



Florida Impaired Driving Coalition

Meeting Report

August 22-23, 2019

Prepared For:

Florida Department of Transportation

Prepared By:

Cambridge Systematics, Inc.



1.0 Attendees

Members:

Name	Agency Represented	Attendance
Chief Art Bodenheimer	Lake Alfred Police Department	<input type="checkbox"/>
Dr. Brett Kirkland	Florida Department of Law Enforcement (FDLE), Alcohol Testing Program (ATP)	<input type="checkbox"/>
Ben Kenny	Hillsborough County Sheriff's Office	<input checked="" type="checkbox"/>
Chief Brett Railey	Florida Police Chiefs Association (FPCA)	<input type="checkbox"/>
Lt. Channing Taylor	Florida Highway Patrol (FHP)	<input type="checkbox"/>
Chris Craig	Florida Department of Transportation (FDOT)	<input checked="" type="checkbox"/>
Chris Earl	Florida Safety Council	<input checked="" type="checkbox"/>
Christy Crump	Florida Restaurant and Lodging Association	<input checked="" type="checkbox"/>
Darrell Edmonds	Institute of Police Technology and Management (IPTM)	<input checked="" type="checkbox"/>
Ernie Bradley	Florida Department of Transportation (FDOT)	<input checked="" type="checkbox"/>
Frank Franco	Florida Department of Business and Professional Regulation	<input type="checkbox"/>
Garett Berman	State Attorney's Office 17th Judicial Circuit	<input checked="" type="checkbox"/>
Helen Justice	DUI Counterattack, Hillsborough, Inc.	<input type="checkbox"/>
Isabel Perez-Morina	Advocate Program, Inc./Florida Association of Community Corrections	<input type="checkbox"/>
Juan Cardona	Law Enforcement Liaison Program	<input checked="" type="checkbox"/>
Kenneth Leedham	Stuart Police Department	<input checked="" type="checkbox"/>
Senior Judge Karl Grube	Trial Court Judge	<input checked="" type="checkbox"/>
Kathy Jimenez-Morales	Florida Highway Safety and Motor Vehicles (FLHSMV)	<input checked="" type="checkbox"/>
Kevin Milan	Miami Beach Police Department	<input type="checkbox"/>
Kyle Clark	International Association of Chiefs of Police (IACP)	<input checked="" type="checkbox"/>
Larry Coggins	Mothers Against Drunk Driving (MADD)	<input checked="" type="checkbox"/>
Dr. Lisa Reidy	University of Miami (UofM), Toxicology Division	<input checked="" type="checkbox"/>
Lora Hollingsworth	Florida Department of Transportation (FDOT)	<input type="checkbox"/>
Magnus Hines	Florida Highway Safety and Motor Vehicles (FLHSMV)	<input type="checkbox"/>
Marcie Padron	Orange County Sheriff's Office	<input type="checkbox"/>
Mark Brown	Florida Highway Patrol (FHP)	<input checked="" type="checkbox"/>

Mark Eastty	Pinellas County Sheriff's Office	<input checked="" type="checkbox"/>
Matthew Rosenbloom	Pasco County Sheriff's Office	<input type="checkbox"/>
Melissa Branca	Florida Students Against Destructive Decisions (SADD)	<input type="checkbox"/>
Nicholas Tiscione	Palm Beach County Sheriff's Office	<input checked="" type="checkbox"/>
Nicholas Trovato	Florida Association of State Prosecutors; Circuit Court - 16th	<input type="checkbox"/>
Ray Graves	Florida Highway Safety and Motor Vehicles (FLHSMV)	<input checked="" type="checkbox"/>
Richard Smith	Seminole Tribal Police Department	<input checked="" type="checkbox"/>
Richie Frederick	Florida Highway Safety and Motor Vehicles (FLHSMV)	<input type="checkbox"/>
Robert Hagar	Broward County Sheriff's Office	<input type="checkbox"/>
Robin Anderson	Hillsborough County Sheriff's Office	<input type="checkbox"/>
Scott Parker	University of South Florida (USF) Police Department	<input checked="" type="checkbox"/>
Stephen Talpins	Miami-Dade County State Attorney's Office	<input type="checkbox"/>
Steve Harriett	Florida Sheriff's Association (FSA)	<input type="checkbox"/>
Tim Cornelius	Collier County Sheriff's Office	<input checked="" type="checkbox"/>
Tim Dempsey	Indian River Shores Public Safety	<input type="checkbox"/>
T.J. Graham	Florida Department of Law Enforcement (FDLE), Alcohol Testing Program (ATP)	<input type="checkbox"/>
Vernon Howell	Florida Highway Safety and Motor Vehicles (FLHSMV)	<input type="checkbox"/>
Vin Petty	Florida Public Safety Institute (FPSI)	<input type="checkbox"/>

Traffic Safety Partners

Name	Agency Represented	Attendance
Chanyoung Lee	USF Center for Urban Transportation Research (CUTR)	<input checked="" type="checkbox"/>
Courtney Coppola	Florida Dept. of Health (FDOH) Office of Medical Marijuana Use (OMMU)	<input type="checkbox"/>
Capt. Christi Esquinaldo	Hillsborough County Sheriff's Office	<input type="checkbox"/>
Dave Pinsker	Mothers Against Drunk Driving (MADD)	<input type="checkbox"/>
Joe Pecchio	AAA	<input type="checkbox"/>
Karen Morgan	AAA	<input type="checkbox"/>
Matt Nasworthy	AAA	<input type="checkbox"/>
Megan Cott	USF Center for Urban Transportation Research (CUTR)	<input type="checkbox"/>

Mike Fraher	Florida Department of Business and Professional Regulation	<input type="checkbox"/>
Murray Brooks	SCRAM Systems	<input checked="" type="checkbox"/>
Olimpia Jackson	United States Navy	<input type="checkbox"/>
Sandy Richardson	National Highway Traffic Safety Administration (NHTSA)	<input type="checkbox"/>
Steve Frisco	State Attorney's Office 8th Judicial Circuit	<input type="checkbox"/>
Stephanie Ghazvini	Florida Sheriff's Association (FSA)	<input type="checkbox"/>

Coalition Support

Danny Shopf	Cambridge Systematics, Inc.	<input checked="" type="checkbox"/>
Nusrat Sharmin	Cambridge Systematics, Inc.	<input checked="" type="checkbox"/>

Others in Attendance

- Anthony Palese, Florida Association of State Prosecutors

2.0 Meeting Notes – August 22

Welcome & Introductions

Kyle Clark, Chair, introduced himself and welcomed members to the meeting. He asked members to introduce themselves and note which agency/organization they represent.

CUTR Facilitation of Impaired Driving Coalition

Chris Craig, FDOT, addressed issues brought up at the February 2019 FIDC Meeting related to travel reimbursement. At that meeting, it was noted that CUTR does not pay per diem on the last day of travel, even though the state allows it. Two FIDC members are opposed to the way CUTR is interpreting legislation. CUTR and FDOT legal teams are working to interpret USF's policy, Florida statute, and the FIDC subgrant in regard to travel reimbursements. Chris said when this process is completed, and an answer has been identified, he will share it with the FIDC.

FIDC Strategic Action Plan – Goal 1

Danny Shopf, Cambridge Systematics, identified the first action of the FIDC Strategic Action Plan – Expand the Florida Impaired Driving Coalition Membership – and asked coalition members to provide updates. **(Potential membership is listed below in bold. Action items to be addressed at the next meeting are in italics and underlined.)**

Outreach Efforts about Membership

Military Representation – Malcolm Osteen, Coast Guard, is back in the US after being deployed and is interested in participating. Ray Graves, FLHSMV, said Malcolm will begin attending meetings upon approval from his supervisor. Malcom is waiting for formal invitation from the coalition. Ernie Bradly,

FDOT, will draft an invitation and send it as soon as possible. Ray and Ernie will provide an update at the December 2019 FIDC Meeting.

Department of Education – Chris Earl, Florida Safety Council, volunteered to contact the Orange County superintendent and ask for membership recommendations at the March 2019 Meeting. He is working on scheduling a meeting with Orange County superintendent. Danny offered to reach out to DOE on behalf of the coalition to check if they have anyone interested to be a representative. Chris and Danny will provide an update at the December 2019 FIDC Meeting.

Multicultural Representation – Chris Earl contacted the newly appointed multicultural bureau chief of Orlando inviting him to participate in the FIDC, but the invitation was declined. Danny asked the members to consider other potential representatives prior to the December 2019 FIDC meeting.

Toxicology Lab Representation – An invitation was sent to Chip Walls, Forensic Analytical & Clinical Toxicology Consultant and Training Specialists, requesting his participation. Chip informed Garrett Berman, State Attorney’s Office, that he is very busy although he is interested in participating on the coalition depending on his availability. Dr. Lisa Reidy, University of Miami, Toxicology Division, agreed to reach out to other toxicology lab representatives to gauge their interest in participating. Nicholas Tiscione, Palm Beach County Sheriff’s Office, recommended Dennis Siewert, Manager of FDLE in Toxicology Lab in Orlando as a potential representative. Nick and Lisa will reach out to Dennis and provide an update at the December 2019 FIDC Meeting. Vin was not present at August 2019 meeting. Vin and TJ will follow up with other Orlando representatives.

Judicial Representation – In the past few meetings, FIDC had two Judicial representatives. Chris Earl followed up with Judge Andrew Cameron, Orange County Court Judge, and said while he appreciates the time he spent at the past coalition meetings, he will not be able to continue participating due to his busy schedule. Judge Grube recommended Judge Overton, who is on the Suncoast Safety Council driving under the influence (DUI) program’s board and was also a member of the IPTM Safety committee. Judge Grube will reach out to Judge Overton and provide an update at the December 2019 FIDC Meeting.

Law Enforcement Representation – Christy Crump, Florida Restaurant and Lodging, suggested that representation from Alcoholic Beverage and Tobacco (AB&T) would be beneficial to the FIDC. Brian Brummet is local to Orlando and could be a good representative from AB&T. Christy Crump suggested Brian Brummet as an AB&T representative. Christy will follow up with Brian Brummet and provide an update at the December 2019 FIDC Meeting.

- Is there potential for law enforcement representatives that are involved in community relations, including School Resource Officers (SROs)?
 - Lt. Mike Mardon, with the Lake County Sheriff's Office, is on the coalition but hasn't been able to attend meetings. He is an SRO representative that could fill this role.

Prosecution Representation – Garrett suggested including Dave Fear since he is local to the central Florida area and may be able to attend regularly. Dr. Reidy suggested David Gilbert and offered to contact him on behalf of the coalition. Ernie corresponded with Stephen Talpins, the Miami-Dade State Attorney’s Office’s Chief of Staff, who has agreed to participate but could not make it to this meeting. He is likely to attend the December 2019 meeting. Garrett and Dr. Reidy will provide an update at the December 2019 Meeting.

Public Health Representation – Courtney Coppola, the director of the Office of Medical Marijuana Use with the Florida Department of Health (FDOH), has shown an interest in being involved. The Orange County Department of Health is another good alternative. Ernie reached out Orange County

FDOH and Central Office FDOH, in search of any individual who might be a good fit for the coalition. He contacted Nasseam McPherson James, Assistant Director of Orange County FDOH and she has expressed interest in attending the future meetings. Ernie is working on getting a representative with a focus on medical marijuana and will provide an update at the December 2019 FIDC Meeting.

Vendor Representation – The FIDC is ok with participation of different vendors in the coalition if their product/services relate appropriately. Chris asked the members to keep an eye out for any vendors who would be interested in participating as a partner or giving a presentation on impaired driving.

Ernie suggested reevaluating the organization and actions identified in the FIDC Action Plan based on the changing representation. This reorganization could help facilitate discussion during meetings and ensure the FIDC is covering a wide range of impaired driving-related topics.

FIDC Data and Fact Sheet Update

Dr. Chanyoung Lee, USF Center for Urban Transportation Research (CUTR), gave a presentation on Florida's impaired driving data and showed an example of the updated FIDC Fact Sheet. Dr. Lee noted the dataset defines alcohol involved traffic crashes as those where alcohol use was confirmed but does not include cases where alcohol was suspected. He suggested including all crashes where impairment was suspected or confirmed in the Fact Sheet to provide a better understanding of all of the possible impaired driving cases as well as all of the cases where impairment was confirmed. Chris asked the coalition if they would be comfortable with counting crashes where impairment was suspected in the Fact Sheet or they preferred using the official FLHSMV totals that only include crashes where impairment is confirmed.

Coalition members had the following comments:

- How detailed is this information? Can we get information about the demographics of the drivers being killed or seriously injured in different counties to give law enforcement better information to support high visibility enforcement?
 - We have access to any information that is filled in on a crash form. We can pull fatality and injury information for specific counties and specific driver demographics.
- Can we consider using BAC level of 0.05 for adults and 0.02 for minors as a measure of suspected impairment? Would it be possible to only use those cases?
 - Pending and suspected impairment cases are not always updated consistently or regularly by the officers to confirm alcohol impairment at that level of detail.
- Depending on the source of information, definition of alcohol impaired and alcohol involved varies. Therefore FDOT, Fatality Analysis Reporting System (FARS) and FLHSMV publications of impaired driving crash, fatality, and serious injury data is different.
- Does this crash data include drug suspected and drug involved?
 - The information included in the revised Fact Sheet does not include any drug involved crashes, as there is a lack of good understanding of the drug impairment level for it to be included.
 - It would be helpful to include both alcohol involved and drug involved as benchmarks, but to focus on the alcohol suspected and confirmed.
- Can we include ethnicity as a factor for this crash data analysis?
 - Yes, we have the data and we can include that in the Fact Sheet.

Chris asked Dr. Lee to develop additional charts based on the additional data discussed during the meeting to consider for inclusion in the Fact Sheet and present them at the next FIDC meeting. The Fact Sheet will be published after the coalition has a chance to comment on the additional data.

FIDC Strategic Action Plan – Goal 2

Over Service Model Language

At the August 2018 meeting, Vin Petty, Florida Public Safety Institute, provided an update on Over Service Model Language. He noted 16 states have criminal penalties related to establishments/individuals overserving customers. Florida's over service law only applies to establishments that knowingly overserve individuals with a known drinking problem. To adequately develop model language related to over service, the FIDC would need to draft language related to the criminal punishments associated with over service. Vin noted that Florida's current over service legislation is written to protect vendors and unlikely to be changed. Rather than focus on writing model language, he recommended the FIDC provide a model program, such as the Hillsborough County SAVE Program, that is focused on educating establishments serving alcohol. This action is on hold until a next step can be identified. *Vin was not present at the August 2019 meeting, will update the members at the December 2019 FIDC Meeting.*

Community Traffic Safety Teams (CTSTs)

Chris Craig said FDOT is working with CTSTs to identify, develop, and distribute tip cards and other resources, and will be able to update the coalition members at the December 2019 FIDC meeting. He asked members to identify quality materials that FDOT can help recreate and supply to areas that need good educational materials.

Coalition members had the following comments:

- Does MADD do any tip card that is specific to Florida?
 - Yes, MADD does something specifically but also uses printed materials supplied by FDOT. Most of MADD's material is fairly standard with slightly different branding and images depending on the area and audience.

NHTSA-IACP Training Grants

Kyle Clark gave an update on the NHTSA-IACP Training Subgrant. Kyle noted that on July 1, 2019, IACP signed an agreement to provide subgrants to LEAs to conduct ARIDE and DRE training for law enforcement officers, judges, and prosecutors. They are planning to provide subgrant funding to ten LEAs each year, starting in 2020. IACP would like to identify agencies that frequently coordinate with nearby agencies to impact as many officers, judges, and prosecutors as possible. Kyle said there is an online application process to apply for the subgrant, where agencies are required to submit a budget and will need to demonstrate a need for additional ARIDE and DRE trained personnel. Applicants must also provide a work plan to conduct and sustain training beyond the initial subgrant. Funding will allow for travel, per diem, course materials, DRE kits, expense materials, and certification training expenses. Kyle also noted that the amount in the budget has to be maximized to go towards the trainings.

Coalition members had the following questions and comments:

- Can you consider revising the language in the subgrant to encourage a more balanced approach to impairment as well as encourage more judicial participation?

- We are not expecting much judicial participation because of the perception that this type of training favors prosecution. However, Judges are welcome to join if they can find a way to do this.
- Would this application be submitted to the annual FDOT concept paper submission?
 - It is a similar process but will be a separate subgrant application.
- IACP is considering setting up contracts with Law Enforcement Agencies (LEAs) to facilitate the subgrant reimbursement. LEAs will agree to train a specific number of officers, prosecutors, and/or judges and receive reimbursement for that training when those criteria are met.
 - They are still developing the criteria now and anticipate it will be established by January 1, 2020.
- FDOT is happy to help get the word out on this subgrant opportunity to all law enforcement agencies through the LEL program.

Impaired High Visibility Enforcement (HVE) Subgrants

Ernie Bradley gave an update on the Impaired High Visibility Enforcement (HVE) subgrant program. He said preliminary crash data suggests that in Federal Fiscal Year (FFY) 2019 (from October 1, 2018 to July 21, 2019) there were 12,731 alcohol and drug related crashes throughout the State of Florida and showed a map identifying the locations with the highest number of crashes. He said a greater number of agencies are applying for these subgrants in FFY 2020. Ernie highlighted 9 out of the top 25 counties with no impaired HVE applicants had higher number of alcohol and drug related crashes. He encouraged coalition members to direct non-grant applicant agencies to FDOT to apply for subgrants to combat alcohol and drug related crashes.

Coalition members had the following questions and comments:

- Is there information available on the qualifications that must be met to qualify for the subgrant?
 - Yes, the qualification is based on the FDOT Highway Safety Matrix and FDOT can share that with the coalition. NHTSA requires officers using these funds to enforce impaired driving and have at least one ARIDE or DRE certified officer available to assist in making arrests.
- What type of training equipment would be supported through this subgrant?
 - Some counties have purchased equipment for their breath test room and others have purchased in-car camera systems, intoxilyzers, and other relevant testing equipment. The equipment must be used to support impaired driving enforcement and cannot be the only component of the subgrant request.

FIDC Strategic Action Plan Goal 3

Chemical Test Refusal Model Language

Danny noted the Chemical Test Refusal Model Language was approved at the May 2019 FIDC meeting and is now available on the FIDC website – www.flimpaireddriving.com.

DUI Diversion Programs

Danny noted the DUI Diversion Program Suggested Best Practices document was approved at the May 2019 FIDC meeting and is also available on the FIDC website – www.flimpaireddriving.com. Coalition

members indicated that with this new information available, more traffic needs to be driven to the website.

Coalition members had the following questions and comments:

- Ken Leedham, Stuart Police Department, said the language has been made available to a legislator's aide. The legislator is excited to review the model language and will consider supporting them during the Florida legislative session. The legislator suggested the FIDC focus on identifying best practice recommendations for formalizing the definition of impairment, drug, and other common terms which are not clearly defined in Florida statutes.
- Law Enforcement phlebotomy training has been successful in several states. It has helped to streamline the testing process for impairment and allowed officers to collect blood samples more easily. Most states have been transitioning to blood testing instead of urine testing.
 - In the past, we have considered funding a pilot program for law enforcement phlebotomy.
- Is there a prioritized list of which model language is most important?
 - When presented to the legislator's aide, updating the definition of impairment was the highest priority.
 - It would be a good idea to identify a group of FIDC members to prioritize what is available on our website so we can emphasize what is most important to anyone interested in the language.
- The coalition asked for the FIDC website to be reorganized so the model language is more prominent. They suggested adding a separate tab on the navigation menu specifically for model language.
 - Cambridge Systematics will update the website prior to the December 2019 FIDC Meeting.

Ignition Interlock Law

In the last FIDC meeting, Larry Coggins, MADD, agreed to work on drafting model language with support from Vin based on the language MADD provided at the last legislative session. Vin was not present at the August 2019 FIDC Meeting.

Coalition members had the following questions and comments:

- Chris suggested a subcommittee be developed to draft proposed model language that would include Ignition Interlock. The members agreed to convene a subcommittee group to review and edit the proposed model language. Vin Petty, Judge Grube, Garrett Berman, Nick Trovato and Larry Coggins will work on finalizing the draft model language for Ignition Interlock.

Linking Citation Numbers to Impaired Driving Court Case Numbers

Chris Craig noted the Florida Court Clerk and Comptrollers (FCCC) was working internally to update their system to include a reference to both numbering systems. They are currently waiting for approval from the Florida Department of Law Enforcement (FDLE). Chris will follow up with FCCC prior to the December 2019 FIDC Meeting and provide an update.

Judicial Membership on FIDC Discussion

Nicholas Tiscione, Palm Beach County Sheriff's Office, shared an opinion article from the Florida Supreme Court's Judicial Ethics Advisory Committee about the appropriateness of having a Judge as a member of this coalition. According to the letter, the language (i.e., "Enforcement" and "Prosecution") in the FIDC

Charter are not neutral enough for potential judicial representatives to be comfortable participating in the FIDC. He recommended revising the FIDC Charter language to avoid the perception of favoring the State in DUI prosecution. He also suggested the FIDC could consider similar language found in Canon 4 of the Code of Judicial Conduct to reword the statements. He informed the FIDC that an active judge from West Palm Beach, who would be a potential asset to the FIDC, may not be comfortable participating due to a charter that is too biased toward prosecution.

- The FIDC is comfortable revising the charter to be more neutral.
- “Adjudication” is a much more neutral term we can stick to.
 - Chris and Ernie will draft a revised Charter and share it at the December 2019 FIDC meeting.

Wet-Reckless Presentation

Ernie Bradley gave a presentation on reducing DUI to a “Wet-Reckless” charge. He reminded members that at the last meeting Helen Justice brought up that a reckless driving in UTC coded with a hyphen (-) was actually a DUI that was pled down to reckless driving. A Reckless-Driving charge carries less severe penalties than a DUI charge, thus a DUI offense can only be considered as Wet-Reckless through a plea accepted by a judge. Ernie researched the UTC code to check if this was consistent across all traffic records or specific to a few jurisdictions. He noted while some automated processes are slower to update, the hyphen (-) coding is consistent across all traffic records. Ernie proposed this coding could be used to determine if an offender has already been through a diversion program and had a DUI reduced to reckless driving. He proposed coordinating with DUI diversion programs to ensure they are aware of this coding and checking it before offering their diversion programs to clients with a “wet-reckless” charge on their record.

Coalition members had the following questions and comments:

- Prosecution prefers to amend DUI citations to reckless driving which is listed as “DUI-Withheld by Judge.” The preferred process would be to dismiss the DUI case by prosecutor and refile as reckless so there is no reference to a judge withholding.
 - The recommendations included in the best practices white paper available on the FIDC website would help to resolve some of the challenges related to “withheld by judge” references.
 - Providing two columns - Judge withheld and Clerk withheld - in the database would also alleviate the concern of cases wrongfully coded as “withheld by judge.”
 - On the prosecution side, it is unlikely that cases will be dismissed and refiled as reckless because it is very time consuming for both the attorneys and the offenders.
- The Bureau of Records would have to be involved in changing the “judge withheld” label.
 - The FIDC could reach out to Richie Frederick at DHSMV to see if he can help with changing the label.
 - Consider adding a different label referencing SAOs rather than a judge to account for the cases that were not actually withheld by a judge.
 - Ernie will provide an update at the December 2019 FIDC meeting.

Drugged Driving Judicial Training

Chris Craig gave an update on the Drugged Driving Judicial Training. NHTSA is organizing a Drug Driving Summit at different states and held a Summit in Orlando a few months ago. During the summit, it was noted that Georgia is offering drugged driving judicial training where they are providing information to judges on impaired driving, intoxilyzer training, and highlighting best practices from other states on controlling impaired driving. He said a DUI Adjudication Seminar might be worth trying to host with a variety of partners in the state to increase understanding among judges, law enforcement, and scientists about drugged driving.

Coalition members had the following questions and comments:

- The judge who hosted this training is uncomfortable with prosecutors or defense attorneys attending the program. There would likely have to be a separate educational program for the prosecutors or defense attorneys.
- This would be a very useful program, if set up correctly. It should include participation from both law enforcement and the toxicological lab specialists to review the science of being tested for impairment and the law enforcement process for identifying impairment.
- Chris proposed reviewing judicial education programs from other states and identifying best practices for developing a program for Florida.
 - University of Miami has good resources of scientists and could be a neutral party from an educational standpoint.
 - We should ask the other states about their response on this process for judges to identify a neutral process.
- Kyle can provide contact information to the Kentucky State Coordinator. They are holding a Judicial Seminar in September and could provide some helpful insights.

Adjourn

Day 1 Meeting adjourned at 5:00 p.m.

3.0 Meeting Notes – August 23

Review of Day 1

Kyle provided a detail overview of the discussion from Day 1.

DUI Packet/DRE Questions

Kyle Clark noted they are reviewing the DRE program nationwide and have found the time and resource investment required for DRE certification is a challenge for some agencies. Generally, law enforcement looks at the short-term cost while the main expense is in long term. He said the IACP is looking at other statewide cases to identify if there were better outcomes when DREs were involved from the beginning of an investigation versus those where DREs were not involved. He asked members if they had suggestions of regions/counties as a sample of DRE cases or non-DRE cases and can share the information with the administrators.

At the May 2019 Meeting, Seth Bartee requested assistance from the FIDC in developing a DUI packet and a DRE reporting feature to be included in the Traffic and Criminal Software (TraCS) that is consistent with the materials reviewed by FIDC. Kyle reviewed FHP's DUI Packet and provided an update on the DUI packet and DRE report at the August 2019 Meeting. Kyle asked members to review the DUI packet and latest version of the SFST scoring sheet. Coalition members provided the following recommendations for edits.

- Members suggested changing the title of “SFST Scoring Sheet” to “SFST Observations Sheet”. They also proposed minor changes to make the SFST Observation Sheet consistent with the standardized DRE reporting features.
- The sheet should state “These are not all inclusive and subjects may not exhibit every cue” to reflect that not all check boxes should be selected and there are possible cues not reflected in the check boxes. This statement could be added at the beginning of the DUI packet, and should also be included in the footer of each page so it is easy to reference.
 - Garrett will review and provide potential language to include.
- Consider using standardized diagrams (e.g. Modified Romberg Balance, Finger to Nose) in SFST Observation sheet and DUI packet.
- The SFST Observations Sheet is used at a different point in the investigation than the DUI Packet. The SFST Observation Sheet is a great resource for newer officers and officers who do not do this routinely to use at the scene while the more detailed DUI Packet is used after a citation is issued.
- Is there some special protocol in dealing with aging road users or others that may have challenges completing the tasks?
 - There is a prompt suggesting officers ask if the offender has trouble walking, sitting, standing, or talking or has medical issues that may impact their performance of the tasks before instructing them to perform the tasks.
- It is important to keep the timing on the one-leg stand on the TraCS form. Add “Officer must time for 30 seconds” during the one-leg stand in the Observation sheet.
 - Chris will follow up with TraCS to update the draft and share with the coalition prior to the next meeting.

FIDC Strategic Action Plan – Goal 4

Communications Plan

Danny provided an update on the Impaired Driving Communications plan. He noted that Cambridge Systematics has just completed a communications plan for the Florida Occupant Protection Coalition (FOPC) and will start drafting the Impaired Driving Communications Plan for the coalition to review in FFY 2020. Danny said he is working on the scope of drafting Communication plan for FIDC and the plan will be available in the next fiscal year.

Coalition members had the following questions and comments:

- Will the Communications Plan include guidance for distributing media in Spanish?
 - Yes, the Communications Plan will include guidance for both English and Spanish media and materials.

FDOT Impaired Driving Program Update

Ernie Bradley gave an update on FDOT's Impaired Driving Program. He mentioned the upcoming Lifesavers Conference, to be held on March 15-17, 2020 in Tampa and distributed a conference brochure to the members. He said they are still accepting speaker proposals for the conference and asked members to suggest any speaker who could provide an innovative perspective on safety.

Ernie presented some materials supporting Drive Sober Florida and a DUI tip card for law enforcement. He said FDOT is working to finalize the Drive Sober Florida website and noted the website should be active before the December 2019 FIDC meeting.

Coalition members had the following questions and comments:

- Has FDOT submitted any speaker proposals?
 - There will be some FDOT speakers and FDOT is coordinating with other partners, including FDOH, to secure additional speakers regarding traffic safety in general.
- Ernie suggested Helen Justice as a prospective speaker for the event.
- Chris Earl recommended Anne Rolison, DUI Director, as a potential speaker. He said he will reach out to her and get her connected with Ernie.
- Judge Grube suggested a separate session or panel for special supervision services at the conference.
 - *Ernie will follow up with Judge Grube and Chris Earl on potential presenters.*

FIDC Action Plan – Goal 5

24/7 Program Best Practices

After the May 2019 Meeting, Chris, Steve, Ernie and Ray met with the Seminole County Sheriff's Office to gauge their interest in starting a 24/7 Pilot program. The Sheriff noted the county has an emphasis on opioids and has concerns about the cost of starting and maintaining the 24/7 program. He was also concerned about the status of the grant funding not being a permanent funding source. Chris mentioned they will continue looking for other small and medium sized counties to see if they are interested in a local level pilot program.

Chris Earl noted that Brevard County had more than 300 DUI arrests last year. He suggested reaching out to Sheriff Ivey about the potential of a 24/7 pilot program but rather than using his staff in the administrative capacity the National Safety Council staff could provide administrative support for the 24/7 program. This may provide a more comfortable arrangement with the police departments in the county because they are not required to take officers off the road.

Coalition members had the following questions and comments:

- Consider including Channing Taylor in the conversation. Channing knows Sheriff Ivey well and would be a good representative to present the concept.
- How would the 24/7 program become self-sustaining when the seed money from the grant runs out?
 - The program is designed to charge a small fee per test and those user fees would support the cost of the program.
- One of the challenges of the 24/7 program is the fact that the LEA is required to pull an officer off the road to support the program. It may be better to have a third party provide the administrative support rather than requiring the LEA take an officer off the road.

DUI Diversion Program Best Practices

Danny noted the Chemical Test Refusal Model Language was approved at the May 2019 FIDC meeting and is now available on the FIDC website – www.flimpaireddriving.com. Danny asked if there were any next steps the FIDC should take to promote this information.

Coalition members had the following questions and comments:

- How do we make sure the right people see this information?
 - Judge Grube suggested to review how prosecutors are operating diversion programs and look for a way to share the best practices with them.
- Should we send the best practices to the SAOs through Vin in his role as the TSRP?
 - It is probably good to share it with them, but unlikely they will make many updates to their existing programs.
 - It could also create the unintended consequences of generating additional diversion programs in counties that do not already have them.
 - It should be shared with the County Court Chiefs, preferably at a statewide County Court Chiefs meeting.

Alcohol Exclusion Model Language

At the August 2018 Meeting, Vin was tasked to work on model language to revise Florida's Alcohol Exclusion Law. He noted that in Florida, insurance companies are not required to pay for damage or medical procedures if an individual is determined to be impaired. Only 15 states have repealed their Alcohol Exclusion Laws and it would be difficult to do so in Florida. The FIDC determined there is no model language that can be proposed, and the recommendation would be to repeal Florida's Alcohol Exclusion Law. Vin was not present at the August 2019 Meeting and asked Garrett to share the update on his behalf. Garrett said that Vin was uncomfortable with putting up the model language as he thinks repealing the law is an unachievable goal at this time. He was concerned that including this language on the website could act to discredit the work the coalition has done on the other model language we have posted on the FIDC website. Coalition members agreed to hold on to the Alcohol Exclusion Model language and focus on drawing more traffic to other more important model language.

FIDC Strategic Action Plan – Goal 6

DRE Face Sheets

Kyle noted the DRE Face Sheet updates are still underway. NHTSA is in the process of updating their database which will allow DREs to enter narrative information and the content of the Face Sheets electronically to the national database. The database will store all submitted information, making the data much more accessible for research and analysis purposes. The database and the DRE Face Sheets are currently going through internet security testing and expected to be finalized and launched by October 1, 2019. Kyle noted the NHTSA database can be accessed by iPhone, iPad, tablet, and it doesn't have any offline feature with it. Kyle will provide an update at the December 2019 FIDC Meeting.

DUI Diversion Programs on Impaired Driving Arrests

The FIDC suggested establishment of a database that tracks an individual from the DUI arrest to the completion of the process (DUI Diversion programs, courts, etc.). This database will provide information on how DUIs are dealt with throughout the state and give us a better understanding of how different regions treat DUIs and help us understand the impact of DUI diversion programs.

- Dr. Reidy shared some statistics related to DUI in Miami-Dade County. She noted the DUI arrest related to her lab went down by 60% compared to 2017. But the number of drugs per specimen has been doubled. She also said there is an approximately 60% increase in DUI fatalities and serious injuries.
- Judge Grube said that DUI citations have dropped by 10,000 from 2012 to 2017.

Tracking ARIDE and SFST

In the May 2019 FIDC meeting, Darrell was tasked to prepare a draft justification of including ARIDE and SFST in the Florida Administrative Code (FAC) to track these training in Automated Training Management System (ATMS). He evaluated the idea of employing ATMS to track ARIDE and SFST and provided an update. He is concerned that by using ATMS, the training programs curriculum would be subject to FDLE's standards and requirements rather than NHTSAs requirements, and we may have no control over the training programs or curriculum. He suggested choosing an alternative to ATMS to have more flexibility in updating the ARIDE and SFST curriculum.

Coalition members had the following questions and comments:

- IPTM tracks the trainings they are involved in but does not monitor the trainings LEAs are conducting unless the LEA is submitting it to IPTM. IPTM could formalize a tracking process for ARIDE and SFST, but would likely need to provide an incentive to get more voluntary coordination from LEAs to track the training, such as providing them with the training/course materials to get their training rosters in return.
 - It is also important to send updates about the training program to track them well. Florida is already tracking DRE very well. We need to do a better job of tracking ARIDE, SFSTs, SFST instructors, and their refresher courses.
- Everbridge is a web based mobile app that allows mass contact between individual staffs and agencies. It could include information on current DREs, gaps in DREs across Florida's regions, ongoing trainings, etc. If we can get all the DREs information in this app it will increase the efficiency of communication.

- This could help law enforcement officers get in contact with available DREs when making an arrest in any area. FDOT is exploring the options of employing this app to support LE officers.
- Is there any other training tracking system that is used by LEAs?
 - There used to be something called National Sobriety Testing Resource Center. Kyle will do additional research on this and provide an update at the December 2019 FIDC meeting.
- Other states are investing great amount of federal funding on DUI related training. Florida would like to increase the amount of funding spent on DRE/DUI training but cannot justify the increased funding without data that demonstrates an increased need. The biggest challenge is encouraging LEAs to report the number of officers trained. Currently, there is no incentive for LEAs to report these numbers.
 - Kyle will reach out to other states to see if they have suggestions on how to track trainings and provide an update at the December 2019 FIDC meeting.
- We could rely on LELs to get at least most of the agencies reporting through incentives in Law Enforcement Challenges, for example.
 - Mark Brown (FHP) will reach out to someone with ATMS and talk to them about how curricula updates would be managed, assuming FAC was written to include SFST and ARIDE.
 - Ideally, FDLE would defer to the current curricula instead of having to be updated in ATMS.

New Florida Statutes and Cases

Bill No. 453- Micro-Mobility Device

Judge Grube shared an update on the recently passed Bill No. 453, related to Micro-Mobility devices. According to the definition in this new statute, micro-mobility devices include motorized scooters and are treated as bicycles from a legislative and enforcement standpoint, meaning they possess all rights and duties of a bicycle, unless a local municipality under the provision of the statute passes an ordinance that limits their use.

Florida Supreme Court Case, and Driving While License Suspended

Garrett provided an update on 4th District Court of Appeal HB 7125 and law for Driving While License Suspended (DWLS) Statute related to drivers who do not have a driver's license being subject to driving privilege revocation. The revision to the statute removes the concerns brought up related to this issue at previous FIDC meetings. The new provision of the law includes imprisonment for a person who is subject to third conviction of DWLS, even if the previous two convictions have been withheld. Garrett noted this will allow more people to enter into DWLS diversion program to avoid the imprisonment.

Next Steps

Chris asked FIDC members to identify possible potential future presentation(s) to be included at upcoming FIDC meetings.

Coalition members had the following suggestions:

- Dr. Keith Humphries from Stanford to discuss the 24/7 program.

Chris asked if there were any other updates, questions, or comments from the FIDC. Coalition members had the following questions and comments:

- Ernie informed members about an upcoming topic on new Strategic Plan FFY 2020 to be included in the next meeting agenda.
- Garrett asked if we can share the room rate with the coalition when we finalize the next coalition meeting dates.

Dr. Lee reminded members to contact Megan Cott, CUTR USF, for travel reimbursement.

Chris indicated the next FIDC meetings are scheduled for:

- December 4-5, 2019 (Orlando)
- February 20-21, 2020 (Orlando)

Adjourn

Meeting adjourned at 12:00 p.m.

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