Colorado Criminal Defense Bar

***Persistent Drunk Driver Sub-Committee***

Christine Flavia, Chair – CDHS, Division of Behavioral Health



**November 20, 2009 - 9:00 am-3:00pm**

Interagency Task Force on Drunk Driving  
Colorado Department of Transportation  
CDOT Auditorium

1. Introductions
  - a. Self-Introductions: Name; Agency, entity or interest represented
  - b. Legislation Sponsors' Remarks (if in attendance)
  - c. Public Comments
  
- II. Mothers Against Drunk Driving - National Highway transportation Safety Administration (NHTSA) – Interlock Conference Update
  - a. Chris Halsor, Colorado District Attorney's Council (CDAC)
  - b. Paul Hofmann, State Court Administrator's Office (SCAO)
  - c. Steve Hooper, Department of Revenue, (DOR)
  - d. Emily Tompkins, Mothers Against Drunk Driving (MADD)
  
- III. Commission on Criminal and Juvenile Justice Updates
  - a. Paul Hofmann, SCAO
  
- IV. Review of legislation creating ITFDD  
Pamela Hutton, CDOT
  - a. Senate Bill 06-192 Concerning a Task force on Drunk Driving
  - b. 42-4-1306. Interagency task force on drunk driving – creation
  
- V. ITFDD Accomplishments
  - a. Glenn Davis, CDOT
  
- VI. Best Practices Statewide – Impaired Driving Task Forces
  - a. Glenn Davis, CDOT
  
- VII. SWOT Analysis (Strengths, Weaknesses, Opportunities, and Threats) of ITFDD
  - a. Ita Inglis, CDOT Facilitator
  
- VIII. Identification of ITFDD Sub-Committee Key Focus Issues
  - a. Sub-Committee chairs
  
- IX. Assessment of issues identified by ITFDD Sub-Committees
  - a. All
  
- X. Strategic Goals
  - a. All
  
- XI. Next steps
  - a. All



# ATTACHMENT C

## Legislation Letter

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Dear Sir or Madam Legislator:

On behalf of the Colorado Driving Under the Influence Task Force, I extend to you an invitation to discuss any legislative initiatives involving alcohol and driving issues with our committee. The committee is a legislatively-created committee to address the issues the community encounters with alcohol related driving issues. As you are well aware these types of cases can have a devastating impact on families, communities, and the State of Colorado.

The committee consists of members from various backgrounds including victims of alcohol related driving tragedies, law enforcement, the judicial system, distributors of alcohol products, breweries, restaurant and business interests, treatment and prevention agencies, drivers licensing agencies, the criminal defense bar, and other civic and members of the public who are interested in this issue.

Many of our committee members have been involved in the legislative process and are familiar with the requirements necessary for successful legislation. With the expertise and commitment of the members of this committee, we are willing to review legislative initiatives and offer insight on any proposed bills. Hopefully, our assistance can ensure the passage of good laws that have a positive impact in our communities and address this ever present issue. If you are interested in attending a committee meeting, please do not hesitate to contact me. I will make the necessary arrangements to have you placed on a meeting agenda. I can be reached at the contact information listed below:

Edward Casias, Post Office Box 185, Breckenridge, CO 80424 (970) 547.2620 E-mail: [ed.casias@judicial.state.co.us](mailto:ed.casias@judicial.state.co.us)

Hopefully, arrangements can be made to have you attend a committee meeting before the next legislative cycle begins.

Very truly yours,

Edward J. Casias

Legislative Sub-Committee Chair

Colorado Interagency Task Force on Drunk Driving

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## THE PROBLEM

Each year in Colorado, drunk driving kills more than 200 people and injures thousands of innocent victims. These crashes cost the state's citizens tens of millions of dollars in medical bills, lost wages, increased insurance premiums, property damage, and countless other expenses. While the overall number of alcohol-related traffic fatalities has declined in recent years, alcohol continues to be involved in about 40% of all traffic fatalities in Colorado. Getting and keeping impaired drivers off the road remains an enormous challenge, one that continues to defy easy solutions.

## FINDING SOLUTIONS

In an effort to generate more collaboration and consensus for effective solutions to the impaired driving problem, the Interagency Task Force on Drunk Driving (ITFDD) was established in 2006 by the Colorado General Assembly. Senate Bill 192 was passed in honor of Sonja Marie DeVries, who was killed by a drunk driver who had six previous impaired driving convictions.

*The official mission of the task force is "to investigate methods of reducing incidents of drunk and impaired driving and develop recommendations for the State of Colorado regarding the enhancement of government services, education, and intervention to prevent drunk and impaired driving."*

Members of the ITFDD are designated by statute and represent various state agencies, the law enforcement and legal community, safety advocates, private businesses and citizens.

## WORKING TOGETHER

The Interagency Task Force on Drunk Driving is comprised of people with a broad spectrum of expertise to develop effective solutions to the problem of impaired driving. The task force serves as an expert advisory group to state legislators, but other groups and individuals are welcome to present concepts or provide input related to the common goal of reducing drunk driving. All meetings are open to the public.

The objectives of the ITFDD are achieved through the work of various sub-committees, including: communications, ignition interlock, intervention, persistent drunk driving, prevention, systems improvement and victims' rights and services. The work of the ITFDD and its sub-committees is reported to the General Assembly through an annual report.

## WHO WE ARE

The ITFDD is made up of the following members or their designees:

- Executive Director, Dept. of Transportation
- Executive Director, Dept. of Revenue
- State Court Administrator
- Chief, Colorado State Patrol
- State Public Defender
- Director, Division of Behavioral Health
- Director, Division of Probation Services

Additionally, a representative from each of these statewide organizations serves on the ITFDD:

- Colorado Association of Chiefs of Police
- County Sheriffs of Colorado
- Organization of Victims of Impaired Driving
- Colorado District Attorney's Council
- Colorado Criminal Defense Bar
- Alcohol Beverages Manufacturer
- Colorado Licensed Beverage Association
- Colorado Beer Distributors Association

The ITFDD also includes:

- A college student under age 24
- A victim or family member of a victim of drunk or impaired driving



# MISSION:

*To investigate methods of reducing incidents of drunk and impaired driving and develop recommendations for the State of Colorado regarding the enhancement of government services, education, and intervention to prevent drunk and impaired driving.*



## SONJA MARIE DEVRIES

JUNE 22, 1985 – JULY 19, 2004

Sonja Marie DeVries was an extraordinary 19 year-old, with everything for which to live. She worked at the Denver Museum of Nature and Science for six summers as a teacher assistant and team leader. She was an accomplished tap dancer and was accepted to attend Naropa University. All of that changed in a single instance.

Sonja was killed while simply sitting in her car at a Denver intersection when a pickup truck careened through the red light—speeding at approximately 60-70 mph in a 35 mph zone. Sonja was declared brain dead at the hospital and unplugged from life support. The drunk driver's blood alcohol was 2 1/2 times the legal limit and he had six prior DUIs.

The DeVries family wanted to prevent this horrible tragedy from happening to others and to create a legacy to all victims and their families who had walked in their shoes and lost a loved one due to an impaired driver.

Sen. Peter Groff and Rep. Jim Reisberg helped champion their cause and passed legislation in 2006 which created the Colorado Interagency Task Force on Drunk Driving.

## IN COLORADO, DID YOU KNOW...?

- Over 40% of fatal crashes involve alcohol?
- Each year, more than 30,000 people are arrested for DUI?
- The minimum cost of a first-time DUI is \$10,270?

## MEETING INFORMATION

Colorado's Interagency Task Force on Drunk Driving meets every other month at:

Colorado Department of Transportation  
4201 E. Arkansas Avenue  
Denver, CO 80222

For meeting dates, agendas and the annual reports, visit the Task Force web site at:  
[dot.state.co.us/TrafficSafety/DUITaskForce/index.cfm](http://dot.state.co.us/TrafficSafety/DUITaskForce/index.cfm)

For more information, contact:  
Heather Halpape  
CDOT Public Relations Office  
303-757-9484 or [heather.halpape@dot.state.co.us](mailto:heather.halpape@dot.state.co.us)



## Interagency TASK FORCE ON Drunk Driving

### WORKING TOGETHER TO FIND SOLUTIONS



**Interagency Task Force on Drunk Driving**

Chair, Pamela Hutton, Chief Engineer  
Colorado Department of Transportation

**For more information or staff assistance, please contact:**

Mike Nugent, Manager  
Colorado Department of Transportation  
Office of Transportation Safety  
4201 E. Arkansas Avenue  
Denver, Colorado 80222  
Voice: (303) 512-5400  
Fax: (303) 757 9219

**Email: [mike.nugent@dot.state.co.us](mailto:mike.nugent@dot.state.co.us)**