



## Impaired Driving Emphasis Area- Comprehensive Highway Safety Plan March 7, 2024

### Attendee-

Trooper Alicia Bragg, Montana Highway Patrol (MHP)  
Alison Malensek, Co-Chair, Impaired Driving Program Coordinator, SHTSS, Montana Department of Transportation (MDT)  
Amanda Dunn, Education Specialist, Cannabis Control Division (CCD), Department of Revenue (DOR)  
Anna Mhoon, Deputy Bureau Chief, Record & Driver Control – Driver Licensing  
Barb Reiter, Jefferson County DUI Task Force Coordinator  
Beth Smalley, Forensic Science Division, Department of Justice (DOJ)  
Sgt. Brian Inman, SETT, MHP  
Brooklyn Johns-Blassic, FARS Data Analyst, SHTSS, MDT  
Conner Wager, MHP  
Captain Douglas Drug Recognition Expert (DRE)/ Training, MHP  
Dwight Nelson, Traffic Education Director, Office of Public Instruction (OPI)  
Ed Hirsch, Traffic Safety Resource Prosecutor, AGO  
Ester Lince, Madison County DUI Task Force  
John Westerhold, Deputy Director- Region 10, NHTSA  
Justin Miller, STEER Yellowstone County  
Kent Haab, Alcohol Beverage Control Division (ABCD) Education, Department of Revenue (DOR)  
Kevin Dusko, Co-Chair, Supervisor, State Highway Traffic Safety Section (SHTSS), MDT  
Sgt. Lacie Wickum, 24/7 Coordinator, MHP  
Judge Mary Jane Knisely, 13th Judicial District, Yellowstone County  
Maureen Ward, Injury Prevention Coordinator, DPHHS  
Sgt. Ryan Janes, Traffic Safety Resource Officer (TSRO), MHP  
Sai Rami Reddy Patapati, Traffic Safety Data Analyst-SHTSS, MDT  
Sheila Cozzie, Cultural Liaison/SOAR/Teen Traffic Safety/ Motorcycle Safety Program Manager, MDT  
Tanner Van Wyck, Educational Specialist, CDD, DOR  
Trooper Blaine Heavner, MHP

Meeting purpose- to provide an overview of programs related to the strategies and report implementation efforts to reduce impaired driving related fatalities and serious injuries.

### **Crime Lab Presentation-** *Beth Smalley, Forensic Science Division*

Beth Smalley, Forensic Toxicologist, Department of Justice presented on the crime lab. She pointed out that they had projected the numbers would go up, but the case load has gone down from toxicology requests received. They have been able to add some new technology in 2024. Even though the caseload has gone down Montana has a high caseload compared to the national average. In February, all the 2023 cases were completed. Currently they are down 1 toxicologist. After reviewing their data, they found the stop testing limit could be improved so in 2024, the stop limit will go from 0.10 to 0.16, which is the level that constitutes an aggravated charge with ethanol only which will add an extra charge at the prosecution level. A research group tested previously analyzed MT DUI cases and found that 30% of the cases over a 0.15 ethanol also contained drugs. When testing for drugs they are using a panel to test which includes 120 of the drugs which are the most seen. Plan to compile statistics for 2023, anticipated to have them completed by May.

Meeting attendees asked if there was a map that shows what types of drugs are being found in a specific area. A heatmap by county which shows alcohol and cannabis but a cumulation of all drugs would be too much. They are finding that about 20% of the cannabis is from 15–20-year-of age.

## **New Business-**

### **Montana Statewide Impaired Driving Strategic Plan and State's Response to the Impaired Driving Assessment Recommendations**

Kevin Dusko (Chair) Supervisor, State Highway Traffic Safety Section (SHTSS), MDT explained that states having a greater ratio than 0.60 of alcohol impaired driving fatalities per 100 million miles traveled are required to have an Impaired Driving Assessment. Due to Montana having a 0.64 fatality rate based on the 2018-2020 FARS data there was a 2022 Impaired Driving Assessment completed for the State.

In response to the assessment the State is required to provide NHTSA with the State's Response to the Impaired Driving Assessment Recommendations. These recommendations, if feasible and appropriate to Montana, are included in the Impaired Driving Emphasis Area workplan which serves as the Impaired Driving Strategic Plan as required by NHTSA.

## **Strategy Updates- Federal Fiscal Year End 2023**

### **Strategy 1 - Deterrence and Enforcement**

S1.1 Continue to support Selective Traffic Enforcement Program (STEP) and Strategic Enforcement Traffic Team (SETT) High Visibility Enforcement (HVE) efforts.

In FFY 2024, Finding more drugs in the DUIs and more DRE evals. Hoping to serve more warrants for DUI habitual offenders who are not going to court. Continue to conduct high visibility events around the state. Both the Great Falls and Billings State Fairs both were productive last year.

- To date, 2 campaigns are planned, Yellowstone County Fair in July & State Fair in Great Falls in August
- In FFY 2023: 19 law enforcement agencies participated in STEP activities.
- SETT participated in all three national mobilizations, completed 23 HVE events, & 9 special events providing sustained enforcement particularly in Gallatin County which has experienced a surge in population and staffing shortages.

S1.2 Continue to support Tribal law enforcement Selective Traffic Enforcement Program (STEP) High Visibility Enforcement (HVE) efforts.

- In FFY 2024, the Confederated Salish and Kootenai Tribes are a STEP participant. Reported 201 citations and 8 DUIs to date. Mobilization is planned during holiday season, Memorial Day, and events like rodeos.

S1.3 Continue to support the Law Enforcement Liaison program.

- The State Law Enforcement Liaison program continues with EJ Clark. His role is to visit with law enforcement across the state to discuss and provide awareness of LE mini grant opportunities.

S1.4 Continue to support and promote Law Enforcement Mini-Grant Program

- No report on LE mini grants

S1.5 Continue to support and maintain the Traffic Safety Resource Officer (TSRO)

- In FFY 2024, currently have 16 students in a 2-week DRO program. Working on certifying 4 new DRE instructors who will go to Mesa to finish the certifications. Working with Ed Hirsh who will be doing cannabis trainings.

S1.6 Sustain and support DUI Police Traffic Safety Pilot Program

Initial pilot was Helena Police Department (PD) in FFY 2021, for a dedicated a fulltime officer.

- DUI Officer program has grown to include Kalispell PD, Flathead County, Missoula County, Great Falls-Cascade County, and possibly Billings PD in future.

### **Strategy 2- Prevention and Education**

S2.1 Support activities that include Prevention Specialist community outreach and education events and evidenced-based programs.

- No report

S2.2. Support Injury Prevention and Trauma Coordinators in local area hospitals with community outreach and education events and programs.

- No report.

S2.3 Sustain and expand local DUI Task Forces

- Southwest Montana Prevention is active in the following 12 counties. Butte-Silver Bow, Beaverhead, Broadwater, Anaconda-Deer Lodge, Gallatin, Granite, Jefferson, Lewis & Clark, Madison, Meagher, Park, and Powell County ; and is making sure they are involved with the DUI Task Forces. More information at [Southwest Montana Prevention - Butte Cares](#)
- MDT will be working with the DUI Task Forces to get their plans to make sure the fees get back to the task forces.

S2.4 Sustain and support Northern Tribes Tribal DUI Task Force

- In the process of scheduling their next meeting. Working on the next campaign which will begin in June or July. Will report on the campaign at the May meeting.

S2.5 Sustain and grow the Teen Traffic Safety Program focusing on impaired driving.

- Just winding down. 7 FCCLA chapters applied for funding. There was not any private funding to help supplement mini grants this year. One chapter chose to do a DUI project. Currently reviewing and evaluating the prior year's final reports.
- Dwight Nelson reports OPI continues to educate and work towards changing the culture of MT going forward with teen drivers.

S2.6 Sustain and grow the Safe On All Roads - SOAR - Tribal community traffic safety program

- Continued working with Northern DUI Task Force.
- Activities will begin picking up for the summer campaign, which is planned and includes unrestrained vehicle occupant campaign.

S2.7 Sustain and support efforts to reduce the over-service of alcohol and prevent underage drinking and driving by supporting mandatory alcohol sales and service training.

- DOR's underage drinking prevention campaign last year was successful and in its second year the The Department of Revenue's **Alcoholic Beverage Control Division (ABCD)** is a member of the **National Alcoholic Beverage Control Association (NABCA)** and has received an alcohol education grant from this organization. NABCA's mission is to support member jurisdictions in their efforts to protect public health and safety and ensure responsible and efficient systems for beverage alcohol distribution and sales. ABCD will award five, one-time, \$2,000 scholarships to Montana students who come up with designs for billboards dedicated to the question: **What does "Alcohol Responsibility Matters" mean to you and your community?** Billboards in high-traffic areas across Montana will be used to promote the importance of responsible alcohol consumption. The billboards will have a consistent theme centered on Montana and the tagline "Alcohol Responsibility Matters", existing logo, along with the student's original design. ABCD's hopes to provide a community-centered messages that remind individuals 21 and over of the importance of being responsible when consuming alcohol. This will support the overall theme of Alcohol Responsibility Matters for Alcohol Awareness Month in April. [Alcoholic Beverage Control - Montana Department of Revenue \(mtrevenue.gov\)](#) Where you will also find information and subscribe to DOR newsletter.
- DOR is looking for volunteer trainers interested in doing in person training in their community. [Alcoholic Beverage Control - Montana Department of Revenue \(mtrevenue.gov\)](#)

2.8 Promote the expansion of Transportation Alternatives to Reduce Impaired Driving.

- Larger jurisdictions have uber and Lyft and have some transit options. Rural areas have challenges with limited resources where planning a designated driver in advance is crucial.

### **Strategy 3- Criminal Justice System**

S3.1 Continue to support implementation and expansion of the Statewide 24/7 Sobriety and Drug Monitoring Program and other DUI Offender monitoring programs.

No report

S3.2 Sustain and support the Traffic Safety Resource Prosecutor (TSRP)

- Ed Hirsh is working with the TSRO and will be doing cannabis trainings.

S3.3 Sustain and support the Judicial Outreach Liaison (JOL)

In FFY 2024,

- Missoula: The number of clients in DUI court is 72 active (both in person and teleservice) with an additional 23 have been screened and 8 more are scheduled to be screened. Missoula court is full. In addition to providing in-person clients they have been receiving several teleservice clients from surrounding areas. Possibly could need another DUI court in Missoula because their slots are completely full and have a waiting list.
- Bozeman is getting ready to launch their DUI court. Have had a total 478 total go through the program. Of them 194 have been veterans. Right now, 93% have no rearrests in the 3 years after their graduation from the program.

S3.4 Continue to support alcohol breath testing by Motor Carrier Services (MCS) officers with reasonable suspicion or other competent evidence that a CDL operator may be driving impaired.

- No report.

Driving Under the Influence of Alcohol & Drugs, DMV reports that a person can only have one ID and can no longer have a license and a ID. A license can no longer be seized. And a paper copy isn't required. There is a note in the system instead of issuing the paper copy. If a license is seized and sent to the DMV, the DMV will send it back to the holder. There are concerns. Officers are still seizing the license due to the MCA because if they don't, the officer is not in compliance. The DMV understands the concern about not seizing the license and how it could affect officers so they said just keep doing what they are doing but they just wanted everyone to know that once they get it then it will go back to the license holder.

### **Strategy 4 - Communication Program**

S4.1 Research underlying beliefs and behaviors of high-risk groups to better understand their traffic safety behaviors regarding impaired driving.

- Nothing reported.

S4.2 Participate, and support of National Mobilization Media Campaigns aimed at preventing impaired driving.

- Revenue will be promoting a 4/20 campaign in April reminding people of the rules for the consumption and use of marijuana. Various documents are available for download. [Cannabis Control Division - Montana Department of Revenue \(mtrevenue.gov\)](https://cannabiscontrol.mt.gov/). If people have questions, please contact the Cannabis Control Division.

S4.3 Monitor the impact of marijuana legalization on roadway crashes and countermeasures in Montana and peer states.

- Nothing reported.

### **Strategy 5 - Alcohol and Other Drug Misuse: Screening, Assessment, Treatment and Rehabilitation**

S5.1 Support ACT (Assessment, Course and Treatment) for DUI Offenders

- No report.

S5.2 Expand Screening, Brief Intervention, and Referral to Treatment (SBIRT) in healthcare and into other settings throughout Montana.

- No report.

### **Strategy 6- Program Evaluation and Data**

S6.1 Support a comprehensive picture of impaired driving data, which may include, but is not limited to: Crash, Citation, Toxicology, Conviction, Motor Vehicle and DUI Offender monitoring data.

- Brooklyn Johns-Blassic, Fatality Analysis Reporting System (FARS) Data Analyst, SHTSS, provided the attendees with an update and overview of the FARS Crash Data page on the MDT website. 2021 is the current FARS data. The 2022 data has not yet been released. The 2022 data will be released once all states certify their data. Montana has completed their certification of the 2022 crash data. The page has updated links which are user friendly and allow navigation into the subsections of data.

### **Other News**

SHTSS is working with contracted media consultant Duft Watterson on traffic public safety education and awareness campaigns. Leading into the travel season there will be a renewed focus on public awareness of distracted driving and motorcyclist safety awareness.

**Announcements-Next Meeting- May 2<sup>nd</sup>** -Go over the programs and funding for Executive Leadership Team (ELT) meeting

- Executive Leadership Team (ELT) – June 5<sup>th</sup>
- Annual Transportation Safety Meeting, October 16-17<sup>th</sup> at the Delta in Helena.

**Adjourned**