

THE MAINE LIAISON



Edition 1

Maine Bureau of Highway Safety

December 2015

From the Director

Each October starts a new federal fiscal year and new grants for your traffic safety activities. Our first campaign is the Holiday campaign which runs from December 16-January 1st in conjunction with the NHTSA Drive Sober or Get Pulled Over campaign. Despite our combined traffic safety efforts, more people have died in motor vehicle crashes this year than last. We are currently seeing a 15% increase over last year and speed, alcohol and lack of belt use continue to be factors associated with these fatal crashes. There is good news though. More people are buckling up. Our 2015 observed seat belt usage rate has increased to an all-time high of 85.5%. Please continue to apply for our grants to assist with your traffic safety enforcement activities and if you need any assistance, please contact our office. We are here to help.

Sincerely,

Director Lauren Stewart

This first edition will update you with recent and current projects the MeBHS is working on but with special emphasis on impaired driving. The Holiday Season is here and agencies across the state are increasing their enforcement efforts.

Please take a stand - Drive Sober Maine!



Paul R. LePage, Governor

John E. Morris, Commissioner

This newsletter is intended to be a link between the Maine Bureau of Highway Safety and you, the law enforcement community. As a link it should work for all of us.

Please contact me if you would like to add information or ideas.

Thank you,

Tom Reagan

Law Enforcement Liaison

Thomas.j.reagan@maine.gov

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DRE Callouts

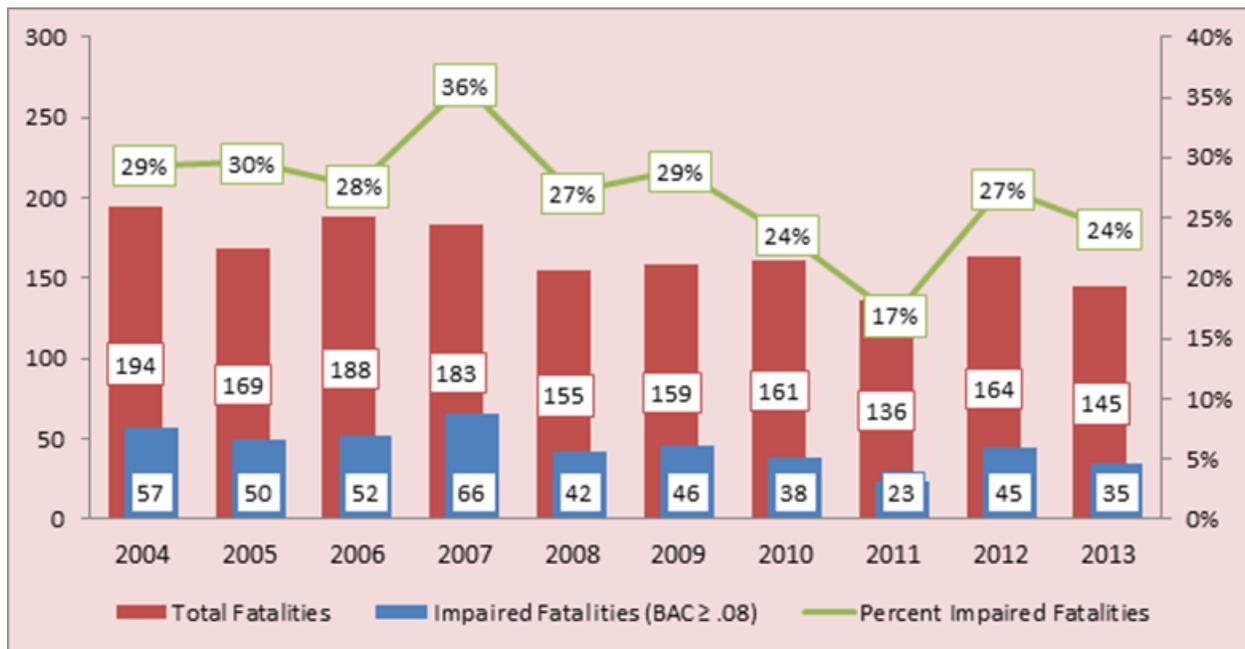
The Maine Bureau of Highway Safety will reimburse law enforcement agencies for Drug Recognition Expert (DRE) **off-duty** callout time.

MeBHS is attempting to make DRE services more widely available by reimbursing overtime expenses from any agency that calls in their own **off-duty** DRE to perform services for their own agency, **or** another agency upon request from that agency. This reimbursement also includes court time that a DRE may incur when assisting an *outside* agency.



The MeBHS is hopeful that by providing reimbursement for off-duty DRE call-outs not normally funded, agencies will help make DRE services more obtainable when law enforcement is confronted with a drugged driving case.

To participate in the DRE call-out reimbursement program please contact Jessica Voisine at the MeBHS office at 626-3845. The MeBHS will provide the agency with a copy of the contract and Financial Report once the form is received.



Who is dying in these alcohol fatal crashes?

Of the 182 fatalities between 2009 and 2013 - The median age was 29. More males. The majority of these fatalities (69%) involved the loss of life for the impaired driver. An additional 21% of fatalities were the impaired drivers' passengers. The rest were in other cars, pedestrians or bicyclists.

ADVANCED ROADSIDE IMPAIRED DRIVING ENFORCEMENT (A.R.I.D.E.) PROGRAM

Our Mission

To save lives and reduce injuries on the state's roads and highways through leadership, innovation, facilitation, project and support, and working in partnership with other public and private organizations.

Date: December 9 & 10, 2015
Location: Farmington Police Department
Time: 8:00 a.m. - 4:00 p.m.
Fee: Sponsored by the Maine Bureau of Highway Safety at no cost to your agency
Contact: James Lyman 877-8009

Program Description:

The Maine Bureau of Highway Safety and the Maine Criminal Justice Academy are pleased to offer The National Highway Traffic Safety Administrations' A.R.I.D.E. course. The course provides officers a better understanding of the elements surrounding the enforcement of impaired driver laws. The course is designed to help officers become more proficient at detecting, apprehending, testing and prosecuting impaired drivers. The course includes elements of both the Standardized Field Sobriety Testing (SFST) and Drug Recognition Expert (DRE) curriculum. **This course is not intended to certify you as a Drug Recognition Expert, although it is being considered as a prerequisite for future DRE candidates.** Attendees must be proficient in the SFST battery with emphasis on HGN procedures.

The candidate who successfully completes the training will be able to recognize that an individual may be under the influence of a drug or drugs other than alcohol, or under the combined influence of alcohol and other drugs, or suffering from some injury or illness that produces signs similar to alcohol/drug impairment.

Personnel who may attend:

All full time law enforcement officers actively enforcing impaired driving laws that work for a department that is committed to detecting and deterring impaired drivers.

Prerequisite:

- Full Time Law Enforcement Officer
- Must have completed the SFST program and been deemed proficient by the MCJA
- Must meet with and instructor prior to the beginning of the class and review your SFST skill at which time the instructor will sign a new proficiency exam sheet. The signed exam sheet is required on the first day of class. Students without the sheet will not participate.

Class Limit: 25 Students (MCJA Registration required)



OUI Checkpoint Policy

Does your agency have an OUI checkpoint policy? Is it up to date? For assistance please contact our Traffic Safety Resource Prosecutor.

Scot.mattox@maine.gov

Checkpoint Thoughts

http://www.policeone.com/suspect-pursuit/articles/46715006-What-fighter-pilots-can-teach-PDs-about-safer-police-pursuits/?nlid=&utm_source=iContact&utm_medium=email&utm_content=Exclusives1LeftTitle&utm_campaign=P1Member

NHTSA Impaired Driving Update

The October version of the Impaired Driving Update is posted to the NLELP website. There are several items regarding teen driving safety. Available at: <http://www.nlelp.org/nhtsa-impaired-driving-update-october-2015/>

Impaired Driving Fatalities

Every day, almost 30 people in the United States die in motor vehicle crashes that involve an alcohol-impaired driver. This amounts to one death every 51 minutes. The annual cost of alcohol-related crashes totals more than \$59 billion.

Thankfully, there are effective measures that can help prevent injuries and deaths from alcohol-impaired driving.

How big is the problem?

- In 2013, 10,076 people were killed in alcohol-impaired driving crashes, accounting for nearly one-third (31%) of all traffic-related deaths in the United States.
- Of the 1,149 traffic deaths among children ages 0 to 14 years in 2013, 200 (17%) involved an alcohol-impaired driver.
- Of the 200 child passengers ages 14 and younger who died in alcohol-impaired driving crashes in 2013, over half (121) were riding in the vehicle with the alcohol-impaired driver.
- In 2010, over 1.4 million drivers were arrested for driving under the influence of alcohol or narcotics. That's one percent of the 112 million self-reported episodes of alcohol-impaired driving among U.S. adults each year.
- Drugs other than alcohol (e.g., marijuana and cocaine) are involved in about 18% of motor vehicle driver deaths. These other drugs are often used in combination with alcohol.

 Centers for Disease Control and Prevention
CDC 24/7: Saving Lives, Protecting People™



Law Enforcement Phlebotomy Technician Program

The Law Enforcement Phlebotomy Technician (LEPT) program is now again active in the State of Maine. The program teaches basic phlebotomy skills to law-enforcement officers for blood alcohol and drug evidence collection in impaired driving cases. Moreover, the class is designed to provide law enforcement officers with the training necessary to be considered “Person(s) qualified to draw blood for blood tests” pursuant to M.R.S.A. 29-A §2524 (1).

The program was originally developed several years ago by the Maine Bureau of Highway Safety in conjunction with Tactical Services and Education, Inc. after identifying a need in many areas of the State for more blood draw resources in OUI and fatal accident testing. The program is taught by licensed paramedics, overseen by a physical medical director, and incorporates 16 hours of classroom training as well as requiring 20 classroom sticks. Additionally, there is a Maine Chief’s Model Policy in place <http://www.maine.gov/dps/bhs/impaired-driving/law-enf-resources/index.html> , an annual skills lab requirement, and on-going online data base tracking. <http://www.leoblooddraw.com/> .

Several months after its original inception the program was put on a temporary hold due to liability insurance concerns. After more than a year of legal research and discussion the program was revamped to the satisfaction of Maine Municipal Association who now provides appropriate liability coverage for this endeavor to its police department members. County law enforcement officers are not eligible to participate in this program currently due to liability coverage concerns, however County risk management is considering the coverage. State law enforcement is not participating in the LEPT program. LEPTs who were trained under the original program lost their certification due to the changing training requirements but are now eligible to take the updated class.

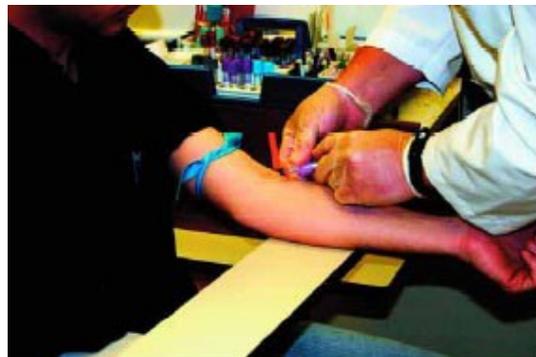
During 2015 we held three different training classes in the new protocol in southern and central Maine (although several inquiries were sent out there did not seem to be any interest in the training north of Bangor). Currently 34 law-enforcement officers are certified as LEPTs. The Highway Safety plan calls for continuing this training into 2017 and more classes are proposed in several areas around the State. With recreational marijuana being considered for legalization, as well as presumptive inferences about THC in whole blood being researched for possible inclusion in the OUI law, and the DHHS lab recently procuring new equipment for blood drug testing, the need for timely blood draws in OUI cases will increase.

For the currently certified LEPTs: I am working with the lab on procuring new blood kits that are better equipped for LEPT use, and continuing to monitor court decisions regarding the admissibility of LEPT blood draws. Please continue to forward any appropriate information about your LEPT experiences.

Stay Safe,

Scot Mattox, Esq.

Traffic Safety Resource Prosecutor



ATS 5 Trailers Available

The MeBHS purchased seventeen speed / variable message trailers from All Traffic Solutions this past October. The trailers can record speeding vehicles or post a message of your choice with an incredible amount of possibilities. These trailers were given to agencies across the state in an attempt to have them evenly distributed. These agencies have agreed to allow any agency that needs to borrow an idle trailer can do so. Please contact any of these agencies for assistance.

The ATS trailers were purchased with a federal grant through NHTSA

Wells Police Department
Yarmouth Police Department
Cumberland County Sheriff's Office (Portland)
Franklin County Sheriff's Office (Farmington)
Norway Police Department
Winslow Police Department
Brownville Police Department
Veazie Police Department
Lincoln County Sheriff's Office (Wiscasset)
Knox County Sheriff's Office (Rockland)
Hancock County Sheriff's Office (Ellsworth)
Mount Desert Police Department
Aroostook County Sheriff's Office (Houlton)
Caribou Police Department
Maine State Police Bangor
Maine State Police Gray
Maine State Police Skowhegan



Links of Interest

The Significance of a Drug Recognition Expert *Prosecutor* in the Courtroom

<http://www.ndaa.org/pdf/BTL-v23-n4.pdf>

Computerized Assessment and Referral System (CARS): The New Frontier in DUI Offender Assessment

<http://www.ndaa.org/pdf/BTL-v23-n5.pdf>

Early Estimate of Motor Vehicle Traffic Fatalities for the First Half (Jan – Jun) of 2015

<http://www-nrd.nhtsa.dot.gov/Pubs/812217.pdf>

SPEEDING AND AGE

While 28% of all drivers involved in fatal crashes were speeding, a much higher proportion of young drivers (ages 20 and younger) involved in fatal crashes were speeding (59%) compared to older