

**CHSP Impaired Driving  
Emphasis Area  
Virtual Meeting**  
Thursday, September 2, 2021



**Attendees:**

Sheila Cozzie, SOAR/Native American/Teens/ Motorcycle Traffic Safety Coordinator, State Highway Traffic Safety Section (SHTSS), MDT  
 Kevin Dusko, Impaired Driving Program Coordinator, SHTSS, MDT  
 Kent Haab, Alcohol Beverage Control Division, DOR  
 David Jacobs, Grants Bureau Chief, Rail, Transit and Planning Division, MDT  
 Janet Kenny, SHTSS Supervisor, MDT  
 Samantha Klem, STEER/ DUI Coordinator  
 Judge Mary Jane Knisely, Judicial Outreach Liaison, 13<sup>th</sup> Judicial District Court, Yellowstone Co.  
 Kimberly Koch, Addictive & Mental Disorder's Division, Department of Public Health and Human Services (DPHHS)  
 Leah Mobley, Gallatin Co DUI Task Force Coordinator  
 Dwight Nelson, Traffic Education Director, Office of Public Instruction (OPI)  
 Chad Newman, Law Enforcement Liaison, SHTSS, MDT  
 Chad Parker, Assistant Attorney General, Traffic Safety Resource Prosecutor  
 Barb Reiter, Jefferson Co DUI Task Force Coordinator  
 Sgt Doug Samuelson, Drug Recognition Expert (DRE) Trainer / Traffic Safety Resource Officer, MHP  
 Steve Schmidt, Drive Safe Missoula, Missoula Ci-County Health Department  
 Beth Smalley, Forensic Science Division (FSD), Department of Justice (DOJ)  
 Michele Evans, Forensic Science Division (FSD), Department of Justice (DOJ)  
 John Westerhold, NHTSA Region 10 Program Manager  
 Beth Morrison, Alliance For Youth, Cascade County  
 Johnny Lammons, Prevention AmeriCorps VISTA  
 Ayissa Johnson, Trauma Systems Manager, EMS & Trauma Systems, DPHHS

**Introductions:** Attendees all provided a quick introduction.

**Meeting Purpose:** Report and Track Progress

**Toxicology Data Update (Strategy 6)**

Beth Smalley, Forensic Science Division (FSD) provided a toxicology update. Snapshot of slides are provided below. Michele Evans from FSD was also in attendance to help in answering any questions.

	<u>EtOH and Cannabis Found Together</u>		<u>EtOH and THC Found Together</u>	
	Total Cases	% Cases Positive (all)	Total Cases	% Cases Positive (all)
2018	214	16.0%	176	13.1%
2019	199	15.1%	170	12.9%
2020	239	16.6%	192	13.4%
	49% (all drug)		40% (all drug)	

- ❖ The average THC level is over 5 ng/mL and ethanol level is over 0.080 g/dL (~7-8 ng/mL and ~0.085-0.095 g/dL)
- ❖ THC presence is increasing poly drug cases
- ❖ "Drug" means drug testing was performed, not all DUIs
- ❖ "All" means all DUI cases
- ❖ "Cannabis" means THC and/or metabolites present
- ❖ "THC" means only THC present

## INCREASE IN DUI SUBMISSIONS FOR 2021

Year	Number of DUIs Submitted Through August	Number of DUIs Submitted For the Year
2019	2253	3358
2020	2327	3520
2021	2667	????

14% increase in DUI cases

11% increase in Postmortem cases

## EMERGING DRUG: DELTA 8 THC

- ❖ Delta 9 THC vs Delta 8 THC
- ❖ Both are components in marijuana, potentially similar signs and symptoms
- ❖ Per se law pertains to delta 9 THC only
- ❖ Some cases only have delta 8 THC, which is not currently reported
- ❖ Currently working to validate a method to confirm delta 8 THC because we are seeing it more in casework

## 2021 TRENDS

- ❖ Designer benzodiazepines are in MT to stay  
Flubromazepam, Bromazolam
- ❖ Increase in fentanyl cases in QUARTER 2 and 3
- ❖ Fentanyl emerged at the beginning of the year and has continued to be present in death investigation cases throughout the summer.

## Strategy Updates

### Strategy 1: Deterrence and Enforcement

Chad Newman provided updates on the STEP and SETT Programs and upcoming Labor Day mobilization (Strategies 1.1,1.2,1.3,1.4,1.6)

Sergeant Doug Samuelson provided a law enforcement training update that SFST, ARIDE and DRE training continues. ARIDE training is being offered statewide to prepare officers for the Recreational Cannabis roll out. (Strategy 1.5)—

Eric Belford, Bureau Chief, Commercial Vehicle Operations, Motor Carrier Services was not able to make the meeting but did provide the following updates.

Below is a breakout of the MCS Enforcement Bureau's work for driver impairment. I'm waiting for the numbers for the TACT activities for aggressive driving. Hopefully I can send you the results by the end of the week.

The rate of Commercial Drivers that have been placed out of service for violations of Alcohol has had a steady increase. The number of Commercial Drivers that have been placed out of service for Drugs has increased sharply in the past 5 years. The numbers in 2020 were down due to the COVID-19 Pandemic and the decreased number of CMV Inspections in the spring and summer months.

Drugs -possession or under the influence 2016 - 2019 had an 833% increase.

Alcohol-possession or under the influence, 2016 – 2019 had an 29% increase.

Year	Drugs	Alcohol
2016	3	44
2017	9	33
2018	18	51
2019	28	57
2020	18	43

Below are the citations issued for impairment or possession of alcohol or drugs while operating a commercial motor vehicle;

Data based off citations written.

#### 2020

Alcohol	43
Drugs	18
Total	61

#### 2021 YTD

Alcohol	25
Drugs	16
Total	41

It is believed that largest factor to the increase in drug possession can be contributed to the availability of legalized Marijuana/THC in nearby states.

Blocks of training each year at our MCS Officer statewide conference where officers are updated on the latest trends, methods of concealment & interview techniques for both drugs and alcohol. MCS has 6 officers that are SFST Senior Operator trained, ARIDE (Advanced Roadside Impaired Driving Enforcement) & Drug Interdiction Training

### Strategy 2: Prevention and Education

Barb Reiter provided brief updates on prevention activities including two upcoming trainings that are provided as attachments to these notes. The two trainings are: Prosecution Training and Tall Cop Says Stop (Strategy 2.1) –

Kimberly Kock provided an update on prevention specialist expansion to include counties that are not currently covered by a Prevention Specialist (Strategy 2.1) –

Alyssa Johnson reported that there be efforts to restart the Injury Prevention Coalition (Strategy 2.2

Sheila Cozzie provided an update on the SOAR Program and Northern Plains DUI Task Force activities — (Strategies 2.5, 2.6)

Leah Mobley provided an updated on Gallatin County DUITF actively pursuing an Impaired Driving Min-Grant to partner with MSU film to produce local media focusing on impaired driving.

Kent Haub reported that there will be several Responsible Alcohol Sales & Service train the trainers over the next few months and if anyone was interested to contact Kent (Strategy 2.7)

### **Strategy 3: Criminal Justice System**

S3.1 Support stronger impaired driving laws.

- Chad Parker reported that the DUI Reorganization Legislation that passed during the 2021 Legislative Session is moving through the codification process in Legislative Services.

S3.3 Traffic Safety Resource Prosecutor (TSRP) activities—There is a Prosecution Training set for September 24<sup>th</sup> in Madison County. Flyer is provided below. Mr. Parker also did announce he is leaving his position within the Prosecution Services Bureau (PSB) and will no longer be the TSRP. He will be a big void to fill and appreciate all his efforts. There will be continued communication with the PSB about filling the TSRP position.

S3.4 Judicial Outreach activities – No discussion. Judge Knisely continues to serve as the NHTSA region 10 Judicial Outreach Liaison. Judge Knisely did also report that there will be a DUI Court Operational Tune—up Training on September 9<sup>th</sup> and 10<sup>th</sup>. Five Treatment Courts in Montana will be participating in the training.

S3.6 DUI Courts and Treatment Court Training for DUI Offenders -- Montana has 41 Treatment Courts in Montana Seven of those Treatment Courts are DUI Courts. MDT-SHTSS provides direct support for 5 of the 7 DUI Courts. The National Center for DWI Courts continues to provide training in Montana to Treatment Court Teams. A national DUI Court training is planned for July and September to include *10 Guiding Principles* and a statewide treatment court conference is planned for November 2021.

S3.7 Tribal DUI Courts – No discussion.

S3.8 Support license sanctions for DUI Offenders following 61-5-205, 61-5-208 – No discussion.

### **Strategy 4: Communication Program**

S 4.1/4.2 A media RFP is under development for continuation of a statewide media campaign. Labor Day Media will be rolled out statewide.

S.4.3 Monitor the impact of marijuana legalization on roadway crashes and countermeasures in Montana and peer states. – Administrative Rules Writing and comments for recreational marijuana initiative I-190 and the Montana Medical Marijuana Act are underway.

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

S 5.1 -No report from Montana Health Care Foundation.

S 5.2- No discussion on treatment. Kevin will do some follow-up with Curt Wieler on Prime For Life Activity.

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

S.6.1 Support a comprehensive picture of impaired driving data, beyond crash data to include Citation, Toxicology, Conviction, Motor Vehicle Licensing, and DUI Offender monitoring data. 2020 crash data has been finalized and posted <https://www.mdt.mt.gov/publications/datastats/crashdata.shtml>

### **Announcements-**

- September 24, DUI - Alcohol & Drug Prosecution Training, registration required, [DUI - Alcohol and Drug Prosecution Training \(google.com\)](#) (See attached flyer)
- October 4 & 5: [Tall Cop Training with Jermaine Galloway | October 04, 2021 - October 05, 2021 \(eventcreate.com\)](#) (See attached flyer)
- Annual Transportation Safety Meeting – planning in process.

### **Next Meeting**

First Thursday of the month @ 10 a.m. – November 4

### **Meeting Adjourned**

# DUI-Alcohol and Drug Prosecution Training

Presented by:  
Sergeant Doug Samuelson  
Montana DRE Coordinator  
Montana Highway Patrol



Friday  
**September 24**

8 am - 5 pm

**8 hours POST Credit for  
attending LE Officers.**

Madison County Administrative Bldg  
*Public Meeting Room*  
103 W Wallace St  
Virginia City

## SEMINAR INFO

This event is for Law Enforcement Officers, Judges, and Prosecutors, and interested community members.

It is FREE

Please register at

<https://forms.gle/X29v3kSbAgLmG9bd9>

Lunch and snacks will be provided

For more information

Esther Lince

406-498-1215

[preventionmc@swmtprevent.org](mailto:preventionmc@swmtprevent.org)

Sponsored by:  
Madison County DUI Task Force  
and  
Southwest Montana Prevention

# TALL COP SAYS STOP

**JERMAINE GALLOWAY**



## Where & When

**Where:** Myrna Loy Theater  
15 N Ewing St, Helena, MT 59601

October 4th 11:00am-3:00pm	Training for Law Enforcement Officials.
October 4th 4:00pm-6:00pm	Training for teachers, parents, and community members focusing on drug trends we see today.
October 5th 8:00am-11:00am	Training for teachers, Prevention Specialist, and healthcare professionals.

## About Event:

Brought to you by **Youth Connections Coalition** and **Lewis and Clark DUI Task Force**. Please join us for an amazing training opportunity. Hear from **Jermaine Galloway**, regarded as one of America's top experts in various drug and alcohol trends, he has specialized in underage drinking and drug enforcement for more than 15 years.

**Register for this FREE event here:**

<https://www.eventcreate.com/e/tall-cop-training-with-jerm>

