



Impaired Driving Emphasis Area Action Plan

Updated 5/9/2018

Strategy 1: Support the expansion of search warrant usage for DWI enforcement.
Strategy Leader: Louisiana Highway Safety Commission (LHSC)

Step #	Action Step Leader	Description	Status
1.1	LHSC/Cathy Childers/Rachel Smith	Educate the program partners (district attorney, judges, law enforcement officials, medical personnel); foster interagency communication and cooperation and use the SHSP Regional programs and Safe Communities as hosts. <i>Sub-actions: a) Identify the individuals who will facilitate the meeting; b) Identify individuals who should be invited c) Select date and time; d) Send out notice; e) Conduct the meeting.</i>	<p><u>5-10-17</u> Lt. Belinda Murphy gave a presentation on e-warrant progress. E-warrant capabilities reduce the investigation time, enhance officer safety, saves money, and are on a secure network. Currently 72% of Louisiana parishes are using e-warrants. Erroll Babineaux, Acadian EMS, discussed the partnership they've developed in which they conduct blood draws for law enforcement. He reported they have been providing personnel to draw blood at scheduled checkpoints and they have also been working with BRPD and Troop C along with the Highway Safety Commission to change from only scheduled blood draws, to being available at any given time.</p>
1.2	LSP Public Affairs/CCC	Form relationships with public information officers (State Police, local community coalitions, and others interested in safety) to help educate the public about the program.	
1.3	Norma Broussard/Carl Saizan/DOTD	Produce a roll call training video to train law enforcement officers and explain the program, i.e., how a search warrant should be executed.	<p><u>2-21-18</u> Kristy Miller showed the current version of the law enforcement video to the group and asked for feedback. She will incorporate the feedback received and hopes to create a final video soon.</p> <p>COMPLETED-need to discuss dissemination</p> <p><u>5-9-18</u> Kristy Miller reported the roll call video is now finalized. They plan to distribute this via various technological platforms. It is currently on YouTube: https://www.youtube.com/watch?v=0GHXasKhSk8</p>

Strategy 2: Close the loophole in existing law that allows underage youth to be in bars.

Strategy Leader: Governor's DWI Task Force

Step #	Action Step Leader	Description	Status
2.1	Governor's DWI Task Force	Develop a legislative strategy.	<p><u>2-8-17</u> The LHSC has submitted their recommended language to recreate this taskforce.</p> <p><u>5-10-17</u> Mike Barron identified 4 bills: House bill 677- reported favorable from the house transportation committee and it is due for debate on Thursday. This bill would require ignition interlock devices as a condition of obtaining restrictive driver's license. HB 97- this bill provides relative to certification requirements for law enforcement officers investigating traffic fatalities. It was passed and is now awaiting the senate committee. HB 225- this bill provides relative to certain substances in the Uniform Controlled Dangerous Substances Law. Rebecca Nugent explained that this bill will carve out cannabidiol substances, which is produced naturally by the marijuana plant but has no scientific research that shows it makes one "high." The law before the bill did not include this drug, it just stated that if it was a compound in the marijuana plant it was schedule 1, so now this bill will carve it out. Senate bill 96- this bill provides relative to the prescription monitoring program. It adds various categories of people who can request the status of ones who have had prescriptions filled. So DWI court and drug court sponsors will be included.</p> <p>Mike Edgar is putting together a package to be presented next year to help remove holes in the interlock program.</p> <p><u>2-21-18</u> Cathy Childers reported that the DWI Taskforce executive order was issued last week, so an official taskforce has been developed; however, members have not been appointed nor has the meeting been scheduled.</p> <p><u>5-9-18</u> Norma and Cathy reported that the taskforce has been formed, and Lisa Freeman, the new executive director of the LA Highway Safety</p>

			Commission, is the chair of the DWI taskforce. They anticipate once the session is over, they can host meetings.
2.2	MADD, Cathy Childers, Bridget Bailey, Bridget Gardner	Obtain information and data from communities that have a local ordinance banning underage youth in bars. Educate officials about the issue and the need to prevent underage youth in bars. <i>Sub-actions: a) determine if the statistics show a reduction in underage drinking incidents in the targeted communities, b) regional coalition leaders to focus on a local legislative strategy.</i>	<p><u>2-8-17</u> Cathy Childers reported that she has submitted the information on local ordinances, but from her knowledge nothing has changed. Bridget Gardner said she urged regional coordinators to work on this at a local level. Jessica Bedwell reported that the LHSC has a member that wants to provide support, she will put Norma in touch.</p> <p><u>2-21-18</u> Cathy reported that there is no state law; however, several local municipalities do enforce this law. She believes that this would be hard to enforce statewide, but would be easier to pass if numerous local ordinances are set. Norma reported that this effort is also being researched by the young driver's emphasis area.</p>

Strategy 3: Conduct prosecutor and judicial training programs

Step #	Action Step Leader	Description	Status
3.1	LHSC/Judicial Liaison	Hire a retired judge who will serve as a judicial liaison and conduct outreach to judges on the issue of impaired driving.	<p><u>5-10-17</u> Dr. Williams discussed her meeting with Carl and Norma and reported that she has given her full support in hiring a judicial liaison. They are moving full speed ahead and ensuring that what they strategize is actually executed.</p> <p><u>2-20-18</u> Cathy anticipates hiring a judicial liaison this year, as the target date is April 1, 2018. There is money in the current budget set aside to hire a liaison. The board of governors officially approved the hiring, and the next step is to bring it before the Supreme Court justices. Once approved, the Supreme Court will send emails out to retired judges, focusing on specialty judges, and Cathy hopes for it to be a quick turnaround. She reported that a team is already formed to conduct the interview and make a selection. A work plan and 6 month contract has also been developed to hire a judicial liaison full time.</p> <p><u>5-9-18</u> Norma and Cathy reported that they have received three highly qualified applicants for the judicial liaison position. The selection committee is made</p>

			up of 8 members and on May 24th is when they will all meet to interview the candidates.
3.2	TSRP/Corey Reech	Provide more hands-on training experiences for law enforcement officers particularly in the area of court testimony.	<p><u>5-10-17</u> Rachel Smith reported last year they hosted 6 training events, 2 in North Louisiana and 4 in South Louisiana, and they completed 50 hours of impaired driving enforcement and prosecution training. Rachel reported that for this year, she did not plan out many training events, instead she left her calendar open so that she can be responsive to training needs. So far she has done 4 different trainings. She reported that there is an upcoming prosecutor training and their annual conference will have some informative sessions. She is planning a lethal weapon training for September and she will have more details to come.</p> <p><u>2-20-18</u> Rachel reported that different agencies ask for various courtroom training, and she can help in hosting these trainings or even just providing materials to the DA and allowing them to conduct the training. She asked that if anyone is interested to contact her.</p>

Strategy 4: Conduct education and community outreach programs.

Step #	Action Step Leader	Description	Status
4.1	LSP/UMC, ATC, LHSC	Maintain and support Sudden Impact Program statewide. Review current responsible vendor program to determine where improvements are needed. Continue to conduct high-visibility enforcement and mass media campaigns, i.e., "Drive Sober or Get Pulled Over."	<p><u>2-8-17</u> Bridget Gardner reported that Sudden Impact received a DDD grant to continue the support and expansion of the program. Donna Cavanaugh with ThinkFirst volunteered to give a presentation at the next meeting.</p> <p><u>2-21-18</u> Bridget Gardner informed the group that each region should be receiving their Sudden Impact kit on March 7th, which is funded through the DZD grant. They shouldn't expect too many changes, except for the quality of the presentations has improved significantly.</p>

Strategy 5: Reduce the number of repeat DWI offenders

Step #	Action Step Leader	Description	Status
5.1	Governor's Task Force	Support mandatory substance abuse evaluation of all DWI offenders.	<p><u>2-8-17</u> Norma still believes this needs to be looked into, and discussed the importance of having the DWI taskforce created. Cathy Childers suggested we look at mandatory assessment and testing for under 21 DWI offenders to begin with, since intervening at a younger age might be more effective.</p> <p><u>2-21-18</u> Cathy reported that there once was a statute introduced to make substance abuse evaluation mandatory, but this failed. She proposed to implement this only for drivers under 21. Norma believes that if the offenders are addressed at their first offense, we may be able to succeed since the governor has made it a priority to keep people out of jail. This measure is harder to implement without a Governor's Taskforce.</p>
5.2	MADD	Increase the number of courts that are monitored under the Court Monitoring program for misdemeanor DWI offenders.	<p><u>2-21-18</u> April Higgins will be back full-time in Terrebonne Parish. Asheba Brown reported that she is monitoring new judges and will be applying for a grant to monitor more. MADD is currently monitoring courts in 16 parishes, but not all courts within a parish are monitored.</p>
5.3	LHSC	Increase the number of DWI Courts.	<p><u>2-8-17</u> Tim Melancon reported they have graduated a total of 9 individuals. He feels like it is an ideal situation for repeat drunk drivers because most of the offenders admit that if they were put back into jail and let out, they most likely would go back to what they were doing before. Norma reported that it has been 4 years since Jefferson Parish implemented their DWI court, and have had over 50 participants with only one repeat offender. Cathy Childers announced that Orleans Parish is interested in setting up a DWI court.</p> <p><u>2-21-18</u> Cathy reported that they still have 8 DWI courts, and she encourages other courts to apply for the grants through the Louisiana Supreme Court drug office.</p>
5.4	LHSC/Michael Edgar/ LSP Applied Technology	Support stronger implementation and accountability of ignition interlock law to ensure the program is coordinated and interlock offenses are tracked and monitored. Use fee or grant funding to make the	<p><u>9-8-16</u> Michael Edgar reported that the rules are being rewritten; he and LSP Applied Technology were added to the action step leaders. Cathy Childers suggested we encourage the regional coalition leaders to support this</p>

		changes.	<p>effort. They should have a committee within their coalition that reaches out to the judges. Norma Broussard suggested that with all the changes that's being made a chart should be developed to explain it, Mike reported that there is a chart being developed.</p> <p><u>2-21-18</u> Mike Edgar reported that the ignition interlock laws have been completely re-written and the manufacturers are on board; he has a meeting scheduled with the Colonel tomorrow and hopes to get more traction. He will need someone to push these laws through the legislature, and he hopes that it can be brought during the next regular session in March.</p> <p><u>5-9-18</u> The legislation proposed to close the loopholes in the ignition interlock laws did not pass in the latest session; however, it will probably be re-written and presented in the next session. Mike Barron reported that there are new plans developed to re-vamp the interlock system, requiring cameras and inspections that he hopes to be implemented soon.</p>
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Strategy 6: Increase the number of high visibility DWI Programs

Step #	Action Step Leader	Description	Status
6.1	LHSC	Increase support among law enforcement agencies for high visibility DWI enforcement programs. <i>Sub-actions: a) Review current programs to determine whether additional effectiveness measures are needed; b) reach out to Sheriff's Association and Chief's of Police to obtain support.</i>	<p><u>2-21-18</u> Mike reported that the intoxilyzer tests have decreased to approximately half of what they had last year. In the capital region alone there were 15,500 tests conducted last year. Chuck offered to query the LADriving database and share with the group to hopefully provide some insight as to why the numbers decreased. Cathy asked the coalition leaders to obtain their DWI arrest data and combine with LADriving data to get a better picture.</p>
6.2	LHSC	Encourage and support more DWI checkpoints and saturation patrols.	<p><u>9-8-16</u> Ongoing</p>

Strategy 7: Improve data collection, data analysis, mapping, and reporting for impaired driving crashes and educate users on how to access the data and information.

Step #	Action Step Leader	Description	Status

7.1	State Police	Improve access, accuracy, and timeliness of impaired driving data through implementation of the Intoxilyzer 9000 and the electronic reporting system.	<p><u>9-8-16</u> Intoxilyzer 9000 should be released soon.</p> <p><u>2-8-17</u> The Intoxilyzer 5000 is currently being phased out and replaced with the 9000 model, which allows real time data collection. So far, 77 out of 250 of the new systems has been installed, and they hope to have all 250 installed by the end of the year. The installation is time consuming due to the IT networking between local departments, and the time the instrument takes to be calibrated. Only 2 technicians are certified to install the equipment in the state, so they are averaging 3 installations a week.</p> <p><u>2-21-18</u> Mike reported that the Intoxilyzer 9000 has been implemented statewide, and the next step is to network all instruments.</p>
7.2	Kenny Martin	Improve access to citation data from Louisiana court system.	<p><u>9-8-16</u> Carl Saizan reported this is being worked on from a GDL perspective.</p> <p><u>2-21-18</u> Kenny Martin developed language to close the loophole in laws that didn't allow for GDL convictions to get reported to the OMV, so this information was omitted from any data. He has passed that language along to the commissioner of the OMV and once it's approved, he hopes to get this to the legislature; he doesn't anticipate this happening before the next regular session.</p>

Strategy 8: Reduce drugged driving.

Step #	Action Step Leader	Description	Status
8.1	LHSC/LSP Applied Technology	Support and expand the Drug Recognition Experts. <i>Sub-actions: a) Review current programs to determine the number of DRE's in the state and to determine whether additional officers should be trained; b) reach out to Sheriff's Association and Chief's of Police to obtain support for each agency to have several officers in each department trained as DRE's.</i>	<p><u>5-10-17</u> Mike Edgar reported that they currently have 107 DRE's across the state, and have grown from 25 since receiving support from the administration. He is hopeful that I-9000 will be implemented by the end of the year; more than 2/3 of the state has it.</p> <p>Rebecca Nugent reported that the crime lab has started the validation of the new instruments on February 7th. The unit was shut down 90-12 days, blood and urine validation has been completed. They have decreased the number of backlog cases from 700 to 500 cases. She reported that 42 of the 96 drugs that are tested for now have a lower LOD (limit of detection) than they had before. They are also working on validating their ELIZA which will cut down their analyzation time in half.</p>

			<p><u>2-21-18</u> Mike reported that they are conducting 2 DRE classes per year and he thanked the captains for their help in conducting these. He reported that they usually host one class in the spring and another in the summer. Currently he has a class scheduled for March 6th and so far has 16 participants signed up. There are currently 114 active DRE's. He encouraged the group to reach out to other agencies to participate in the training.</p>
8.2		<p>Adopt a <i>per se</i> standard for dealing with drugged drivers. <i>Per se</i> means that any detectable amount of a controlled substance, other than a medicine prescribed by a physician for that driver in a driver's body fluids, constitutes <i>per se</i> evidence of a "drugged driving" violation. This <i>per se</i> standard has been federal law for commercial drivers in the U.S. since 1988. <i>Per se</i> drugged driving legislation.</p>	<p><u>2-8-17</u> Norma said that <i>per se</i> will be revisited next year. She discussed the governor's drug policy board meeting that was held, but she wasn't able to attend because she had another meeting. She is the LDA representative on the board and she hopes to work together to get numbers and more information on drugged driving.</p> <p><u>2-21-18</u> Norma has tried for so long to implement a "per se" standard, but has been unsuccessful. Since her office is proposing 10 bills, she is unable to work on it this year, but she has offered to provide what she has developed to anyone who is willing to get this passed.</p>
8.3		<p>Review drugged driving data and collaborate with criminal justice system to understand the magnitude of drugged driving in Louisiana and which programs and policies are effective in reducing drugged-driving fatalities and serious injuries in this area.</p>	<p><u>2-21-18</u> Norma reported that they are trying to obtain accurate drugged driving data, as she believes having accurate data will allow them a better chance in getting legislation passed. Norma asked Lisa Freeman to research getting a state toxicologist for prosecutors to utilize in drugged driving cases, as most states have this implemented already.</p>