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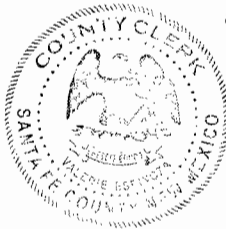
Deputy Marcella [Signature] Witness My Hand And Seal Of Office
Valerie Espinoza
County Clerk, Santa Fe, NM

MINUTES OF THE
SANTA FE COUNTY

DWI PLANNING COUNCIL

October 14, 2010

Santa Fe, New Mexico



This meeting of the Santa Fe County DWI Planning Council was called to order by Yvonne Ortiz, Acting Chair at approximately 8:45 a.m. on the above-cited date at 2052 S. Galisteo, Santa Fe, New Mexico.

The following members were present:

Members Present:

Yvonne Ortiz, Acting Chair
Donna Morris

Member(s) Excused:

Sgt. Louis Carlos
Marti Rodriguez
Jon Paul Romero

Staff Present:

Becky Beardsley, Program Coordinator

Others Present:

Sgt. Clifton Coleman, Santa Fe County Sheriff's Department
Lt. Dale Lettenberger, Santa Fe PD
Shelley Mann-Lev
Alex Wirth

AGENDA

Due to lack of a quorum all action items were deferred, however, Ms. Beardsley stated item III. A will be tabled since Frank Magourilos is out of town. She stated she was adding Santa Fe Underage Drinking Prevention Alliance Update as a standing item on future agendas.

APPROVAL OF MINUTES:

July 8, 2010

This item was deferred.

SFC CLERK RECORDED 02/08/2011

pass and the current bill could be worse than none at all. Ms. Beardsley said the state statute is already being used in its current form to address minors under the influence.

Sgt. Coleman said things are handled differently in every community, and Lt. Lettenberger added that every officer enforces the statutes differently.

Ms. Beardsley indicated Dick Roth is proposing legislation on a new ignition interlock bill which mandates supervised probation or a sobriety in lieu of the ignition interlock, one which mandates immobilization of vehicles or mandatory ignition interlock upon arrest until adjudication, a state-wide vehicle seizure/forfeiture law and an increase in the liquor excise tax. Additionally, he is proposing that it be legal to issue a warrant for a blood draw in the case where offenders refuse to provide a breath sample. There is discussion about training law enforcement in phlebotomy so they can collect the sample. Ms. Beardsley stated this was also discussed with the Law Enforcement Subcommittee and they do not feel it is feasible for safety, health, fiscal and practical reasons. Ms. Beardsley stated they will relay the concerns when/if the bill is heard.

The local option will be coming up again, but it is unclear in a number of specifics, including jurisdiction areas. In addition there are some concerns about how the money can be used, how much can be "taken" from Taxation and Revenue for administrative services and the language which addresses incorporated areas which cross county boundaries and the need for JPA's, sharing of resources, etc.

An issue has arisen involving the lack of penalty for someone other than the driver blowing into ignition interlocks. This can be construed as tampering with evidence and a test case will be forthcoming. A TV show demonstrated that bystanders are willing to help others circumvent interlocks. Sgt. Coleman said there need to be changes to the statute.

C. Upcoming Planning Council Meeting

Ms. Beardsley stated she will not be present on November 11th, the date of the next scheduled meeting and the limbo situation of the committees continues. Ms. Mann-Lev indicated there are pending issues with the budget and prevention. There was consensus to hold the next meeting in December since the Planning Council is responsible for approving the funding application and that needs to be addressed then. Ms. Morris stated the members who don't come to meetings should be encouraged to resign. Ms. Beardsley said that wouldn't help the situation because we only have five active members as of right now.

D. Planning Council Chairman Election

Ms. Beardsley stated that Alan Wheeler's term has expired and therefore we need to elect a new Chairman. It was agreed to defer this to the next meeting.

IV. Items from the Floor

Ms. Mann-Lev announced the Underage Drinking Prevention Alliance will be meeting on Tuesday to consider social hosting and Dick Roth's proposals. She said there is a positive trend going and she will share the reports from the next meeting. They continue to work with their

partners on vehicle forfeiture issues and non-traffic citation procedures. Ms. Beardsley said the citation is going up the chain of command and will be printed soon. Every agency that wants to use it will have to review and confirm it. Sgt. Coleman said it has been in the works for six years. Ms. Beardsley said it can be used to cite juveniles for non-traffic offenses such as minors under the influence, possession of paraphernalia, etc. and will get juveniles into the justice system easier and quicker. Sgt. Coleman explained the differences between juvenile citations and those used for minors 18 and above and stated Albuquerque has a different system.

A discussion ensued about the juvenile drop-off center and the problems involved in citing juveniles.

Ms. Mann-Lev said she looked forward to the citation situation being resolved. She believes currently there is a state of under-enforcement of underage drinking.

Ms. Beardsley stated the Underage Drinking Prevention Alliance had a forum on the 23rd. She found it interesting that contrary to widely held perception youth are deterred by the possibility of being caught by law enforcement, although they hold vague notions of the consequences.

Ms. Mann-Lev said doctors are being encouraged to screen kids for substance abuse. She added there is currently grant funding available for prevention but those funds are ending. She said new things are emerging daily.

Ms. Beardsley announced that the CADDy program was recognized nationally as a "bright idea" by Harvard University. This will be on their website. She said the BCC at their last meeting passed a resolution to ban synthetic cannabis, also known as Spice. Sold as incense, it has been believed to have caused some deaths. Some states have banned it. An ordinance, which will have more teeth, is contemplated.

Alex Wirth, head of the Mayor's Youth Advisory board joined the meeting. Offering the youth perspective Mr. Wirth said he had not heard of spice. He speculated that a local ban would have an effect because it is much more problematic for kids to obtain things on the Internet.

Mr. Wirth said there is an effort underway to open communications between law enforcement and students.

STAFF REPORTS

Coordinator's Report & Financial Report

Ms. Beardsley said there has been a series of meetings to review draft bills for the upcoming session. A meeting was held with Rachel O'Connor and Judge Pfeffer to discuss felony offenders, since they do not go through administrative screening and compliance is not tracked. They are working on a process to mirror what is done with misdemeanor offenders sentenced in magistrate court. So far no offenders have been referred through the new system. Sgt. Coleman said it could take six months to a year to get through the court process so not to be surprised we haven't seen anyone yet.

Mr. Wirth asked about the impact of having a new governor. Ms. Beardsley said neither candidate has addressed DWI at all. She said it is rumored that the czars will be eliminated. There could be a big shakeup occurring during the session.

Ms. Beardsley said she is working on the budget. Several grants have been received from DFA, one that allocates money to Traffic Safety Bureau to pay ignition interlock providers for past services to Santa Fe County offenders and the other which allocates money to the Administrative Office of the Court for the Santa Fe County Drug Court. A grant for \$150,000 was received which will fund two additional law enforcement positions. And a \$40,000 CDWI grant will be received and spent on law enforcement efforts. Ms. Mann-Lev said this is worthy of recognition. Mr. Wirth asked what these officers were doing specifically and Sgt. Coleman said they are involved in active patrolling, deterring and education. Mr. Wirth asked why there aren't more checkpoints. Sgt. Coleman explained that 12 to 14 officers are required at a checkpoint. Saturation patrols involve six. Ms. Beardsley said checkpoints serve principally to promote public awareness; sat patrols are more effective for catching impaired drivers. Mr. Wirth said there doesn't seem to be a very visible presence. Sgt. Coleman said many of the patrol cars are unmarked but there is a tremendous amount of paperwork and publicity is involved around the operations. Ms. Mann-Lev said publishing arrests is effective. Mr. Wirth noted people think it's never going to happen to them.

Lt. Lettenberger offered to take Mr. Wirth on a ride-along.

Returning to funding issues, Ms. Beardsley stated \$108,000 was reverted to the state at the end of the fiscal year, \$62,000 of which was unbudgeted liquor excise tax money and the remaining funds which were not spent because of salary savings, contracts that came in under budget, etc. The actual amount that will be allocated isn't learned until the last month of the fiscal year and this year they got \$62,000 more than anticipated. Ms. Beardsley stated she is conservative because if the amount received is less than budget the difference has to be covered by the general fund. The reverted money could have been reapplied for by September 15th and she chose not to reapply after some discussions with staff and management. She stated that the CARE Connection was taken over by Christus St. Vincent and therefore \$100,000 which was budgeted for that can now be rebudgeted. With that, anticipated vacancy savings and other budget adjustments they have \$130,000 that has to be re-budgeted in the coming year. She said they did not feel they could effectively or efficiently use the additional \$108,000 and therefore she chose not to reapply. Their baseline is already \$71,000 higher than last year.

Ms. Mann-Lev said she would have liked the planning council to have been informed before it was decided to not reapply for the funds so that they could have been more involved in resource decisions. "That's a lot of money." Ms. Beardsley apologized that they weren't involved and reiterated that the decision was made based on staff and management input and an analysis of what was possible.

Ms. Beardsley reported:

- They are working with an ad hoc committee on the compliance program accreditation. A curriculum has been developed to train compliance monitors. Over 80 people have been trained to date.

- They are reviewing the City's social host ordinance and will determine whether one should be implemented for the County. The Sheriff is not in favor and some feel the nuisance ordinance is adequate to cover the situation.
- Draft language on vehicle forfeiture has been submitted to the Legal Department which states vehicles can be forfeited on a second violation, the ordinance is in effect in all areas, and applies to drivers driving on a revoked or suspended license. The City will also modify their ordinance.

Sgt. Coleman said the first \$100,000 from the forfeiture program will be used to pay back setup and operating expenses. Following that proceeds will go into training.

Financial Report

Information is included in the packet.

Prevention Report

The report is attached and Mr. Magourilos will give an extensive report at the next meeting.

Teen Court Report

An increased number of teens are going through the court.

ANNOUNCEMENTS

Prevention – to be reinstated January 2011

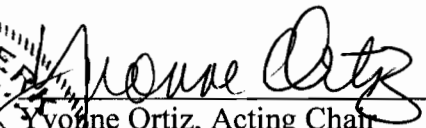
Law Enforcement/Adjudication – Probably December or January

Next PC meeting – December 9, 2010 – 8:30 to 10:30

ADJOURNMENT

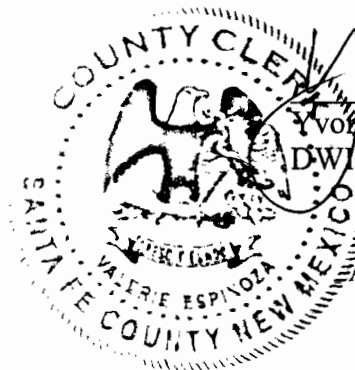
This meeting was declared adjourned at approximately 10:30 a.m.

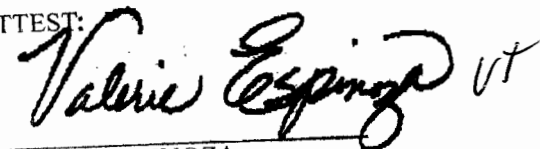
Approved by:


 Yvonne Ortiz, Acting Chair
 DWI Planning Council

Submitted by:

Debbie Doyle, Wordswork



ATTEST:


VALERIE ESPINOZA
 COUNTY CLERK

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