

**Governor's Council on Impaired Driving  
Meeting Agenda  
November 13-14, 2007  
Holiday Inn, Casper**

**Tuesday, November 13, 2007**

**2:00 Welcome and Announcements**

Lori Emmert and Bob Miller, Governor's Council Co-Chairs

**New Priority Issues**

*Council members selected four new priority issues to investigate for the Governor. Experts will present an overview of each issue to the entire Council, and will also facilitate sub-committee work on each of the white papers.*

**2:15 Enhanced Sanctions for High BAC and/or Multiple Offenders**

Allan Williams is an international authority on alcohol impaired driving. Allan recently retired after 32 years performing and managing highway safety research for the Insurance Institute for Highway Safety and is currently a consultant on highway safety issues.

**3:00 A Review of Wyoming's Implied Consent Law**

Tom Hennies is a former State Representative from South Dakota who spearheaded the successful effort to amend South Dakota's Implied Consent Law. Tom is also retired from the Rapid City Police Department after serving 35 years, including 16 years as Chief of Police.

**3:45 Break**

**4:00 Citation/Disposition Tracking**

Steve Dreher is the Network and Systems Officer for the Wyoming Supreme Court Technology Office. He is responsible for the computer and information systems which collect, protect, and insure electronic information in Wyoming's state courts.

**4:45 Definition of Controlled Substance in WY's DUI Statute**

Sgt. Jonlee Anderle was instrumental in bringing the first Drug Recognition Expert training to Wyoming. Redefining 'controlled substance' in WY's DUI statute is a recommendation from the DRE training.

**5:30 Break**

**6:00 Dinner**

**6:30 White Papers**

*Council members will work in sub-committees to begin writing the white papers for each of the Council's newly selected priority issues.*

**8:00 Adjourn**

## **Wednesday, November 14, 2007**

7:45 **Breakfast**

8:15 **Sub-Committee Work**

*Mandatory Testing of all Drivers involved in fatal and serious injury crashes and a Time of Test law were previously selected as priority issues. Council members will work in sub-committees to develop and/or refine educational plans to move the two priority issues forward, and also to plan the Governor's Awards Banquet.*

9:45 **Governor's Council Strategic Plans**

*Sub-committees will report back on their respective plans so the Council's actions can be coordinated.*

10:15 **Governor's Council Website**

*The Governor's Council's website ([ImpairedDrivingCouncil.org](http://ImpairedDrivingCouncil.org)), currently under reconstruction, will be presented for input from Council members. Council members will be asked to provide website addresses for links to other agencies and additional resources where the general public and legislators can access additional information.*

10:45 **Announcements**

11:00 **Closing Remarks and Adjourn**

### **Governor's Council on Impaired Driving November 13-14, 2007 Meeting Minutes**

The quarterly meeting of the Governor's Council on Impaired Driving was held November 13-14, 2007 at the Holiday Inn in Casper. The meeting began with a welcome from Council Co-Chair Bob Miller, followed by introductions of our afternoon speakers.

Allan Williams, recently retired from the Insurance Institute for Highway Safety and currently a consultant on highway safety issues, presented an overview of enhanced penalties for high BAC and repeat offenders. Although there is much variation in scope and strength among the 40 states with high BAC laws, all include more severe penalties for offenders with high BACs and repeat offenses. There is strong evidence that drivers with very high BACs are more likely than those with lower BACs to be in crashes, to recidivate, and to have chronic problems with alcohol, however, there is little empirical research that documents the effectiveness of these laws. Wyoming is only one of 10 states without a high BAC law.

Tom Hennies, former State Representative from South Dakota and former Chief of Police in Rapid City, discussed the history of implied consent, and presented an overview of SD's experience with eliminating their implied consent law in 2006. Since eliminating implied consent, DUI arrests in SD have increased, and the law has not been challenged.

Steve Dreher, the Network and Systems Officer for the Wyoming Supreme Court Technology Office, presented an overview of the information systems which collect electronic information in Wyoming's state courts. Information from the courts is downloaded nightly to his office which serves as a data warehouse. Although all of the state's Circuit Courts submit their data, only 7% of the Municipal Courts and 57% of the District Courts currently do. Until the Courts are told they must participate, they are unlikely to do so, even though the cost would be provided.

Council member Sgt. Jonlee Anderlee presented an overview of the problem in the language in WY's DUI statute that limits the conditions under which a DUI offender can be charged with DUI. If someone drives while under the influence of a *non-controlled* substance that was *not inhaled*, they cannot be charged with DUI. To remedy this problem, the language in the statute could be changed to include additional substances (a never ending feat), or to include other routes of administration.

Following dinner, the speakers worked with Council members in sub-committees to begin developing a template for each of the white papers that will be prepared for Governor Freudenthal.

The following day Council members worked in sub-committees on each of the Council's two previously identified priority issues. The complexity of the issue regarding testing of all drivers involved in fatal and serious injury crashes suggests that it would be more reasonable to focus first on only drivers who die in crashes. The coroners have already indicated their support of this measure. Currently, although the law already allows for mandatory testing in specific circumstances, the law does not actually require the hospital to draw the blood. Thus, the second step perhaps might focus on requiring the hospital (or individual qualified to conduct a blood draw) to do so when a peace officer requests the test (and include consequences if they refuse). Council members do not expect to see a bill on this issue before 2009.

Extensive discussion regarding the Council's other priority issue, Time of Test, focused on the lack of a sponsor in the Senate. Given that the 2008 session will be a Budget Session, and given that controversial issues rarely do well during Budget Sessions, the Council decided to discuss potential strategies with several legislators to get their advice before moving forward on this issue at this time.

The Annual Governor's Awards Banquet will be held on Wednesday, April 30, 2008 at the Holiday Inn in Casper. Sherilyn Dunning will help manage the event. Jack Enter will be the keynote speaker, and Attorney General Bruce Salzberg has agreed to emcee the program. Final plans for the Banquet will be made during the January Council meeting.

Jessi Westling, representing Lisa Laake from the Division of Substance Abuse, announced that the Division is currently developing a social marketing campaign regarding alcohol abuse and DUI prevention which is scheduled to begin in January.

Toni Reichenbach announced that MADD will hold a summit in Texas in June 2008 for all states that do not conduct sobriety checkpoints.

**The next meeting of the Governor's Council on Impaired Driving will be held on Tuesday, January 22 – Wednesday, January 23 , 2008 at the Holiday Inn in Casper.**