



Florida Impaired Driving Coalition
Meeting Report
May 15-16, 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 checked="" type="checkbox"/>
Dr. Brett Kirkland	Florida Department of Law Enforcement (FDLE), Alcohol Testing Program	<input type="checkbox"/>
Chief Brett Railey	Florida Police Chiefs Association	<input checked="" type="checkbox"/>
Lt. Channing Taylor	Florida Highway Patrol (FHP)	<input checked="" type="checkbox"/>
Chris Craig	Florida Department of Transportation	<input checked="" type="checkbox"/>
Chris Earl	Florida Safety Council	<input type="checkbox"/>
Darrell Edmonds	Institute of Police Technology and Management (IPTM)	<input type="checkbox"/>
Ernie Bradley	Florida Department of Transportation	<input checked="" type="checkbox"/>
Frank Franco	Department of Business and Professional Regulation	<input type="checkbox"/>
Garett Berman	State Attorney's Office 17th Judicial Circuit	<input 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	<input checked="" type="checkbox"/>
Senior Judge Karl Grube	Trial Court Judge	<input type="checkbox"/>
Kathy Jimenez-Morales	Florida Department of Highway Safety and Motor Vehicles	<input 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, Toxicology Division	<input type="checkbox"/>
Lora Hollingsworth	Florida Department of Transportation	<input type="checkbox"/>
Magnus Hines	Florida Dept. of Highway Safety and Motor Vehicles	<input type="checkbox"/>
Marcie Padron	Orange County Sheriff's Office	<input checked="" type="checkbox"/>
Mark Brown	Florida Highway Patrol	<input type="checkbox"/>
Matthew Rosenbloom	Pasco County Sheriff's Office	<input type="checkbox"/>
Melissa Branca	Florida Students Against Destructive Decisions (SADD)	<input type="checkbox"/>
Nicholas Trovato	Florida Association of State Prosecutors; Circuit Court - 16th	<input type="checkbox"/>

Ray Graves	Florida Department of Highway Safety and Motor Vehicles	<input checked="" type="checkbox"/>
Richard Smith	Seminole Tribal Police Department	<input checked="" type="checkbox"/>
Richie Frederick	Department of Highway Safety and Motor Vehicles	<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"/>
Steve Harriett	Florida Sheriff's Association	<input checked="" type="checkbox"/>
Tim Cornelius	Collier County Sheriff's Office	<input type="checkbox"/>
Tim Dempsey	Indian River Shores Public Safety	<input type="checkbox"/>
T.J. Graham	Florida Department of Law Enforcement, Alcohol Testing Program	<input checked="" type="checkbox"/>
Vernon Howell	Florida Department of Highway Safety and Motor Vehicles	<input type="checkbox"/>
Vin Petty	State Attorney's Office Sixth Judicial Circuit	<input checked="" 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 Office of Compassionate Use	<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 Dept. 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	<input type="checkbox"/>
Steve Frisco	State Attorney's Office 8th Judicial Circuit	<input type="checkbox"/>
Stephanie Ghazvini	Florida Sheriff's Association	<input type="checkbox"/>

Coalition Support

Danny Shopf

Cambridge Systematics, Inc.

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Others in Attendance

- Seth Bartee, TraCS
- Jon Askins, FDOT District 5 LEL
- Christy Crump, FL Restaurant and Lodging
- Jim Sullivan, Hillsborough County Sheriff's Office
- Mark Eastly, Pinellas County Sheriff's Office

2.0 Meeting Notes – May 15

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. He noted that the IACP Drug Recognition Expert (DRE) Annual Report is scheduled to come out soon.

CUTR Facilitation of Impaired Driving Coalition

Chris Craig, FDOT, addressed issues that were brought up at the last FIDC meeting related to travel reimbursement. At the previous meeting, it was noted that CUTR does not apply per diem on the last day of travel, even though the state allows it. The CUTR general council is working with FDOT to interpret Florida Statutes as well as University of South Florida's rules regarding per diem reimbursement and will have a response soon. Coalition members had the following questions and comments:

- Judge Grube and Garrett Berman could not be present at this meeting but both have made the FIDC aware they adamantly opposed to the way CUTR is interpreting legislation.

Florida Impaired Driving Data

Dr. Lee gave a presentation on Florida's impaired driving data. He noted that of the crash reports that indicated a driver was suspected of alcohol use, officers tested for alcohol use in 45% of crashes involving a non-incapacitating injury, 54% of crashes involving an incapacitating injury, and 90% of crashes that involved a fatality. Coalition members had the following questions and comments:

- Many of the cases where the crash reports note tests weren't performed when alcohol was suspected are because a roadside sobriety test was performed and the officer determined additional testing was not needed.

Dr. Lee noted that 14% of injury reports are listed as pending, meaning that officers are not going back to update the crash reports and the toxicology labs are taking longer than expected. He noted that the percentages of pending cases are much lower for fatal crashes. Coalition members had the following questions and comments:

- FHP has an automated system that flags open investigations and systems like this would be beneficial to encourage officers to go back to open crash reports to update the data.
 - This feature works for electronic crash reporting systems but some of Florida's agencies are still using paper reporting.
 - An automated system that identifies open investigations could be identified as a best practice for agencies that are reporting electronically.

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, DHSM, said Malcolm will begin attending meetings as soon as he has approval from his supervisor. Ray will provide an update at the August 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 was not present at the May 2019 meeting. Chris will provide an update at the August 2019 FIDC Meeting.

Multicultural Representation – Chris Earl suggested contacting the newly appointed multicultural bureau chief of Orlando. He was not present at the May 2019 meeting. Chris will provide an update at the August 2019 FIDC Meeting.

Toxicology Lab Representation – An invitation was sent to Chip Walls, Forensic Analytical & Clinical Toxicology Consultant and Training Specialists, requesting his participation. He has indicated his interest to Garrett Berman, State Attorney's Office. Garrett noted that many of the toxicology lab representatives are extremely busy and though they are interested in participating, they have difficulty finding the time to do so. Dr. Lisa Reidy, University of Miami, Toxicology Division, agreed to reach out to other toxicology lab representatives to gauge their interest in participating. Neither Garrett or Lisa could attend the May 2019 meeting. Garrett and Lisa will provide an update at the August 2019 FIDC Meeting. Vin and TJ will follow up with an Orlando representative.

Prosecution Representation – Garrett suggested including Dave Fear since he is local to the central Florida area and may be able to attend regularly. Lisa suggested David Gilbert and offered to contact him on behalf of the coalition. Neither Garrett or Lisa could attend the May 2019 meeting. Garrett and Lisa will provide an update at the August 2019 FIDC Meeting.

Public Health Representation – Courtney Coppola, the director of the Office of Medical Marijuana Use, has shown an interest in being involved. The Orange County Department of Health is another good alternative. Ernie will reach out and provide an update at the August 2019 FIDC Meeting.

Law Enforcement – Alcoholic Beverage and Tobacco (AB&T) would be good representation. Consider reaching out to Frank Franco again to see if he would be available. Brian Brummet is local to Orlando and could be a good representative. Is there potential for law enforcement representatives that are involved in community relations, including SROs? Lt. Mike Mardon is on the coalition but hasn't been

able to attend yet. He is an SRO representative that could fill this role. Chris Craig will provide an update at the August 2019 FIDC Meeting.

Vendor Representation – Need to review the assessment to identify what kind of vendors we need to include. Chris Craig will provide an update at the August 2019 FIDC Meeting.

FIDC Strategic Action Plan – Goal 2

Over Service Model Language

At the August 2018 meeting, Vin Petty, State Attorney's Office, provided an update on Over Service Model Language. He noted that 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.

Community Traffic Safety Teams (CTSTs)

Chris noted that CTSTs are interested in impaired driving educational materials and have asked the FIDC to provide suggestions.

- MADD has several educational resources and materials that can be made available to CTSTs.
- The Foundation for Advancing Alcohol Responsibility – www.responsibility.org
- AAA, SAVE, and NHTSA are other good resources for educational materials.

Ignition Interlock Legislation

Larry Coggins, MADD, said proposed ignition interlock legislation did not make it through the 2019 legislative session. Larry asked if the FIDC could come up with model language that MADD would support.

- Larry agreed to work on drafting model language with support from Vin. Larry will share draft model language at the August 2019 FIDC Meeting.

FIDC Strategic Action Plan Goal 3

Chemical Test Refusal Model Language

Danny said 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 said 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:

- How best can we get this information to the State Attorney's Offices?

- Vin will circulate the information to all the circuits that do not already have a diversion program in place.
- Larry will also work with MADD to get this information distributed.

Linking Citation Numbers to Impaired Driving Court Case Numbers

Chris Craig noted that 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 provide an update at the August 2019 FIDC Meeting.

TraCS Florida

Seth Barteo, TraCS Florida, gave a presentation on Traffic and Criminal Software (TraCS). He said TraCS is used in the field by about 54% of law enforcement officers in Florida to electronically collect and report crash and citation data. Seth shared several forms included in TraCS with the FIDC for their review and comment, including DUI Citation, Impaired Driving, Refusal to Submit, UTC, Boating Citation. He noted TraCS is integrated with a geo-location tool that allows officers to plot the locations of crashes and citations on a map that can later be used for identifying hot spots for targeted education and enforcement efforts. Seth asked the FIDC for assistance in developing a DUI packet to be integrated into TraCS. He said TraCS will include a DRE reporting feature in the software. Coalition members had the following questions and comments:

- The FIDC recently reviewed and updated “Refusal to Submit” forms. TraCS should use these forms in their software to help standardize reporting throughout the state.
- What is the timeliness of the information that is submitted to TraCS?
 - Once the information is submitted by the officer, it is sent to DHSMV and is typically posted within 48 hours. Agencies can choose to include reminder notifications to prompt the officers to submit their forms.
- Kyle and Darrell Edmonds, the Florida DRE Coordinator with IPTM, should review the DRE reporting feature before it is finalized.
- FHP is currently updating the DUI packet to reduce redundancies.
 - Does FHP track where offenders are drinking before they are pulled over?
 - Yes, this is included on the form.
- Should the FIDC work on a best practice for DUI packets to share with TraCS or is the FHP packet the standard we should be using?
 - The FIDC should review the FHP packet and provide suggestions for integration into TraCS.
 - The FIDC should compare the FHP DUI Packet to the agencies that have their own packet to determine what is different and if there is a preferred approach.
 - FIDC will review FHP DUI Packet and provide input to TraCS at August 2019 FIDC Meeting.
- Does TraCS offer customization for the specific needs of an agency?

- The restrictions of the funding source do not allow customization of forms for individual agencies, but TraCS is permitted to add information to the statewide forms to ensure all required fields are included.

NHTSA Drug Impaired Driving Summit

Chris shared the agenda for the upcoming NHTSA Drug Impaired Driving Summit and encouraged members to attend if they are available.

Adjourn

Meeting adjourned at 5:00 p.m.

3.0 Meeting Notes – May 16

Review of Day 1

Kyle provided an overview of the discussion from Day 1. Kyle met with Darrell after the meeting and noted there are 342 DREs in Florida with another 21 being trained and available within a few weeks.

Impaired Driving Educational Materials

Ernie Bradley, FDOT, gave a presentation on impaired driving educational materials. He showed the coalition a tip card and noted that it is the only educational material currently in production for impaired driving education in Florida. He showed the coalition a series of draft educational materials and asked for input on the materials and their content. He noted that all the draft materials will include the “Driver Sober or Get Pulled Over” messaging and a similar style and format for consistency in messaging. He noted that many of these materials can be paired with educational materials from Florida’s other coalitions (bicycle/pedestrian safety, motorcycle safety, etc.). Coalition members had the following questions and comments:

- DHSMV created educational materials related to medical marijuana and could share that with FDOT to include on the website.
- FDOT has been having issues with YouTube kicking back advertisements related to medical marijuana and alcohol education because they do not pass YouTube’s drug and alcohol promotion filters. YouTube has indicated FDOT would need to appeal the advertisement kickback on a case by case basis created a lot of additional work.
- RCS Training asked to partner with FDOT to help develop and distribute materials during their training courses.

Alcohol Compliance and Responsible Vendor Training

Christy Crump, RCS Training, gave a presentation on alcohol compliance and responsible vendor training. She noted RCS Training is a non-profit vendor training group that serves around 1,700 alcoholic beverage licensees. She noted that there are 58,000 alcoholic beverage licensees and estimated around 20,000 make an effort to fulfill all the requirements of the Responsible Vendor Act leaving a substantial market for alcohol vendor safety/responsibility. She provided a demonstration of a portion of the responsible alcohol service training RCS provides to help the FIDC understand the content of the training.

Christy provided a demonstration of a mobile app that can scan a driver’s license and identify if it is fake and quickly offer information about the license, including the person’s age and if the license is expired. The app is targeted at establishments that serve alcohol to streamline the ID checking process and ensure underage patrons are not drinking. The app will also alert the user if the ID was already scanned and how long ago it was scanned to ensure patrons aren’t sharing an ID to try and get into the bar. She noted that in the year RCS has been using this software, around 5% of IDs scanned are fake. She did note that part of the training involves training employees on checking IDs. Coalition members had the following questions and comments:

- How often do you teach these courses?
 - The training is based on the Responsible Vendor Act so RCS Training does live trainings every 120 days and offers online training for new employees to ensure they are trained within 30 days of hire.
- Are there opportunities to do refresher trainings at popular locations to prepare for high-traffic seasons (bike week, spring break, etc.)

- Yes. RCS Training hosts courses like this regularly, sometimes at no cost to the vendor, to promote responsible service.

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 and will start drafting the Impaired Driving Communications Plan for the coalition to review in FY 2020.

FIDC Action Plan – Goal 5

24/7 Program Best Practices

At the August 2018 meeting, Ray provided an update on 24/7 Program Best Practices. He noted that national success rates for 24/7 programs are very encouraging. Ray emphasized that a successful 24/7 program needs buy in from law enforcement and judges. Steve Harriett, Florida Sheriff's Association, volunteered to work with Ray and Chris Craig to give a 24/7 presentation to Seminole County and evaluate them as a potential candidate for a 24/7 Pilot Program. Chris, Steve, and Ray will meet with the Seminole County Sheriff's Office to gauge their interest in starting a 24/7 Pilot program. Chris Craig and Ray Graves will provide an update at the August 2019 FIDC Meeting.

Coalition members had the following questions and comments:

- The biggest challenge will be to get the chief judge on board with the 24/7 Pilot Program as well so before the program is set up, we should also meet with the judge.

Alcohol Exclusion Model Language

At the August 2018 meeting, Ann Marie Johnson, previously the Florida Highway Patrol Legal Counsel, provided an update on Florida's Alcohol Exclusion Law. She 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. Ann Marie determined there is no model language that can be proposed and the recommendation would be to repeal Florida's Alcohol Exclusion Law. Ann Marie is no longer able to participate in the FIDC, so Vin will draft an Alcohol Exclusion White Paper to post on the FIDC website. Vin will provide an update at the August 2019 FIDC Meeting.

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 go live in June or July.

DUI Diversion Programs on Impaired Driving Arrests

The FIDC suggested the 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.

Tracking ARIDE and SFST

Chris said he tried to include ARIDE and SFST in ATMS but was told the system would only include certifications/trainings referenced in Florida Administrative Code so ARIDE and SFST cannot be added. To track ARIDE and SFST in ATMS, the FIDC will need to submit a request to include ARIDE/SFST in the FL Administrative Code. When we have an idea of how many officers are trained in ARIDE/SFST, we can start providing funding assistance to get more officers trained. The FIDC should develop a brief justification for why ARIDE and SFST should be included in Florida Administrative Code. Darrell Edmonds can draft the justification. Darrell will provide an update at the August 2019 FIDC meeting.

Next Steps

Ray provided an update on legislative information following the conclusion of Florida's legislative session. HB 7125 has information relevant to the FIDC. He said the bill clarifies language about unlicensed drivers being treated like licensed drivers when pulled over for a traffic infraction, which was a concern for the FIDC at a previous meeting. HB 107 is the primary law for texting and driving, which passed during the recently completed legislative session.

Chris asked FIDC members to identify potential future presentations to include at upcoming FIDC meetings. Coalition members had the following suggestions:

- Dr. Keith Humphries from Stanford to talk about 24/7. He notes that immediate consequences work better than others.

Chris indicated the next FIDC meetings are schedule for:

- August 22-23, 2019 (Orlando)
- December 4-5, 2019 (Orlando)

Adjourn

Meeting adjourned at 12:00 p.m.

Contact information for Florida Impaired Driving Coalition questions:

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