



IACP DRUG EVALUATION AND CLASSIFICATION PROGRAM  
**Annual TECHNICAL ADVISORY PANEL Meeting**  
**Friday, October 24, 2014**  
**Orlando, Florida**

The annual meeting of the IACP Technical Advisory Panel to the DEC Program was held on Friday, October 24, 2014, at the Hilton Orlando in Orlando, Florida.

**PRESENT:** Chief Robert Ticer, Avon, Colorado, Police Department, TAP Chair; Deputy Chief Jim Maisano, Norman, Oklahoma, Police Department; Director Darrin T. Grondel, Washington State Traffic Safety Commission; T/Sergeant Doug Paquette, New York State Police; Don Decker, Nahant, Massachusetts, Police Department; Jonlee Anderle, Wyoming Department of Transportation Highway Safety Office, Laramie, WY; Executive Director Dan Zivkovich; Massachusetts Municipal Police Training Committee; John Marshall, Chief, Enforcement Division, NHTSA, DC; Kyle Clark, IPTM, Jacksonville, Florida; Ken Lebrato, Assistant County Prosecutor, Middlesex County, New Jersey Prosecutor's Office; Dan Bower, Chief, California Highway Patrol; Lt. Jerod Primicerio, California Highway Patrol; Dr. Don Alves, Maryland State Police; Sgt. Evan Graham, Royal Canadian Mounted Police; Jeff Collier, Kansas Highway Patrol; Amy Miles, Senior Chemist, Wisconsin State Laboratory; Dr. Karl Citek, Pacific University College of Optometry; Forest Grove, Oregon; and Sergeant Mike Iwai, Oregon State Police

**IACP STAFF:** Carolyn Cockroft, Ernie Floegel and Chuck Hayes

**Guests:** Joe Turner, IN DRE state coordinator, Indiana Law Enforcement Academy; Sergeant Mark Crandall, WA DRE state coordinator, Washington State Patrol; Dick Studdard, LAPD, Retired, Phoenix, AZ; Elizabeth Earleywine, Illinois; Lt. Danny Lamm, CHP; William O'Leary, NHTSA, DC; Candace Lightner, We Save Lives; Lt. Matt Myers, Peachtree City PD, Peachtree City, GA; Lt. Chris Dudzik, Toms River PD, NJ DRE Association, Toms River, NJ; Joe Abrusci, Andover PD, Andover, NJ; Darcy Smith, RCMP; Officer Joey Koher, West Virginia DRE state coordinator, Huntington PD, Huntington, WV; Lt. Don Marose, MSP, Minnesota DRE state coordinator; Trooper Daven Byrd, Arizona Department of Public Safety; E. Frank Griego, Jr, AZ DPS; Phil Gullack, NHTSA, DC; Mike Brown, NHTSA, DC; Carl McDonald, MADD; and Joanne Tompka, National Traffic Law Center.

The Chair opened the meeting at 9:05AM. He introduced himself and asked that the other in the room also introduce themselves. A signup sheet recording those in attendance was completed.

**IACP Updates:**

Carolyn Cockroft reported on the following

- 7,443 DREs are recorded as active in the IACP credentialing database (as of October 1, 2014). Of these, 1,496 are also active instructors.
- The 20th IACP Annual Conference on Drugs, Alcohol and Impaired Driving was convened on July 28-30, in Phoenix, AZ. 870 people attended—the largest attendance in the history of the DRE Conference. Many thanks go to the Arizona Host Committee for their outstanding participation and hospitality.

- The DRE Section's 2013 Annual Report has been completed and is now available at [www.decp.org](http://www.decp.org) and [www.theiacp.org](http://www.theiacp.org)
- DRE Training: In 2013, 58 DRE schools were conducted in a total of 38 states resulting in the training of 1,073 officers. Additionally, 541 ARIDE courses were held in 47 states and trained approximately 10,436 officers.
- At the end of December 2013 the total number of records for credentialed DREs in the IACP database was 7,155; of these 1,428 were also credentialed as DRE instructors. During the calendar year 2013, 1,129 new DREs and 141 new DRE instructors were credentialed.
- DRE Evaluations: Carolyn reported that 25,289 DRE enforcement evaluations were entered into NHTSA's National Tracking System for 2013. One of the major issues is the timeliness of the certification entries. For example, the total number of all evaluations for 2012 as entered into the tracking system was 28,520 on 1/21/13; 33,802 on 7/29/13; 37,062 on 1/4/14 and 39,354 on 5/7/14—difference of more than 10,834 evaluations. The states' annual reports indicated a total of only 31,738 evaluations for 2012.
- 2015 Conference: Next year's DRE Section's conference will be held in Cincinnati, Ohio, August 10 – 12. The conference agenda is being developed and more information can be found at [www.decp.org](http://www.decp.org) in January once on-line registration opens.

**TAP Meeting Minutes:** The TAP minutes from the 2013 Philadelphia meeting were approved.

#### **Old Business:**

- **NHTSA Synchronization Project, SFST/ARIDE/DRE.** The Curriculum Synchronization has been completed. Now the work has begun on reviewing the SFST, SFST Refresher, ARIDE and DRE curricula, going through each one and making the updates and revisions based on the collection of information received from the DRE School course manager reports and from SFST and ARIDE instructors. Release date is sometime in 2015.
- **SFST Revisions and Video Updates.** These are completed, except for the old dry lab videos, which were not part of the updates.
- **ARIDE On-Line Training.** As a result of discussions among NHTSA, TAP and the Highway Safety Committee there are to be no changes at this time to the on-line ARIDE training. The TAP, the DRE Section and HSC had previously requested a change in the training's name. NHTSA said that there is no name change at this time because of the way congressional orders had been written. New Jersey was recognized for the way they manage the ARIDE On-line Training. New Jersey controls all of the SFST and DRE training. They also have oversight of the HGN Program. Officers in New Jersey must complete recertification of HGN training every two years; therefore, the state police who has program oversight determines who is qualified to take the on-line training and deal directly with TSI to ensure that the students meet all of the prerequisite requirements for the training.
- **Sobrietytesting.org / DRE Tracking.** Bill O'Leary stated that he will be taking over the direct supervision of the DRE Tracking site. They hope to have some modifications completed in the near future. He indicated that he believes they will be able to have the officer's name added

back into the system and the Rolling Log. Bill hopes to have more involvement in the program overview and he welcomes input on ways that the program may be improved in the future.

**(Action Item)**

- **Canada Field Certification.** They are still testing. The time line is for mid-summer 2015. **(Action Item)**
- **Washington State DRE Validation Study.** Sergeant Mark Crandall of the WASP reports that this study is still on-going with no time line at this point. **(Action Item)**
- **Ultra Violet (UV) Light Testing for Near Total Darkness Exam.** Chuck Hayes reported that the use of the UV Lights for the Near Total Darkness darkroom measurement was approved by TAP last year. Per TAP's recommendation, a training video and training bulletin were developed and sent to the Curriculum and Scientific Committee members for review and comment. Some minor modifications were made to the video; it will be finalized, and a Web site link to the video will be sent to the state coordinators soon. The video can be used for DRE in-service training or as supplemental material for the DRE classes. Chuck thanked the Arizona DPS and Arizona Office of Highway Safety for their assistance with the video.
- **RAID Training in California.** Lt. Jarod Primicerio of the CHP reported that, due to logistical problems, the project has been suspended.
- **Toxicology Collection.** After discussion about the terminology to be used for "Blood Marijuana", it was to be sent back to the Scientific and Agenda Committees to finalize the terminology. **(Action Item)**
- **Physiology Session of DRE Curriculum.** This session was reviewed by Dr. Alves and Dr. Citek (Scientific Committee) and a draft was submitted to the Curriculum Committee for review. An attempt was made to merge some of the old language with the new language. The TAP recommended that the old be replaced with the new. Another suggestion was to include in the commentary recommendations that this session is to be taught by either a toxicologist or a medical doctor. The chair asked that the Scientific and Curriculum subcommittees work on this session with the intent to have it completed by Dec 15 so it might be included in the latest curriculum updates. **(Action Item)**
- **Standards, Qualifications to be a DRE.** After review by the Standards Subcommittee, they unanimously recommended that no changes be made. **Approved by the TAP.**
- **Standards, Recertification Evaluations, Toxicology Requirements.** The following are the recommendations made by the Standards Subcommittee. The wording in italics is the added language. This was approved by the TAP and will be put into the standards:

**5.2** *A DRE expired more than one year and less than five years may be reinstated as a DRE when the following conditions are met:*

- *Completing and passing the 100-item exam (same as that given at the end of the DRE School, or the make-up exam) as witnessed by a certified DRE instructor, with a score of at least 80 percent.*

- *Performing a minimum of four hands-on evaluations, all of which shall be witnessed by a certified DRE instructor. These evaluations shall be performed on subjects suspected of drug and/or alcohol impairment.* Further, the expired DRE cannot be reinstated unless the opinion concerning the drug category or categories affecting the subjects of the evaluations are supported by forensic testing\* analysis 75 percent of the time, or in at least three (3) of the four (4) samples submitted for reinstatement purposes.
- *A review of all updates/revisions to the curriculum since the DRE's most recent certification presented by a certified DRE instructor.*
- *Presenting an updated a curriculum vitae and rolling log to the appropriate coordinator (or designee) for review and approval.*
- **All data entry is current.** (Added after the meeting)

\*Discussion on the definition for “Forensic Testing” covered what it was and what was allowed in the certification phases, i.e., on-site urine, lab tests, blood tests. It was suggested that the Standards Subcommittee review it. No motion was initiated.

#### **NHTSA Research and Updates:**

- **Predictive Validity Study:** This is currently under review. No release date has been set yet.
- **Virginia Beach Crash Risk Driving Study:** This study has been completed, and the researchers are analyzing the data. The study included approximately 2,500 crashes for comparison purposes. It is not known when the results will be published.
- **National Roadside Survey 2013** is completed. Data has been collected and the information is being reviewed.
- **Evaluation of ARIDE Training.** The NHTSA Office of Behavioral Safety and Research has completed the field study of ARIDE (including On-line ARIDE). The data is under review.
- **Marijuana and Driving Study.** This field study entitled “Examining Effects of Inhaling Cannabis on Driving Performance” has been completed and the results are currently under review.
- **Alcohol and Drug Risk: A Case Control Study.** The status of this study is not known.

#### **New Business**

- **Standards, Remedial Final Certification Knowledge Exam.** Draft language was submitted by the Standards Subcommittee to clarify and allow the use of a Form B or Remedial Certification Knowledge Exam. After much discussion on the issues, the majority opinion from members present was that a remedial test should not be allowed for the final Certification Knowledge Exam. The chair directed this item back to the Standards Subcommittee to review the language and have a presentation for the next TAP meeting. **(Action Item)**

- **DRE State Coordinator’s Authority to make changes to the Standards.** After a lengthy discussion the following wording was suggested to be put into the executive summary;

*“Presented in this document are minimum standards specifying the requirements for certification and recertification of DREs and DRE instructors; standards for decertification and reinstatement; and standards for agency participation. Also, for those agencies participating in the program, a set of administrative guidelines is provided.*

*Nothing in this document shall restrict or preclude a participating state from adopting or implementing reasonable standards that are more stringent. The more stringent standards should be implemented by the state DECP coordinator as directed and approved by that state's Governor's Highway Safety Office. Any standards utilized by a state that are more stringent than the IACP Standards shall be reported annually, in January of each year, to the Technical Advisory Panel (TAP). This is necessary so that a record can be maintained of the more stringent standards being utilized by states and to allow for review and discussion by the TAP Standards Subcommittee of any more stringent standards that are deemed to need discussion, comment, or action by TAP as a whole.*

This was not approved by TAP. It was recommended that this be referred back to the Standards Subcommittee to draft the language taken from the above paragraph. Since all of the wording was not worked out, the Standards Subcommittee would have the final version ready to present at next TAP Annual Meeting. **(Action Item).**

- **Word Change for Standards Section 3.2.** After discussion the following changes were recommended from the Standards Subcommittee for Section 3.2 of the *Standards*. The recommendations were approved by the TAP:

**3.2** DREs are credentialed for two years by the IACP. They shall be required to renew their certificates of continuing proficiency every two years, except as provided in Sections 5.1, 5.2, and 5.3. *On the DRE’s expiration date, the DRE’s status automatically becomes “expired” and the DRE is not credentialed to conduct evaluations until the status becomes “recertified”.* A one-year administrative *time period* following the lapse of certification may be allowed by the state coordinator for those not meeting recertification standards, whereby during *that time period* the DRE may be recertified by the state coordinator after the DRE completes the recertification requirements as outlined in *standard 3.4* without having to repeat the original certification process.

**Commentary:** The state coordinator may choose not to utilize the administrative *time period*. In any case, the DRE *is not* certified during the administrative *time* period.

*If a DRE’s certification expires and later within the one-year administrative time period the DRE meets the recertification standards, the submission of that recertification material will bring the DRE back into an “active” status but will not change the expiration date. The DRE will be required to submit recertification material again before the date which is two (2) years from the last expiration date issued by the IACP.*

**The following definition was also approved by the TAP and will be added to the next revision of the *International Standards*.**

*INACTIVE (Expired) DRE CERTIFICATION:*

*A DRE's certification is in an expired status when the DRE has not completed requirements for recertification by the expiration date issued by the IACP. There may be circumstances in which a DRE's certification has expired and all requirements for recertification have not been completed. If the inactive status is within (1) year past the expiration date as credentialed by the IACP, the word "evaluator", "technician", or similar word may be used as a substitute for "expert", depending upon locale or jurisdiction.*

- Finger-to-Nose While Seated; Chuck reported that some police officers are attending the Boating FST training and using the tests for DUI investigations on the road. One of the tests being taught is the seated finger-to-nose. There is one paragraph about using alternative tests in the SFST curricula, but it only lists a few recommended tests. The question has come up as to whether the TAP should consider adding some of the boating FSTs as alternative tests. After much discussion, the TAP decided to table this and the Scientific Subcommittee will do some research on which alternate tests should be included in the SFST curricula. **(Action item)**
- LE Response to Mental Illness. Lt. Danny Lamm raised the issue of whether DREs are getting an adequate amount of mental illness and medical impairment training. After some discussion on the pros and cons, the TAP decided to have the Curriculum Subcommittee to look into adding some well-established and reliable mental illness Web site links to the Physiology session in a future curriculum update. **(Action item)**
- Copy of DRE Face Sheet to Lab. There was discussion on copies of DRE Face Sheets being included in the toxicology reports going to the labs. The discussion covered the concept that with all the new drugs that are being seen and the limited amount of a sample to test, the Face Sheet could help the chemist in the toxicology confirmations. Some states are already doing this. There was also comment about having the chemist attend or audit the DRE class to understand the DRE Face Sheet. **(No action by TAP).**
- SFST Glossary of Terms / 2014. Chuck reported that the 2013 SFST Glossary of Terms was mistakenly replaced by the DRE version when the materials were distributed to the states. The corrected version was sent out by e-mail to the state coordinators in July. The 2015 release will have the corrected Glossary of Terms.
- HGN Pen. There was some discussion on the HGN pen being promoted and used in some states. Dr. Citek was asked to research the device and report his findings to TAP, which he did. The device is more suited for training purposes than for on-the-road actual arrest situations. **(No action by TAP).**
- HGN Testing Blind Eye. Dr. Citek was also asked to review the HGN testing of a person with a blind or artificial eye. There is apparently a division among some SFST instructors as to whether or not this should be allowed. Dr. Citek advised that one eye can be tested for indicators of HGN and recommended that it be allowed with certain warnings. Proposed language was read, and after discussion and comments from the floor about it's not being standardized, members suggested that the proposed language also include a warning that, if a person who has a blind or artificial eye is tested for HGN, the officer understands the test does not follow the standardized testing. It was decided that several members of the Scientific Subcommittee work on the proposed language and provide that to Chuck within 10 days to get final language included into the 2015 SFST curricula. **(Action item).**

- Oral Fluid Testing for DUID. There was discussion about the various oral drug testing devices and studies that are being conducted around the country. This continues to progress in development and it is anticipated that there will be further advances in the future. Ms. Candace Lightner of “We Save Lives” presented information about the various devices and the need for more officers to use the roadside detection devices. She provided some handout materials for the members. **(No action by TAP).**
- MADD DRE Award. The National MADD Office in Dallas, Texas, would like to recognize the nation’s top DRE. The selection would be based solely upon the number of drug evaluations entered into the DRE National Tracking System. MADD has agreed to create a plaque/award (similar to the California DRE MADD award) and present it to the recipient at the DRE Section’s 21 Annual Training Conference on Drugs, Alcohol and Impaired Driving in Cincinnati, Ohio. More details will be follow.
- CHP DUI Training Video. Lt. Primicerio reported on the status of the CHP’s projects of making a DUI stop video from start to finish and a DRE 12-Step Process overview video. The latter will be available to the IACP for possible use in the 2015 curriculum if it is completed in time.

### **TAP Member and Partner Reports**

- **Administrator:** It was reported that since officers are taking the ARIDE training, the number of DREs called for evaluations has increased.
- **Police Training:** Kyle Clark reported that new classes being offered for CMV. New black boxes are being developed and need to access them on cars. IPTM is also developing a Traffic Incident Management class.
- **Region I:** Jonlee Anderle asked that Sgt. Mark Crandall from Washington discuss the requirements they have in place for SFST instructors. He also raised the question about whether or not an SFST proficiency test should be required to get into SFST instructor school. Another question was on what constitutes a DRE evaluation. The issue in Washington is, when an evaluation is started but is stopped at some point, is this still considered an evaluation or do all the steps have to be completed? This main premise for the question was related to a pay issue for Washington DREs. TAP did not take action and recommended that this issue be referred back to the state and their collective bargaining.
- **Region II:** Joe Turner discussed the 2013 DRE curriculum (Session 21) and the information regarding the medical uses for marijuana. It was felt that the current wording in the 2013 curriculum appeared to be supporting the use of marijuana for medical purposes. After some discussion, it was recommended that the information be removed. **(Action item).**
- **Region III:** Don Decker reported that he and some of the regional state coordinators are working on a recommended list of “Made in America” DRE equipment sources. This has become an issue in some states and it is hoped that the list will assist states when dealing with this issue.
- **Region IV:** Jim Maisano reported that West Virginia now has trained DREs. In Oklahoma, after a NHTSA Impaired Driving Review was conducted, the governor has formed a

Governor's Impaired Driving Prevention Advisory Council. This has placed more emphasis on DREs in the state. Oklahoma also conducted two schools at same time, one in Oklahoma City and one in Tulsa.

**Sub-Committees and Members:**

The three TAP sub-committees are as follows:

**Curriculum Committee:** Jonlee Anderle, Kyle Clark, Don Decker, Evan Graham, Chuck Hayes, Mike Iwai and Doug Paquette.

**Scientific Committee:** Dr. Don Alves, Dr. Karl Citek, Jeff Collier, Amy Miles, Jarod Primicerio and Joe Turner.

**Standards Committee:** Dan Bower, Ernie Floegel, Ken Lebrato, Jim Maisano, Darrin Grondel and Dan Zivkovich.

Meeting was adjourned at 4:45 p.m. The next meeting is scheduled for **October 23, 2015, in Chicago, Illinois.**

Submitted by Chuck Hayes and Ernie Floegel, IACP Staff

Revision date: 04/24/15