

**MINUTES OF THE**  
**SANTA FE COUNTY**  
**DWI PLANNING COUNCIL**

**December 10, 2015**

**Santa Fe, New Mexico**

**I.** This meeting of the Santa Fe County DWI Planning Council was called to order by Chair Thomas P. Starke at approximately 9:00 a.m. on the above-cited date at County Community Services Department Conference Room, 2052 Galisteo Street, Suite B.

**II.** Lacking a quorum, non-action items were discussed. The following members were present:

**Members Present:**

Thomas P. Starke, Chair  
Erica Abeyta  
Richard De Mella  
Jay Spoonheim  
John Mowen  
Christine Wendel

**Member(s) Absent:**

David Saldivar  
Leah Tafoya

**County Staff Present:**

Lupe Sanchez, DWI Program Coordinator  
Peter Olson, DWI Prevention Specialist

**Others Present:**

Shelley Mann-Lev, Santa Fe Prevention Alliance for SFPS  
Loralee Freilich, Former DWI Council Member  
Lynne Walker, 1<sup>st</sup> Judicial District, CASA (Court Appointed Special Advocate for Children in CYFD custody)

Those present introduced themselves, and Ms. Walker mentioned that 85 percent of the cases seen within her agency are due to substance abuse.

Chair Starke thanked the public for attending and invited their input throughout the meeting.

**III. Approval of Minutes: October 8, 2015**

Chair Starke made a series of changes, and Ms. Mann-Lev also offered corrections; and those were incorporated into the final for recording purposes.

SFC CLERK RECORDED 03/01/2018

Mr. De Mella moved for approval as corrected. His motion was seconded by Ms. Wendel and passed without opposition.

**IV. Approval of Agenda**

The agenda was accepted by consensus.

**V. Public Comments**

None were offered at this point and Chair Starke said he would provide an additional opportunity for comments at the end of the meeting.

**VII. Matters from the Council/Action Items**

**A. Follow-up from previous meetings**

Chair Starke recalled that at the previous meeting there was a discussion in regard to identifying appropriate programs for DWI offenders with children. A recommendation to appeal to the courts that offenders with children under their care should engage in community service that supports example setting or other programs to encourage them their children to make good choices.

Ms. Mann-Lev said SFPA would greatly appreciate an opportunity to work with DWI staff to promote the Strengthening Families Program. There had been past objections raised but she felt those could be worked through with DWI program staff assistance. She said SFPA was meeting with representatives of the Municipal Court and Chair Starke requested that a representative from the DWI Council attend those meetings. Mr. De Mella expressed an interest in attending.

Ms. Wendel, an advocate of the peer voice, encouraged the inclusion of those in recovery to offer a different perspective.

Chair Starke recalled Jack Hiatt's recommendation to reach out and educate the candidates seeking to replace Santa Fe Municipal Judge Yalman. He asked staff to determine the appropriate manner in which to communicate.

Chair Starke said he requested support from the Governor's Office on the interlock legislation and at this point has received no response.

On behalf of the Santa Fe Community College, Ms. Abeyta presented the DWI Program with a few poinsettias in thanks for their continued support.

**1. Upcoming events – Review of Program Calendar**

Mr. Sanchez referred to the calendar within the Council packet and noted the January meeting would focus on a review of the DWI Strategic Plan. The plan will be emailed prior to the meeting. The Council retreat is scheduled for February and DWI Day at the Roundhouse is February 10<sup>th</sup>.

Chair Starke said scheduling of the retreat depends on preparation and available materials. With one in six of New Mexico's deaths attributed to alcohol, the Council's work this year will have an emphasis on alcohol abuse.

Behavioral Health Services Division will host Behavioral Health Day, Saturday, January 31<sup>st</sup> at the Roundhouse.

## **2. Approval of By-Laws [Exhibit 1: By-Laws]**

Mr. Sanchez said comments from the Council members were incorporated. The by-laws are a DFA requirement.

Ms. Wendel moved to approve the by-laws as presented. Her motion was seconded by Mr. Spoonheim and passed by unanimous voice vote.

Staff was thanked for their work on this item.

### **B. Announcements**

Ms. Mann-Lev reported that at last night's City Council meeting, Walmart's request to sell liquor was denied by a majority [5-4] vote. She said the Council determined the sale of liquor would have a detrimental effect on public health and safety. SFPA collected information to support that determination. She said this was the first step in what may be a long process. The Alcohol and Gaming Division will review the denial to determine whether the decision can be upheld.

Chair Starke said he was pleased to see the elected officials admit that alcohol is a big problem in the community.

Ms. Wendel said she heard that the DWI funding may be moved from DFA to Behavioral Health Services. Mr. Sanchez said there is discussion on that but at this point he felt it would not occur because of staffing requirements. The Administrative Office of the Courts has expressed an interest in managing the DWI compliance programs.

## **VII. Information Items**

### **A. Drunk Driving**

Chair Starke referred to the federal government's National Roadside Survey. Vehicles are stopped and drivers submit to a drug and alcohol test. The findings reveal that 1.3 percent of the drivers are impaired above .08 and approximately 20 percent are driving with saliva evidence of an illegal drug. No one is arrested and instead they are provided a ride to their destination. This provides the government a snapshot of the impaired driving in the nation. A recent Virginia Beach study failed to find a correlation between marijuana use and an increase in crashes.

Chair Starke he was particularly concerned about the community's addiction to heroin and prescription pain killers. For that segment of the community there is a tremendous danger of falling asleep while driving. He reminded the Council that DWI is driving while impaired by any substance and asked them to review the provided information.

#### **B. Role of the Planning Council**

Mr. Sanchez requested the formation of a small subcommittee to update the strategic plan following the January review. That revised plan will be presented at the retreat. This subcommittee could meet periodically to ascertain whether the Council is achieving its goals.

#### **C. Law Enforcement Meeting Update**

Mr. Sanchez said the attendance was low with only the City and Tesuque law enforcement present. The AG's special traffic safety prosecutor Jeres Rael was present and outlined their plans which includes developing a discovery checklist for officers. The checklist will benefit the officer in making a strong case. Mr. Rael is also investigating general training for the district attorneys.

Mr. Sanchez reported that there were no checkpoints scheduled for December and that the County Manager signed off on the CDWI grant which funds law enforcement.

Mr. Olson said typically around the holidays saturation patrols are deployed rather than checkpoints because it is a more effective use of manpower.

Chair Starke requested that once developed and prior to distribution, the checklist be presented and discussed in a judges' brownbag meeting to educate the courts on what the officers will be working with.

Mr. Olson announced a special training for law enforcement presented by the State MVD. The training is fully reserved with 30 attendees.

#### **D. Coordinator's Report**

Mr. Sanchez offered the following information:

- The contract with Margaret McClean is completed and scheduling the law enforcement training will begin
- Santa Fe County Sheriff is not cross-commissioning with other agencies and therefore not working with Rio Arriba County
- The Santa Fe County DWI program is working with Rio Arriba juveniles with the "sticker shock" program that advises that purchasing or selling alcohol to minors is a 4<sup>th</sup> degree felony
- The Cab Ride Home Program is experiencing a downward trend of riders since August: the program usually had 800 riders a month and there has been drop of 340 riders – it could be attributed to Uber

- Expanding the Cab Ride Home Program to four nights a week may be considered
- An RFP is being developed to evaluate the compliance and prevention programs – Mr. Mowen was asked to participate on the RFP evaluation committee
- Christus St. Vincent was awarded the contract to conduct detox services at the Sobering Center
- The increase to the liquor excise tax “Save Lives and Money” initiative gained support from Commissioners Holian and Chavez. The other commissioners will be advised of the resolution before it is presented
- The HPPC reviewed the “Save Lives and Money” initiative and provided feedback and suggestions
- There is a goal to have the BCC act on the “Save Lives and Money” by March 2016
- The DWI Affiliate, made up of the 33 DWI county programs, did not support the liquor excise tax increase. The Affiliate’s concern is the liquor industry will discontinue its support of DWI programs. Santa Fe County DWI Program is the only supporter
- The Association of Counties may be supporting the excise tax increase

Mr. Olson said he attended a panel discussion presented by the Greater Santa Fe Restaurant Association with the cabinet secretary of the Department of Public Safety, chief of State Police and the captain of Special Investigations Division, Alcohol and Gaming Division, County Sheriff, and City Police. The Shoulder Tap operation was discussed. The meeting was very valuable for law enforcement. Mr. Olson said he pitched the Cab Ride Home program.

A proposal for a program regarding domestic violence has been submitted to Magistrate Court. Sheila Lewis is working to arrange a meeting with Judge Segura to advance the program.

Mr. Sanchez said the Governor’s proposal for DWI does not include any new initiatives. The County is requesting a meeting with the State Traffic Safety Division to provide them an update of what Santa Fe County is doing to include the Right Turns program, urine testing, etc. Jeres Rael will be invited to the meeting.

#### **E. Behavioral Health Alliance Update**

Chair Starke said the Behavioral Alliance is working with Judge LaMar and a team to develop a family drug court. This court program is intended to help former drug abusers regain custody of their children.

The Behavioral Alliance has applied for a SAMHSA trauma informed workshop to be provided to personnel of law enforcement, courts, jail, treatment providers, and shelters in order to understand trauma with substance abusers and the mentally ill along with the potential of re-trauma which greatly reduces the individual’s ability to follow through on compliance issues.

He reported that the Interfaith Shelter/Pete's Place has begun to offer respite care for the homeless mentally ill following release from the hospital. The Alliance is working with the County's re-entry specialist.

Chair Starke said a study indicates that 46 percent of New Mexicans are functionally illiterate and 20 percent are fully illiterate. This contributes greatly to the problems in the state.

#### **F. Santa Fe Prevention Alliance Update**

Ms. Mann-Lev said the Prevention Alliance has been working on the alcohol/area density issue and met with the Mayor as well as councilors to provide additional education in terms of zoning and a municipal alcohol plan.

The Alliance continues to work with off-premise retailers regarding responsible beverage service to help them reduce sales to minors and intoxicated patrons.

The Alliance works to obtain accurate information from the State's Special Investigation Division and Ms. Mann-Lev said acting director Suzanne Skasik appears prepared to provide accurate data. The Santa Fe City police have renewed their commitment to enforce the social host ordinance.

### **VIII. Miscellaneous**

#### **A. Agenda Items for Next Few Meetings**

- Develop education on Shoulder Taps, i.e., signage outside of liquor stores
- Meet with Rio Arriba to discuss impaired driving challenges
- Consider expanding the Cab Ride Home program
- Staff to develop a short summary of the DWI programs for distribution to new members and interested citizens – and an acronym list
- Prevention Alliance had a very informative panel discussion with treatment providers who interacted with substance abusing youth – Invite a few alcohol abuse treatment providers to talk about trends to educate the Council on this subject
- Consider inviting reporter(s) to meetings in an effort to educate them on the community substance abuse issues

Ms. Freilich recommended developing a laminated single-sheet that would be available at the courts identifying the providers that can assist offenders.

Mr. Mowen mentioned that the role of the economy and jobs in New Mexico needs to be considered. It may be appropriate to discuss how rules and regulations may hurt the economy. Chair Starke said the Council should be partnering with other organizations to figure out how to work together.

**Closing Comments**

Mr. De Mella said many of the programs are insufficient in communicating to other agencies/organizations and he championed outreach efforts..

Mr. Mowen expressed kudos for the placement of a DWI SAFE sign at Marty Chavez golf course.

Ms. Wendel mentioned New Mexico Coalition of Literacy as a possible resource and the importance of a recent 60 Minutes piece on opiate and heroin addiction.

Mr. Spoonheim appreciated the work of the Council.

Ms. Freilich championed public awareness.

Ms. Walker thanked the Council for their work. She mentioned that guardianship has tripled in the last year in the state – that is huge and she was pleased it would be addressed.

Ms. Mann-Lev received a round of applause for her efforts that resulted in the City Council denying Walmart’s liquor license request.

**IX. Announcements**

- Next Planning Council Meeting: January 14, 2015

**X. Adjournment**

Having completed the agenda and with no further action to come before the Council, Chair Starke declared this meeting adjourned at approximately 10:45 a.m.

COUNTY OF SANTA FE            )  
STATE OF NEW MEXICO        ) ss

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I Hereby Certify That This Instrument Was Filed for  
Record On The 1st Day Of March, 2016 at 10:46:50 AM  
And Was Duly Recorded as Instrument # 1787676  
Of The Records Of Santa Fe County

*Geraldine Salazar*  
Deputy County Clerk, Santa Fe, NM

Approved by:

*Thomas P. Starke*  
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Thomas P. Starke, Chair  
DWI Planning Council

Respectfully submitted by:  
Karen Farrell, Wordswork



SFC CLERK RECORDED 03/01/2016