

Missoula County DUI Program Plan  
July 1, 2011 – June 30, 2012



**Annual Plan  
SFY2012**

Submitted June 16, 2011  
to the  
State Highway Traffic Safety Bureau  
Montana Department of Transportation  
PO Box 201001  
Helena MT 59620-1001

The Missoula County DUI Task Force represents a diverse cross section of the community appointed by the Missoula County Commissioners with the mission of promoting a healthier and safer environment for county residents by reducing the number of alcohol-related traffic crashes through environmental and enforcement strategies, public education, awareness, and legislation.

***To enhance the effectiveness of Missoula County's impaired driving program in preventing injuries, saving lives, and reducing economic costs of motor vehicle crashes, this plan supports the priority recommendations of the Montana Comprehensive Highway Safety Plan, Emphasis Area #2: Alcohol- and Drug-Impaired Driving Crashes.***

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Missoula County Commissioners**

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Date \_\_\_\_\_

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Date \_\_\_\_\_

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Date \_\_\_\_\_

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**State Overview**

Montana spans a land area of 145,5521 square miles, which includes 73,627 miles of public roads. An estimated 974,989 people resided in the state in 2009.

On average, each year in Montana, impaired driving has been a factor in 10 percent of all crashes, 20 percent of all injuries, and 50 percent of deaths on Montana’s roads. Montana has historically had one of the highest alcohol-fatality rates in the nation, but has started to see a decrease in recent years.

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Year		Total Fatalities in all Crashes	Alcohol-Impaired Driving Fatalities (BAC = .08+)		
			Number	Percent	Per 100 MillionVMT
2005	<b>Montana</b>	<b>251</b>	<b>108</b>	<b>43</b>	<b>0.97</b>
	US	43,510	13,582	31	0.45
	Best State <sup>^</sup>			12	0.13
2006	<b>Montana</b>	<b>264</b>	<b>104</b>	<b>39</b>	<b>0.92</b>
	US	42,708	13,491	32	0.45
	Best State <sup>^</sup>			18	0.20
2007	<b>Montana</b>	<b>277</b>	<b>105</b>	<b>38</b>	<b>0.93</b>
	US	41,259	13,041	32	0.43
	Best State <sup>^</sup>			19	0.21
2008	<b>Montana</b>	<b>229</b>	<b>90</b>	<b>39</b>	<b>0.83</b>
	US	37,423	11,711	31	0.39
	Best State <sup>^</sup>			16	0.16
2009	<b>Montana</b>	<b>221</b>	<b>81</b>	<b>37</b>	<b>0.74</b>
	US	33,808	10,839	32	0.37
	Best State <sup>^</sup>			16	0.15

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*\*Based on the BAC of all involved drivers and motorcycle riders only*

*<sup>^</sup>State (or States) with lowest percents: lowest percents could be in different states*

Source: [http://www-nrd.nhtsa.dot.gov/departments/nrd-30/nca/STSI/30\\_MT/2009/30\\_MT\\_2009.htm](http://www-nrd.nhtsa.dot.gov/departments/nrd-30/nca/STSI/30_MT/2009/30_MT_2009.htm)

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<sup>1</sup> <http://quickfacts.census.gov/qfd/states/30000.html>

**Average Blood Alcohol Concentration information by county**

Over an 18-month time period from October 2007 – March 2009, the average BAC of those arrested for DUI (and who provided a breath sample) in Montana was **0.154**. This average is based on BAC information recorded on the 100+ Intoxilyzer 8000 units located around the state. This average is lower than in years past, when the average BAC hovered around 0.18, however it is still twice the legal limit.

Traffic Fatalities by State and the Highest Driver BAC in the Crash, 2009											
State	*Total Fatalities	BAC=.00		BAC=.01+		BAC=.01-.07		BAC=.08+		BAC=.15+	
	Number	No.	Percent	No.	Percent	No.	Percent	No.	Percent	No.	Percent
Montana	221	129	58%	92	42%	11	5%	81	36%	59	27%

Source: <http://www.nhtsa.gov/staticfiles/nscsa/pdf/2010/811385.pdf>

Montana has one of the highest rates in the nation for per capita consumption of alcohol<sup>2</sup>.

Results of a study conducted by the University of Montana’s Bureau of Business and Economic Research, released in 2009<sup>3</sup> *Economic Impact of Alcohol Abuse*, March 2009, by Dr. Patrick Barkey, Director, Bureau of Business and Economic Research, University of Montana – Missoula. Online at [www.bber.umt.edu/health/papers.asp](http://www.bber.umt.edu/health/papers.asp)  
 3, show that alcohol abuse costs the state's economy more than half a billion dollars per year in lost wages and productivity, alcohol treatment costs, medical costs, and other public and private spending. Of that number, \$49.1 million was spent on “extra police, judges and prison cells needed to protect citizens and enforce the laws that are broken because of the impairing impacts of alcohol.”<sup>3</sup> A subsequent study, released in January 2010<sup>4</sup> *Economic Costs of Alcohol-Related Vehicle Crashes in Montana*, January 2010, by Steve Seninger, Ph.D. Senior Research Professor, Bureau of Business and Economic Research, University of Montana – Missoula. Online at [www.bber.umt.edu/pubs/health/CostAlcoholCrashes2010.pdf](http://www.bber.umt.edu/pubs/health/CostAlcoholCrashes2010.pdf).  
 4, noted that the addition of alcohol related crashes *with injuries* represent an additional \$131 million, bringing the total economic cost of alcohol abuse to \$642 million.

<sup>2</sup>  
[www.niaaa.nih.gov/Resources/DatabaseResources/QuickFacts/AlcoholSales/Pages/consum03.aspx](http://www.niaaa.nih.gov/Resources/DatabaseResources/QuickFacts/AlcoholSales/Pages/consum03.aspx) and  
[www.niaaa.nih.gov/Resources/GraphicsGallery/Pages/consfigs4text.aspx](http://www.niaaa.nih.gov/Resources/GraphicsGallery/Pages/consfigs4text.aspx)

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<b>Alcohol - Related Convictions Reported</b>									
<b>to the Records and Driver Control Bureau of the Montana Motor Vehicle Division</b>									
<i>(DUI / BAC / 0.02% BAC)</i>									
<b>Calendar Year</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>
DUI* 1 <sup>st</sup> offense	2823	2790	3009	2832	3250	3051	3043	2891	2634
DUI 2 <sup>nd</sup> or subsequent offense	834	1010	909	967	1055	1129	1135	1161	1227
BAC 1 <sup>st</sup> Offense	1215	1249	1395	1698	1722	2066	2202	2165	1983
BAC 2 <sup>nd</sup> or subsequent offense	213	204	174	179	247	244	235	264	209
0.02% BAC (Under 21 years of age) 1 <sup>st</sup> Offense	460	438	429	361	415	302	343	246	274
0.02% BAC (Under 21 years of age) 2 <sup>nd</sup> or subsequent offense	9	6	23	33	25	22	13	10	18
Felony DUI	210	209	258	286	217	213	194	217	319
<b>Total</b>	<b>5764</b>	<b>5906</b>	<b>6197</b>	<b>6356</b>	<b>6931</b>	<b>7027</b>	<b>7165</b>	<b>6954</b>	<b>6664</b>
<b>Alcohol Test Refusals*</b>									
P.A.S.T.	1092	1208	1213	1243	1330	1533	1445	1519	1464
Implied Consent	1146	1149	1073	1171	1083	1236	1382	1379	1378
<b>Total Refusals</b>	<b>2238</b>	<b>2357</b>	<b>2286</b>	<b>2414</b>	<b>2413</b>	<b>2769</b>	<b>2827</b>	<b>2898</b>	<b>2842</b>

Under Montana law, there are two types of impaired driving offenses: driving under the influence (charged under §61-8-401, MCA) and driving with excessive blood alcohol concentration (charged under §61-8-406, MCA).

\* A driver suspected of DUI may have more than one opportunity to provide or refuse to provide evidence of impairment. The P.A.S.T. is provided at the location of the initial stop. The implied consent test may be breath or blood and is done at a fixed base location by law enforcement (breath test) or medical personnel (blood draw).

A 2009 report by Dr. Tim Conley<sup>5</sup> *ASSESSING MONTANA'S MULTIPLE OFFENDER DRUNK DRIVERS FOR PREVENTION STRATEGY IDEAS, a Preliminary Report for the Law and Justice Interim Committee* January 29, 2010, by Dr. Tim Conley, Associate Professor of Social Work, University of Montana – Missoula. Online at: [http://leg.mt.gov/content/Committees/Interim/2009\\_2010/Law\\_and\\_Justice/Meeting\\_Documents/Feb2010/Assessing%20Montana%27s%20Multiple%20Offender%20Drunk%20Drivers%20for%20Prevention%20Strategy%20Ideas.pdf](http://leg.mt.gov/content/Committees/Interim/2009_2010/Law_and_Justice/Meeting_Documents/Feb2010/Assessing%20Montana%27s%20Multiple%20Offender%20Drunk%20Drivers%20for%20Prevention%20Strategy%20Ideas.pdf) revealed that felony offenders, on average, conservatively estimate that they have driven 369 times per conviction.

DUI Task Forces were first formed in 1987. Their work is governed by Sections 61-2-105 through 108 of the Montana Code Annotated.

## COUNTY OVERVIEW:

Missoula County covers approximately 2,600 square miles in the western part of the state. Five large valleys and two major rivers wind through this mountainous region. Missoula County has a population of 108,586 residents and is the second largest county in Montana.

### Missoula County continues to be challenged with:

- Illegal alcohol sales:
  - ★ Over-service of alcohol to persons 21 and older (sales to persons exhibiting obvious signs of intoxication).
  - ★ Sales to persons under 21 years of age
- Minors in possession of alcohol (MIPs)
- Repeat DUI offenders
- Refusals to submit to breath testing

**Alcohol and drug related crashes tend to result in more severe injuries (incapacitating or fatal) than do crashes with no impairment. The county with the most severe crashes in Montana in 2007 was Missoula County with 169.** Flathead County was a close second with 164. Yellowstone County follows with 106 and then Gallatin County with 76. Based on 2008 crash data, alcohol-related traffic crashes were at 10.7% of all crashes in Missoula County down slightly from 10.8% in 2007. Alcohol-related crash injuries were at 18.6 percent of all crash injuries in Missoula County during 2008, up slightly from 18.2 % in 2007.

### 2009 DUI Arrests

	<u>Population</u>	<u>DUI</u>
<b>Missoula County</b>	<b>108586</b>	<b>717</b>
<b>Missoula County Sheriff's Office</b>	<b>39107</b>	<b>202</b>
<b>Missoula Police Department</b>	<b>69479</b>	<b>515</b>
<b>U of M Police</b>	<b>0</b>	<b>0</b>

Source: Montana Board of Crime Control

### Montana Highway Patrol 2009 DUI Arrests in Missoula County: 332

Source: MHP District I - Missoula

### DUI Convictions

The Missoula County DUI Task Force participated in the Montana DUI Research Project 2010, a statewide project under the direction of the Institute for Public Strategies (IPS) in Bozeman, MT. IPS is a nonprofit organization funded to provide training and technical assistance to prevention professionals throughout the state. IPS is serving as a clearinghouse for the information gathered and will provide support to those working on the project as needed. The project timeline was January 1, 2010 through December 30, 2010.

Information collected included change of plea, guilty, jury guilty, jury not guilty, dismissed, no contest, failure to appear, sentencing date, jail sentence (number of days or months sentenced, number of days or months suspended, treatment and intervention prescribed including ACT class, ignition interlock and SCRAM device). At this time we are still awaiting the final report.

**Missoula suffers from some of the highest rates of underage substance use in the nation.**

While Missoula youth report using less alcohol and illicit drugs; they continue to report well above both the state and national averages. Missoula's underage drinking rates are 3-11% above the national average. 20% of Missoula County 8th graders report alcohol use in the last 30 days, 4% higher than the national average.

**Missoula County reports the 2<sup>nd</sup> highest rates of underage drinking in the state.** Furthermore, the majority of local youth who report using alcohol sometime in the past month, also report **binge drinking**-- drinking 5 or more drinks in one sitting-- at least once within the past 2 weeks. And it's not just older teens: 9% of local 8th graders report binge drinking in the past two weeks. **(2008 Montana Prevention Needs Assessment).**

**PROGRAM GOAL**

**The goal of the Missoula County DUI Task Force is to reduce deaths and injuries in Missoula County caused by impaired driving.**

**PROGRAM ADMINISTRATION**

**DUI Task Force**

The Missoula County DUI Task Force is a multi-faceted coalition representing a diverse cross section of community stakeholders committed to reducing alcohol-related traffic crashes in Missoula County by implementing evidence-based traffic safety countermeasures. One of the more important activities of the Task Force is bringing various parties together to partner on projects, coordinate efforts, acquire and share resources. Initial funding comes from driver license reinstatement fees. The Task Force operates at the county level to reduce and prevent impaired driving and is committed to carry out the objectives and activities set forth in this strategic plan for the period July 1, 2011 through June 30, 2012.

**Membership of the Missoula County DUI Task Force includes representation from:**

Alcohol Distributors: Summit Beverage & Zip Beverage	Missoula Emergency Services, Inc.
Citizen Advocate	Missoula Indian Services
City Attorney	Missoula Police Department
County Attorney	Missoula County Sheriff's Department
Compliance Monitoring Systems, LLC	Missoula Rural Fire District
Department of Corrections - Probation & Parole	Montana Highway Patrol - District I Missoula
Department of Justice - Forensic Science Division	Montana Restaurant Association
Fish, Wildlife & Parks	Missoula Underage Substance Abuse Prevention (MUSAP)
Insurance: AAA & HUB International	St. Patrick Hospital Trauma Services
Media: FOX TV, KPAX TV, GAP West Radio	University of Montana Drug & Alcohol Advisory Committee
Missoula City-County Health Department	University of Montana Office of Public Safety
Missoula Co-Occurring Treatment Court	Western Montana Addiction Services - Turning Point ACT
Missoula Correctional Services – Pre-Release	

**The membership list with contact information is attached.**

**Meeting Schedule**

The Missoula County DUI Task Force will meet as the full group at least four times during the SFY2012 contract year. Additional meetings may be held as needed. Subcommittees will meet as frequently as needed to carry out planned activities.

### **DUI Program Coordinator**

A program responding to the many objectives and strategies contained in the Missoula County DUI Plan requires some expenditure for accounting services, planning, coordination and administration. The Missoula County DUI Task Force will provide monetary support to the Missoula City-County Health Department for a DUI Program Coordinator 20 hours per week (.5 FTE) and monetary support for accounting services provided by the Health Department's accountant.

### **DUI Task Force Coordinator Responsibilities:**

- Implement and monitor the Missoula County DUI Plan and budget.
- Administer DUI overtime contracts with local agencies (law enforcement, probation & parole, etc.).
- Serve as liaison to the media, the State Highway Traffic Safety Office and other community and state groups. The coordinator will continue as an active partner in the community system focusing on alcohol-related concerns (consisting of government policy makers, providers, school officials, law enforcement, parents and other concerned citizens) with an emphasis on coordination and collaboration.
- Represent the Missoula County DUI Task Force as a voting member of the Missoula Underage Substance Abuse Prevention (MUSAP) Coalition.
- Participate in the annual statewide DUI Task Force meeting hosted by the Montana Department of Transportation's (MDT) State Highway Traffic Safety Bureau.
- Maintain accountability and ensure reporting requirements are met.
  1. Each year, the Task Force must submit the following to the county governing body:
    - (a) A budget and a financial report for each fiscal year
    - (b) An annual report containing but not limited to:
      - i. An evaluation of the effectiveness of the program.
      - ii. The number of arrests and convictions in the county for driving under the influence of alcohol and the sentences imposed for these convictions. The number of alcohol-related traffic crashes in the county.
      - iii. Any other information requested by the county governing body and considered appropriate by the task force.
  2. **Ensure meetings are properly organized and documented.**
    - (a) **Meetings are open to the public.**
    - (b) **Notice of Meetings:** In accordance with MCA 61-2-106, notice of meetings are submitted to the *Missoulian* and posted on the DUI Task Force page of the Missoula County website.
    - (c) Agendas are prepared and sent out in advance.
    - (d) Sign-in sheets and minutes of meetings are kept.
  3. **Ensure the budget is properly managed.**
    - (a) Contacts are properly managed and reimbursed based on provision of services, adequate reporting, and submission of invoices.
    - (b) Maintain records that can withstand an audit.

## I. POLICY & LEGISLATION

**OBJECTIVE: Increase probability that impaired drivers will be subject to swift, sure and appropriate sanctions through support of rigorous DUI laws. Support environmental strategies such as social host ordinances and compliance checks of businesses that sell alcohol.**

*(Environmental strategies focus on the changing aspects of the environment that contribute to the use of alcohol and other drugs. Specifically, environmental strategies aim to decrease the social and health consequences of substance abuse by limiting access to substances and changing social norms that are accepting and permissive of substance abuse. They can change public laws, policies and practices to create environments that decrease the probability of substance abuse.)*

**STRATEGY: Support rigorous DUI local ordinances and state laws.**

**Note: Many of the DUI Task Force members are government employees. Lobbying is illegal for most government employees, so care will be taken on how they support certain recommendations.**

**METHOD:** Provide local government leaders, state legislators and constituents **with information** needed to introduce and enact enhanced DUI local ordinances and laws that are sound, rigorous and easy to enforce and administer (ex. stronger penalties for BAC test refusal than for test failure - BAC test refusals result in a higher incidence of citations being challenged in District Courts) and a \*primary seat belt law.

**TIMELINE:** Ongoing.

**METHOD: Media Advocacy.** The Missoula County DUI Task Force will employ media advocacy to:

- Raise awareness of over service and potential legal consequences to bartenders, servers and establishments.
- Promote responsible drinking and citizen reporting of over service to law enforcement and the Montana Department of Revenue.
- Promote discontinuation of happy hour, shot promos, two-for-one specials, or other low-cost drink specials that promote over consumption.
- Promote discussion with industry representatives, insurance representatives and other stakeholders about other steps for reducing alcohol over service.
- To publicize participants in merchant education training and results of alcohol compliance checks.

A variety of methods will be used throughout SFY2012 to encourage and support policies such as social host ordinances, mandatory RASS training, BAC refusal ordinances, etc. to change harmful environmental conditions. The DUI Task Force's Public Information & Education (PI&E) Committee will coordinate a **media advocacy campaign** throughout SFY2012 strategically getting it's messages out to the community through:

- ★ **Letters to the editor**
- ★ **Op Eds**
- ★ **Media events**
- ★ **Testimony at public meetings**
- ★ **Talk shows/call-in shows**
- ★ **Internet: Missoula County Website - DUI Task Force page**
- ★ **Paid media**

## II. ENFORCEMENT/PROSECUTION/ADJUDICATION

**OBJECTIVE:** Increase risk perception of being arrested and convicted for DUI.

**STRATEGY:** Support efforts of law enforcement officers.

**METHOD:** Provide DUI overtime contracts to law enforcement agencies within Missoula County for a variety of activities outlined below:

- **Enhanced DUI roving patrols and roadside safety spot checks.** The increased presence of law enforcement officers and resultant DUI arrests and convictions will send the message that impaired driving will not be tolerated. The DUI Task Force is interested in tracking impaired driver's alcohol source following DUI arrest or DUI-related crash and citations issued.

**TIMELINE:** Overtime activities will be conducted throughout the SFY2012 contract year as scheduled by each individual agency with emphasis on weekends, holidays such as St. Patrick's Day and New Year's Eve and special events such as microbrew fests, concerts, Grizzly football tailgate parties, the Missoula County Fair and the annual Testical Festival at Rock Creek Lodge adjacent to I90.

- **Bar patrols. Over service of alcohol has emerged as a state priority and has been added as a new strategy of the "Alcohol- and Drug-Impaired Driving Crashes" Emphasis Area of the Montana Comprehensive Highway Safety Plan.** The average BAC of those arrested for DUI that provided a breath sample in Montana is 0.154, almost twice the legal limit. The DUI Task Force is interested in funding bar patrols that include **surveillance for over service of alcohol** as one of several activities included in the SFY2012 DUI Task Force overtime contracts with law enforcement agencies. In addition to being on the lookout for alcohol being served to underage patrons when conducting bar patrols, the DUI Task Force is requesting that law enforcement officers also be looking for **over service of alcohol** to patrons of legal drinking age and issue citations to bartenders and servers who are observed selling and serving alcohol to apparently or obviously intoxicated persons (slurring speech, staggering, stumbling, etc.) and send notice of the citation to the Montana Department of Revenue Liquor Control Division for appropriate action on the establishment's liquor license. **No action will ever be taken against the liquor license holder for over service if the criminal citations are only prosecuted locally and no copy of the citation is sent to DOR for administrative action.**

- **Kegger patrols.** The DUI Task Force is interested in funding kegger patrols as one of several activities included in the SFY2012 DUI Task Force overtime contracts with law enforcement agencies. Increased presence of law enforcement officers in areas where juveniles congregate and use alcohol and other drugs coupled with alcohol compliance checks will reduce: illegal alcohol sales to minors, youth access to alcohol and alcohol-related traffic crashes.

- **TIMELINE:** Overtime activities will be conducted throughout the SFY2012 contract year as scheduled by each individual agency with emphasis on weekends, holidays and special events such as high school proms, high school and UM graduations, Grizzly football games and outdoor concerts.

- **Alcohol Compliance Checks.** The DUI Task Force is interested in funding alcohol compliance checks as one of several activities included in the SFY2012 DUI Task Force overtime contracts with law enforcement agencies. The Missoula County DUI Task Force is in support of county-wide alcohol compliance checks. At the March 16, 2011 DUI Task Force meeting, a \$4,000 Special Projects contract to support alcohol compliance checks was approved for the Missoula County Sheriff's Department.

**Note: the Missoula City Police Department has received a EUDL (Enforcing Underage Drinking Laws) grant from the Montana Board of Crime Control to support officer overtime for alcohol compliance checks and will not be using Missoula County DUI Task Force funds for that purpose.** During alcohol compliance checks, police officers accompany young adult volunteers who are under the legal age to purchase alcohol to various establishments. The volunteers are sent into the establishments and attempt to purchase alcoholic beverages. Business employees who fail to check I.D. and/or fail to "do the math" and thus proceed with the alcohol transaction are immediately cited into Municipal Court for serving alcohol to individuals under 21-years of age. Following this, a report is submitted to the Montana Department of Revenue indicating the businesses whose employees failed the alcohol compliance checks. The business/liquor license holders are then subject to progressive fines and, potentially, suspension or revocation of their liquor license for continued violations by their employees. **The Missoula Police Department conducts Alcohol Compliance Checks regularly and attempts to check all businesses that distribute alcoholic beverages at some point each year.**

**The DUI Task Force Coordinator will administer/monitor the contracts and collect quarterly data from participating agencies.**

▪ **DUI-related educational activities conducted by law enforcement officers.** The DUI Task Force is interested in funding DUI-related educational activities conducted by law enforcement officers that increase public awareness of BAC and how it affects a driver's ability to safely operate a motor vehicle and help deter impaired driving such as:

- ★ **The "Alive at 25" Program**
- ★ **The "Fatal Vision" Program**
- ★ **The "It's Your Choice" Program**
- ★ **Respect the Cage Crash Rollover Simulator**
- ★ **Mobile Impaired Driving Assessment Center (MIDAC)**

**METHOD: Fund DUI-related equipment & processing supplies.**

The Missoula County DUI Task Force may provide funds to law enforcement agencies within Missoula County to purchase equipment related to DUI enforcement (ex. portable Preliminary Breath Testing devices (PBTs), cameras, DVD players, monitors, etc.) and supplies needed for processing DUI arrests (ex. solution, mouthpieces, DVD's, video tapes, etc.).

**TIMELINE:** DUI-related processing supplies and DUI-related equipment will be purchased throughout the FY2010 contract year as needed. \$2,500 has been budgeted for this purpose. Additional funding may be authorized out of Special Project funds based upon availability of funds and Task Force support.

**METHOD: Fund overtime shifts for state probation & parole officers.**

The Missoula County DUI Task Force will provide the Department of Corrections - State Probation and Parole a \$5,000 contract to fund overtime shifts for Probation and Parole officers in Missoula County to conduct:

- ★ **Bar checks to identify felony DUI offenders** who may be consuming alcohol in violation of terms of probation or parole and **surveillance for over service of alcohol to persons who are not on probation or parole.**
- ★ **Random home visits and conduct breath testing of convicted felony DUI offenders** at their homes to ensure compliance with conditions of supervision that they not consume alcohol or operate motor vehicles without permission of the Probation Officer and in accordance with the law, that they have interlock devices on any vehicle being driven.

**The contract will be administered/monitored by the DUI Task Force Coordinator.**

**TIMELINE:** As scheduled by the Probation & Parole office throughout the FY2012 contract year.

**OBJECTIVE: SWIFT PROSECUTION OF DUI OFFENDERS.**

**PROBLEM: City & County prosecutors overburdened with DUI cases.**

Increased enforcement by local law enforcement agencies has resulted in an increase in arrests, which in turn have flooded the courts with an influx of DUI and related cases. Unfortunately, the Missoula City and County Attorney's offices are not equipped to handle that many cases. Proficient and successful prosecution of impaired driving offenses is imperative. Refusal to submit to breath testing complicates the prosecution of impaired driving cases as they deprive prosecutors of the ability to prove impairment through use of blood alcohol concentration evidence.

**STRATEGY: Employ a legal intern in the County Attorney's Office to exclusively prosecute DUI offenders.**

**METHOD:** The Missoula County DUI Task Force may provide monetary support for the cost of hiring a legal intern in the County Attorney's Office to exclusively prosecute DUI cases. This intern will develop expertise to handle the most complex misdemeanor DUI cases and will be able to assist and train other interns in such prosecutions. The hiring of an intern for these purposes will permit deputy county attorneys to spend more time on felony DUI prosecutions.

**TIMELINE:** Throughout the FY2012 contract year and, upon request and availability of Special Project funds and Task Force support.

**STRATEGY: Prepare transcripts of expert witnesses who testify in DUI and DUI-related cases to share with other prosecution entities to aid in trial preparation.**

**METHOD:** The Missoula County DUI Task Force may provide monetary support for the cost of expert witness transcript preparation, which will aid other prosecution entities with trial preparation and limit the scope of defense experts' opinions to those which are consistent with previous testimony.

**TIMELINE:** Throughout the FY2012 contract year.

**STRATEGY: DUI-specific training for prosecutors, judges, law enforcement & others.**

**METHOD:** The Missoula County DUI Task Force will provide monetary support for DUI-specific training regarding law issues, DUI detection and enforcement such as Drug Recognition Expert (**DRE**) & Advanced Roadside Impaired Driving Enforcement (**ARIDE**), and effective prosecution of DUI and Per Se offenses. **Utilization of technical assistance and training provided by Erin Inman, Montana Traffic Safety Resource Prosecutor (TSRP), a contractor with the Montana Department of Transportation, will be supported.** Erin conducts training with law enforcement, prosecutors and judges and provides technical assistance on a variety of issues related to alcohol and drug impaired driving, such as how to proceed in cases where there was a BAC test refusal. **The Missoula County DUI Task Force has offered to host one of Erin's trainings - "Lethal Weapon" - here in Missoula during fall 2012.**

**TIMELINE:** As soon as a training opportunity arises that meets the needs of the identified participants and coincides with their availability to attend during the FY2012 contract year.

**STRATEGY: Implement & support visual trial technology.**

**Fund equipment to implement/support visual trial programs.**

The Missoula County DUI Task Force will provide monetary support to the Missoula City and County Attorney's Offices for the purchase of supplies and equipment needed to conduct visual trails (**taking into account proportionality - percent of use for DUI-related trials**). Invoices for preauthorized supplies

and equipment to conduct visual trails will be submitted to the Missoula City-County Health Department for payment out of the DUI Task Force budget.

**TIMELINE:** Upon request, availability of Special Project funds and Task Force support.

### III. EDUCATION/AWARENESS/OTHER INTERVENTION

**OBJECTIVE:** Reduce incidence of alcohol-impaired driving.

**STRATEGY: Age-appropriate transportation alternatives** (for Persons 21 Years of Age and Older). The hospitality industry provides a large outlet for alcohol consumption. Fortunately, there are responsible and reasonable methods to enjoy what they offer. **Safe Ride Programs** are important and necessary for the hospitality industry and its customers. These alternative methods of transportation provide people who have consumed alcohol with safe rides home. Non-participants who are exposed to the program promotion and see others participate may be motivated to make more of an effort to not drive after drinking.

**METHOD: Support alternative transportation.**

The Missoula County DUI Task Force will provide **promotional support** (program will receive mention during the 24 RASS trainings scheduled for SFY2012) and **monetary support** (upon request and availability of funds) for alternative transportation programs for impaired tavern patrons such as **Home Safe Missoula** - a nonprofit organization that contracts with Yellow Cab Inc. to provide free taxi rides home from participating bars that subscribe to the safe ride service. At this time, Home Safe Missoula is operating in the black and is not requesting a donation from the DUI Task Force. If their financial situation changes, they may submit a funding request to the DUI Task Force for Special Project funds.

**TIMELINE:** Upon request, availability of Special Project funds and Task Force support.



**METHOD: Administer a Designated Driver Program.**

The Missoula County DUI Task Force will continue to administer a **county-wide** designated driver program **and provide monetary support** for promotional materials (napkins, buttons, incentives, etc.) and publicity (banners, posters, radio and TV ads, etc.). Currently there are 15 bars that participate in the DD program. The DUI Task Force will work to double the number of participating establishments by the end of SFY2012 to 30.

**The Designated Driver Program is a project of the Public Information & Education (PI&E) Committee of the DUI Task Force with members Jeff Haley and Lonie Hutchison taking the lead to distribute program materials and collect the DD wristbands from participating establishments for the monthly drawing for two \$100 gas cards donated by Noon's Petroleum.**

**Revenue generated from the RASS trainings will be used for** class materials, refreshments for class participants (coffee, tea, juice, water, doughnuts and cookies), postage for mailing course certificates and training announcements; certificates and refreshments for the annual Merchant Recognition Reception in February; & **Designated Driver Program materials and promotion. The Missoula DUI Task Force may charge up to \$20 per participant during SFY2012. Estimated RASS revenue for SFY2012: \$5,000.**

**TIMELINE:**

- Information about the DD program will be distributed at the 24 RASS classes scheduled for SFY2012 sponsored by the Missoula County DUI Task Force to recruit more establishments to participate.
- The DD program will be promoted via Facebook, the Missoula County website - DUI Task Force page, a large ad on the back of a Mountain Line bus, and an ad on a Mountain Line bus stop bench.
- Radio and TV PSA's promoting designated drivers will be aired in conjunction with high alcohol use holidays such as St. Patrick's Day and New Year's Eve.
- Recruitment of program sponsors to help pay for radio and TV ads + incentives for the monthly drawings will be ongoing throughout SFY2012.
- Recruitment of DD program member establishments will be ongoing throughout SFY2012 to include:
  - ★ DD program info being included in a mass mailing to Missoula County licensed establishments in July when the RASS training schedule for SFY2012 is ready for distribution
  - ★ DD program info being included each time RASS certificates of completion are mailed

**STRATEGY: Promote policies & practices that prevent underage drinking and over-service to persons 21 and older.** Over service of alcohol has emerged as a state priority and has been added as a new strategy of the "Alcohol- and Drug-Impaired Driving Crashes" Emphasis Area of the Montana Comprehensive Highway Safety Plan.

**METHOD: Increase merchant education in Responsible Alcohol Sales & Service (RASS)**  
**The Missoula County DUI Task Coordinator will instruct a minimum of 24 RASS trainings during SFY2012** primarily using the Montana Department of Revenue's "Let's Control It" RASS curriculum (updated 1/1/2011) and, upon request, the TIPS (Training for Intervention Procedures) course for licensed establishments in Missoula County.

- ★ Both courses include a segment on spotting fake ID's and carding practices facilitated by a local law enforcement officer.
- ★ Both courses encourage written responsible alcohol sales and service policies that discourage over-consumption, designated driver and alternative transportation options, and display of educational information to discourage impaired driving.
- ★ The Missoula Police Department will continue to support RASS training by scheduling an officer to instruct the segment on proper carding procedures, acceptable forms of ID, and how to spot fake IDs.
- ★ ZIP Beverage and Summit Beverage will continue to support the training by donating Drivers License Guides that show all valid driver's license formats issued by each U.S. state and Canadian province, as well as those issued by U.S. and Canadian territories. The books cost the Distributors \$4 each.

**TIMELINE:** Monthly - minimum of 24 classes per year (2 classes per month). A 12-month class schedule will be created and mailed to Missoula County businesses to provide them sufficient time to schedule their employees.

**METHOD: Merchant Recognition.** The Missoula County DUI Task Force will organize and host the **3<sup>rd</sup> annual merchant recognition reception** to publicly acknowledge those licensed establishments in Missoula County that actively participate in RASS training, the Missoula Designated Driver program, and/or the Home Safe Missoula program.

- ★ Certificates of Recognition will be awarded at the reception by the Missoula County Commissioners
- ★ A Joint Proclamation signed by the Mayor & County Commissioners designating the day of the event as Merchant Recognition Day
- ★ A newspaper ad will be purchased listing the businesses that receive recognition at the event.

**TIMELINE: February 2012** in conjunction with Valentine's Day (Theme: We love our responsible merchants)

**STRATEGY: Support comprehensive year-round public information & education campaign to enhance general deterrence by increasing knowledge and awareness, changing attitudes & modifying behavior.**

**METHOD: Contract with an advertising agency to determine:**

- Target audience
- Most effective message
- Most effective means of delivering the message based on our budget

**TIMELINE: Summer 2011.**

**STRATEGY: Support/sponsor PI&E activities and programs:**

- **Public educational presentations** such as:
  - ★ **"Your Choice" Program** (DUI crash reenactment) in May. **"Your Choice"** is a non-profit community project with a significant number of sponsors for the annual event including the Missoula County DUI Task Force. High school students from all of the high schools in Missoula County are bussed to the crash reenactment site.
  - ★ **"The Empty Dinner Party"** (November & December). **"The Empty Dinner Party"** is a holiday centered awareness campaign that considers the grief and heartache for families who have lost family members and loved ones in alcohol-related traffic crashes who will be missing from the holiday dinner table.
  - ★ **"Fatal Vision Program"** (DUI goggles) used at **Classroom traffic safety presentations & health & safety fairs** (with appropriate emphasis on preventing underage drinking and impaired driving).
  - ★ **"Swimming Upstream Awards"** The Missoula County DUI Task Force will present their **"Swimming Upstream Award"** to individuals, businesses, agencies, etc. that have made noteworthy contributions to reducing sales to minors, over service of alcohol, reducing impaired driving, etc. The awards will be presented at DUI Task Force meetings as recipients are identified throughout the year.
  - ★ **High visibility messages (paid, earned and donated media)** such as seasonal billboards, media events (live radio remotes) scheduled in conjunction with National Mobilization Campaigns to reduce impaired driving.

**TIMELINE:** Activities will be planned and coordinated by the DUI Task Force Public Information & Education Committee throughout the SFY2012 contract year with emphasis on the heavily traveled holidays of Christmas/New Year, Memorial Day, Independence Day and Labor Day. The Task Force will also focus on other high-risk times throughout the year such as homecoming, spring break, prom and graduation, St. Patrick's Day, Halloween, etc. to the degree that funds are available.

**PROBLEM: RECIDIVISM**

**STRATEGY: Dissuade convicted DUI offenders from driving impaired in the future.**

**METHOD: Support treatment and rehabilitation programs.** The Missoula County DUI Task Force may provide Special Project Funds to support the **Missoula Co-Occurring Treatment Court, DUI Treatment Courts**, and other treatment programs in Missoula County that target convicted DUI offenders. **Note: DUI Task Forces have been cautioned about providing funds to purchase participant manuals for the new Prime for Life curriculum being used statewide by the ACT Programs. Administrative Rules require the program be self supporting.**

**TIMELINE:** Upon request, availability of Special Project funds and Task Force support.

#### **IV. Evaluation**

Outcomes to the strategies described in this plan will be closely monitored. Due to limited resources, we recognize that it is not possible to conduct a sophisticated evaluation on all aspects of this plan. Instead, we will get specific about particular projects such as the focus on safe ride alternatives, sales to minors, and responsible alcohol sales/service training. To measure progress, we will look at trend data for the following measures:

- Alcohol-related crashes, injuries and fatalities (all ages) in Missoula County during SFY2011.
- Percent of drinking drivers ages 15-19, involved in fatal or injury crashes in Missoula County during SFY2011 (NHTSA suggests the 15 to 19 age group to better target the analysis).
- Number of DUI arrests made during SFY2011.
- Number of citations issued for over service of alcohol and reported to Dept. of Revenue.
- Results of alcohol compliance checks.
- Double the number of licensed establishments that send employees to RASS training from 65 to 120 by the end of SFY2011.
- Double the number of participants (cashiers, bartenders, servers, door staff) who complete RASS training in Missoula County from 267 during SFY2010 to 534 during SFY2011.
- Number of licensed establishments that participate in the Missoula Designated Driver Program during SFY2011.

Missoula County DUI Program Plan  
July 1, 2011 – June 30, 2012

**SFY2012**

<b>Administration/Coordination/Accounting Services</b>	\$41,000	<b>\$41,000</b>
<b>Enforcement</b>		<b>\$26,500</b>
Probation & Parole	5,000	
Highway Patrol	5,000	
Police Department	5,000	
Sheriff's Department	5,000	
DUI Processing Supplies & Equipment *Additional Special Project Funds in the amount of \$1,600 will receive priority consideration by the DUI Task Force later in the year to meet the anticipated total cost for DUI processing supplies & equipment of \$4,100.	2,500	
City Attorney	2,000	
County Attorney *Additional Special Project Funds in the amount of \$15,000 will be considered by the Task Force later in the year to support a legal intern in the County Attorney's Office to exclusively prosecute DUI cases.	2,000	
<b>Education &amp; Awareness</b>		<b>\$26,500</b>
MUSAP (Missoula Underage Substance Abuse Prevention) support for impaired driving prevention activities.	5,000	
PI&E (Public Information & Education)		
▪ Contract with ad agency	5,500	
▪ Holiday PSAs (radio & TV spots) – Memorial Day, Fourth of July, Labor Day, Halloween, December Mobilization/Empty Dinner Party, St. Patrick's Day	10,000	
▪ Live Radio Remotes (Labor Day & December Mobilization/Empty Dinner Party	2,000	
Responsible Alcohol Sales/Service (RASS) Training - minimum 24 classes		
▪ Refreshments for class participants	500	
▪ Power Point Projector	500	
▪ Printing class materials	200	
▪ Postage & envelopes for mailing course certificates & training announcements	300	
Annual Merchant Recognition Reception – Refreshments	300	
Certificates, invitations, postage	200	
Quarterly DUI Task Force Meetings (includes December Mobilization/Empty Dinner Party in December) - <b>Lunches</b>	2,000	
<b>Safe Ride Programs</b>		<b>\$ 6,000</b>
Missoula County Designated Driver Program materials, postage & promotion	5,000	
Home Safe Missoula (taxi service for bar patrons)	1,000	
<b>Intervention &amp; Support</b>	-0-	-0-
<b>Anticipated Revenue:</b>		
Driver's License Reinstatement Fees (Estimated)	\$95,000	
RASS Training Fees (Estimated)	5,000	
<b>Total</b>	<b>\$100,000</b>	<b>\$100,000</b>

**\*SPECIAL PROJECTS FUND**

Unspent balances remaining in DUI Task Force contracts at the end of each fiscal year as well as any other unspent DUI Task Force funding allocations will be placed in a fund to support special impaired driving prevention projects. Requests for Special Project Fund allocations will be considered by DUI Task Force members as they arise throughout each fiscal year.