

MINUTES OF THE
SANTA FE COUNTY
DWI PLANNING COUNCIL

July 11, 2013

Santa Fe, New Mexico

This meeting of the Santa Fe County DWI Planning Council was called to order by Chair Donna Bevacqua-Young at approximately 9:00 a.m. on the above-cited date at 2052 S. Galisteo, Santa Fe, New Mexico.

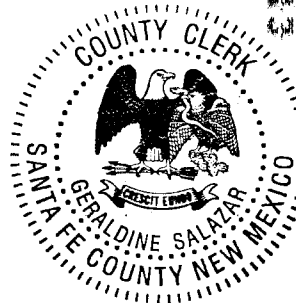
The following individuals were present:

Members Present:

Donna Bevacqua-Young, Chair
Lisa Wooldridge
Richard De Mella
David Saldivar
Tom Starke

Member(s) Excused:

Glenn Levant
Leah Tafoya
Grace Quintana-Trujillo



Staff Present:

Lupe Sanchez, DWI Program Coordinator
Peter Olson, DWI Program

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

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Others Present:

Nathan Segura, SFSO
Mark Lewandowski, SFPD
Lorelee Freilich, DWI Educator
Peter DeBenedittis, Prevention Contractor

I Hereby Certify That This Instrument Was Filed for
Record On The 21ST Day Of August, 2013 at 09:59:15 AM
And Was Duly Recorded as Instrument # 1715593
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Geraldine Salazar
Deputy County Clerk, Santa Fe, NM

Chair Bevacqua-Young welcomed David Saldivar to the committee.

III. Approval of the Minutes: June 13, 2013

Mr. Starke pointed out that in Mr. Butler's presentation there was mention that the County and the City would be going to cylinders for calibration purposes in two months. Other typos were mentioned.

Upon motion by Mr. Starke and second by Mr. De Mella the minutes of the June meeting minutes were approved unanimously as amended.

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IV. Approval of the Agenda

Mr. Starke asked that there be reports from the subcommittees and Chair Bevacqua-Young suggested they be heard under Miscellaneous.

Mr. Starke moved approval of the agenda as modified and Ms. Wooldridge seconded. The motion carried unanimously.

V. Matters from the Council

A. Follow-up from Previous Meetings

Ms. Wooldridge asked about presentations from the non-law enforcement contractors. Mr. Sanchez noted that Peter DeBenedittis was here.

Mr. Starke mentioned there was talk of discussing the County's health assessment in terms of the Council's strategic plan. Mr. Sanchez said he spoke with Patricia Boies, who spearheaded the plan and she will advise him on someone to present information. Additionally, a state epidemiology report will be coming out that can aid in formulating the strategic plan. He will also meet with Michelle Lys who put together last year's strategic plan. Some of the goals have already been met.

B. Other Matters from the Council

None were raised.

VI. Information Items

A. Paul Romero – MADD

Mr. Romero gave a history of Mothers Against Drunk Drivers, now 30 years old. He outlined the structure of the organization, noting most board members are related to victims of drunk driving. The newest board member is Frank Magourilos, formerly with County DWI staff. MADD volunteers serve on task forces and lobby for legislation.

He said there is a three-pronged approach:

- Standardizing BAC nationwide, helping at checkpoints, working with the automotive industry to improve safety, and changing social norms
- Underage drinking prevention programs including Power of Parents and Youth in Action; MADD provides free trainings
- Victim services – support for survivors, a hotline and general advocacy. There are two advocates in Albuquerque who will go to court with survivors

Mr. Romero distributed MADD materials. [Exhibit 1] He said in the last six months in New Mexico 729 victim were served.

Chair Bevacqua-Young asked about their role in the curriculum for server training. Mr. Romero said training is now required every three years instead of every five years. The application process for trainers has been tightened up.

In response to Chair Bevacqua-Young's questions, Mr. Romero stated training covers sales to intoxicated persons. There is online training and role-playing is used.

Mr. Romero provided his email should the committee have questions or comments: promero661@gmail.com.

Ms. Frielich asked if there was an office in Santa Fe and Mr. Romero said there was not, due to lack of volunteers. He stressed the organization operates principally by donations and the occasional grant.

In response to Mr. Starke's question about MADD's legislative priority Mr. Romero said they promote stiffer penalties for offenders and ignition interlocks. They testify in appropriate cases. He referred Mr. Starke to the MADD website for policy matters.

Chair Bevacqua-Young asked if New Mexico would be getting an executive direction soon. Mr. Romero stated they have recommended some candidates and are looking for someone who understands New Mexico politics and culture.

VI. B. Cordelia Friedman – Staff Attorney, Motor Vehicles Department

Ms. Friedman indicated that she worked for the Taxation & Revenue Department through the MVD and said they are the agency that issues and rescinds driver's licenses. She said she had also been an implied consent officer as well as working on tax matters. Her division has police powers and empowers law enforcement to act for them. She explained the implied consent, reasonable suspicion, probable cause for arrest sequence, followed by a Notice of Revocation on behalf of MVD. A hearing to determine whether to rescind a driver's license is held separately from the criminal proceedings. If a license is rescinded the driver may be eligible for an interlock license.

Ms. Friedman stressed the importance of recordkeeping and reports from district court to keep track of arrests and convictions. She represents the state in district court license restoration requests. Since the interlock only detects alcohol, careful questioning at the restoration hearing can elucidate other drug use. Following restoration the drinking driver has to go to MVD for reinstatement and at that stage interlock records are examined. She said they also do outreach on detecting fake licenses and plates, particularly those used in the Sovereign Citizen movement.

Chair Bevacqua-Young mentioned that at revocation hearings the offender will have an attorney and there is no one helping the law enforcement officer through the hearing. She asked if that could be remedied. Ms. Friedman said the administrative hearing officer is within the MVD and there could be a separation issue involved.

Chair Bevacqua-Young recounted an instance of a bogus driver's license being presented at a checkpoint and is now asking to get it back. Ms. Friedman said it was her position that it was legitimate to seize it, even if it is out of state, if it is being used as a criminal instrumentality.

Chair Bevacqua-Young asked whose responsibility it was to ensure proper notification is done. Ms. Friedman said it is the court's responsibility but an officer may remind a court monitor that it needs to happen. Without vigilance cases can fall through the cracks.

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Mr. Starke asked if statistics were kept on administrative hearings. Ms. Friedman said the Hearings Bureau is a separate entity and they do keep track of outcomes. She wasn't sure how they are broken down. Mr. Starke stated he heard that 50 percent of the hearings don't result in revocations. She said that was not her understanding and the results are not made public. Additionally, some cases drag on for years. She lauded the effects of the interlock systems in changing behavior.

B. Peter DeBenedittis – Prevention Contractor

Mr. DeBenedittis praised MADD for their prevention programs in the schools. He said his program is called the Alcohol Literacy Challenge, which is rated highly by the National Registry of Evidence Based Programs and Practices. He said the premise is to examine expectations of alcohol consumption and this 90-minute program could change the national paradigm. He said he personally spoke to 1,174 students in the county, principally outside of the Santa Fe Public Schools.

Mr. DeBenedittis showed a video demonstrating how teens' anticipation of alcohol's effects influences their behavior. "90 percent of all the good things that you believe happen when people drink are mental." Many effects are in fact Pavlovian.

Members of the committee listed anticipated effects of alcohol and Mr. DeBenedittis divided them into physical and social/emotional effects. It has been shown that positive effects peak at low levels, .05 BAC.

Mr. DeBenedittis said he has also been working with people in treatment and would like to work with offenders.

Mr. Romero asked what ages this worked on. Mr. DeBenedittis said it seems to work best on college students and younger but more data is needed.

Ms. Freilich said BAC levels should be lowered from .08 to .05 and Chair Bevacqua-Young said that has been proposed by the National Traffic Safety Board. Mr. DeBenedittis showed a graph of physical impairment vis-à-vis BAC.

D. Coordinator's Report

Mr. Sanchez referred to the calendar of events which lists when the DWI program will have a presence at the bandstand. He said a press conference was held the previous Tuesday and he thanked law enforcement for their help at the checkpoints. At the previous evening's bandstand, Commissioner Holian spoke about DWI and encouraged people to use the CADDy program.

Mr. Sanchez said there had been questions about intake into the sobering center. He spoke with Mary Justice who explained that medical clearance was necessary but it did not have to be from St. Vincent's. It could be from other medical facilities or private physicians.

He said a copy of Senate Memorial 77 was in the packet, and suggested someone on the committee have a presence on the task force. The dashboard is also in the packet.

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There was a meeting with SBIRT representatives and there is now internet access and they anticipate processing SBIRT clients at the end of the month. It is a web-based treatment program and they will have a pilot program of 61 individuals.

VII. Miscellaneous

A. Agenda Items for New Meeting

Mr. Sanchez said representative from the public schools will make a presentation. The last of the prevention programs to present will be Envision Your Future.

C. Subcommittee Updates

Mr. Starke said most of the objectives of the strategic plan have been met, aside from legislative changes they had hoped for. They will try again in 2015. They are also looking at improving the metrics on the dashboard to better measure success. Additionally, they would like to look at alcoholism in the county aside from just DWI. There are 9 fatalities from DWI and 96 from alcohol related deaths. He would like to put that data on the dashboard.

Ms. Woodridge said the law enforcement subcommittee hasn't met recently although the agencies do meet regularly. Mr. Sanchez indicated there is a new Pojoaque Tribal Police Chief, and they are hoping to recruit law enforcement from Edgewood.

Mr. Starke said the next impact panel will be August 14th at the Community College.

The next meeting was tentatively scheduled for August 15th.

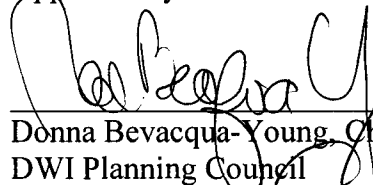
VIII. Matters from the Public

None were presented.

IX. Adjournment

This meeting was declared adjourned at approximately 10:40 a.m.

Approved by:



Donna Bevacqua-Young, Chair
DWI Planning Council

8-15-13

Submitted by:

Debbie Doyle, Wordswork

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