



# TAP 2024 Midyear Meeting

February 8, 2024 9:00 AM – 5:00 PM (ET)

IACP Headquarters, Alexandria, VA

Webber-Seavey A-B

## TAP members in attendance:

Brett Railey, Chair

Beth Barnes

Paul Batcheller

Wook Beltran

Tim Cornelius

John Flannigan

Jennifer Harmon

Ron Hoague

Joe Kennedy

Michael Blute

Bruce Stanford

Patrick McNichol

Matt Myers

Sam Criswell

Michael Hanson

Robert Paul

D'Arcy Smith

Karl Citek

Dustin Woida

## Members unable to attend:

John Marshall

Nick Knoll

## IACP Staff in Attendance:

Joe Abrusci

Kyle Clark

Nuyiri Kasbarian

Robert Hayes

Jim Maisano

## Guests:

Christine Frank, NHTSA

Tim McCarson, NM DECP

Mick O'Bryant, OK DECP

Rick Bia, Washington DC, HSO

Keith Williams, NHTSA

Rob Duckworth, Intoximeters

Melissa Shear, Washington DC DECP

## Welcome and Introductions:

**TAP Membership Mission/Responsibilities and Goals:** Chair Railey called the meeting to order at 8:57 a.m. (EST) by welcoming everyone to the meeting, especially the new members. He read the TAP Mission and Goals to the members as a reminder of the group's responsibilities.

**TAP Member Introductions:** Chair Railey had all members and guests introduce themselves, their roles, and agency affiliation.

**Review/Approval of 2023 TAP Annual Meeting Minutes:** Chair Railey asked for a review of the minutes from the 2023 TAP Annual Meeting. There were no corrections. [**Action Item: Minutes Approved**]

***IACP Updates:***

2024 IDTS Conference: The 2024 IDTS conference will be held August 16-18, 2024, in Washington, DC, at the Marriot Marquis Hotel. The DECP team and IACP conference staff did a site visit on February 7th. There will be a state coordinator meeting and the DRE Section meeting on August 15th, the day before the start of the conference. The TAP annual meeting will be conducted on August 14th, two days before the conference starts. Jim instructed the TAP members that they would need to book their own hotel, and he reviewed travel expenses.

IRPA: Kyle briefly overviewed the newly established International Road Policing Alliance (IRPA) started at IACP. IACP is a partner in the Second United Nations Decade of Action for Road Safety (2021 – 2030) and approved the formation of the IRPA at the 2023 Annual Conference in San Diego. The primary purpose of IRPA is to create an IACP-led by-police for-police network that will allow police and road safety professionals to access information and resources to prevent and reduce traffic fatalities and injuries in their communities. He explained how stakeholders can share resources with others to enable non-police professionals, traffic enforcement agencies, and governmental leaders to better engage with road policing professionals, enforcement information, and education. Membership is open to both IACP members and non-IACP members. IRPA plans to produce a monthly newsletter for information sharing. IRPA is gearing up for a formal kickoff event in conjunction with the 2024 IDTS conference in August 2024.

Future IDTS Conferences: The 2025 IDTS Conference will be held in the Central Region. The conference team is currently looking at the Chicago, Illinois, area. The conference dates are expected to be around the same as IDTS this year. Jim emphasized that while we are growing the reach of the conference by adding traffic safety and other sessions, we are not taking away any DRE sessions from the conference.

Credentialing Updates: Currently, there are 7,378 certified DREs in the United States and 1,037 in Canada, for a total of 8,415. The IACP is maintaining a 30-day or less turnaround on all DRE credentials.

DRE Retention: The IACP tool kit is out and available to be used by members. To help recognize DREs, the IACP is working on recognition letters for DREs who conducted 51 or more enforcement evaluations. In addition, recognition letters will also be sent out to all DREs with over 10 and 20 years of service. It is estimated that IACP will be sending out around 900 letters

this year. The Central Region Project manager position is still open and in the interview and hiring process, with an anticipated selection within a couple of months.

### ***NHTSA Updates***

Keith Williams thanked the TAP members for their time and dedication to the TAP committee. He advised that with Ann Carlson's departure, Sophie Shulman is the Deputy Administrator leading NHTSA. Keith reported that in 2021, there were 13,384 fatal crashes, and there was an increase of 14.2 percent in alcohol-only crashes. Christine Frank also thanked the members of the TAP committee for all they do to support the DEC Program.

Standard 118: Keith Williams reported that this has been published as a best practice or guideline and not as a standard as it relates to breath testing devices. He also encouraged the committee and the DRE community to look for opportunities to expand the number of DREs nationally.

Research Updates: NHTSA is conducting a project looking at cues for cannabis impairment. Dunlap and Associates are conducting the study, which is in the early phase of development. They are looking at developing a list of possible cues from literature and subject matter expert input. Christine will ask TAP members and state coordinators to help by identifying 6-8 subject matter experts with the data reviews. This project aims to look for cues in pre and post-stops. Dr. Karl Citek asked that any identified cues also be sent to the Scientific Workgroup, and Christine advised that would be her recommendation. Dr. Beltran asked for data as well.

Christine also mentioned a Small Business Initiative Research (SBIR) project. This project is the development of virtual reality training to supplement ARIDE and other impaired driving training classes. This V/R training will help the law enforcement officer become experienced in what to see when contacting an impaired driver. They are currently in phase II, which is developing the tool.

The next roadside survey is up and running, but they will not collect data until 2025. This project will take about five years to fully complete.

NHTSA researchers are also looking at field sobriety tests sensitive to cannabis use. NHTSA will be reaching out to current DREs to assist with the project by using them as SMEs.

Curricula Updates: The IACP is compiling information from the course manager reports on suggested changes and/or corrections and will be providing the suggestions to the Curricula Workgroup. In the meantime, IACP will be making updates on some of the minor issues such as spelling and formatting items identified. Notice of all the minor changes will be distributed once or twice a year. The next full curricula to be updated will be the DRE & SFST IDC training classes and translating all impaired driving courses into Spanish. Christine mentioned the IACP will randomly select ARIDE course critiques to review so that improvements can be made. The

NHTSA IT department is working on posting the 2023 DRE 7-Day school and the dry lab videos. (Subsequent to the meeting, these were uploaded and are now available on the NHTSA website.) The “Truth in in the Eyes” video has been replaced with “HGN: The Eyes Don’t Lie”. This video is in its final editing and will be placed on the website with the other material when completed. (Subsequent to this meeting, these were completed and provided by the IACP on their DRE state coordinator website.)

Future Goals in Support of DEC: As a reminder, the DRE demo project is ongoing. Christine advised that some funding is still available for call-out systems, DRE tablets, phlebotomy programs, and e-warrant programs. This is not officially being announced, but you can contact Christine and Charlie if you want to implement one of these projects.

Standards: There was a lengthy discussion about the need for standards that include accountability within the DEC Program, specifically oversight of the DRE state coordinators. The reasoning for a new standard is to have an outlined procedure for oversight of the DEC Program and how issues should be addressed when discovered. During the discussion there were questions about if practitioners could be included in any guidance provided. **[Action Item: to Standards Working Group]**

Christine also brought up discussion on addressing the amount of time which should be allowed between the DRE preschool and the 7-DRE school. The Standards working group will develop language and present it at the annual meeting in August. **[Action Item: to Standards Working Group]**

Jim Maisano spoke about the MADD video that is used in the SFST, ARIDE, and DRE curricula. The video opens with an officer who has retired and now works for the defense. The matter has been brought to MADD's attention, and they are planning to edit the videos with a new introduction. IACP advised that they would share this information with the state coordinators and reminded them that playing this video is optional. They can still play the video but need to be aware of the status of the officer and highlight the need for DREs to follow the 12-step procedure.

Keith Williams spoke on NHTSA’s oral fluid device research. In response to a legislative requirement for NHTSA to develop a Conforming Products List for oral fluid drug screening devices, he reported that NIST, in partnership with NHTSA is in the early stages of developing minimum performance specifications (standards) for this technology. The strategy is to follow an industry-based process to verify product compliance with the standards.

### ***Old Business***

Resolution: DUID: Jim Maisano advised that the resolution approved at the 2023 annual meeting was sent back from the IACP’s Resolution Review Committee. They requested

additional language to expand the resolution to include more stakeholders. As requested, the IACP staff added additional language and returned the resolution to the review committee. He read the additional language that was added. The language recommended increased action by the prosecutors in drug-driving cases. The full IACP Resolution Committee should vote on the updated resolution in March. Chair Riley recommended this item be added to new business so TAP can vote on the modified language.

Resolution: Blood Testing in Fatally Injured Drivers: Matt Myers reported that this resolution was sent to the Roadway Safety Committee and was approved by the chair. The resolution will be voted on tomorrow afternoon by the Roadway Safety Committee. An update was made to the document previously presented to TAP. A reference to 2018 data from the World Health Organization was updated. There was a discussion of the importance of this resolution and the increase in drug-impaired fatal collisions. Also, there were comments about the need to use DREs in these crashes. **[Action Item: Passed]**

NJ v. Olenowski: Beth Barnes reported the New Jersey Supreme Court issued a 5/2 opinion. The majority held that DRE testimony sufficiently satisfies the *Daubert* criteria to be admissible, with four significant “limitations and safeguards”: 1) DREs may testify only that the evaluation is “consistent with” the driver’s ingestion or usage of drugs, not that it was actually caused by drugs; 2) if the State fails to make a reasonable attempt to obtain toxicology test without a persuasive justification for failing to do so, the DRE’s testimony must be excluded [There is a lot of confusion about what this requires]; 3) the defense must have a fair opportunity to impeach the DRE during trial; and 4) model jury instructions to guide juries about DRE evidence should be considered. The court did adopt the two special master’s reports and findings with the 4 limitations above. The dissent held DRE testimony is not admissible.

Updated DEC Program Endorsements: Jim Maisano advised that the IACP has received updated endorsements from AAA Insurance, GHSA, and the Foundation for Advancing Alcohol Responsibility. We are still waiting for endorsements from the following: MADD, Transportation Research Board, National Sheriff’s Association, SOFT, Medical Association, and the National FOP. The TAP members were encouraged to assist in obtaining additional endorsements from organizations they have contact with. Beth Barnes was very appreciative of how quickly this has been accomplished and thanked the IACP staff.

DATA for Hawaii – Wet Labs: Ron Hoague did not have an update and is waiting to hear back from Chief Mos. Dustin Woida advised that the California Highway Patrol (CHP) continues to collect and compile data from their alcohol workshops. Some of the data they are collecting is sex, weight, number of drinks, time of drinks, and self-reporting of impairment. Matt Myers recommended a standardized form be made and potentially added to the curricula which could help other states collect wet lab data. Dustin Woida will share the form the CHP uses with the group.

CA Research Paper – Dr. Marcotte - Update: The Scientific Workgroup has reviewed the research papers completed by Dr. Marcotte and Dr. Fitzgerald. The group has been in contact

with the researchers and had a conference call with them last week. Matt Myers shared a document with the committee that provided good talking points about the research and the issues identified by the scientific workgroup. This will be addressed later in the meeting.

Seated Battery of Tests: Jim Maisano reported that feedback by IACP is that these tests cannot simply be inserted into the SFST curriculum. IACP has provided guidance that the seated battery of tests if instructed, must be treated as additional material, and would need additional class time to present. The main concern about using the seated battery of tests is that the tests were developed for the marine environment, and there is a lack of studies or court acceptance for land or roadside use. Also, there have been no Frye or Daubert hearings for these tests. The feedback from the committee was that additional studies are needed in reference to the seated battery of tests before being implemented for land-based use.

## **New Business**

Resolution: DUID: As requested by Chair Railey, the language added to the DUID resolution by the IACP was distributed to all members for review. The language added was: *FURTHER RESOLVED that the IACP recommends all states, provinces, and territories support and encourage prosecutors to vigorously prosecute all offenders violating impaired driving laws including those offenses involving impairing substances and/or impairing drugs and any offenses when a combination of impairing drugs and alcohol are involved.* A motion was made and seconded to approve the resolution modification. **[Action Item: Approved]**

DEC Program International Standards Revisions/Updates: John Flannigan presented the following proposals for standard revisions.

*DRE 1.10 Commentary – Entry of Forensic Testing Details:* John Flannigan read the proposed changes to this section. The suggested changes referenced having the DRE add the names of drugs and/or metabolites found by the forensic testing onto the DRE's rolling log and their entries into any data collection systems. There was lengthy discussion regarding the entry of specific drugs, other than just the drug categories into the DRE's records. Concerns were expressed that it would subject the DRE to cross-examination about the specific drug or metabolite listed on their rolling log. There were also concerns that this change could affect international DRE programs. For example, Canada does not use the NHTSA DRE Data System. NHSTA reminded members that they cannot require the use of the data system. There were also concerns about the DRE testifying to a specific drug, not a category. It was recommended by Chair Riley that this standard change be tabled for now. **[Action Item: Tabled]**

*DRE 1.14 – Rolling Log to be Completed:* John Flannigan read the proposed changes to this section. As written, the standards have the rolling log as being a part of the curriculum vitae. In reality, most DREs keep the rolling log in a separate file. The recommended change strikes out, "The curriculum vitae shall include a complete log,"

and it is replaced with, “and complete a log.” This is simple clean-up verbiage. **[Action Item: Approved]**

*DRE 1.3 – ARIDE Required:* John Flannigan read the proposed changes to this section. The changes are to require officers wanting to become DREs to attend ARIDE training or have an exemption from the state coordinator. There was active discussion about prerequisites for DRE training and how this could affect officers wanting to become DREs who have not attended an ARIDE class. There were also concerns that this change could affect international DRE programs. Specifically, in Canada, the Department of Justice did not utilize ARIDE training because they were concerned it would be treated as DRE lite. It was also mentioned that this could place a burden on other countries wanting to start a DEC program, such as Brazil, Mexico, Ecuador, and Australia. Joe Abrusci recommended tabling this standard for now. It was further recommended to have the regional coordinators contact their state coordinators to see their thoughts on this standard change. **[Action Item: Tabled]**

*DEC Program Enhanced Standards:* John Flannigan reported that only two states had reported updates in time for the preparation of the meeting notebook. One was from Vermont and the other from Pennsylvania. Others have been received and will be included in the annual meeting notebook.

*Scientific Workgroup Literature Review:* Matt Myers reported there was nothing new to report from the general literature review. The Scientific Workgroup has been focused on the San Diego Study on cannabis that Dr. Thomas Marcotte completed.

*Talking Points for Recent Cannabis Studies:* Matt Myers handed out a 10-page document that was talking points for the cannabis study completed by Dr. Thomas Marcotte in San Diego. This document was formatted in a common Q and A fashion. Matt Myers advised this study took place from 2017 to 2019 by the Center for Medicinal Cannabis Research group out of the University of San Diego. This study had 49 false positive ratings for the placebo being FST impaired. Additional papers were posted after this study was brought to the Scientific Workgroup at the last TAP meeting. There were discussions about limitations and concerns on acute cannabis intoxication, and this study was using occasional users. Also, not all SFSTs were used, and a baseline was not conducted before the SFSTs were conducted. However, a baseline was completed before the driving portion. DRE’s judgment determined the impairment of the test subjects.

The placebo group was using .02% THC. There was discussion about the study results and whether or not the person would have been arrested in a real-world scenario. There were also concerns about the methods of onsite presumptive urine testing of the subjects, including the number of drugs not tested, the participants self-reporting cannabis use, and cannabinoids were not included in the testing. There was a discussion on oral fluid and blood testing for cannabinoids and whether the placebo group was sober or not. In the study, there was no review of the participants' historical use of cannabis. There was also mention of the 49%

percent that were classified as impaired having sways and lack of convergence which is statistically significant.

There were questions about what IACP should do with this document. It was decided to table it for review and the working group can present a final product at the August TAP meeting in D.C., since more discussion is planned with the researchers.

There was discussion about the need to develop a standard for when a state's DRE agency is required to participate in a study. This was the result of several state coordinators having legislative-level mandates requiring DREs to assist 3<sup>rd</sup> parties in their research/studies. For example, California has a state-funded study that obligates DREs to assist Dr. Marcotte in his study (or others). There were no recommendations or further actions requested on the topic.

*DEC Program Accountability:* John Flannigan spoke about DRE accountability. There have been previous issues identified, such as DRE lite, DREs talking people out of doing evaluations, and DREs not doing a full evaluation before they make an opinion. The state coordinator generally handles these issues, but there is no clear distinction of how any issues should be reported or followed up on. The question has been posed about who is holding the state coordinator accountable, and what is the Highway Safety Office's role in addressing DRE issues in their state. A situation was given about if we had a rogue state coordinator who was not doing his duties or was taking shortcuts. Should TAP be the one to take appropriate action, or should it be referred to the state's highway safety office? It was the opinion of the group that this should be a section in the standards outlining how issues discovered should be addressed. The standard should be a guideline on how and to whom issues are reported, whether it is a DRE practitioner or a state coordinator. The Highway Safety Office representative stated he and his colleagues would want to know about any issue with their state coordinator that could affect state and federal funding. There was some discussion about developing an auditing system for state coordinators. After the discussion, it was decided that the standards working group would begin working on draft language and report back at the annual TAP meeting in August. **[Action Item: review and report back at the annual meeting.]**

*Washington DC as a DEC State:* Jim Maisano reported that during some recent work with Washington DC, it was discovered that a formal acceptance of Washington DC into the DEC Program by TAP could not be found. Jim informed the committee that Washington DC has had DREs for a number of years, just as other starting states have had before they were formally accepted. Jim introduced TSRP and state coordinator Melissa Shear and Rick Burt with the Washington DC Highway Safety Office. Melissa indicated that they have had DREs in the state for many years that were trained by another state. The members were referred to the checklist for agency participation, international standards for impaired driving programs, and DRE – Chapter VI in the notebook. Melissa Shear advised that there are 30 police agencies in the Washington DC metropolitan area within a 10-mile jurisdiction around the Capitol. She reported that the United States Capitol Police and other federal agencies have had DREs in the past. However, there are no DREs in the Metropolitan Police Department currently. Melissa Shear asked for DC to be accepted into the DEC program by reviewing the standard's requirements. She advised



that the leadership in the metropolitan and federal agencies support this request as required in the standards. Melissa Shear advised the second requirement was a laboratory for forensic testing which they have at the Office of the Chief Medical Examiner. The last requirement is a record-keeping system. She indicated they use the NHTSA Database, and the one DRE they currently have sends all his paperwork to Melissa Shear, and she works closely with the Maryland state coordinator. **[Action Item: Passed]**

*Review of DRE Standard VI:* John Flannigan spoke about reviewing this standard as the DEC Program seeks to expand globally. Ideally, there should be no issues with the various international laws that would unnecessarily restrict a country from implementing the DEC Program. John suggested the standards working group review this standard to ensure it applies worldwide. He added that this is in no way lowering the standards; it is just to ensure there are no unintended barriers in the standard language. The chair directed John to develop an ad hoc working group chaired by the standards workgroup to start reviewing Standard VI. It was recommended that other members should include IRPA, Canada and any other stakeholders as identified. John will report back at the annual TAP meeting in August. He will also report back to the chair who the members will be on this committee. **[Action Item: review and report back at the annual meeting.]**

*DRE Matrix Footnote Review:* Matt Myers reported a discussion should be on changing/adding/removing verbiage from the matrix to bring it up to date (*Footnote 1. Soma, quaaludes, and some antidepressants usually dilate*). He indicated it should be changed from “usually” to “may.” Also, quaaludes are rarely seen in evaluations; there are a lot more exceptions, and there is no evidence to support that this is correct. For Footnote 3, is written that certain psychedelic amphetamines may cause slowing. This footnote excludes anticholinergic hallucinogens, sometimes called deliriants in medical texts. It was recommended that the Scientific Curricula Workgroups work together to review these potential changes. **[Action Item: review and report back at the annual meeting.]**

*Curricula – Program Development Update:* Matt Myers reported there should be a discussion about adding the Olenowski case and the key findings into the curricula. The curriculum includes other case law, but it is older. In the Olenowski findings, regarding the DRE approach to symptomatology and its general consistency with the clinical toxidrome approach is important. There was also discussion on inserting some of the language from Goldfrank’s toxicologic emergencies reference about the interpretation of symptomatology patterns and legal context from Olenowski into the Overview of Signs and Symptoms sections. Goldfrank’s reference was a most important selling point to the NJ Special Master’s report for the Olenowski case. This would not be teaching DRE medical toxidromes but providing them basic knowledge, making them experts, and expanding their knowledge. The Scientific and the Curricula workgroups were recommended to review these potential changes together. **[Action Item: review and report back at the annual meeting.]**

***From the Floor:***

Tim Cornelius said he was asked about taking blood pressure by palpation. The question was coming from a DRE with an EMT background. Dr. Beltran explained that this is occasionally done in the medical community. Palpation generally provides for the Diastolic blood pressure. Taking blood pressure measurements as established in the DEC protocol allows to documentation of both systolic and diastolic blood pressures. He explained that having both measurements allows us to consider other medical concerns such as when there is minimal differences between the measurements. He supported keeping the measurement method as is so it remains systemized and standardized.

Tim Cornelius told about a DRE that was training officers on "Preliminary HGN." He said the instructor trains an officer to do a portion of the HGN test when the driver is in the driver's seat of the stopped vehicle. Robert Hayes reported a discussion was held with the DRE, and he decided to use alternative verbiage instead of "preliminary HGN" and that he would address the officer safety issues in doing this beside the car door. The DRE also had a good idea of inserting a disclaimer in his presentations that this is not part of the SFST standardized instruction but an enhanced tool to aid in the initial contact with a potentially impaired driver. No further action on this issue is needed.

### ***TAP Member and Workgroup Reports***

At-Large DRE: Paul Batcheller reported Iowa is still working on virtual reality goggles for supplemental training of HGN/VGN and is using it in their academy. They are adding drugs, watery bloodshot eyes, and dilated pupils to this mechanism. Iowa also has a new judicial outreach liaison through the Highway Safety Office. As with most states, they are having a problem with DRE retention and recruitment.

Patrick McNichol had nothing to report at this time.

Nick Knoll was unable to attend the meeting, and no report was provided.

Highway Safety Office: Michael Hanson reported University San Diego effects of marijuana with driving that came out a couple days ago. He spoke about grant opportunities for impaired driving prevention grants. Recipients can receive up to \$28,750 to address multi-drug impaired driving-related projects. This is GHSA/FAAR sponsored.

International: D'Arcy Smith reported issues with filling DRE courses at times. He visited the certification site in Mesa, Arizona; it was too small to accommodate the full size of their DRE classes. He also reported on completing the annual report.

Medical/Optomety: Dr. Gerald Beltran reported that he would like to see requests from researchers wanting assistance from the DEC program to come through the TAP committee. He requested this be placed on the agenda for the TAP meeting in August. He also would like to

revisit the average temperature range. New research shows the average is 97.6 degrees. The discussion was that there had been a study which came out about 2 years ago on this very topic. The SWG looked into it and determined it was not widely held in the medical community, so no change was needed. The SWG will look at the study identified by Dr. Beltran and report back **[Action Item: Report review by SWG]**

Dr. Karl Citek had nothing additional to report at this time.

NHTSA: Keith Williams had nothing additional to report.

Police Administrator: Ron Hoague reported he participated in a presentation at the IACP's annual conference about the effects of legalization and the benefits of the DRE program. The presentation addressed five key reasons you should have a DRE. He indicated that there was a lot of encouragement and support for the DEC Program from several of the chiefs.

Police Training: Tim Cornelius reported the IPTM symposium will be held June 3-6, 2024. At the symposium, they will conduct DRE recertification training and offer the ability to perform instructor-witnessed evaluations for those in need. Out-of-state DREs should confirm that their home state coordinator will accept this towards recertification.

POST: Bruce Stanford had nothing to report at this time.

Prosecutor: Beth Barnes reported the *Arizona v. Smith* case pending in the US Supreme Court is very significant for DUI cases - especially our labs. The issue is whether it is a violation of the Confrontation Clause for an expert to rely on work that others have conducted to form and testify about their own opinion. Most labs have experts who rely on work conducted by others at some point in toxicology or other areas, such as DNA testing. Depending on how the opinion is written, this case could also impact non-lab issues such as DRE post-incident review. Under the Constitution, only the defendant has the right to confrontation. Accordingly, the resulting opinion will likely impact State experts, not defense experts.

Regional Coordinators:

Dustin Woida reported the Western Region State Coordinators meeting will be held in April. He also spoke about some agencies that have added incentive pay for DREs. California will host several states for certification training in addition to Mesa, Arizona. California has also scheduled four DRE IDC schools. Other states are invited to send students if there is a need.

Robert Paul reported that New Mexico had a DRE IDC class and had completed a pre-school. They have a pending DRE 7-Day school and several ARIDE classes scheduled. Oklahoma is finalizing its review of its enhanced standards. Michigan is working on saliva testing and upgrading its DRE tablets. Iowa is planning two DRE Schools this year, and Missouri has an upcoming DRE school.

John Flannigan reported 2024 Eastern Region State Coordinators meeting will be held on June 3<sup>rd</sup> in Florida at the IPTM Traffic Symposium.

Roadway Safety Committee: Matt Myers had nothing additional to report at this time.

Sheriff's Offices: Joe Kennedy had nothing to report at this time.

State Coordinator: Sam Criswell reported that section 1.2 in the DRE standards needs to be reviewed. The language includes "must" when listing requirements to be a DRE, but the word "should have" is listed in the 1.2 commentary. Jim Maisano indicated that he had plans to search the standards for word such as "must", "shall" and "never" to ensure they are properly used in the standards and report his finding to the standards working group. **[Action Item: Recommendations at Annual Meeting]**

Toxicology: Jennifer Harmon reported SOFT Drugs and Driving has new chairs Nick Tiscione and Sarah Dempsey. The literature Task Group has updated zolpidem and is currently working on general benzodiazepines (<https://www.soft-tox.org/drugs-and-driving-literature>). SOFT submitted nine abstracts for IDTS. Regarding NHTSA Regional Toxicology Liaisons, nine testimony training courses were held across their three regions. They are also asking the state coordinators to attend if it is in their jurisdiction. They are also working on standardization in 2024 and information on the ASB standards. Other information provided were the concerns for the pending Arizona vs Smith case. Also, Jennifer reported an increase in cocaine seizures and in toxicology samples. California labs will host a lab stakeholder meeting in December to discuss standardization and "where they are all at" in their testing capabilities and support of DRE. Finally, training for NHSTA RTL testimony is also projected for December in San Diego.

DRE Section: Michael Blute reported the DRE Section meeting is set for April 4<sup>th</sup> in an online format. He indicated that additional nominations for DRE of the year were requested this year. There were seven nominations for DRE of the Year, zero nominations for DRE Ambassadors, and eight nominations for DRE Emeritus. Mike also reported about a former DRE who is working for the defense and teaching DUI Training (SFST) for \$850 per person. The class is fully online and is a shortened version of the three-day SFST training. This individual was sent a letter advising him he is no longer an instructor or DRE under the standards and included his shortcomings. He has retained an attorney. IACP staff were aware and also sent notification to the individual that IACP do not support or recognize the training since he includes a statement to that effect on the certificates.

### **Adjourn:**

The next meeting was announced by Jim Maisano as August 14, 2024, in Washington DC. The meeting adjourned at 3:40 pm.