

# **Interagency Task Force on Drunk Driving**

## **Legislative Report**



**January 15, 2007**

# **TABLE OF CONTENTS**

	<b><u>Page No.</u></b>
<b>Summary of Enactment of Senate Bill 06-192</b>	<b>2</b>
<b>Interagency Task Force on Drunk Driving Overview</b>	<b>3</b>
<b>Attachments</b>	
• <b>Attachment “A” Senate Bill 06-192</b>	<b>6</b>
• <b>Attachment “B” Interagency Task Force on Drunk Driving Meeting Minute Summaries</b>	<b>11</b>
• <b>Attachment “C” - Governor’s DUI System Evaluation Task Force Final Report</b>	<b>16</b>

## **Summary of Enactment of Senate Bill 06-192**

Senate Bill 06-192, Concerning a Task Force on Drunk Driving, by Senator(s) Groff; also Representatives(s) Riesberg, Borodkin, Carroll M., Coleman, Gallegos, Garcia, Green, Larson, Merrifield, Romanoff, Todd, and Witwer was introduced and approved during the 2006 Legislation.

SB06-192 created an Interagency Task Force on Drunk Driving whose mission is to investigate methods of reducing the incidences 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. The SB 06-192 legislation can be viewed in its entirety in Attachment A.

SB 06-192 mandates that the Task Force shall consist of the following members:

- the Executive Director, or their designee, of the Colorado Department of Transportation (CDOT) – Pam Hutton, Chief Engineer and Governor’s Representative
- the Executive Director, or their designee, Department of Revenue (DOR)- Steve Hooper
- the State Court Administrator, or their designee – Honorable Ed Casias
- the Chief of the Colorado State Patrol (CSP), or their designee – Colonel Trostel
- the State Public Defender, or their designee – Chris Baumann
- the Director of the Division of Alcohol and Drug Abuse (ADAD), or their designee – Janet Wood
- the Director of the Division of Probation Services, or their designee- Tom Quinn

The Task Force shall then select representation from the following groups:

- A representative of a statewide association of Chiefs of Police with experience in making arrests for drunk or impaired driving – Russ 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 – John Cooke – Weld County Sheriff’s Office
- A victim or a 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 – Mothers Against Drunk Driving (MADD)
- A representative of a statewide organization of district attorneys with experience in prosecuting drunk or impaired driving offenses – Michelle Meyer -19<sup>th</sup> Judicial District - District Attorney’s Office
- A representative of a statewide organization of criminal defense attorneys with experience in defending persons charged 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 – Chuck Ford – Ford, Sovine, Ford Consulting, Inc (footnote: individual will be appointed to this position)
- A representative of a statewide organization that represents distributors of alcoholic beverages in Colorado – Steve Findley – Colorado Beer Distributors Association
- A manufacturer of alcoholic beverages in Colorado – Bill Young – Coors Brewing Company
- A person under twenty-four years of age who is enrolled in a secondary or postsecondary school – Melissa Backlund, Regis University

### **Interagency Task Force on Drunk Driving Overview**

- The first meeting of the Interagency Task Force on Drunk Driving (Task Force) was convened on July 28, 2006, with subsequent meetings on September 29, 2006 and November 30, 2006. At the first meeting Tim Harris, CDOT, was selected to be Chair and Colonel Trostel (CSP) was selected to be Vice Chair. Task Force norms were established and first year goals were set. \
- The second meeting held on September 29, 2006 included presentations from CDOT, DOR, Division of Probation Services, CSP, ADAD and Mothers Against Drunk Driving (MADD). These presentations identified each agencies mission and their role on the Task Force.
- The third meeting held on November 30, 2006 included a presentation from The BACCHUS Network, presentation from the Victim Representative and a discussion of the 2005 Impaired Driving Assessment Recommendations. Pam Hutton, newly appointed CDOT Chief Engineer and Governor Highway Safety Representative, replaced Tim Harris as the Chair of the Task Force. See Attachment “B” for a complete summary of all meetings.

As legislated, the Task Force, through this report, is presenting its achievements, findings and recommendations to the Judiciary Committees of the House of Representatives and the Senate, by the January 15, 2007 deadline.

Task Force considered that:

- According to the National Safety Council the cost of a property damage car crash is \$7,500, the cost of an injury car crash is \$52,900 and the cost of a fatal car crash is \$1,150,000.
- In Colorado, the estimated total cost of the first DUI to an individual, including court fees, fines, lawyer costs etc., is \$9,481.
- In 2003, there were 252 alcohol related fatalities, these deaths represent 40.9% of all traffic fatalities, in 2004 there were 265 alcohol related fatalities, these deaths represent 37.2% of all traffic fatalities and in 2005 there were 244 alcohol related fatalities, these deaths represent 38.1% of all traffic fatalities.

Task Force achievements:

- The Interagency Task Force on Drunk Driving has been established consistent with SB 06-192 with CDOT identified as the lead agency and to host and coordinate meetings
- Three meetings have been held to date – July 28, 2006, September 29, 2006 and November 30, 2006
- Task Force meeting dates for 2007 were set, all meetings will be held at CDOT Headquarters from 9:00am - Noon
  - January 5, 2007
  - March 9, 2007
  - May 11, 2007
  - July 13, 2007
  - September 14, 2007
  - November 9, 2007
  - January 2008 (to be determined)
- The Task Force formed two sub committees:
  - 1) The Legislative Report Committee – responsible for preparation of the Legislative Report, the subcommittee members are:
    - Russ Van Houten, City of Northglenn Police Department
    - Ken Poncelow, Weld County Sheriff's Office
    - Steve Findley, Colorado Beer Distributors Association
    - Tom Quinn, State Court Administrator's Office
    - Emily Tompkins, MADD
    - Carolyn DeVries, Victim Representative
    - Glenn Davis, CDOT
  - 2) The Key Initiatives Committee – The sub-committee members will identify and organize short, medium, and long range recommendations for addressing the issues of drinking and driving, the subcommittee members are:
    - Christine Byars, ADAD
    - Paul Hofmann, Division of Probation Services
    - Chief Trostel, CSP
    - Judge Casias, 5<sup>th</sup> Judicial District
    - Emily Tompkins, MADD
    - Steve Findley, Colorado Beer Distributors Association
    - Bill Young, Coors Brewing Company
    - Julie and Don Legg, Victims who attended meeting
    - Michelle Meyers, District Attorney's Office, 19<sup>th</sup> Judicial District
    - Karen Abrahamson, ADAD
    - Glenn Davis , CDOT

- Captain Ray Fisher, CSP
- The Task Force met the requirement of presenting a report to the Judiciary committees of the House of Representatives and the Senate by January 15, 2007

The previous state-wide DUI taskforce, the DUI System Evaluation Task Force was established in January 1992 to study the issue of drunken driving in Colorado, evaluate the ways the State was handling drunken drivers and to recommend new strategies to fight this deadly traffic safety problem. At the conclusion of this Task Force in 1998, 14 recommendations were made, a summary of the recommendations and their status is attached as Attachment "C". This will be used as a basis for formulating new taskforce initiatives.

For 2007, the DUI Taskforce will continue with the objectives set forth in legislation including investigating methods of reducing the incidences of drunk and impaired driving and developing recommendations for the State of Colorado regarding the enhancement of government services, education and intervention to prevent drunk and impaired driving.

# An Act

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

---

*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.

(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.

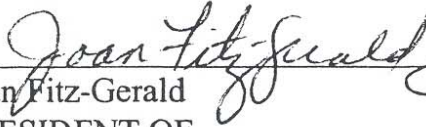
**SECTION 2.** 2-3-1203 (3) (x), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

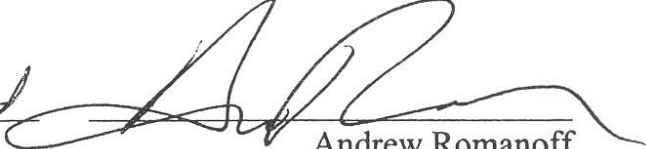
**2-3-1203. Sunset review of advisory committees.** (3) The following dates are the dates for which the statutory authorization for the designated advisory committees is scheduled for repeal:

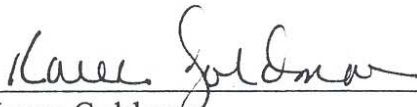
(x) July 1, 2011:

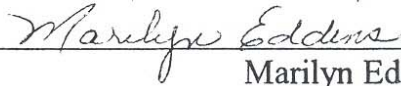
(V) THE INTERAGENCY TASK FORCE ON DRUNK DRIVING CREATED PURSUANT TO SECTION 42-4-1306. C.R.S.

**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 April 24, 2006 at 9:21 A.

  
Bill Owens  
GOVERNOR OF THE STATE OF COLORADO

## Attachment “B”

### Interagency Task Force on Drunk Driving Meeting Minute Summaries from July 28, 2006 – November 30, 2006

#### July 28, 2006

The first meeting of the Interagency Task Force on Drunk Driving (Task Force) was held in accordance with Senate Bill 06-192 at the Colorado Department of Transportation, 4201 E. Arkansas Ave., Denver, Colorado 80222 on July 28, 2006 from 1:00pm-3:00pm.

SB06-192 mandates that the Task Force shall consist of the following members:

- the Executive Director, or their designee, of the Colorado Department of Transportation (CDOT)
- the Executive Director, or their designee, Department of Revenue (DOR)
- the State Court Administrator, or their designee
- the Chief of the Colorado State Patrol (CSP), or their designee
- the State Public Defender, or their designee
- the Director of the Division of Alcohol and Drug Abuse (ADAD) or their designee
- the Director of the Division of Probation Services, or their designee

The Task Force also consists of SB\_192 3a I-VII, the following members selected jointly by the member serving pursuant to subparagraph (I) of this paragraph (a):

- A representative of a statewide association of Chiefs of Police with experience in making arrests for drunk or impaired driving;
- A representative of a statewide organization of County Sheriffs with experience in making arrests for drunk or impaired driving;
- A victim or a family member of a victim of drunk or impaired driving;
- A representative of a statewide organization of victims of drunk or impaired driving
- A representative of a statewide organization of district attorneys with experience in prosecuting drunk or impaired driving offenses;
- A representative of a statewide organization of criminal defense attorneys with experience in defending persons charged with drunk or impaired driving offenses;
- A representative of a statewide organization that represents persons who sell alcoholic beverages in Colorado
- A representative of a statewide organization that represents distributes or alcoholic beverages in Colorado;
- A manufacturer of alcoholic beverages in Colorado; and
- A person under twenty-four years of age who is enrolled in a secondary or postsecondary school.

At each Task Force meeting, self introductions are made to the members present and other attendees. If there are any Legislations Sponsors' remarks to be mentioned, they are said after the self introductions. There have been no Legislative Sponsor's remarks to date.

The Executive Director of the Department of Transportation or his or her designee who shall also convene the first meeting of the task force. At the July 28th meeting Chairman Tim Harris, CDOT's Governor's Highway Safety Representative, provided an overview of the Task Force which made the legislation possible.

One of the recommendations from the Colorado's Impaired Driving Assessment was that a state-wide task on impaired driving be formed. The National Highway Traffic Safety Administration (NHTSA) reports that other states with a statewide Interagency Task Force on Drunk Driving have seen a decrease in incidents of drunk and impaired driving.

Legislative reporting requirements are due on or before January 15, 2007.

Task Force members were informed that there is a two year membership commitment.

Selection of the Chairman and Vice Chair was held. Tim Harris was selected the Chair and Colonel Mark Trostel of the Colorado State Patrol was selected the Vice Chair.

#### How to Get the Job Done

- CDOT will be the primary location for all Task Force meetings
- Task force norms was discussed and they are the following:
- Meeting summaries will be provided to all members
- The consensus definition was discussed
- Task Force members indicated that these meetings will not turn into a lobbying platform
- The group began developing recommendations of their work after all of the Agencies made presentations to the group.
- If the consensus method becomes unworkable, the group may consider using the minority report with recommendations to the House and Senate Committees.
- Everyone agreed to be open to new ideas and would try to remember there is more than one idea

Baseline DUI Statistics were reviewed, a portion of the \$90 fine for each DUI conviction pays for more enforcement.

The Law Enforcement Assistance Fund (LEAF) was discussed. LEAF agencies arrest over 50% of all DUIs. LEAF agencies reported 708 agency arrests for Memorial Day Weekend. This was the highest arrest total of any five day LEAF enforcement period.

In 2004 39% of all traffic fatalities were alcohol related. Colorado ranked 20<sup>th</sup> in the nationwide percentage of alcohol fatalities.

CDOT focuses on underage drivers and drivers between the ages of 21 to 34 because they are considered “high risk drivers”.

The Task Force set their first year goal – which is to make recommendations and find effective solutions. The recommendations will be included in a report to the legislative committees.

At the September 29, 2006, each of the seven State agencies gave brief overviews about their work and roles on the Task Force.

### **September 29, 2006 Meeting**

The second meeting of the Task Force held in accordance with Senate Bill 06-192 at the Colorado Department of Transportation, 4201 E. Arkansas Ave., Denver, Colorado 80222 on September 29, 2006 from 9:00am-12:00pm.

Presentations were given by the following agencies:

- Glenn Davis, Robin Rocke and Jim Randall from CDOT discussed the Impaired Driving Program’s role on the Task Force on Drunk Driving. Jim Randall covered the Public Relations side of DUIs.
- C. Steve Hooper, from the Department of Revenue, gave an overview of the driver’s license sanctions.
- Paul Hofmann, Department of Probation discussed the Judicial System and the DUI statutes.
- Chief Trostel, Chief Van Houten and Commander Poncelow presented local and state law enforcement roles as related to the DUI problem.
- Janet Wood, Alcohol and Drug Abuse Division (ADAD), gave an overview of ADAD’s work on DUI issues.
- Gaylen Matzen, from Mothers Against Drunk Driving (MADD), shared an overview of MADD’s various efforts to stop impaired driving and underage drinking and what role MADD will play on the Task Force on Drunk Driving.

### **November 30, 2006 Meeting**

The third meeting of the Task Force held in accordance with Senate Bill 06-192 at the Colorado Department of Transportation, 4201 E. Arkansas Ave., Denver, Colorado 80222 on November 30, 2006 from 9:00am-12:00pm.

Presentations:

- Melissa Backlund presented information regarding The BACCHUS Network, the largest student organization in Higher Education, which addresses and supports a variety of health and safety concerns on college campuses. The BACCHUS Network receives a grant from the Impaired Driving section of CDOT. Regis/BACCHUS Grant Project goals are to educate students using a peer-based

approach in order to reduce underage drinking and alcohol abuse and to prevent impaired driving among College Age population.

- Carolyn DeVries, victim representative on the Task Force and whose daughter was killed by a drunk driver reported the victim's perspective. The report focused on the motivation behind Senate Bill 192, the victim's perspective of drunk driving, ramifications and impact on victims, offender accountability and suggested interventions. Carolyn gathered data from victims of alcohol related crashes in Colorado Springs, Fort Collins and Denver, CO in October and November of 2006. In this report to the Task Force, Carolyn shared from her own experience as a victim and what victims who attended these meetings wanted to relay to this Task Force.
- Glenn Davis gave a background overview of the 2005 Impaired Driving Assessment and discussed the recommendations that were referred to the Task Force from the Impaired Driving Assessment Review Team
- Glenn will revisit and share the status of the recommendations from the Task Force at the March 2007 meeting of the Impaired Driving Assessment Review Team
- Herman Stockinger, CDOT's Legislative Representative commented on new legislation that could be submitted regarding a stronger DUI laws

#### Comments Made At Meeting:

- The Task Force should proceed slowly
- Chief Trostel stated that a more aggressive strategy is needed to eliminate DUIs
- Pam Hutton stated that we should each take steps to improve enforcement.
- Judge Casias mentioned that letters written to the Summit County newspaper editor regarding citizens asking for stronger prosecution for DUI offenders
- Pam Hutton suggested that two subcommittees needed to be formed.

The first subcommittee will be charged with drafting, reviewing and providing comments for the Legislation Report due in January.

#### The subcommittee members are:

- Russ Van Houten, City of Northglenn Police Department
- Ken Poncelow, Weld County Sheriff's Office
- Steve Findley, Colorado Beer Distributors Association
- Tom Quinn, State Court Administrator's Office
- Emily Tompkins, MADD
- Carolyn DeVries, Victim Representative
- Glenn Davis, CDOT

#### The report will consist of:

- State legislation
- Mission statement

- Activities completed regarding various roles and players
- Appendix
- Status of previous Governor's Task Force recommendation

The Key Initiatives subcommittee of the Task Force will compile a list of short range, medium range and long range goals. This list is due to Glenn Davis by December 8, 2006.

The subcommittee members are:

- Christine Byars, ADAD
- Paul Hofmann, Division of Probation Services
- Chief Trostel, CSP
- Judge Casias, 5<sup>th</sup> Judicial District
- Emily Tompkins, MADD
- Steve Findley, Colorado Beer Distributors Association
- Bill Young, Coors
- Julie and Don Legg, Victims who attended meeting
- Michelle Meyers, Student
- Karen Abrahamson, ADAD
- Glenn Davis, CDOT
- Captain Ray Fisher, CSP

Task Force meeting dates for 2007 were set, all meetings will be held at CDOT Headquarters from 9:00am – Noon

- January 5, 2007
- March 9, 2007
- May 11, 2007
- July 13, 2007
- September 14, 2007
- November 9, 2007
- January 2008 (to be determined)

Future 2007 Task Force Meeting Agenda Items will include:

At the March 9, 2007 meeting, Karen Abrahamson, ADAD will present for 15 minutes regarding Prevention of Underage Drinking and Underage Drinking and Driving. Judge Ed Casias will present regarding judicial issues.

The May 11, 2007 meeting, a representative from CDPHE will present on Technology. Steve Hooper, Department of Revenue will give an overview of the Interlock Ignition Systems, and other technologies presentation.

Next Meeting:

January 5, 2007



## Attachment "C"

### Recommendations of the Governor's DUI System Evaluation Task Force Final Report, 1998

The 1998 Governor's DUI System Evaluation Task Force resulted in identifying fourteen recommendations. The status of these recommendations follows:

- **Special enforcement/media programs.** The recommendation is to continue funding for the "Heat Is On" public DUI enforcement awareness program. Another recommendation is to have a DUI cell phone contact number "\*CSP" for the public to call when reporting suspected impaired drivers. Both of these recommendations are continuing at this time.
- **Media programs.** The recommendation is to support media programs developed specifically for different target high-risk groups. CDOT has culturally sensitive programs targeting high-risk groups in place.
- **Repeat Offenders.**
  - 1) Use of special DUI jail that includes treatment along with incarceration for serious offenders. There is no DUI jail.
  - 2) Create a list of top five repeat DUI offenders in each jurisdiction for agency focus. This can be addressed by individual agencies as Weld County has done. There is no other information that this is being accomplished in the state.
  - 3) Lower the charge of Habitual Traffic Offender from a felony to a misdemeanor. This has been completed except where there are aggravated factors.
  - 4) While passage of the .08 BAC law lowered the BAC threshold for everyone, no law has been approved to lower the threshold specifically for repeat offenders.
- **Electronic transfer of ticket information.** Tracking system that avoids the need to repeatedly enter the same information on a subject. i.e., name, address, would be transferred onto multiple forms. Although some individual agencies may have this in place, no statewide ability is available.

- **Ignition interlock.**
  - 1) Recommended promotion and education concerning the use of ignition interlocks. Continuing effort.
  - 2) Ignition interlock monitoring and reporting to legislators. Accomplished.
  - 3) Colorado host multi-state conference focusing on ignition interlock technology and the social impact of its use. Accomplished.
- **Sanctions for repeat offenders.** Electronic monitoring as an alternative to jail for repeat offenders. Offender would pay the cost of treatment and monitoring. Repeat offenders are still required to spend time in jail. Accomplished.
- **The .08 BAC level for DUI.** The Task Force had a concern that if Colorado adopted .08 BAC DUI, it would compromise the lesser charge of .05 Driving While Impaired. The .08 BAC became law in 2004 and did not affect the status of the .05 Driving While Impaired.
- **Open container law.** The Task Force did not make a decision on this issue and recommended that a future task force examine Colorado's future benefit of this law. This law is in place.
- **Increased penalties for first time high BAC and repeat offenders.** Recommend current DUI laws that provide graduated penalties be enhanced or refined. Address penalties for abusive or repeat offenders based on BAC levels and previous convictions. Increased penalties have been established to high BAC and repeat offenders through the Persistent Drunk Driver law.
- **Evaluation of existing treatment programs.** Recommended adding Level III treatment program for worst offenders. The MADD Drunk Driving/Victim Impact Panel Program provides education to DUI offenders throughout the State of Colorado. Studies have shown this program reduces recidivism in other states, however, there has not been a comprehensive evaluation of the program in Colorado.

Although a specific Level III treatment program has not been added, there have been four levels of treatment in place, with more treatment required for those offenders with high BAC's and repeat offenses. The amount of treatment has essentially been doubled for the highest risk offenders.

- **Graduated driver's licenses.** Recommended this be implemented. Accomplished. Most features of a model GDL law have been enacted.
- **Funding for the purchase of Intoxilyzers by the Colorado Department of Public Health and Environments, Alcohol Testing Laboratory.** Recommended a funding mechanism to ensure the existence of enough intoxilyzers in Colorado. The department receives funding through Law

Enforcement Assistance Fund for intoxilyzers and other related expenses, therefore this recommendation has been partially accomplished. Also, there was a second recommendation that Colorado law be changed to allow an officer to determine which test a driver must take. A law that addresses this second recommendation has not been put in place.

- **Continuation of a DUI task force.** Continue task force and find a way to pay per diem expenses for those who attend related meetings. Other than the task force that made the 1998 final report recommendations, there has been no other statewide task force convened. However, in followup to the Persistent Drunk Driver Act of 198, the Persistent Drunk Driver (PDD) Committee was established by interagency agreement in 2000 to carry out the joint responsibilities outlined in the Act. This PDD committee has met regularly since its inception and has continued many of the initiatives identified by the task force in 1998.

**Interagency Task Force on Drunk Driving**

Chair, Pamela Hutton, Chief Engineer  
Colorado Department of Transportation

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

Gabriela Vidal, Branch Manager  
Colorado Department of Transportation  
Safety and Traffic Engineering Branch  
4201 E. Arkansas Avenue  
Denver, Colorado 80222  
Voice: (303) 757- 9879  
Fax: (303) 757 9219

**Email: [Gabriela.vidal@dot.state.co.us](mailto:Gabriela.vidal@dot.state.co.us)**