

October 13, 2009

DUII Working Group

Meeting Notes

Attendee List:

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|---|--|
| <input checked="" type="checkbox"/> Scott Batson – Traffic Operations | <input checked="" type="checkbox"/> Jonathan Magnus – PDX Pedi cab |
| <input type="checkbox"/> Judge Eric Bloch – Multnomah Co. Circuit Court | <input type="checkbox"/> Mark Matsushima – Multnomah County Sheriff's Office |
| <input type="checkbox"/> Rob Burchfield – PDOT, City Traffic Engineer | <input type="checkbox"/> Kimberly Mark-Villela, Portland Liquor Licensing Specialist |
| <input type="checkbox"/> Jim Bradshaw - State of Oregon | <input type="checkbox"/> Theresa Marchetti for Kimberly Mark-Villela, Portland Liquor Licensing Specialist |
| <input type="checkbox"/> Rey Cantu – Multnomah Co. Circuit Court | <input type="checkbox"/> Mark Matsushima – Multnomah County Sheriff's Office |
| <input type="checkbox"/> Lisa Clayton - PPB Liquor License | <input type="checkbox"/> Gretchen McKenzie – Impaired Driving Office, State of Oregon |
| <input type="checkbox"/> Glenn Cramer - NHTSA | <input checked="" type="checkbox"/> Patty McMillen – Sheriff's Office |
| <input type="checkbox"/> Kaleen Deatherage – Oregon Partnership | <input type="checkbox"/> Chris Monsere – PSU |
| <input type="checkbox"/> Stephanie Routh – Willamette Pedestrian Coalition | <input type="checkbox"/> Kate Murphey, ACTS Oregon |
| <input type="checkbox"/> John Dieter – Oregon Court, DUII Intensive Supervision Program, Director | <input type="checkbox"/> Sgt. John Naccarato – Clackamas County Sheriff's Office |
| <input type="checkbox"/> Richard Drandoff – Changepoint | <input type="checkbox"/> Benjamin O'Glasser - Multnomah Co. DA's Office |
| <input type="checkbox"/> Elliott Eki – AAA Oregon-Idaho | <input checked="" type="checkbox"/> Lt. Bryan Parman – Traffic Division, Portland Police Bureau |
| <input type="checkbox"/> Joanne Fairchild – Legacy Emanuel Hospital, Trauma Nurses Talk Tough | <input type="checkbox"/> Bill Perry – ORA, OLA |
| <input checked="" type="checkbox"/> Adam Gibbs – Multnomah Co. DA's Office | <input checked="" type="checkbox"/> Christopher Ouellette for John Powers – DUII Criminal Defense Attorney |
| <input type="checkbox"/> Lavinia Gordon – PDOT, BTSM Bureau Director | <input type="checkbox"/> Greg Raisman – PBOT Traffic Investigations |
| <input type="checkbox"/> Ruth Harshfield – ACTS Oregon | <input type="checkbox"/> Dick Raub – Raub Associates |
| <input type="checkbox"/> Jay Heidenrich – Multnomah Co. Sheriff's Office | <input type="checkbox"/> Jessica Roberts – Bicycle Transportation Alliance |
| <input type="checkbox"/> Captain Eric Hendricks – Traffic Division, Portland Police Bureau | <input type="checkbox"/> Jeff Ruscoe – Oregon Department of Human Services |
| <input type="checkbox"/> Jeffrey House - Multnomah County Circuit Court | <input type="checkbox"/> Gene Rushing - Evergreen School District |
| <input type="checkbox"/> Linda Ignowski – OR Liquor Control Commission | <input type="checkbox"/> Robert Ryan – DUII Program Supervisor Multnomah Co |
| <input type="checkbox"/> Dr. Seth Izenberg – Legacy Emanuel Hospital Trauma Surgeon | <input type="checkbox"/> Charles Sparks – Multnomah Co. DA's Office |
| <input type="checkbox"/> Trevor Johnson – Multnomah County/ DUII/Traffic Intake | <input checked="" type="checkbox"/> Sally Seeger- PBOT Traffic Investigations |
| <input type="checkbox"/> Mark Kemball – OHSU | <input type="checkbox"/> Will Stevens – PBOT Traffic Calming |
| <input type="checkbox"/> Patty Lackaff – The Bike Gallery | <input checked="" type="checkbox"/> Judge Steve Todd – Multnomah County Circuit Court |
| <input type="checkbox"/> Mark Landauer – Government Relations | <input type="checkbox"/> Kristin Twenge, MADD Portland Affiliate |
| <input type="checkbox"/> Judge Chris Larsen – Multnomah County Court | <input checked="" type="checkbox"/> Sharon White – PBOT Traffic Investigations |
| <input type="checkbox"/> Mark Lear – PBOT | |
| <input type="checkbox"/> Frederick Lenzser – Multnomah Co. DA's Office | |
| <input type="checkbox"/> Donna Libenday – Oregon Partnership | |
| <input type="checkbox"/> Sgt. Jesse Luna – Multnomah Co. Sheriff's Office | |
| <input type="checkbox"/> Nicole Jergovic – Multnomah County's DA's Office | |

Next Meeting:

NOVEMBER 10, 2009

**PORTLAND BUILDING (1120 SW 5TH AVE.),
2ND FLOOR, ROOM B**

Community and School Traffic Safety Partnership
DUII Working Group
October 13, 2009
Agenda

I. Welcome and Introductions (10 minutes)

Sharon White started the meeting by introducing herself and having everyone introduce themselves and their affiliation.

II. Update on Governor's Advisory Committee on DUII (10 minutes)

Sharon updated our group about a Governor's Advisory Committee meeting on DUII last Friday regarding a news article stating that the OLCC was working with the Eugene neighborhood regarding DUII related crimes. They attribute these crimes to malt beverages being inexpensive in these neighborhoods, which has led to an increase in alcohol related incidences. The OLCC went to three neighborhood markets in Eugene and requested that they remove the beverages from their shelves. Eugene wrote an article that was supportive of the OLCC. Bend also wrote an article that criticized the activity of the OLCC requesting the three markets to remove malt beverages on their shelves. Sharon was not able to get the publication from Bend, since it required subscription. She will make another attempt at getting a copy of this article, if anyone else is interested.

Another focus of this meeting was that police implied consent rules are at this time being reviewed. Applied consent form that is required to give the offender before requiring a BAC test. This rule is expected to be appealed by the Attorney General and will probably take about six months to be settled. This rule makes it difficult to adjudicate cases that took place seven months ago, when this rule was not in effect.

The State of Oregon, Multnomah County Department of Human Services was awarded 2.5 million dollars of funding for prevention. Sharon will work the Jeff Roscoe for Human Services. He will let her know when the next RFP is presented and work to apply these funds to the DUII program in a partnership for advertising.

III. Special Guest Presentation (60 min)

- a. Secure Continuous Remote Alcohol Monitor (SCRAM) by Jake Dawes of Vigilnet America and Tobin Fisher of Alcohol Monitoring Systems

This presentation will focus on the following aspects of SCRAM bracelets:

1. CAM – Continuous Alcohol Monitoring
2. Describe SCRAM – Secure Continuous Remote Alcohol Monitor
3. Recent studies, best practices in other states
4. Delivery of services in Portland

SCRAM bracelet is always worn on the ankle. It takes a sample from the sweat of the skin every 30 minutes. It is impossible to drink and not be monitored. The device is extremely sensitive and can detect any alcohol near the offender. The bracelet shows the BAC level. The bracelet is worn 24 hours a day. The battery lasts 90 days. The sensory changes, if at all tampered with.

DISP court uses the SCRAM bracelet with management and treatment counseling for each offender. Treatment and management and use of SCRAM bracelets is cheaper than traditional jail beds.

SCRAM research is based on court review and peer consent. Over 104,000 monitors are currently being used between June 2003 and September 2009. The SCRAM bracelet can be used for any alcohol related court issue. Hawaii and one other state are the only states that don't use the SCRAM technology. There is a daily cost for the SCRAM bracelet and is one of the factors that keeps the judicial system from using the bracelet. It might be beneficial to spread the cost out, or have more federal support for the bracelets. The bracelets are a lot less expensive than bed space.

A study done in 2008 showed the following results:

- 22,459 clients using the SCRAM bracelets did not repeat offences. This was 85% of the clientele
- 5,132 clients repeated 1-2 offences
- 1,523 clients repeated 3-5 violations and required increased treatment
- 78% of the payments for the SCRAM bracelets were made to the court

NHTSA (National Highway Traffic Safety Association) study found:

- No False positives – the program was what it was presented to be
- Software was exceptional
- Moisture build up can affect performance of older versions of the bracelet

NCSC (National Center for State Courts) Study:

- Offenders wearing bracelet for over 90 days show that repeat offences occurred less than half

Nebraska - saw 29% reduction of fatality crashes, once Tobin Fisher introduced the SCRAM bracelet to Nebraska. Federal poverty guidelines are used to determine the fees for the bracelet. Drops in motor vehicle crashes - a correlation between lack of crashes and bracelets. About 200 people are monitored a day and it is very successful program.

South Dakota – purchased SCRAM bracelets with NHTSA dollars and a sliding scale fee program. The crash fatalities have significantly gone down since this program has been implemented. South Dakota does not use ignition interlock devices and the fatalities have still been going down.

Location of Local office

The Portland SCRAM office is located on 1st and Harrison. An order is given from the Judge at a pre-trial and is sentenced by prosecuting officer. Offenders who are not getting treatment are more likely to fail. A survey is taken after the program is implemented. 83% of the cases monitored from Multnomah County have been successful.

Offender is charged \$12.00 a day for the bracelet. 90% of the fees are collected. The daily fees are cheaper than alcohol. A pay schedule is provided to make it more affordable.

In January, or February 2010, SCRAMX will be developed. This is a bracelet that will be used to monitor house arrests. This will help judges in opening up options for discipline.

The program has only been in Multnomah County for 2 ½ years. At this time, the program is not a mandatory part of the judicial system. With programs like DISP, where it is required, the bracelet program works well with treatment. The program has been effective in small programs, but needs to keep working with the larger programs.

NADCAP, an agency that audits criteria for materials in test laboratories, is a strong supporter of the SCRAM bracelet.

IV. Next Steps and Round Table (10 min)

Judge Todd: The South Dakota model is extremely successful. Every offender was required to take a breath test every day in the jail. It is cheaper than having a parole officer come to the house of the offender. It would be beneficial to convince the judges and sheriffs that this program would be an improvement.

Mark Lear: He suggested that this idea be presented to the Coordination Council. He recommended that they send any information regarding SCRAM so that it can be introduced to Council.

Sharon White: ACTS of Oregon will be sponsoring the Traffic Safety Conference on October 27 - 29, 2009 in Hood River. If you are interested in attending, please go to the ACTS Oregon website at www.actsoregon.org/.

Next DUI Working Group Meeting

Tuesday, November 10, noon – 1:30 pm, Room B,
2nd Floor, Portland Building (1120 SW 5th Ave.)

Viewing of “LAST CALL” DVD developed by OLCC