



State of Vermont
Department of Public Safety
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ROADWAY SAFETY SUBCOMMITTEE MINUTES

November 6, 2017

The Roadway Safety Subcommittee meeting was opened at approximately 9:10 AM by Commissioner Thomas Anderson, Chair, with the following in attendance.

Present: Thomas Anderson, Commissioner of the Department of Public Safety, Chair; Dr. Trisha Conti, Director of the Vermont Forensic Laboratory; Chief Jennifer Morrison, designee of the Vermont League of Cities and Towns; Representative Maxine Grad; Senator Joe Benning; John Campbell, Executive Director of the Department of State's Attorneys and Sheriffs; Lieutenant John Flannigan, Vermont State Police; Marie Horbar, Assistant General Counsel, Department of Public Safety; Suellen Royea, Administrative Assistant, Department of Public Safety; Jake Perkinson, Co-Chair of the Governor's Marijuana Advisory Commission; James Pepper, Department of State's Attorneys and Sheriffs; Karen Gennette, Crime Research Group; Marshall Pahl, Office of the Defender General; and Ben Palkowski, Primmer Piper Eggleston & Cramer PC.

Chair entertains a motion to accept the October 16, 2017 minutes, so moved by John Campbell and seconded by Chief Jennifer Morrison. Minutes approved.

PowerPoint presentation on November 15, 2017 report (Commissioner Anderson). Commissioner Anderson recaps Governor Scott's Executive Order No. 15-17 and the areas Subcommittee is focusing on:

1. Motor Vehicles Injury and Death Endpoint
2. Crime Rates Endpoint

Draft report, titled "Health and Safety Endpoints: Injury and Death, and Crime Rates," reviewed and discussed.

- Injury and Death discussion:
 - Second paragraph of Page 9 was read and a suggestion was made to add a footnote.
 - Capitalization on Page 8 was reviewed and noted to be a direct quote from the report.
 - A suggestion was made to create an appendix listing all the reports reviewed. This will be done for both reports.



- Crime Rates discussion:
 - The reference to the Rocky Mountain High Intensity Drug Trafficking Area was moved into a footnote.
 - A suggestion was made to include an introductory sentence regarding which reports were reviewed by Subcommittee.
 - A concern was expressed regarding items not measurable by crime data (i.e., quality of life and perceptions). It was noted this can be part of the January 15, 2018 report.
 - UCR/NIBRS data was reviewed.
 - Baselines of data and data collection were reviewed.

PowerPoint presentation on January 15, 2018 recommendations (Commissioner Anderson).

Commissioner Anderson recapped Executive Order 15-17. Recommendation categories (v), (vi), (vii), (viii), (x), (xi), and (xii) listed in the Executive Order were reviewed.

- Discussion held regarding section (x) performance benchmark(s) for testing.
 - First part seemed to be a commission/policy question; however, this group has an obligation to conduct an analysis.
 - Data availability reviewed.
 - Summer study suggested.
 - Include in report a disclaimer about the deficiencies in the data.
 - Types of impairment reviewed.
 - Officer training.
 - Commissioner Anderson will circulate a recap for member review.
 - Objectivity and goal was reviewed.
- Discussion held regarding section (viii) regional impairment standards.
 - AAA may be helpful.
 - Difficulties of multiple states agreeing on standard.
 - NHTSA has regional boards and Chief Morrison offered to help.
 - Consider New England states.
- Discussion held regarding section (xi) miscellaneous issues.
 - Other considerations include canines and appropriate storage facilities.
- DPS will look into search and seizure considerations (xi), storage (xi), and potential law changes (xii). Dr. Conti and Lt. Flannigan will give a presentation on appropriate impairment testing mechanisms (v), adequate funding for DREs and training (vi), and capacity for in-state testing and analysis (vii).



Next Meetings:

- November 29, 2017 from 8:00 to 11:00am to include a presentation from Dr. Marilyn Huestis through a webinar.
- Mid-December meeting be held on December 20, 2017 from 10:00am to noon, and Dr. Conti and Lt. Flannigan will present on multiple topics to include in-state testing, DUI processing, and DREs. In addition, Commissioner Anderson is trying to invite someone from Denver, Colorado police department to come talk to the group.

Meeting adjourned at 10:32 am.

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