



# July 23-24, 2020 Meeting – Day 1

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## *Web Meeting*

*presented to*  
Florida Impaired Driving Coalition

*presented by*  
Chris Craig, FDOT  
Ernie Bradley, FDOT  
Danny Shopf, Cambridge Systematics

**July 23, 2020**



# Welcome and Introductions

Kyle Clark, Chair

# FIDC Strategic Action Plan – Goal 1

## Improve Program Management and Strategic Planning



### » 1.1 – Expand the FIDC Membership

- Military Representation –Ernie Bradly
- Department of Education – Chris Earl
- Multicultural Representation – Ernie Bradly
- Taxological Lab Representation – On Hold
- Judicial Membership - Mark Eastty/ Kenneth Leedham/Nicholas Tiscione/Ray Graves
- Law Enforcement Representation – Kyle Clark/ Det. Kevin Milan
- Prosecution Representation – Dr. Lisa Reidy/ Vin Petty
- Public Health Representation – Ernie Bradley
- Vendor Representation – On Hold





# TSRP Update Presentation

Vin Petty, Traffic Safety Resource Prosecutor Program



# Everything You Need to Know about Cannabis

Trooper Ryan Hutton, DRE Instructor,  
Missouri State Highway Patrol

# Trooper Ryan Hutton, DRE Instructor, Missouri State Highway Patrol



- » Trooper Ryan Hutton is currently assigned to the Missouri State Highway Patrol's training division, as a full-time instructor. He is a DRE instructor and is responsible for the Highway Patrol's impaired driving programs and is the director of the Highway Patrol's DRE program. He has given presentations on drug impairment for the Missouri Office of Prosecution Services, Colorado District Attorneys Council the New Hampshire Office of Highway Safety and at the National Life Savers Conference. He is the lead Medical Marijuana instructor for the Highway Patrol, Missouri Office of Prosecution Services and Missouri Southern State University. He was awarded Officer of the Year in 2013 by Mothers Against Drunk Driving and Trooper of the Year in 2017, by the Law Enforcement Traffic Safety Advisory Council.





# Break

# FIDC Strategic Action Plan – Goal 2

## Improve Prevention



- » 2.1.1 - Work with local vendors and distributors to educate and inform them on over-service.
  - Posted to FIDC website.
  - Next Steps?
- » 2.2.1- Engage local vendors and distributors to educate and inform them on over-service.
  - Ernie Bradley Update
- » 2.3.1 - Ensure that Community Traffic Safety Teams (CTSTs) develop and implement strategies to address impaired driving.





# Lunch Break

# FIDC Strategic Action Plan – Goal 3

## Criminal Justice System



- » 3.1 – Draft model language for Florida’s Chemical Test Refusal Law.
  - Completed
- » 3.2 – Support codification of a uniform statewide impaired driving diversion program
  - Posted on FIDC website.
- » 3.3 – Draft model Language for Florida’s Ignition Interlock Law
  - Discussion on model language to follow.
- » 3.4 – Establish a process to link the citation to the impaired driving court case
  - Pending FCCC Implementation (*Chris Craig Update*)



# Blood Warrant Model Language Discussion

Nicholas Tiscione, Palm Beach County Sheriff's Office



# FIDC Model Language

- F.S. 316.193 (1) (a)

- (a) The person is under the influence of alcoholic beverages, any chemical substance set forth in s. 877.111, ~~or any substance controlled under chapter 893,~~ or any impairing substance or combination thereof, when affected to the extent that the person's normal faculties are impaired;



# Conclusions

- DUID cases in most jurisdictions in Florida do not receive testing for non-controlled impairing drugs due to budget constraints so the problem is not well known.
- In Palm Beach County, 21% of drug positive blood cases and 47% of drug positive urine cases had one or more non-controlled impairing drugs.



# Conclusions

- Many of these cases are not filed as a DUI or are dropped when reckless driving cannot be supported.
- <sup>45</sup>~~44~~ <sup>NBT</sup> States have broader DUI laws (any impairing drug, etc.) that better address the problem of drug impaired driving.





# FIDC Model Language

- F.S. 933.02 (6)

- 933.02 Grounds for issuance of search warrant.—Upon proper affidavits being made, a search warrant may be issued under the provisions of this chapter upon any of the following grounds:
  - (6) When a sample of the blood of a person constitutes evidence relevant to proving that a violation of s. 316.193 or s. 327.35 has been committed.



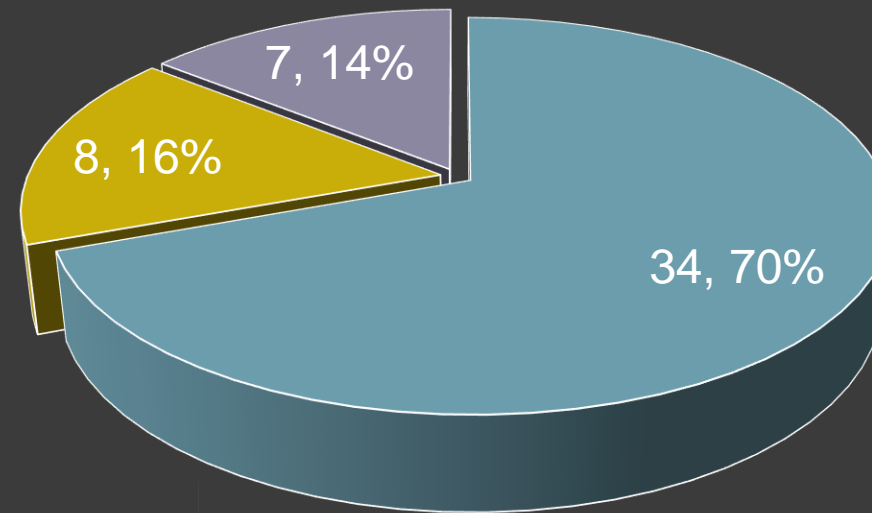
# Blood Warrants

- Blood is the best specimen for testing in impaired driving cases
  - Shorter detection window than urine
  - Appropriate specimen to test for both alcohol and drugs
  - Unlike urine, blood concentrations can have some meaning
    - For drugs other than ethanol must still establish impairment with witness observations, other case details



# Blood Warrants

- As many as 40 states and the District of Columbia allow warrants for misdemeanor DUI blood draws



■ Yes ■ No ■ Maybe / Depends



NATIONAL TRAFFIC LAW CENTER





# FIDC Model Language

- F.S. 316.1939

- First refusal = misdemeanor of the second degree
- Subsequent refusals = misdemeanor of the first degree



# Refusals

- ◉ Florida refusal to submit to testing rate is among the highest in the United States
  - More than 35% refuse
- ◉ Refusal rates tend to be lower in states with more significant consequences
  - Zwicker, T., Hedlund, J., & Northrup, V. (2005). Breath Test Refusals in DWI Enforcement: An Interim Report. DOT HS 809 876. Washington, D.C.: National Highway Traffic Safety Administration.

## The Consequences of Refusing to Blow

(& Why You Should Do It Anyway)



DWIDudes.com





# Ignition Interlock Model Language Discussion and Model Language Finalization

GROUP DISCUSSION



# Day 1 Recap Wrap Up

Kyle Clark, Chair  
Chris Craig, FDOT





See You Tomorrow  
Morning at 9:00!





# July 23-24, 2020 Meeting – Day 2

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Danny Shopf, Cambridge Systematics

**July 24, 2020**



# Review of Day 1

Kyle Clark, Chair



# Over Service Model Language Discussion and Model Language Finalization

GROUP DISCUSSION



# FIDC Strategic Action Plan – Goal 4

## Communications Plan



- » 4.1 - Develop a comprehensive multi-pronged approach to communicate to the public and impaired driving stakeholders the importance of driving sober.
  - 4.1- Develop a comprehensive multi-pronged approach to communicate to the public and impaired driving stakeholders the importance of driving sober.
    - 4.1.1 - Develop an Impaired Driving Communications Plan to increase public awareness.
      - Update from Cambridge Systematics
    - 4.1.2 - Implement the Impaired Driving Communications Plan to increase public awareness.

# FIDC Strategic Action Plan – Goal 5

Improve Screening, Assessment, Treatment, and Rehabilitation System



- » 5.1.1 - Develop a best practices framework for 24/7 programs in Florida.
  - Chris Craig Update
- » 5.1.2 - Develop a best practices framework for DUI Diversion Programs in Florida.





# Break



# FIDC Data Presentation

Chanyoung Lee, CUTR

# FIDC Strategic Action Plan – Goal 6

## Program Evaluation and Data



- » 6.2.1 - Utilize an electronic form of the DRE face sheets that are submitted to the national database.
  - Kyle Clark Update
- » 6.3 - Understand the impact of Florida's DUI Diversion Program on impaired driving arrests.
- » 6.4 - Explore methods to track law enforcement training related to impaired driving (DRE, ARIDE, SFST, etc.), for both instructor and the officers they have trained.
  - Chris Craig/IPTM Update

# Next Steps

» Future Presentations

» Future FIDC Meetings

- FY 20/21 Q1 Meeting (October 29-30, 2020) Location: TBA
- FY 20/21 Q2 Meeting (TBD January-March 2021) Location: TBA
- FY 20/21 Q3 Meeting (TBD April – June 2021) Location: TBA
- FY 20/21 Q4 Meeting (TBD July – September 2021) Location: TBA





Thank You!  
See you in October 2020!