

Florida Impaired Driving Coalition Meeting Report

October 29-30, 2020

Prepared For:

Florida Department of Transportation

Prepared By:

Cambridge Systematics, Inc.



1.0 Attendees

Members:

Name	Agency Represented	Attendance
Anne Rollyson	Florida Safety Council	
Chief Art Bodenheimer	Lake Alfred Police Department	\boxtimes
Sgt. Ben Kenney	Hillsborough County Sheriff's Office	\boxtimes
Brandy Howard	SunCoast Safety Council	\boxtimes
Dr. Brett Kirkland	Florida Department of Law Enforcement (FDLE), Alcohol Testing Program (ATP)	
Chief Brett Railey	Florida Police Chiefs Association (FPCA)	
Brittany Fox	Second Judicial Circuit, Felony Division C	\boxtimes
Carol Jolly	University of North Florida, Institute of Police Technology and Management (IPTM)	\boxtimes
Lt. Channing Taylor	Florida Highway Patrol (FHP)	
Chris Craig	Florida Department of Transportation (FDOT), State Safety Office	\boxtimes
Chris Earl	Florida Safety Council	
Christy Crump	Florida Restaurant & Lodging Association	\boxtimes
Darrell Edmonds	University of North Florida, Institute of Police Technology and Management (IPTM)	\boxtimes
Dennis Siewert	Florida Department of Law Enforcement (FDLE), Toxicology	\boxtimes
Elvia Medina Marcus	Miami-Dade State Attorney's Office	
Ernie Bradley	Florida Department of Transportation (FDOT), State Safety Office	\boxtimes
Helen Justice	DUI Counterattack, Hillsborough, Inc.	
Isabel Perez-Morina	Advocate Program, Inc./Florida Association of Community Corrections	\boxtimes
Juan Cardona	University of North Florida, Institute of Police Technology and Management (IPTM)	\boxtimes
Kathy Jimenez-Morales	Florida Dept. of Highway Safety and Motor Vehicles (FLHSMV)	
Ofc. Kenneth Leedham	Stuart Police Department	
Det. Kevin Millan	Miami Beach Police Department	\boxtimes
Kyle Clark	International Association of Chiefs of Police (IACP)	\boxtimes
Larry Coggins	Mothers Against Drunk Driving (MADD)	\boxtimes

Dr. Lica Daidu	University of Miemi, Division of Toyloology	∇
Dr. Lisa Reidy	University of Miami, Division of Toxicology	
Lora Hollingsworth	Florida Department of Transportation (FDOT), State Safety Office	
Magnus Hines	Florida Dept. of Highway Safety and Motor Vehicles (FLHSMV)	
Malcom Osteen	United States Probation/United States Coast Guard (Reserve)	
Marcie Padron	Orange County Sheriff's Office	\boxtimes
Chief Mark Brown	Florida Highway Patrol (FHP)	
Sgt. Mark Eastty	Pinellas County Sheriff's Office	
Sgt. Matthew Rosenbloom	Pasco County Sheriff's Office	
Melissa Valido	Students Against Destructive Decisions (SADD)	\boxtimes
Lt. Michael Marden	Lake County Sheriff's Office	
Nicholas Tiscione	Palm Beach County Sheriff's Office	\boxtimes
Nick Trovato	Florida Association of State Prosecutors	\boxtimes
Capt. Rachel Bryant	Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Boating and Waterways Section, Statewide Boating Safety Unit	
Ray Graves	Florida Dept. of Highway Safety and Motor Vehicles (FLHSMV)	
Richard Smith	Seminole Tribe	
Richie Frederick	Florida Dept. of Highway Safety and Motor Vehicles (FLHSMV)	
Sgt. Robert Hager	Broward County Sheriff's Office	
Cpl. Scott Parker	University of South Florida (USF) Police Department	
Shayla Platt	Florida Dept. of Criminal Justice System, Alcohol Testing Program	
Stephen Talpins	Miami-Dade County State Attorney's Office	
Sgt. Tim Cornelius	Collier County Sheriff's Office	
Sgt. Tim Dempsey	Indian River Shores Public Safety	
Tom Moffett	Florida Dept. of Highway Safety and Motor Vehicles (FLHSMV)	\boxtimes
Vernon Howell	Florida Dept. of Highway Safety and Motor Vehicles (FLHSMV)	
Vincent Petty	Traffic Safety Resource Prosecutor Program	\boxtimes
Lt. William Jarvis	Florida Dept. of Business and Professional Regulation	
Sgt. William Weaver	Orlando Police Department	

Traffic Safety Partners

Name	Agency Represented	Attendance
Chanyoung Lee	USF, Center for Urban Transportation Research (CUTR)	\boxtimes
Joe Pecchio	AAA	
Karen Morgan	AAA	\boxtimes
Matt Nasworthy	AAA	
Megan Cott	USF, Center for Urban Transportation Research (CUTR)	\boxtimes
Murray Brooks	SCRAM Systems	\boxtimes
Olimpia Jackson	United States Navy	

Coalition Support

Name	Agency Represented	Attendance
Danny Shopf	Cambridge Systematics	
Lorrie Laing	Cambridge Systematics	\boxtimes
Nusrat Sharmin	Cambridge Systematics	\boxtimes

Others in Attendance

- Andrew Johnson, Florida Law Enforcement Liaison (LEL)
- Anthony Palese, Florida Highway Patrol (FHP)
- Charles Kane, Florida Law Enforcement Liaison (LEL)
- Chris Broome, National Highway Traffic Safety Adminstration (NHTSA)
- Dana Reiding, FDOT, Office of Policy Planning
- Elise Batchelor, Florida Dept. of Highway Safety and Motor Vehicles (FLHSMV)
- Janice Martinez, Florida Law Enforcement Liaison (LEL)
- Jon Askins, Institute of Police Technology and Management (IPTM)
- Sandy Ho, Great Bay Distributors
- Shaun Van Berber, Florida Law Enforcement Liaison (LEL)
- Tim Roberts, Florida Law Enforcement Liaison (LEL)

2.0 Meeting Notes - October 29

Welcome & Introductions

Kyle Clark, Chair, introduced himself and welcomed members to the Florida Impaired Driving Coalition (FIDC) meeting. He thanked all the participants for their flexibility to join the virtual Coalition meeting. Kyle noted this is a public meeting, and there is a public comment period toward the end of both days of this Coalition meeting where members of the public will have an opportunity to participate and share input. He welcomed two new members to the Coalition - Capt. Rachel Bryant, Florida Fish and Wildlife Conservation Commission, and Tom Moffett, Florida Dept. of Highway Safety and Motor Vehicles (FLHSMV), and asked members to introduce themselves.

Kyle reported that the 2020 Drug Alcohol Impaired Driving Conference (DAID) was held virtually on August 6-8, 2020. The 2021 DAID Conference is scheduled for August 14-16, in Orlando, Florida. The Technical Advisory Panel (TAP) had their annual meeting on October 16, 2020, and shared some international standards updates for the Standardized Field Sobriety Test (SFST), Advanced Roadside Impaired Driving Enforcement (ARIDE), and Drug Recognition Expert (DRE) program. The TAP will feature a monthly newsletter with program information for the DREs. Kyle reported initial research from NHTSA indicates that the fatality rate has increased in the first half of 2020 compared to the same period of 2019. There is increasing evidence of speeding and increased alcohol and drug use during this pandemic.

Florida Strategic Highway Safety Plan (SHSP) Update

Lora Hollingsworth, FDOT Safety Office, and Lorrie Laing, Cambridge Systematics, gave an overview of the Florida SHSP update. Lora noted the SHSP is a plan for all Florida with a focus on short and medium-term safety solutions. The SHSP reaffirms the vision of zero transportation related fatalities and serious injuries and aligns with the Florida Transportation Plan (FTP). She reviewed the emphasis areas identified for the 2020 SHSP update. Lorrie provided an overview of the process of developing overarching strategies for the SHSP and reviewed the draft Impaired Driving emphasis area page. She asked Coalition members to share their input and concern on the infographic, key strategies, and other content.

Coalition members had the following questions and comments:

- Florida has a very specific statute on driving under the influence (DUI) of drug that requires specific substances as per statute. Need to check the Impaired Driving definition.
- Include language on the actions of DUI programs and substance abuse treatment to reduce recidivism and rehab offenders.
- Might consider adding alcohol suspected and drug suspected data.
- Remove one statistic (either BAC 0.15 or breath test refusal rate 35%) from the infographic.
- Place DRE definition in the glossary.
- Lora provided a link to share input on the SHSP- https://www.surveymonkey.com/r/SHSPSurvey

Lora noted FDOT will launch a kickoff webinar for a 30-day public comment period for both the FTP and SHSP on November 13, 2020. She emphasized staff will continue to revise the draft plan and encouraged the Coalition members to send any additional feedback on the Impaired Driving emphasis area section before the public comment period starts.

FIDC Strategic Action Plan - Goal 1

Nusrat Sharmin, 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.** <u>Action items to be addressed at the next meeting</u> are in italics and underlined).

Outreach Efforts about Membership

Military Representation – Ernie Bradley, FDOT, reached out to Capt. Rachel Bryant, Florida Fish and Wildlife Conservation (FWC) Commission, and she joined this meeting.

Department of Education Representation – Chris Earl, Florida Safety Council, is willing to reach out Barbara Jenkins, Orange County Public School Superintendent. Theresa Jacobs, Chair of Orange County School Board, is another option he will consider. *Chris was not present at the meeting, will provide an update at the March 2021 FIDC meeting*.

Multicultural Representation – Ernie is working with the Florida Department of Health (FDOH) which has been experiencing turnover. He noted a new bureau Chief of Community Health Promotion who is involved in the public health section on transportation safety, could be an option. <u>Ernie will reach out to the Chief in November to gauge his interest in joining the Coalition and share an update at the March 2021 FIDC meeting.</u>

Toxicology Lab Representation – Members agreed the current representation of toxicology labs is appropriate to support the needs of the FIDC.

Judicial Representation – Ernie reached out to the contacts given in the last meeting and is waiting for their responses and will follow-up with them. Vin Petty, Traffic Safety Resource Prosecutor (TSRP) Program, will contact a judge who was just appointed in the 6th Judicial Circuit and will be starting in a few weeks in Pinellas County. <u>Ernie and Vin will share an update at the March 2021 FIDC meeting</u>.

Law Enforcement Representation – Members agreed the current representation of law enforcement is appropriate to support the needs of the FIDC.

Prosecution Representation – Vin is waiting on a response from the supervisor of the 9^{th} Circuit on joining the Coalition. He is working on reaching out to 7^{th} Circuit representation. <u>Vin will provide an update at the March 2021 FIDC meeting</u>.

Public Health Representation – Ernie will work on getting a representative from a County Health Department in Central Florida and *provide an update at the March 2021 FIDC Meeting*.

Vendor Representation – Brandy Howard, Sun Coast Safety Council, introduced Ernie to Sandy Ho, Vice President of Sun Coast Safety Council. Sandy was interested in learning more about the Coalition and joined the meeting.

Impaired Driving Drinking Holidays

Dr. Changyoung Lee, Center for Urban Transportation and Research (CUTR), gave a presentation on Impaired Driving Drinking Holidays. He noted in Florida, peak alcohol-involved fatal crashes occur in December, followed by January and March, and this trend is different from other states. According to the

analysis, the alcohol-involved fatalities decreased around Valentine's day, the 4th of July, and Thanksgiving, while the serious injuries increased during these holidays. He also presented data on alcohol-involved fatalities and serious injury crashes by county. The presentation is posted on the <u>website</u>.

Coalition members had the following questions and comments:

FDOT can use this information to plan when and where to buy media. Can also share this
information with the law enforcement (LE) agencies to let them know when peak times are in
different areas around the state so they could match their enforcement activity with media.

FIDC Strategic Action Plan - Goal 2

Educate Local Vendors and Distributors on Over-Service

Ernie did research on what other states do to educate and inform vendors and distributors on over-service and has not seen anything. He will follow up with Sandy to get input on how best to address over- service and provide additional education and resources for this challenge.

Over-service is not something the industry wants either. There is a lot that wholesalers are doing. Sandy said she would contact Ernie to learn more about the FIDC. Ernie asked if she would like to present at a future meeting, and Sandy agreed. <u>Ernie will share results of their future discussion at the next FIDC meeting</u>.

Community Traffic Safety Teams (CTSTs)

Chris Craig, FDOT and Ernie have been working with the CTSTs to develop and distribute different tip cards. LE agencies requested more printed materials, but the printing got slowed down due to the COVID. They are expecting to start mass printing as the situation gets better. Chris asked Coalition members to share any alcohol or drug-related tip cards and they will customize the card(s) for statewide use.

Mobile Driver Licenses

Christy Crump, Florida Restaurant & Lodging Association, shared an <u>article</u> from the Tampa Bay Times that mentioned that mobile driver licenses (DL) are possibly coming to Florida in 2021. Christy asked Coalition members' thoughts on mobile DL and asked LE members to share any update on how this will work.

Coalition members had the following questions and comments:

- Ray Graves, FLHSMV, confirmed that the mobile DL will be introduced in Florida in early 2021. It is not a replacement of the physical DL but would serve as an addition to the physical ID card.
- Kyle was in a meeting where this has been discussed. To his understanding, the application does not require personal information to be shown.
 - Several states, (i.e., Delaware, Idaho) have introduced digital DL on limited trials.
- Helen Justice asked is there any privacy issue (e.g., bank account information) or cyber security issue with this application? Will it allow the person to be tracked?
 - Elise Batchelor, FLHSMV, explained the driver licenses will be available through an application. The user would have to download the app on their smartphone, and the verifying app would be used by the LE and retailers. The app is protected by pin or fingerprint.

- The app shows a QR code. The QR code will not allow the user to save one's DL information on multiple devices.
- The app is tied to the users' driving record. When LE officers scan the QR code with their devices, they will be able to access all of a person's information from FLHSMV that the retailer won't have access to.
- There will be a pilot session in December 2020 and the app will be approved for public use after the legislative session.
- Would LE need a different equipment to scan the DL or they can use their cell phone?
 - Vin said not all LE officers have access to agency issued phones. Moreover, we do not want LE officers to use their personal phone, this creates a prosecution quagmire.

FIDC Strategic Action Plan Goal 3

Chemical Test Refusal Model Language

Nusrat noted that 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

Nusrat noted that 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 had the following questions and comments:

- Chris asked Coalition members to help share the resources.
- We have two websites: Florida Impaired Driving Coalition (focused more on technical issues and laws related to impaired driving) and <u>Drive Sober Florida</u> (focused on general public, includes advertisement). We can look at the materials developed and add some tag line to promote resources of the websites.
- Brandy said her organization (SunCoast Safety Council) has some opportunity to share the materials FIDC developed with the legislators.

Ignition Interlock Law

In the past meeting, Larry Coggins, Mothers Against Drunk Driving (MADD), reported that MADD will be introducing an ignition interlock law to the legislature this year. Vin, along with some other Coalition members, reviewed the draft model language on the Ignition Interlock law. The Coalition had a discussion on finalizing the model language on Day 2 of the meeting and summary of the discussion is included in this report.

Linking Citation Numbers to Impaired Driving Court Case Numbers

Traffic Citation & Accounting Transmission System (TCATS) has been updated to link the citation case numbers with the impaired driving court cases. Vin reached out to attorneys to inform them about the completion of the process. So far there have been no complaints.

Public Comment Period

No comment from the public.

SFST Note Sheet

Chris reminded that the SFST scoring note sheet was developed to help LE officers perform their evaluation. The LELs have been printing the sheets and so far have distributed 20,000 to 30,000 sheets. Recently they got a request from LE partners to create a smaller version of this sheet (3"X5") that would fit into the chest pocket of the officer's uniform. Chris shared the SFST note sheet and said they would take the content of the SFST note sheet, use the same language, and put it in a "Tear pad" format. He asked if Coalition members see any issue with proceeding in that direction.

Coalition members had the following questions and comments:

- Sgt. Ben Kenney, Hillsborough County Sheriff's Office, said they used the similar approach in Hillsborough and converted that into a bi-fold booklet. This has been a great resource for the younger officers.
- It is also important to keep these updated and integrated with the latest curriculum.
- For the pocket size SFST version, Kyle recommended keeping the three tests (Horizontal Gaze Nystagmus, Walk and Turn and One Leg Stand) in sequences that would urge the officers to do the tests in the same order. Chris will work with the LEL team and share it with the Coalition for feedback.
- SFST note sheets are available on the <u>LEL resource website</u> in pdf for local download and use.

Definition of the Offense of DUI Model Language

Nick Tiscione, Palm Beach County, proposed to make some minor changes to the definition of the Offense of DUI Model Language, posted on the FIDC <u>website</u>. He suggested changing the definition in the proposed Model Language to read: -

"(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;"

Coalition members had the following questions and comments:

• Vin was good with the proposed changes. Ernie requested that Vin update the model language then Ernie will get the updated version posted on the website.

<u>Adjourn</u>

Day 1 Meeting adjourned at 2:00 p.m.

3.0 Meeting Notes - October 30

Review of Day 1

Kyle provided an overview of the discussion from Day 1.

Ignition Interlock Model Language Finalization

Vin recapped that the coalition put together model language for potential ignition interlock device (IID) for all offenders in Florida. He noted the prosecutors are not in favor of changing the law and the model language needs more work before it can be passed on to the legislature. He shared the draft model language and suggested setting up a subcommittee to complete the revision.

Coalition members had the following questions and comments:

- Ray noted a mandatory IID law would expand the number of users by three times and that would require FLHSMV to add more staff to monitor the additional users.
- Isabel Perez-Morina, Advocate Program, Inc./Florida Association of Community Corrections, said according to a research, it is required to have targeted sanctions for offenders. Her concern was making IID mandatory will take away the ability to make IID a targeted tool when necessary.
- Vin noted FIDC is spending a lot of time on model languages and minimizing focus from those that
 have to occur. He noted it is important to fix the work statute and change the drugged driving
 statute to accomplish other goals of this coalition.
 - Chris explained FIDC is working on the IID model languages because MADD is trying to enact the IID law in all states that do not have it. So, when it comes to Florida, the FIDC would be prepared to give legislators the model language.
 - Larry agreed with what Vin proposed and recommended to focus on those two things.
- Ray agreed to lead the subcommittee reviewing the IID model language. Vin, Larry, Brandy Howard, Isabel, Tom, Karen Morgan from AAA, and Murray Brooks from SCRAM Systems also agreed to be on the subcommittee.
- Ernie will share the draft IID Model Language with the subcommittee. The subcommittee expects
 to have a revised model language by first week of December and Ernie will share it with the FIDC
 for feedback.

FIDC Strategic Action Plan - Goal 4

Communications Plan

Nusrat provided an update on the Impaired Driving Communications Plan. She noted Danny Shopf, Cambridge Systematics, shared a draft Communication Plan with the Coalition members and got some input. He is currently on leave and will resume working from December 1, 2020. After returning to work, Danny will coordinate with FDOT to address the comments received and share an update at a future FIDC meeting.

FIDC Action Plan - Goal 5

24/7 Program Best Practices

Chris shared an update on past discussions regarding the 24/7 program. He noted FDOT is still looking for agencies to conduct a pilot 24/7 program, which has been greatly impacted by the COVID. Chris and Ernie are working on a 15-minute sales pitch regarding funding. Chris noted FDOT is not qualified to apply for an additional funding until they have a designated agency to conduct the pilot program.

Coalition members had the following questions and comments:

- Kyle suggested looking for smaller counties near the Panhandle.
- Ernie mentioned Helen Justice, DUI Counterattack, Hillsborough, Inc., had some concerns on the
 outreach and implementation of a 24/7 program and recommended including her in future
 discussion to identify options that would put less financial burden on the LE agencies.

DUI Diversion Program

The DUI diversion program best practices framework is available on the website.

Vin reported on feedback from the Florida Prosecution Attorneys Association (FPAA) regarding the diversion program model language. He said the elective prosecutors were unhappy with the FIDC preparing such model language without consulting with the attorneys. The prosecutors feel the whole concept of the proposed model language takes away the state attorneys' ability to seek funding on diversion programs like they usually do.

Coalition members had the following questions and comments:

- The Coalition will keep this in consideration for the future work.
- We do not have any FPAA representation in FIDC and might consider approaching them to have a member in the Coalition.

FIDC Data Presentation

Dr. Lee gave a presentation on a county fact sheet showing impaired driving data. He reviewed a one-page fact sheet on impaired driving crash facts for Hillsborough County. The fact sheet details alcohol-involved fatalities and serious injuries (does not cover drug involved crashes), broken down by the time of the day, day of the week, vehicle type, and a hotspot map highlighting high-crash location. Dr. Lee noted CUTR has developed a fact sheet for all 67 counties and asked Coalition members to share thoughts on the content and layout of the fact sheet.

Coalition members had the following questions and comments:

- Since this is only for alcohol involved crashes, it was suggested to change the title of the fact sheet to "Alcohol Impaired Driving Crash Facts" and "alcohol impaired driving" throughout the fact sheet.
- A larger hotspot map would be better for the LE officers to identify the locations and plan for better enforcement.
 - Chris suggested a 2-page fact sheet, having a larger hotspot map with specific roadway sections on one side of the page, and tables and charts on the other side.

- Lorrie added Cambridge Systematics can assist with the GIS mapping if needed.
- Dr. Lee will work on the fact sheets and address the comments received. Chris noted they want
 to have this ready by the end of 2020 so they can use it to seek fund for the new grant season for
 the counties with high impaired driving crashes.

FIDC Strategic Action Plan - Goal 6

DRE Face Sheets

Kyle reported the DRE Face sheets are available. The DRE data system is running and can be accessed through a variety of methods.

Coalition members had the following questions and comments:

- Carol Jolly, University of North Florida, IPTM, said she likes how the DRE system performs as it allows her to see trends in drug use and identify regional training needs.
 - Does the system work with Traffic and Criminal System (TraCS)? Kyle noted Iowa is trying to work on it but has not heard an update on their progress.

Tracking ARIDE and SFST

Chris reported FDOT is still working with the partners to incorporate ARIDE and SFST trainings into the Automated Training Management System (ATMS). They are concerned about the security issue related to tracking the trainings. FDOT is currently exploring other options and talking to other states about the possibilities. IPTM is also looking into different systems to track the trainings.

IPTM Update: Tracking of LE Impaired Driving Training and DRE Call-Out System

Carol provided an update on the DRE program, highlighting the SFST and ARIDE training, recertification training etc. She noted they are trying to establish an automated system for the LE officers that would quickly identify the DREs available in a concerned jurisdiction to conduct a DUI evaluation. The system is currently being reviewed and is expected to be in place by January 2021.

Coalition members had the following questions and comments:

- Will the system have the ability to track the unanswered requests?
 - o It has a full reporting system to track the unanswered calls. The system sends messages to all people in a jurisdiction which can help identify where there is a need for more DREs.
- Need to get the word out to local patrol officers, DUI officers and breath test operators.
 - The Florida Department of Law Enforcement (FDLE) tracks breath test operators and certifies them. It would be good to give them a pamphlet or a short video to inform the breath test operators about the automated system.
 - Chief Art Bodenheimer, Lake Alfred Police Department said their association would be glad to help get the information out.

Public Comment Period

No comment from the public.

Next Steps

Ernie indicated the next FIDC meetings are scheduled for:

- FY20/21 Q2 Meeting (March 9-10, 2021), Location: Orlando or Virtual
- FY20/21 Q3 Meeting (TBD April- June 2021), Location: Orlando
- FY20/21 Q4 Meeting (TBD July- September 2021), Location: Orlando

Ernie noted the Coalition members will be informed of the final decision on whether the March FIDC meeting will be conducted remotely or in person as the date approaches. He will send out the Doodle poll for Q3 and Q4 Coalition meetings to secure the dates. Ernie asked the members to share any presentation topic or ideas for the upcoming meeting.

<u>Adjourn</u>

Day 2 Meeting adjourned at 12:00 p.m.

Contact information for Florida Impaired Driving Coalition questions:

Danny Shopf, Cambridge Systematics Chris Craig, FDOT

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