

## Santa Fe, New Mexico

**II.** A quorum was established with the following members present:

Those present introduced themselves.



SFC CLERK RECORDED 05/18/2017

### **III. Approval of Minutes: December 8, 2016 & January 12, 2017**

Mr. Mowen moved to approve the December and January minutes. His motion was seconded by Mr. Spoonheim and passed by unanimous voice vote.

### **IV. Approval of Agenda**

The agenda was accepted by consensus.

### **V. Matters from the Council/Action Items**

#### **A. Follow-ups from previous meetings**

Chairman Starke reported on the following:

- Countywide there were four DWI fatalities in 2015 and nine in 2016
- Statewide there has been a 25 percent increase in DWI fatalities

Ms. Zawistowski said she attended the Courts to School event and thought it was tremendous with the students allowed to ask questions and the judge speaking at length. Mrs. Abeyta said she also attended and with the assistance of the AG's Office, the program may be offered at the Community College's master program.

Chair Starke asked that Brendan Baca work with Ms. Mann-Lev and the AG's Office to bring Judge Anaya's court into both Capital and Santa Fe High.

### **VI. Information Items**

#### **A. Santa Fe Police Department Data**

Captain Lamb presented a report he also provides to the Santa Fe City Council. He indicated that he carefully reads all arrest case reports to ascertain whether there is a DWI buried within. He reported that:

- In 2016 there were 363 DWI arrests
- The first quarter of the year contains the highest number of DWI arrests, which could be attributed to more drinking during the cold weather
- Officers are asking about the last place of consumption which from a legality standpoint can be an admission of guilt
- The demographics of the 363 arrests show 73 percent were males with the majority of between 20 and 30 and 50+
- DWI data also contains arrests with other intoxicants – out of the 363, the highest was marijuana at 23
- The arrests were categorized by how the officers contacted a DWI suspect and 201 were traffic stops which indicates the officers were pro-active. Arrests were also made arising from crashes, assistance and crime calls
- SFPD is considering the introduction of a Crime Stopper-type program where if a DWI is called in and an arrest made, the caller receives a reward. Chair Starke said that the Council would be willing to discuss supporting the incentive concept
- Referring to the crashes, 85 of the 99 were above .08 BAC. Mr. Mowen said it would be interesting to see the crash and BAC information on .16 BAC

- The data showed that serious crashes have increased, not all DWI-related, within the last three years
- DWI arrests mostly occur between 4 p.m. and 4 a.m. The DWI patrol unit's schedule is established based on those statistics
- DWI arrests were down in 2016 while DWI crashes were up. This is a statewide issue. With property crime on the rise, SFPD focus was on that area
- SFPD is a young group and as their experience deepens more arrests would come forward.
- In January 2017 there have been 21 DWI arrests of which five were repeat offenders
- The highest listing for the place of last consumption in January 2017 was in the vehicle

Lieutenant Grundler said SFPD conducted a 10-hour saturation operation on Super Bowl Sunday which resulted in over 120 citations. He mentioned the expanded boundary with the annexation which has contributed to the increased in call volume while the number of officers has been reduced.

Ms. Katz reviewed the number of vehicles seized compared to the number of DWIs. The City does not take damaged vehicles into the forfeiture program. The program deals with revoked licenses – anyone arrested for a DWI regardless of conviction has to have an interlock device and/or an interlock license to drive their vehicle. In 2012, the City amended its ordinance allowing for safe harbor whereby an individual can get their vehicle if they have completed certain tasks. If arrested on a revoked license or having more than one DWI an initial hearing is required and thereafter it goes to district court. An order is required from a judge to auction a vehicle.

Referring to the interlock device, Ms. Katz said there are four vendors who follow the City's ordinance requiring that the interlock be installed before the individual gets their vehicle back and the vendors report monthly to the City. If an individual fails the interlock test, the car can be seized. She said the program typically deals with repeat offenders with at least five DWIs. Habitual offenders are driving junkers which has reduced the success of the forfeiture program. The forfeiture programs may be terminated by legislative action.

Mentioning a drop in the number of people coming through the compliance program, Mr. Sanchez asked whether the first and second offenses are being filed in municipal court. It was confirmed yes, and noted that aggravated goes to magistrate.

Mr. De Mella asked whether there was evidence of multi-use (alcohol and drugs) with the younger population. Lt. Grundler confirmed that was the case and that their officers were aggressive in that arena. Captain Lamb said with more experience on the force there will be additional arrests. Corporal Mosher pointed out that testing for drugs is very expensive.

Chair Starke requested a comparison between the calls and the number of officers and separating the driving while revoked for the DWI stats.

## **B. Santa Fe Sheriff's Department Data**

Corporal Mosher said the County, like the City, has staffing issues. At this point, the County has one person assigned to DWI. He offered the following data:

- During 2016 there were 205 DWI arrests of which 85 were made by the DWI unit
- The majority of the DWIs occur between 4 p.m. and 2 a.m. on Friday and Saturday
- Pojoaque and the northern district generates more than 60 percent of the DWIs
- During 2016 there were 87 vehicle seizures: the vehicle owner has the burden to prove innocence
- The County will be improving their data by identifying a specific place and time

DWI conviction rates differ; magistrate court has a 65 percent conviction rate, municipal approximately 80 percent and district court 80 percent.

## **C. Legislative Update**

Mr. Sanchez provided a spreadsheet identifying the DWI, alcohol and marijuana related legislation. Staff is tracking:

- HB 55, which proposes to eliminate the sunset clause from last year's HB 16, reducing the DWI program's share of excise tax to 41 percent from the current 46 percent. He noted that representatives Jim and Carl Trujillo are big supporters of the DWI programs
- HB 314, an increase to the liquor excise tax – Alcohol Taxes Saves Lives and Money – in the amount of 25 cents per drink was introduced. Santa Fe County is supporting the bill while the DWI Affiliate voted to be neutral on the bill in an effort to protect the Affiliate's relationship with the liquor lobby
- HB 49 requires a DWI offender after conviction who does not get the interlock to instead get a sobriety monitoring device. Sobriety is a standard requirement of probation for release. The bill also requires a clean interlock record to receive an unrestricted license and closes loopholes in the existing law

Chair Starke encouraged those with time to go to the Roundhouse to support these bills.

## **D. Law Enforcement Meetings**

Mr. Olson said there have been three operation safety exercises since the first of the year. On Super Bowl Sunday there were five DWI arrests. There was a concentration on 84/285 with up to 40 officers on patrol. These larger operations have been successful and will continue every few months on Friday holidays. State police will conduct what they refer to as "directive patrols" with a few officers working in a specific area looking for drunk drivers.

### **E. Coordinator's Report**

Mr. Sanchez reported on the following:

- He congratulated Ms. Zawistowski for her appointment and Mrs. Abeyta for her reappointment
- DWI Day slated for 2/17 has been cancelled by the host, DWI Affiliate, because of budget cuts that make it prohibitively expensive for DWI staff to travel to Santa Fe
- Testimonials from five people who have DWI convictions and their experience with compliance programs will be shared with the legislature along with DWI factsheets online
- March 9<sup>th</sup> is the March of Sorrow
- Santa Fe Mountain Center is running a federally funded program, "Healthy Transitions" targeting teens and young adults. DWI staff will work to coordinate this program with young DWI offenders. The Center will be making a presentation to the County's DWI Compliance Officers
- The DWI program is working to increase awareness of the law enforcement DWI-related programs especially to the County Commission. It may be best accomplished as part of the items from the public at the Commission meeting
- A pilot program of the Crime Stopper DWI concept will be added to the grant staff is working on

### **F. Behavioral Health Alliance Update**

Chair Starke reported that:

- The County 911 has joined Smart911 which enables residents to create private online safety profiles to share with emergency dispatchers so that first responders can provide better service
- The County has started the Accountable Health Community initiative which will facilitate health related agencies to work in a collaborative manner
- Trauma training continues with over 200 people trained. A state grant will expand training to Albuquerque and Las Cruces
- The Mobile Crisis Response Team is expanding and has developed good working partnerships
- County bond related issues are on hold until the State completes the budget
- Recovery Santa Fe is considering a memorial for people who have died of heroin overdoses to coincide with August 31<sup>st</sup>, International Overdose Awareness Day

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

Mr. Baca announced that:

- SFPA has been working on the Alcohol Taxes Save Lives and Money
- The Prevention Alliance and SWAT have been meeting with Adelante to discuss substance abuse in the homeless youth population

- DWI March of Sorrow/March of Hope is scheduled for March 9<sup>th</sup> at 12:30. The youth will have greater role in the event this year
- A spring break camp is being explored with Meow Wolf, Santa Fe Climbing Center, GCCC and Planet Fitness to develop opportunities for Santa Fe's youth (ages 14-18) during that week

## **VII. Miscellaneous**

Mr. Sanchez reviewed and explained the contract/program cuts to the DWI program that will occur throughout 2017. Contract services were cut \$317,000 from the original \$655,000. An additional \$46,750 was cut from line items including travel, vehicle fuel and maintenance, equipment, operating supplies, etc. Compliance monitoring fees generated \$163,727 which greatly assisted in keeping contracts in place.

Mr. Sanchez requested that Council members fill out the financial disclosure form which is required by the County.

### **A. Agenda Items for the Future Meetings**

Consideration of the statewide and national increases in DWI crashes and reduction in arrests. Captain Lamb mentioned that DWI arrests pose a high liability for law enforcement

## **VIII. Public Comment - None were offered.**

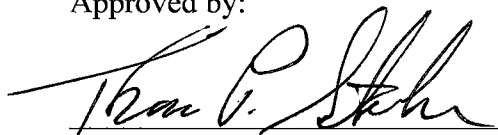
## **IX. Announcements**

- Next Planning Council Meeting: March 9, 2017
- Behavioral Health Day is February 15<sup>th</sup> at the Roundhouse
- Youth Summit hosted by the City of Santa Fe is scheduled for March 31<sup>st</sup> at the Indian School from 9 a.m. to 1 p.m.

## **X. Adjournment**

Having completed the agenda and with no further action to come before the Council, Chair Starke declared this meeting adjourned at approximately 10:30 a.m.

Approved by:



Thomas P. Starke, Chair  
DWI Planning Council

Respectfully submitted by:

Karen Farrell, Wordswork