



# IACP DRE Technical Advisory Panel Annual Meeting

Friday, October 13, 2006  
Boston, MA

The annual IACP Technical Advisory Panel meeting was held on Friday, October 13, 2006 at the Hyatt Regency in Boston, MA.

**PRESENT:** Earl Sweeney, TAP Chair; Carolyn Cockroft, Chuck Hayes and Ernie Floegel, IACP; Lt. Colonel Darrell Fisher, NE State Patrol; Major Jim Maisano, Norman (OK) Police Department; Lt. Doug Thooft, MN State Patrol; T/Sergeant Doug Paquette, NYSP; Sergeant Mike Delgadillo, L.A.P.D.; Sergeant Helena Williams, CHP; Dan Mulleneaux, AZ GOHS; Dr. Jack Richman, O.D., New England College of Optometry; Karen Herland, Assistant City Attorney for Minneapolis, MN; Laurel Farrell, Toxicologist, Colorado Bureau of Investigations; Bob Jacob, Director IPTM; Garrett Morford, Chief, Enforcement and Justice Services Division, NHTSA; Dr. Phillip Phillips, Maryland; and Frank Kowaleski, Director of Programs VA Association of Chiefs of Police.

**GUESTS:** Marilena Amoni, Senior Associate Administrator for Traffic Injury Control (TIC) NHTSA; Ted Minall and Bill Tower, LEL's, NHTSA; Captain Gary Fief, CHP; Corporal Evan Graham, RCMP, Canadian DRE Coordinator; Officer Bill Morrison, Montgomery County PD; Officer Robert Jenkins, Miami Beach Police Department; and Carrie Slark, IACP; Stuart Schurr, Vermont Traffic Safety Resource Prosecutor; Lt. William O'Leary, Trooper John Flannigan, Vermont State Police; Thomas Page, LAPD Retired; Jack Hegarty, NHTSA Region I; Sergeant Don Marose, Minnesota State Police and DRE State Coordinator; Kristy Fowler, CJI; Dr. E. Robert Bertolli, O.D. Brandfort, CT; and Dr. D. Robert Pannone, ACFEi, CMI-V, Norwich, CT.

**ABSENT:** Deputy Commissioner Joseph Farrow, CHP; and Dean Kuznieski, NHTSA.

Chairman Earl Sweeney called the meeting to order at 9:00 AM. After the greetings, he had the members and guests introduce themselves. He also welcomed the newest member of TAP, Dr. Phillip Phillips from Maryland.

## I. IACP Updates:

- 2006 DRE Training Conference on Drugs, Alcohol and Impaired Driving: Approximately 550 persons attended the conference in Kansas City. The critiques were very favorable and it appears that the conference was very successful. Carolyn recognized the committee members from Kansas, Missouri, Nebraska and Iowa that worked so hard to make the conference a success.
- 2007 Conference: The Las Vegas conference is progressing well and a draft agenda will be presented and discussed at the DRE Section meeting on October 14, 2006.
- New DECP Website: The DECP Website ([www.decp.org](http://www.decp.org)) is up and running. It includes DRE updates, training and other information.
- IACP DRE records: Currently 5,688 DREs are certified in the U.S. and Canada; 1,255 of these are also DRE instructors.

## II. Approve Mid-Year Meeting Minutes:

The minutes from the TAP midyear meeting held in March in Arlington, VA, were approved.

### III. Old Business:

**TAP Goals:** A recommended revision of the TAP goals was included in the TAP member's packet. The document was reviewed and several minor suggestions were made and approved. The approved version will be placed on the DECP website and forwarded to the TAP members.

**SFST Curriculum:** The 2006 SFST curriculum was completed and five CD ROMs were forwarded to each state in August. The CDs contain the Basic SFST, Instructor, 4- and 8-hour drug modules, as well as the dry lab videos, and video clips. NHTSA and TSI will no longer print the SFST manuals.

**Phlebotomist Study:** This study is completed and approved for release. A pre-release copy was supplied to the chair. A final report will be forthcoming soon.

**Palm Pilot Study:** This study is completed; however, due to changing technology, further progress has been delayed slightly. The contract was awarded 10/06. NHTSA is looking at a Windows-based system compatible with other PDAs. Should be operational in six months.

**Action Item: Status update.**

**DUI Paperwork Reduction Project:** The new reporting system tested well in Georgia and Texas and showed a substantial reduction in police officer report writing time. Numerous other states have expressed interest in the program. NHTSA is now looking at one system that will be compatible with the states. Next year will be the final test and they will determine how to link with other states' current data systems.

**SFST Roll Call Video:** NHTSA is working on the script. The video will be sent to police department decision makers once it has been developed and it will be brought to TAP for approval. The contract has been moved to a different part of NHTSA. **Action Item: Report on status.**

**Israel Article:** NHTSA has elected to not take any action regarding this article. So far there have not been any repercussions from the article. This is a dead issue. The article did not attract any attention and best to not do a rebuttal.

**Vermont DEC Program Status:** At the TAP midyear meeting, Vermont submitted a proposal for DEC Program status. Due to some concerns voiced by several of the TAP members, they were not approved. Lieutenant Bill O'Leary and a contingent of members from the Vermont State Police made a presentation to the members and addressed the concerns from the midyear meeting. After determining that each of the concerns had been addressed a motion was made, seconded and carried to approve Vermont as a DECP state. (Vermont became the 42<sup>nd</sup> DECP State).

**DRE Curriculum Updates:** Chuck Hayes reported that the 2006 revised manuals were used for all the 2006 DRE schools. Some minor modifications are needed and will be incorporated into the next updates. Most of the modifications are the result of the DRE Course Managers reports. The next updates will be on CD ROM in PDF format. Other training curriculums that have been updated include DITEP, SFST Instructor, DRE Instructor and DRE Course Manager. The next to be updated will be DITEP and the Prescription and Over-the-Counter Drugs.

**Certification Progress Log Form:** Chuck reported that the DRE Certification Progress Log form is being revised. It was suggested from the Kansas DEC Program State Coordinator to revise the form to reflect that the state coordinators certify the candidate DRE and that IACP is

the credentialing body. The new form will be incorporated into the next manual revisions, posted on the DECP Web site and will be available after the first of next year.

**DRE Revisions Process Form:** At the last TAP meeting, IACP was asked to submit a process for dealing with DRE curriculum revisions. Chuck Hayes worked with Laurel Farrell and developed a process that includes a process for dealing with revisions and suggestions from the field. Members had a copy in their handout packets and Chuck walked them through the process. One minor change was made to item #4 on page one of the document. A motion was made, seconded and passed to approve the document. The document will be forwarded to the state coordinators and posted on the DECP website.

**North Carolina/Tennessee SFST Program Comparisons:** At the TAP March midyear meeting it was reported that there were concerns regarding the North Carolina and Tennessee SFST training programs. It was also suggested that if they were not in compliance that they be removed from the DEC Program. Frank Kowaleski reported that both states were in conformance. It has also been determined that on July 1, 2006, the North Carolina Governor's Highway Safety Office has appointed the Forensic Tests for Alcohol Branch as the governing body for the SFST program. Since that appointment, North Carolina has implemented the entire NHTSA/IACP training curriculum.

**Seattle Toxicology Meeting and Lab Study:** Laurel Farrell reported that laboratory study is completed and the edits have been forwarded to NHTSA with hope that it will soon be published. Two issues identified were that not all of the states participated in the study and the lab cut-off levels vary from state to state. **Action Item: Report on status of the Laboratory Study.**

**ARIDE:** Frank Kowaleski reported that ARIDE training courses were conducted in Washington, Kentucky and Connecticut. Feedback from the participating officers was positive. One thing the training identified was a lack of SFST skills. NHTSA is collecting arrest data from the states to determine how effective the training was. The data may be available at the 2007 Midyear TAP meeting.

**SFST Wet Alcohol Workshops:** The effectiveness of wet alcohol workshops and identifying which states are using them is continuing. This information is part of the SFST assessments that NHTSA is conducting. Five assessments have been completed and approximately eight more are pending. The states highway safety offices are not involved and don't know who is, or is not, using wet workshops.

**Drug Testing Road Side Survey:** Contract was awarded in September 2006 to PIRE who will be collecting data in the summer of 2007 at 60 sites throughout the US. The sites are contingent upon cooperation of law enforcement at the sites to direct motorists to researchers who will ask for voluntary cooperation. Site selection will begin early 2007. This survey was pilot tested at six sites last year and they worked out well.

**Rosita Study:** Will be finishing data collection in the Fall 2006, with the results in the Spring 2007. One of the shortcomings is that many devices are not accurate or reliable. Saliva test devices not ready for law enforcement at this time.

**Dr. Burns HGN Study:** It was rewritten and reanalyzed by the contractor who is fully confident that the results will prove that it makes no difference regarding the testing of one-eye, sitting or standing, speed of stimulus moving, etc.

**Drugged Driving Prosecution Study:** Proving to be subject to problems due to lack of data. Most states have single charge-DUI, including alcohol and drugs. Even in DECP states, data is lacking.

**Parametric Study:** Study is completed, but Dr. Frank retired and new staff is reviewing.

**Per Se Law Study:** Lacking hard data. Anticipate getting opinions from prosecutors, law enforcement and offenders. So far it is inconclusive.

#### IV. **New Business:**

**Wyoming and South Dakota DEC Program Consideration:** Ernie and Chuck presented information on their site visits and meetings with Wyoming and South Dakota regarding their requests to be recognized as DEC Program sites. Each of the states met the mandatory requirements and is fully supported by the necessary partners, including the Highway Safety Offices.

Major Jim Carpenter from the South Dakota Highway Patrol attended the meeting and provided insight on how the program will be utilized in South Dakota. He also discussed his work in ensuring that the necessary support is in place to make the program successful.

After Major Carpenter's presentation, a motion was made, seconded and passed to approve South Dakota a DEC Program state. (South Dakota was approved as the 43<sup>rd</sup> state in the program).

After a brief discussion about Wyoming's BAC level, a motion was made, seconded and passed to approve Wyoming as a DEC Program state. (Wyoming was approved as the 44<sup>th</sup> state in the program.) **Action Item: Ernie and Chuck will send each state a letter confirming their approval as a DECP state.**

**Louisiana Instructor Development Curriculum Revision:** The DECP state coordinator from Louisiana requested they be approved to conduct a shortened version of the IACP/NHTSA DRE Instructor Train-the-Trainer curriculum similar to what was approved for Arizona and New York. If approved, they would like to condense the DRE Instructor training to two days for those instructors who have already completed the SFST Instructor Course. The condensed version would include the training sessions that address the DRE curriculum, conducting certification training and the DRE certification process. A motion was made, seconded and passed to allow Louisiana to conduct the condensed training curriculum.

- V. **International Standards:** Chair Sweeney led an open discussion on the revisions for the IACP International Standards for the DEC Program. A draft compiled from the last TAP meeting had been forwarded to each TAP member prior to the meeting. Members also received a document listing the revision recommendations from the Region II state coordinators. The two documents, along with input compiled by Dan Mulleneaux were used to develop the final document. Much of the discussion centered on recertification, decertification and an administrative extension period. The revisions were approved and will be put into their final format by Doug Paquette, Ernie and Chuck. **Action Item: Report on the final version status of the International Standards**
- VI. **Hawk Eye:** Earl Sweeney says that Dick Studdard is working on this. Dr. Richman says that he is working with Dick Studdard. Karl Citek has one and the CHP has two which they use for training.
- VII. **One-leg Stand:** Discussion on why one leg is used for SFST and both are used for DRE was started by Evan Graham. According to Dr. Burns, there was no issue. Vote was not to change.

- VIII. SFST:** NHTSA plans to hire someone to clean up and put the SFST curriculum into MS WORD format along with the DRE manuals.
- IX. DRE Section Representative on TAP:** One of the at-large positions will be used to fill this. The term will be for one year and it will be the DRE Section's chair who serves as the representative.
- X. DRE Conference:** Marilina Amoni, associate director at NHTSA, reported that she heard glowing reports on the IACP DRE Section's Training Conference on Drugs, Alcohol and Impaired held in Kansas City, MO, from Romell Cooks, the NHTSA regional administrator.
- XI. West Virginia:** Discussion on the DRE School held there. The school was neither sanctioned by NHTSA, the IACP, nor the state.
- XII. Committees:** Committees. Scientific, Curriculum and Standards. Need to fill at next meeting.

Meeting adjourned at 5:00 p.m.

Respectfully submitted,  
Ernie Floegel and Chuck Hayes  
IACP