**Transcript**

January 15, 2025, 3:02PM

 **Harding, Ed H (KYTC)** started transcription

 **Warfel, Robert (KYTC)** 0:03
I manage also the phlebotomy program right now as well.
I'm a coordinator for it so.

 **KYTC C118** 0:13
Well, major round calmly on with us.

 **Major Ryan Conley (FBI TFO)** 0:18
Ryan commented with the Ashland, KY, Police Department. Hey, rob.
And I'm I'm probably the newest member.
So glad to be here.

 **KYTC C118** 0:28
I appreciate you. Thank you, Sir.
I know we have Brad Franklin's on here.

 **Franklin, Brad B (KYTC)** 0:35
Yeah. Brad Franklin, executive assistant in the Kentucky office of Hwy. Safety.

 **KYTC C118** 0:42
We have our consistent director, Ryan Fisher.

 **Fisher, Ryan R (KYTC)** 0:47
Hey, good morning, Ryan Fisher.
I'm with the Kentucky office of Hwy. Safety.

 **KYTC C118** 0:52
And then we have Jetblue's from Aurelio.

 **Liles, Jeff (KYTC)** 0:57
Couple hours earlier, Western region.

 **KYTC C118** 1:03
I'm at McCoy Co, chair of the Impaired Driving Task force.
Worked a lot with the drug side.
Work with Rob and the Drea ride section.
Part of that oversee the.
The kind of the overall, the phlebotomy program as well as the oral fluid program that we're getting ready to start. And then Tiffany, who is now our Co chair kind of overseas, the alcohol side of the impaired driving so.
We'll just let Tiffany go and then we'll just kind of go around the room.
Yeah. So that's who I am, Tiffany, evolve with the county office at and as you said.
Part of the task force since it's beginning and focus on alcohol, impair driving.
Roy, Don.
I'm the law enforcement liaison for Northern Kentucky.
Jenny Reid on the Traffic Safety resource prosecutor for Kentucky.
Alex oddie. I'm the regional executive director of Mother's instruct driving.
Brenden Steiner for Clegg state police forensic labs.
I'm the supervisor over the toxicology section.
Travis Tunnel on the assistant director of enforcement for Kentucky Alcoholics Beverage Control.
Bill Bell, executive director of the office of Hwy. Safety.
I'm Chris.
Well, I'm the lead on the eastern parts.
Ed Harding, the traffic coordinator for Thomson Iverson P.
Thanks Dean.
Thanks Dean.
Branch Branch manager, also highway safety Marla Marsh Tilney office, was probably safety.
I'm Brandy Crafton with the Kentucky office of Hwy. Safety and educational Branch Jones mounted some of the program coordinator with the Office of Ohio Safety Health Store on the ignition interlock coordinator and I'll also do some more grants for the central region of Kentucky.
Thank you all.
We have a sheet here just as mainly for the food and stuff that we're gonna have brought in, if you wouldn't mind to sign that.
Oh, we have another guest on here. Judge Hassel, if you'd like to introduce yourself. Please, Sir.

 **Robby Hassell (Guest)** 3:07
Good morning, folks.
I'm rehasala speaking, judge here in Greensboro, NC, and I'm currently serving as the ABA Judicial Division's regional Judicial outreach liaison.
I'm pleased to join you once again. Thanks.

 **KYTC C118** 3:19
Sure, I know.
A lot of us know each other, and here it's just kind of a nice to kind of go around for those who don't know who we are.
Just one quick thing before we get started with kind of our agenda.
Just need to.
I don't know if everybody's had an opportunity or not to kind of look at the the notes and stuff from the last meeting.
Those we basically do everything and record it now through teams.
So we actually have a video on our impaired driving task force.
Site it will have those notes.
Which kind of I guess from the video will kind of dictate themselves or whatever.
So we kind of produce those out there, let everybody kind of look at what we've done from the last meeting. But I would like to go ahead if anyone would just make a motion to approve those minutes from the from the last meeting motion.
2nd Thank you all. All righty.
For the most part, we wanted to kind of start off the year as quickly as we could with impaired driving testimony.
Just kind of.
We have a lot of stuff going on.
A lot of new stuff. Medical marijuana is now here. Jenny and Bill and everybody have been kind of.
Involved in the body wanting to put a bill through with per say on it now which is, you know, one of those things that it it's going to take a a little time to really kind of get things lined out and see where we're at as far as.
How this is going to be structured for the state of Kentucky? I know that's kind of something to do.
And I just kind of want to roll into some of the things that we're getting ready to start just like our.
The oral swab pilot. We're getting ready to do through so toxa.
So toxa or the Rudesa handheld devices, we actually have a couple of those ordered.
I don't know, Rob.
Do you know when those will be in?

 **Warfel, Robert (KYTC)** 5:10
I think they're in.

 **KYTC C118** 5:10
Or do you talk?

 **Warfel, Robert (KYTC)** 5:11
I I think they're down there in the in the storage room.

 **KYTC C118** 5:11
Are they in them?

 **Warfel, Robert (KYTC)** 5:14
I think they delivered them.
About a week ago.

 **KYTC C118** 5:17
Bye bye. All right.
I was down in the storage room this morning and there's two huge boxes. OK, there's probably batteries on it sitting in the middle. So we're ready to go ahead and get those distributed to the first.

 **Warfel, Robert (KYTC)** 5:23
Yeah.

 **KYTC C118** 5:29
I think there's 5 units for now. We're going to get those out to our agencies to go get them started, get them rolling, then the process is each of the Kentucky State Police post will get two of the units as well.
So those will be our next thing to order to get those out these basically.
Are just another tool in the tool belt.
For them it works like a Pvt. for drugs. It it'll find it'll it's a six, six panel, 6 categories of drugs.
They can swab Rd. stock when impairment is noticeable, but there is no alcohol on board and they have suspected you know this will be in the hands of an actual a right officer.
One who is trying to above and beyond to kind of notice what's going on on the drug side, drug impairment side.
So the officer would then administer the swab within 5 minutes.
It will tell you what category of drug they're on.
It will not tell you the amount these all have.
Certain amounts that have to be met though before it registers, but it will. It reads cannabis through a number of other different different categories.
You know, so.
Basically that gives them probable cause, just like it does with the PBT. Probable cause to get the blood draw and to make DRS from there so.
We're hoping to get some data from this pilot as soon as we can, so we want to get those first five units pushed out as quick as we can.
We'll come of the larger agencies to be clear, you said there's 5 units going out to local agencies on every post. Gets to every post weather getting to yes, Sir.
Also kind of rolling in with that, we've gotten our phlebotomy program started as a law enforcement officer for blotting program. Jenny's been really instrumental in her and Rob and that we got four officers through the first class.
We have a new class starting on January 20th news class starting on January 20th.
We have six officers in that currently. I just spoke with actually Kim Clare yesterday at Erlanger, she said.
Megan has done 9 withdrawals so far.
It's went over really well up there.
I don't know, Brandon.
Have you seen any of that come through from the officer doing drawing of blood in center field lab or not that I flagged, just wondered about that?
I was wondering if there's a way that we could flag that that way you can kind of get an idea of what you're going to start seeing out of that.
Maybe so.
We'll talk about that a little later, but it would be good to know know, and I think she told me that.
Independence had maybe five or six blood draws so far.
Through that so.

 **Warfel, Robert (KYTC)** 8:15
Think, man, I I think we've had a total of like 12 just off the top of my head that's across the state with the majority of them being done in Northern Kentucky. And I understand that class didn't even start until really they weren't finished with everything till August.

 **KYTC C118** 8:20
Yeah.
Hold on.
My job.
Right.

 **Warfel, Robert (KYTC)** 8:36
24 so.
And it being new, they're really doing a good job.
I would say of trying to get the word out locally to the agencies around them so they get used.
Megan rile, who is also Adre, has done a phenomenal job of that up in Northern Kentucky.

 **KYTC C118** 8:56
Yeah, I know that from everything I've heard so far, there's a whole lot of interest out in Northern Kentucky for sure about this, because that was one of the areas we were having issues with the hospital actually doing blood draws for the officers.
They would refuse at times.
So now basically it gives them a safe place.
The suspect stays in custody of the law enforcement. Basically the whole time until the blood draws done so.
Is there something in place?
Wait a minute. Like when?
When the when a draw is done and goes through the court process.
The the data the results come back here so we can track the that those expression hearings or anything like that.
Is there something in place to track all that well?
These are those are things that we were going to start. You know what?
We were kind of talking to Brandon about those are things like once they do the blood draw and it goes to the lab, we would like to be able to flag that that way we know what we collected data on that.
So that's probably something we need to kinda come up with and discuss.
As far as a way of of tracking how this goes.
Troy, I think, Rob, I'm sorry.
I think, Rob.

 **Warfel, Robert (KYTC)** 10:00
Oh, that's fine.

 **KYTC C118** 10:02
And dealing with like Dre.
Sorry. Yeah, he'll get a report.

 **Warfel, Robert (KYTC)** 10:05
Yeah, they're doing.
They're doing a blood draw report that they send to me when they do one and then when they get the the results back from the lab, which.
Honestly, it's not haven't gotten any yet as far as the tox reports to go with that, simply because it's just not.

 **KYTC C118** 10:23
Yep.

 **Warfel, Robert (KYTC)** 10:26
It's too early in the game for that.
They haven't gotten them back yet.
So they will follow up with that then.

 **KYTC C118** 10:35
Right.
And those are the kind of things that we want to correlate with this as well as when we start doing this roadside, the oral swabs because we want to be able to use the data that they found roadside with the blood draw and kind of tie all that.
Together so that we can kind of see how this is actually impacting where we're at with the with the drug. So we can actually start getting our numbers correct.
I mean, so for the longest time.
Most every DUI was considered basically an alcohol DUI mean even if it had drugs on board.
So now we are starting to see that split, especially with.
You know, on citations what the officers are now being able to say, if it was a drug that you are wearing alcohol we got and then I know a lot of that still.
Accuracy is not.
You know, much of the time of alcohol spent on board.
1st, that's what they go with. What we're trying to teach officers to go above and beyond that episode.
Hopefully we can get some, get some better data on that, especially with, you know, the way we're training now.
And in the country with, you know, just legalization of certain certain drugs.
If you want, go ahead and give us a short feed report if you'd like to.

 **Warfel, Robert (KYTC)** 11:49
Sure.
Believe Tiffany shared the the Ari schedule with everybody.
So you kinda see you have an idea.
We're pretty busy, but that doesn't really.
That isn't really even a full schedule of what we're doing, actually. Part of the reason why I'm not there is we're doing an sfst instructor class.
I'm in Madisonville at the Madisonville Police Training Complex and we're doing all of the DOCJT instructors that are going to be assigned to the Academy down here as well as.
Some from Richmond, I think I have 13 students in the class and they're all majority of them are DOCJT instructors.
The rest are Fish and Wildlife and Bowling Green have a couple instructors in there as well.
And then next week will be or. I'm sorry, the following week will be in Northern Kentucky and doing an sfst refresher for Boone County.
Lawrence and some other Northern Kentucky agencies, we have two of those scheduled up there and then.
We we also are doing continuing our training relationship with Bowling Green's Police Academy.
Owensboro's Police Academy and we've kind of picked up and are helping out lmpd at their Academy and and we do basic sfst classes for their recruit classes.
So we have a lot of that going on and then we have some other a rods that are on the books that are agencies specifically specific.
One in Lexington, one in Louisville and three for the Kentucky State Police.
So and unfortunately, we had to cancel one that I had booked with Ryan over at his PD happened when the weather hit there.
So that's the first time I think we've ever had to cancel an A ride.
We I we had to cancel the whole schedule obviously during COVID, but this is the first time weather really impacted one of our classes so.
Hopefully we'll get back over there.
I enjoy going to Ashland so.
We'll try and get another class scheduled over there. Ryan promise.

 **KYTC C118** 14:03
Thanks Rob and.

 **Warfel, Robert (KYTC)** 14:03
That's kind of where we're at with those with that training. And again we try and stay active with the things that are going on legislatively. I know the big the big thing right now is this per say that's been brought up.
We've met with Bill and Tiffany and Alex about this and Jenny and and hopefully we can.
Have a good outcome of that with.
I'll leave it at that so.

 **KYTC C118** 14:32
Thanks, rob. And I know we just graduated the new Dre class that finished up.

 **Warfel, Robert (KYTC)** 14:36
Yeah, we in December of this year we graduated.
We have 12 new dress to add to our roster, so.

 **KYTC C118** 14:45
We, our new assistant coordinator Brian Carter, has gotten through everything now. So Brian is trying to get up to speed with Rob, help rob out there.

 **Warfel, Robert (KYTC)** 14:56
Brian is.
Brian is actually a student in the Sfst instructor class too, and I think he's tired of being a student.
He's ready to help out in other ways, so once he's done with this, he'll he'll be done being a student for a while.

 **KYTC C118** 15:12
To do here I mean, so much of this stuff.
Rob has helped grow this Rob Richardson. When we started this program and it just kind of exploded as you can see now we have taken basically all the curriculums that fell underneath us through IACP.
Now we are have our hand in just about every one of the academies with helping them, instructing them on how to do standard build sobriety testing as well as our a ride and all that and they it kind of.
Has always fell on our but until we have revamped some things and they've taken off with it, they have really changed the way we communicate with all the all of the academies kind of community, take a little bit. But I think the relationships now are a lot better.
Now than they have ever been the Academy.
I think a lot of that has to do with just the the help and the knowledge and everything and the people they have in place now so.
It's a great, great thing, especially for our students.
It's kind of moving through the agenda pretty we don't know.
We got a couple ones at the end of them, but I have some some things that they would like to update us on.
One is a pretty exciting thing that has been doing with them through a grant. I was going to see if Tiffany, if you had anything you wanted to cover.
Well, I was wanted to touch base with Jenny to see if you have.
I know we talked about per SE this past week and that build.
Have you?
Have you heard of anything else?
Related that we should be aware of or.
Or is there anything else you would like to talk about?
Well, and Alan, I see you're on here. If you wanna jump in as well.
So there is a meeting.
With representative.
Whitaker. Oh my goodness.
Whitaker, on the 21st was Doctor Greg Davis, a forensic pathologist that testifies as an expert witness that was set up by the Kentucky County Attorney's Association.
So we have just to talk about what that presumption letter for means.
What 5 mgs talk more about the science and answer any questions that the representative may have.
That's great.
Alan, do you have anything?
To.

 **Alan George** 17:45
The main thing we hope to accomplish is to talking down from 5 to 3 nanograms to eliminate the reverse presumption.
And we'll need Doctor Davis to help in those regards.

 **KYTC C118** 18:01
Based on a conversation last Monday, he said he was getting the feeling he wasn't going to push it, so we feel good about that.

 **Alan George** 18:01
Yeah.

 **KYTC C118** 18:09
Agreed. And that's always a good.

 **Alan George** 18:09
Yeah. The last thing we want, the last thing we want is a reverse presumption.
I mean, and we tried to explain that, yes, there's a reverse presumption for alcohol, but alcohol's illegal commodity. Marijuana is still a controlled substance.
So there shouldn't be a reverse presumption in that and.
And to the science doesn't support it.
So again, a lot will depend on how persuasive Dr. Davis can be.
And he is typically a very good in those circumstances.
Just so we'll see.

 **Robby Hassell (Guest)** 18:46
And if I could just jump in here.

 **KYTC C118** 18:47
Yeah.

 **Robby Hassell (Guest)** 18:50
Matt, the your, your state, Jol.
Judge McCartney, I'm not sure he's on the call, but he sampled RJ OL crew about a week or so ago.
And the first service that your legislature is considering.
The per SE laws and and we a number of us suggested in addition to your pathologist and other scientists as Alan is alluded and I say this not just as a judge but as a son of a pathologist.
That that it's in in our programs now have incorporated regional toxicologists, much like the idea for for the resource prosecutors like Jenny is doing and and the jols like just Cardi and myself. And I know that that they are are more than willing to enter the conversation and.
Provide some resources and support for the materials.

 **KYTC C118** 19:42
No.

 **Robby Hassell (Guest)** 19:43
On the issue of the per SE considerations or not?

 **Alan George** 19:48
We we really don't know in this short session if we're going to be able to get anywhere with it. But what we don't want to happen is something passed with too high A level and with the reverse presumption so.

 **KYTC C118** 20:00
Yeah.

 **Alan George** 20:01
Again, our our goal is to get that lowered and to get out to reverse presumption.
If we can't get it passed this session, I hope to get it passed in the next year.

 **KYTC C118** 20:15
For the last probably five years, just from what I see on my end, we average about 7 to 8 nanograms.
That's the average. So if you get it the five or three, you're going to probably cut it. A lot of these.
It's. I guess when you get your 5 to 7 milligrams blood draw, it could be an hour or so even after they have flash news, which I mean that means like when they were actually using, they were really high compared to even 7 to 19 grams pretty high.
So.

 **Alan George** 20:55
The the advent of medicinal cannabis, too is is gonna have to be addressed in terms of like will it be treated for those who have a.
Who who are prescribed and allowed to have marijuana, do we treat that like other medications where we simply have to go forward as we do now with just driving under the influence of a substance and we would need to bring in an expert to test about testify about.
The impairing effect of that drug.
We'd have to do the same for marijuana if they if they are legally allowed to have it.

 **KYTC C118** 21:43
It's a lot.
It's a lot.
A couple other legislative things that are on the horizon, not related per southeast.
There's a bill with Bill drafters right now to align the strikes for BUINDUI.
Super excited about that personally, but.
There's also some movement on ignition interlock, which Tiffany and Kyle and I need to talk before the end of this week.
They have called a meeting with me on Thursday.
And I yeah. So we will talk before the end of the week.
I have no details at the moment, but.
Something's happening.

 **Alan George** 22:19
We we have met, we.

 **Robby Hassell (Guest)** 22:20
What sort of movement are you talking about?
Because we've reconstituted our working group of our impaired driving task force here in North Carolina.
Tweaking our potential modifications of our structure for initial occupies, so I'd be very interested in what you folks are looking at that that I can take to that when we meet next week.

 **KYTC C118** 22:43
Absolutely. So at this moment, I don't know.
This is a a ongoing conversation between Tiffany and I, but the ignition interlock people had reached out yesterday and we'll be meeting with me tomorrow.
So whatever I kind of get from that will of course come back to to Tiffany and and this group.

 **Alan George** 23:01
Our board has already met with that group and we have some issues with what's being proposed and we've addressed that to them.
One of the main things I don't like is that they want to make it mandatory.
I'm fine with some of these people not driving.
But they want to make it mandatory that you have to get an ignition interlock.
I just assume they go six months suspended without driving period, but.
And there are some other issues with their proposal.
And we are working on that.
We are working on some other things on the DUI law.
For example, to get fentanyl added as a per SE drug, at the very least, fentanyl and some others at the labs seeking to have added. But there are some other issues we want to clarify what driving on a suspended license.

 **KYTC C118** 23:51
Thank you.

 **Alan George** 23:53
A license suspended due to DUI is and it too could be an aggravating factor.
So there's a lot going on and we're going to have to choose.
And association what we prioritize and and frankly, that's probably the marijuana per say and get and hope to get what we can but maybe get nothing. But what we don't want to do is get anything bad so.
Yeah, there will be a lot going on this session with DUI and there won't be a lot of time to try to accomplish it though.

 **KYTC C118** 24:24
Hey, Alan, what about?

 **Robby Hassell (Guest)** 24:24
Again, Alan.

 **KYTC C118** 24:28
Oh, I was just gonna ask about the implied consent mess. Is that gonna be?

 **Alan George** 24:32
Yes, and we do need.
Yes. And we don't know who's going to champion that.
No one has stepped forward yet on that.

 **KYTC C118** 24:39
OK.

 **Alan George** 24:41
And we do need to get that push through.
That should be an easy change to have that language comport with the McCarty decision. So.
But I don't know.
They're they're coming forward on ignition, interlock on marijuana, but they're not coming forward on that.
We do need to get someone to submit that.

 **Robby Hassell (Guest)** 25:07
Definitely. Are you talking about changing the implied consent for blood draws or for PB, TS or for oral fluids or or what are they contemplating?

 **Alan George** 25:18
Language conflicts with the McCarty decision.
We just need to get it to comport with that, yeah.

 **Robby Hassell (Guest)** 25:21
Alright, I'm I'm aware of that. Yes. OK. OK.

 **KYTC C118** 25:26
Alan, if you don't care to send me an e-mail on what we need a champion for, I think I might have one.
Chad, all out of Lexington, his wife and child were hit by a drunk driver many years ago.
So he has partnered closely with me and kind of the the notion of whatever we need done just give him a call. So we may have a person if we need one.

 **Alan George** 25:47
Jenny, you're there, right?

 **KYTC C118** 25:49
Yes, Sir.

 **Alan George** 25:50
Did you send an e-mail? I think.
Some time ago to our association, I might just dig that out.
Or if you just forward that, I think that would serve the purpose.
Do you remember that e-mail you sent?

 **KYTC C118** 26:10
I do.
I do.
I'm just trying to think when I sent it so I can retrieve it easily, but I'll I'll make a note to do that.

 **Alan George** 26:16
I'll look for it.
I'll I'll look for it too, OK.

 **Robby Hassell (Guest)** 26:20
Again, Jenny and Alan not not to hijack the issue, but when you mentioned the ignition interlock tweaking they're thinking of with mandatory installation as a consideration is that for all offenders including.
Alcohol refuse tools or or non alcohol related or where the results have been suppressed.
Is that what they're looking at or?

 **Alan George** 26:41
I don't wanna bleed the two into one.
The lobbyists for the ignition interlock changes. Want the language to read that? You must if you're convicted of DUI, it's no longer in the event that you seek it.

 **Robby Hassell (Guest)** 26:54
OK.

 **Alan George** 26:55
What you have to do that you shall have an ignition interlock system installed, so that's that.

 **Robby Hassell (Guest)** 27:03
All offenders.

 **Alan George** 27:05
For all offenders, whether you want to drive or not, you got to get one.
And I understand them being lobbyists.
For that, for the ignition interlock device manufacturers that they they would want that but.
Yeah. So that that's that's a stand alone that they're working on.
That doesn't bleed into the implied consent concern we have.

 **KYTC C118** 27:52
Yours and do you have anything else to add on that?
Pretty good discussion there.
Well, I guess we'll, Alan can.
Sorry, Alan.

 **Alan George** 28:05
I'm sorry.

 **KYTC C118** 28:06
I don't suppose you've seen a draft yet on that?
It was.
Was it just a discussion on the?

 **Alan George** 28:12
Oh no, there's a draft.
There was a draft.

 **KYTC C118** 28:16
OK.
Well, we may have to reach out and see if we can get a copy of that.
Alex, do you want to go ahead and do the court monitoring results an update?
For those of you on the phone, we can e-mail a copy of the impact report to that's what we're passing around the room right now.
Half these out we have couple people that joined us.
No maiden Walker had a meeting and he's just coming back coming from that meeting.
So go ahead, introduce yourself.
I think everybody knows if I'm Eric Walker in the East Room, Major for Kentucky State Police and oversee Kentucky State Police highway safety initiatives.
Actually, I'm Brittany's back.
Brittany Owens is doing a great job.
She's really taking her take, taking the wheel with the other safety standards.
But make sure you judge.
The John McCarty Judicial outreach liaison.
Sorry I'm late.
I'm just logistics, getting from Western Kentucky here.
It's been a little bit difficult.
Traffic was bad.
Today we had another person in our office took her 50 minutes to get from Lawrenceburg this morning. So.
So I don't.
I had problems.
Just tracked this morning too, but they backed up on the bridge over here.
All right.
Well, I'll, I'll tell that to Mr. Ballinger. And we'll get that straight now.
There was like 5 dead people, three people that were hit on my brother, so that might have been it.
Alex, you're gonna put this to the one you emailed that I have.
I'll just go and forward it to them.
Awesome. Thank you.
So mother's gonna start driving has two programs funded by the City of Fire Safety.
One is our underage ranking and other drug use prevention program.
And with that, we have a program manager named Michelle.
She goes throughout the state and gives presentations to high schools, community groups, things like that for all parents.
So that's been really successful.
We're very grateful for the funding there.
Our other program is our court monitoring program.
So this program has two staff members.
One is Emily Eckler.
She is based in Berea.
And her background is with DOCJT.
Very familiar with being in a courtroom and and those type things are other court monitor who is based in Louisville is Katura Houston. And her background is with lmpd. So both women have incredible experience being in a courtroom and collecting this kind of data. The way this program.
Is looked at is we took the 2021 NITSA data, which was the most recent when we started this program to identify the top ten DUI fatality counties in the state.
We have really an opportunity to go by rate or by number.
Understands, but for this reason we went by number based on the fact that at the time in that 2021 data we have, for example, I'll pick on Lincoln County because that's where I'm from.
Lincoln County had a very high rate because it had two or three DUI crashes that year, but they have a very small population that would not constitute enough DUI counties, DUI cases for us to look at in the county throughout the year.
So we elected to go by number for that reason.
So the counties are split.
Between the two court monitors, Emily has Belle Fayette, Franklin, Laurel and Perry.
Katora has bullet, Henderson, Jefferson, Shelby and Warren.
So those 10 counties are listed at the top of the report.
So this report is based on our fiscal year 24 grant year. So October 1st of 2023 to September 30th of 2024.
I will place a caveat that Katura was not hired until.
About May the middle of that great year.
So we expect a lot more data to come out of the fiscal year 25 grant year, but we were excited to look at this data for a couple reasons.
We collected, of course.
Weekly they monitor 8 to 10 cases every single week they visit their assigned counties twice in person per month and then other than that they do data mining and they also collect data through visiting with the clerks and things like that. One thing that is important to note.
Is it has taken both of them?
Many months to build really solid relationship with court clerks. They were very.
Kind of standoffish when the ladies first went to collect this data, the court clerks were very questioning of why they were there, what they were trying to do and and so they explained the program many, many times.
And in the end, now they're invited to the court.
Clerk's weddings.
So we we built good relationships, which we're very thankful for, but it was important to us to build this impact report, which we will now be building quarterly to really monitor what we are trying to look at as a state, but also as a task Force One thing.
That we.
We're looking closely at as we collected this data was the number and percentage of cases that were monitored that refused BAC testing. So the way that they select these cases every week is they pull the dockets from each of their five counties. They highlight each DUI case and.
Then they put those numbers into Google Randomizer to select 10 numbers out of however many that there are.
The reason we do it that way is so that no judge can ever say we're picking on them, or no prosecutor can ever say we're picking on them.
Random which cases are monitored and for that reason we don't necessarily monitor cases which we are also providing victim services on purpose. If it's one of the randomly selected cases, that's fine, but we don't specifically go to monitor a case where we are also working closely with the.
Victim and detective.
So throughout this last year, there were 436 cases monitored.
100 and 2428% of those cases refused any kind of BAC testing.
117 or 27% of those cases were instances of DUI recidivism.
This doesn't mean that it was a second or third offense.
It means it was anything more than a first. So we do have more specific data on if a person had four or five or you know what we're looking at. But in terms of this 27%, it was just merely cases of recidivism.
You'll see.
We also have the demographic information listed in that chart in the middle.
The most common BAC range was .2 to .25.
You'll see that the number there is 22.
That's because there was such a wide range of BACS that were truly all over the map that out of 436 cases, the most common BAC was of 22 cases .2 to .25.
So there are many that were significantly higher than that and many that were lower than that, but that was really the most common that we saw.
The most common age range was 30 to 39 and this is something we talk about a lot in aligning our programs.
A lot of times we hear people talk about DUI as a 21 year old's problem.
So it's been interesting to us to see that the most common age range is 30.
The county with the most cases monitored was Fayette.
This is something that we will be working on into the next grant year, kind of how we want to rectify this in that you know there may be a week where Emily goes to pick cases for her five counties and Perry County only has two cases and F.
County has 100 and so we want to make sure that while she is monitoring 10 cases every week.
We know that Fayette and Jefferson are the most heavy right now, just with how many cases they have in comparison to more rural counties.
One thing that we have had not really decided up until this past week. In conversation with Tiffany and also conversation with the court monitors, is how long we wanted to maintain these 10 counties. We did not want these counties to change from grant year to grant year from.
The standpoint of it takes so long to build relationships, but also because we want a more complete.
Set in just 12 months of data from one county, so we have decided moving into our next grant year. We'd like to run the counties on really a three-year plan.
That doesn't necessarily mean that the counties will all change. Some of them may be the same, but it does mean that we will re evaluate what those top ten counties are every three years. We believe that that will give us enough time to build those relationships, but also enough.
Time to have a clear data set so that we can really walk away and say here's the trends here.
That we're seeing in this county the purpose of this program is we want to be able to say and come back to this group and to Kentucky Office, Highway safety if we have a county where every single DUI is getting flood down, we need to know that and.

 **Weaver Hawkins, Lori** 37:29
Yeah.

 **KYTC C118** 37:30
We need to know why.
To the same point if we have a county that does a really excellent job of withholding the original charge, we want to know that too.
And really to be aware of where our problem areas are, but also who's dealing with issues in terms of refusals or blood draws or things like that.
Like in cases in northern Chucky, where they're having trouble with hospitals drawing blood. Previously, before the phlebotomy program.
Those are things we really want to be aware of.
In addition, you'll see that the chart on the right has the disposition of all those cases. You'll notice that the black bar is ongoing cases, which means that those are cases that they had started monitoring during this great year. And we're not yet closed out.
A lot of that we're seeing is because cases are continuing to be continued for a long period.
Of time. Maybe move for many months later and so you'll see that many of these cases will continue to carry over.
Finally, one thing we wanted to look at was how many of these cases were drug related and what type of drugs.
One thing we continue to emphasize is that although alcohol is still the leading killer, we all know that Poly use is on the rise.
And so we do want to know what we're looking at in terms of what kind of drugs when we are seeing drugs, what communities we're seeing drugs in.
So that's another thing we we try very hard to track.
Like I said, this impact report is something we intend to put out quarterly if it is something that you're interested in. We are very proud of it and we'll be more than happy to share it.
We really just want to be able to communicate with our communities, with the Court personnel they're meeting with judges, prosecutors, anyone that they come in contact with, that there is real data that we're collecting more than just each case individually and holistically.
This is what it looks like.
These are the problems we're identifying.
So I'm happy to answer any questions about the program or about the impact report in general, if there are any things that you would like to see on the impact report, I would love to know that as well.
We were really looking at recidivism and refusal because those are things that are are consistently top of mind in our world.
But if there are things that you would like to see on the impact report, we have a ton of data that is being tracked that may not be represented here.
So if there's something that you all think would be more interesting and more helpful to the program.
Us is a task force to be paying attention to.
I would love to know that as well.
Thank you.
Have a question?
Yeah. Could you potentially answer there?
So the county's listed here, those are the top 10 counties correct by number of Duval.
Yes. So it came from Nitsa data.
We looked at number and we looked at rate.
The reason?
Then we decided to go with number was because those that had a high rate, one of which I'll pick on because from there was Lincoln County had a very high rate because they had a very bad crash in 2021, but they never would have had 10.
DUI cases a week for there to be enough to monitor, so that's why we decided to go with number. So then when you look potentially look at.
Selecting new counties there surely will be some sense that some of the same they made some shifting around or whatever, but especially near the bottom I'm guessing but same sort of selection process, right?
And that was I was talking to cotorra Houston actually about that yesterday.
And she was saying that of course, she anticipates that Jefferson and Warren will always be a part of her list. It, you know, it is what it is.
But she thinks that what she's seen in just the last couple months, bullet may not be one that's always on her list.
It just happened to be in 2021.
So those are definitely things that may change, but we anticipate Bay, you know, some of them are gonna say the same.
I'd like to have some in talking to sister agencies across the the country with alcohol beverage controls. Some of those states actually have a a block on the citation for a place of last drink in reference to a DUI arrest.
And those agencies are able to scrub that data and identify problem locations.
Bars, restaurants, whatever and they.
Your company.
I've been behind it with hey, just so you realize, the summer duis have come from your location.
They do it on education aspect of it. Just like hey, you need to tighten things up.
We already do source cases, so on the farms report, the fatal Analysis reporting system.
I can't.
I think as far as, but it just talks, I get a report every day from KSP that it says these are the fatalities and these are these are the ones that are involving alcohol. And so we try to do a source case single back to a licensed Prem.
If we can.
But that's based upon the information that the investigation officer obtains or interviews with family members, things like that.
Those are difficult cases for us to to to make, and even if we can't identify a source location, it makes it difficult to just because the way the KRS is written to to make that case administratively looking at just potentially fines or revocation of licenses, the police have.
Last drink has been a topic of conversation for a while.
And.
I've never really brought it up in in this kind of form, but that's a data point that I think would be interesting.
Is like, what is the source of this?
Are they?
Are they drinking?
Add license premises. Are they drinking at home?
A friend's house. More likely, I think it's going to be a license, for instance, but we don't have any way means of identifying those currently so.
Just just planning that. See today just in case that would be potentially something KSP would would entertain of putting that on the citation.
And you know, allowing that information to be scrubbed by us so that we could, you know, use that information to go back and educate and potentially just resource investigations on.
I don't know that that's something we would be able to have a data point on at this point if it's not currently listed on the citation, but one area that I can think this would be hugely beneficial is because you know, anecdotally I get all the time concer.
Citizens of this random gas station in northern, so you look at my 17 year old bibeer and blah blah blah.
But to even have that data point of OK, this is the area we know that allows underage kids to buy alcohol for to be a target market for underage drinking prevention program, I think could be really, really helpful data. Just just in working together for us to catch.
Target the awareness problem from different angles.
Sure. And and and I don't know how widely known this is, but we use investigative aids and are minors to do compliance checks. So they'll we'll have a couple of investigators teamed up with a minor and they'll go.
Attempt to purchase alcoholic beverages and we do that.
Based on complaints and just random checks just to keep people honest and so our folks across the state are doing that on a regular basis as is so.
So yeah, just getting that information as far as you know, what those complaints are and getting those put into our records management system that would be great.
So when I receive those complaints, that's something I can send to you.
Yes, ma'am. Perfect.
'Cause I got 2 this week. OK so I will send that to you for sure.
Are there other states that are doing this?
Yes, Sir.
New England area.
I know Vermont.
They they've kind of taken the lead, so we go to our national conferences.
Vermont has been kind of at the forefront for this and they continue expand their programs.
It was.
It was kind of a a struggle initially just to get the the place of last dream put on the citation and then it was, you know, getting access to the information or being able to to extract the data from the citation so that they can plot that on.
A map.
Not only the location of where the arrest was.
So how far did they make it from that that location?
So if they said it was Tony's Bar and Grill and then what was the the the arrest location?
So they were able to actually say how far they made it before they got arrested. And that helps with just showing that the level of inebriation, if they were so drunk that they only made it a mile or two, that that speaks volumes to how overserve they were.
So yeah, and and I I love data.
So I just think that would be a great tool for us to be able to use.
Moving forward.

 **Robby Hassell (Guest)** 45:52
But it sounds like the the source of that will almost always be the defendant themselves.
Like where else would you get that information?

 **KYTC C118** 46:06
Yes. And I think it's a part of, I think Vermont had made it a part of their breathalyzer process. So as they're going through reading in blank consent, the place of last drink was one of those questions they would ask. And it was like in Kentucky in the.
Upper right hand corner that that information was only.
Filled in in case of an arrest and just like ABAC block on the citation, you would only put that information in in that block if there was Abaco pain and so place of last drink would only be filled in if there were information to obtain.
Not every, I think. Vermont, the last time they presented it there, I can't remember what the percentage of of the violators refused to give the information.
But they they had a a a map that had quite a bit of data on. So they're getting information from the the violators during that process.
Would that be a separate?
Would refusing to say where they had their last drink be a separate data point then refusing testing? Not really.
OK. I think that's just a voluntary.
Question. It's not like you know what you're there's a there's a block on the citation. Ask for occupation and so.
Sometimes they would just say, well, I'm 1/2 \*\*\*\*\* mechanic and or they wouldn't say anything because they didn't want their employer's information to be on the citation. They thought that maybe somebody may look back to their employer and tell you your employee got arrested so somet.
That information wouldn't I get to a point where I was at KSPI wouldn't even ask the question because it was like it had no value to me.
Calling me a love is skeptical about some of this, but because two things.
One the DRAM shop act will will make places reluctant to to be identified as a place of last drink.
#2 is I never saw a person that came in my courtroom in over 20 years, had more than one or two drinks.
Well, there's that and that.

 **Robby Hassell (Guest)** 48:07
I only had a couple of beers.

 **KYTC C118** 48:07
That's where we yeah, yeah.

 **Robby Hassell (Guest)** 48:10
Yeah.

 **KYTC C118** 48:10
And we have.
We have warrantless inspection authority at all licensed premises in the state.
And so we can go in and pull their records.
From their point of sale and then we can we actually have administrative authority to go in and pull financial records from those offenders and try to match up how many, you know what that was. And so we we have investigative methods of of validating that information, yeah.
So.
It and and a lot of these places like they, they understand that this is a bump in the road. If we're there investigating a source investigation.
So most of the time, they're still forthcoming with with the information.
And obviously their point of sales, it's not an end all be all, because if you're paying cash.
There goes kind of that record, but you know it.
It's it is what it is and we make the best out of it.
And those, those are administrative charges that we bring just on the licensee as far as over service.
So those won't make it into a Criminal Court.
And our preponderance of evidence, our burden to prove, is preponderance of the evidence.
So it's a little bit lower burden of proof on us.
Yeah, I would.
I mean, I think that's something that's been a while since we've touched on on that.
I know we've got to be a really hot topic for the longest time.
I know for you guys, it's a hot topic.
All the time.
And I think I don't remember. I think we maybe even talked to KSP one time because we were at the same time talking about splitting, figuring out and knowing how to split it between alcohol and drugs on the side patient 'cause we were getting the same data on.
Everything. So we really needed to split that out.
I know that was probably around the same time.
But yeah, I think it's like anything else.
It's just like when Rd. are you doing Dre evaluation?
You'd be surprised how much information that person is going to give you. Like just by talking like if it's the right person talking, if they're going to tell you where most of the time they're going to tell you where they have the last drink at most of the.
Tell you all the information you want as long as you don't have to talk to him. Like when the Dre.
That's where we then we take them and do the the field starts with one of the things is training them actually have a suspect and then just basically spilling their guts on all the drugs they've been using all along. They've been using which family members use it. I.
Mean. It's just it's amazing.
But that's the. Yeah. I mean, you'd be surprised how many people just tell you.
And I think that's that's.
Something that I think is feasible. I think we just have to figure out the right way to get it done.
Also, even with better logs, I mean adding those fields on there as long as I mean we can add the fields electronically, but when we go through and try to say, OK, where's it gonna show up inside of report system as well, right?
I don't see any problem with adding a monitor as as long as everybody's OK with with the one for the purpose of the court monitoring program.
I mean, they pull the citation to collect this data as well and talk on top of being important.
So if it was on the citation, you know that the data point we could pull.
So there's ways to, yeah, I think that's true.
I mean and like I said, you're not going to get them all. But you know, if you got a source of.
You know, occurrences.
So I think that's I think it's Winnie's win.
See what we can do.
At least it gives us awareness of the potential areas, maybe, and we can go in and try to 'cause we we want our license need to be successful.
We we want them to stay within the confines of the law. So like if we if we give them that information, they're going to be like, oh wow, OK, I can. That's what happened in, in, in I think it was Delaware.
They were like when they went back to the licensees, they were a little embarrassed by the information and so they.
Just kind of did some self policing cops.
They don't know what they don't know exactly.
Especially the ones that own the place, because a lot of times there may not be there, right?
Completely understandable.
Anybody else have any comments on the court reporting thing? I know when we first started the grant, it was kind of a we had gotten a report.
From some of the other States and kind of looked at that information and walked the way, it kind of flowed and I think it's information that that's going to help Jenny and prosecutors too.
When it starts going, it's like you just kind of show you the trouble areas and what's going on in those courtrooms.
So I think that's it's going to be a huge win, especially once we start getting Leo a couple years worth of data, we can start to compare some things.
I think that would be really great.
I'm just gonna move on down, I thought.
Ed, she got a topic that we're gonna just go send to Jenny and kind of put together an edit kind of thing. The the work on it is. I'll let you go ahead and show everybody what you've done.
So so Jenny, you can put in a request for AOC to kick out a a portion for all of the first, second, third, and fourth offense. And how much time occurred between the recurrence of those events?
We went through and got a pretty, pretty extensive report going through insane County by county for those and what the statewide numbers were.
And so we were trying to go through and figure out how could we go through and and make a visual that would go through and display those.
So we came up with a power BI dashboard to get try to go through and and show those.
So I'm gonna tell it to you.
Share the screen here.
And.
So this is what we've got right now is our working example, so.
This is going through and showing 4 statewide for 2012 through 2022.
It's going through and showing how many DUI first offenses and if you hover on them, it'll go through and highlight what the counts are for each one of those sub categories.
But it got 3 inches shows for the 1st events, the 2nd the 3rd and the 4th events in inside each one of those years.
And he goes through and says what the count is. If we're trying to figure out the ratio of how many recurrences are we having versus versus first, first appearance.
So we're going through and showing that data.
And then they also went through and did the time between the first DUI and the repeat of each one of those offenders, and on each one of these visuals, if you all haven't played with these dashboards much, when you hover over this object, you see that little I.
That appears there.
If you click that, it goes ahead, makes it full screen.
So if you're gonna do a PowerPoint or you're gonna be sharing your screen like this to make it easier to to read. But you can see those those second offences that the largest fear that they're occurring is in that first year.
But this goes through and looks at each one of those.
Now for those duis that that DUI charges, we looked at 2012 through 2022, but the recurrence actually looked through when the report ran back in November. So.
So if the recurrence occurred within.
That time slot in 2024.
It is in this graph, but it's not in the the first graph that we're showing on the top, so it's by offence date and not conviction date.
I think it's by the.
We need to double check. OK, one of the other things we're going to do is add another tab on here to go through and explain exactly like that question.
And plenty of other questions to go through and try to say specifically this is what what we're going through in Shel.
On each one of these.
Right now it's showing state like if you toggle specific area.
Then we went through and told it to allow someone to either pick by KSP post or by specific county.
So right now I can go through and pick out Dry Ridge. Then it's now showing the totals for the Dry Ridge post.
Right now we do have this filter by default to go through and say the charges. You can go through and tell that you want the cases instead, and if you specifically wanted to look.
At a certain set of years, he could go through and pick a particular year, so if he were trying to go through and pick on, say, 2021 and then go through and say well in 2021, what did we end up with? That's the break.
Of what occurred in that year.
Here we went through it and picked on some of your counties here.
So Lincoln, we're gonna pick out Lincoln.
Lincoln, I like to pick on Lincoln because they shouldn't have such a high.
I mean, obviously I know why, but they shouldn't have had such a high rate. When small county, there's nothing to look.
Let me see here.
Well, so if we go through and pick Lincoln, I'm gonna come back here. If you see this little eraser thing, if you hit that, it lets you clear the selections there. So now.
Now it's going through and showing.
Lincoln County right now.
We went through and supplemented this by going through and saying how many in there driving related crashes were there in each of those years as well.
So that's what this committal chart is.
So if you're trying to say, OK, well, was there a spike in Duis as well as a spike in collisions?
To try to see if they they correlate back and forth.
But if you're if you're not a graphic person and you want to see a spreadsheet, if you talk about the same tables, then it actually gives you what the the individual numbers.
For each one of those categories.
Went through and did this and we figured this is a report that we'd be able to go through and get recurrences of this.
We'd be able to ask for newer versions of it.
This is our draft right now, so I know that there are a couple of different things that we can go through and do in here that I'm planning to go through and to do so to to make it not duplicate the numbers.
Right now there's a little quirk that you have to get clear selections, and now you can go back to saying statewide.
So I'll I'll make that disappear inside of here so that it's seamless for going through and doing that.
Inside of when it goes through and says pick the county, I'll make it to where it says searchable text box inside there.
You'll be able to start typing in Lync in Count 8 rather than having to Scroll down to it, and I'll go through and make it to where they tsp post name also is not going to do that.
We can tweak what these headers are on here, and you can see I spent much more time on the headers for these versus the graph because we're still trying to play around with what visualizations go through and show on here to try to to try to communicate every.
These maps.
We can go through and you saw it.
It zooms in when you picked a specific area, so you can change the style on those and everything else what?
I guess right now we're looking for.
I guess input on is there other pieces to this or other visualizations that you all think might help with telling the story? Here a little bit better?
What effect does expungements have on this chart?
We don't have access for the expansion next Jefferson County.
So yes, so it's not as accurate as it could be because we don't have the data.
For for diversion and things like that.
'Cause you probably have better.
They have sent.
Out. And that's and that's kind of a shocking thing for when Ed brought the numbers up the first time and I was just looking at the third offense, EU is in what section area they are and how high they were knowing that there's a ton of Exp.
And charges that have been reduced.
And all that and that number is still as high as it is.
It's just like.
How high would it really be?
Is what you're looking at.
It's like and those are like third offense. The Uis within a matter of just a couple of years.
Yeah, I have a question on that because you got two different platforms of data.
Really, you have the court data, but based on the law change in 2019, regardless of how the DUI comes into the cabinet.
And it builds it on the driving record based on their record, not based on.
Well, this is all the core data that I'm saying, but yeah, like, yeah, yeah.
So the data that you all get was not what except for the expungement after aversion would have everything. All the original charges, even those that weren't under them.
So correct. No, we wouldn't have the we have the the conclusion.
I want, however, specifically with the level of the UI it's built according to the driving record. OK OK, so it's an administrative build on on the record, not could they send it in as a first, but they have two priors. It's gonna go on into theirs. OK, OK.
So I think the the dashboard itself is is beautiful and I love how much information this gives us at the end the Mirror Corp.
Like, I don't even know how you got all this.
But I think it's beautiful.
But my question is.
What do we do about it? So like for example, when you pulled up the statewide one and the number of second offences that were between zero and one year to, you know, to me not looking at the numbers, thinking about the people and and all the things that.
Is asinine that we have so many that are getting a second offence within one year.
So what do we do about it?
Like at Mad, we don't advocate for anyone sentence.
That's our big thing.
As a person and as a victim, I advocate for whatever sentence is going to make that person never make that choice again.
And clearly that's what's not what's happening for those 20 + 1000 people.
So what do we do about it?
Do you care if I answer this?
Well, so so for instance, I I asked for that data and then during the the impaired driving awards meeting, Ed and I were just talking about like what he could do with that data. I originally asked for the data because I wanted to see.
At what point does that number go down?
At what point does people do?
People change their behavior.
It's clearly not after first and then how quickly are they? So in my mind that tells me that.
The sentences, or maybe the statute and the range of penalties and sentences are not effective.
They're not effective until maybe you hit that second offence.
Which correlates to what I was prosecuting in Fayette County.
I would see people get one or two just like that, and then they would either keep on going or they would stop after 2.
So that helps me see, are these statutes effective? It also helps me answer the officer that says, you know what, this is almost as bad as having to deal with juveniles, all the paperwork, how much time it takes.
It's not worth it.
I'm just going to arrest a sign for AI or π.
No. Those convictions matter.
The enhanced ability matters.
We need a DUI conviction and This is why, and This is why in your county, where you work, where your family is, This is why it matters.
So that was my original idea in getting that data, but I think being able to show those visuals to prosecutors.
To legislators to.
Officers.
Why and here it's in your county. And here are the numbers in your county.
'Cause, I just feel like when you look at this, I mean you could show this chart to a legislator and say clearly whatever we're doing to them after the first time didn't do anything.
So then what do we do?
We say we gotta fix it.
Yeah, we gotta fix it.
We've gotta fix it.
And policy changes legislative changes.
Personally, I think there should be mandatory jail time for DUI 1st and it's not.
Home incarceration, or it's not, and I know the jails and I know, but we don't treat this crime seriously and it shouldn't.
And people think, well, this is my neighbor, but for the grace of God, do I.
And I didn't get caught.
It's not a big deal.
It is a big deal.
And then when we put the fatality data with it, these are people's lives.
So I I just think it's a good visual to show to whoever you are wanting that change from wherever the change would be most effective. This is why it can't stay the way that it is.
My little window.
Obviously I would be interested.
Maybe, maybe Alan can even chime in on it.
Kind of the running.
It's not a joke, it's the running thing we see. There's ad UI seconds. There's usually typically driving on a suspended license.
I've been there since even the number of like those combos.
Yeah, like, what is that is that?
Is that being a fact you say?
Is that being effective or they just don't care and there's they don't care whether they analyze it or not?
They're driving anyway. That's it.
Yeah, yeah, yeah.
Well, it's like the number of driving while suspended on a DUI, because that's a different charge you got driving while suspended and then driving while suspended on an EYI mean when you see 2nd events and you see them all talking.
All the time.
And that was the, you know, honestly like for me.
When the ignition interlock discussion started almost 10 years ago, I worked a driver's license before.
So I was like hell, no, they're not.
They don't drive, but they are driving right.
So that was, you know, they are driving and that's the thing when you when you think about life in the sense that these are my rules and I've been on following our criteria's different.
These individuals don't look at it this way.
And and so how do you combat?
How do you combat and help them?
How do you help them in a non enabling way to do the right thing?
But that was like the whole mentality that I had to adjust to with the discussion of interlocutor going to drive anyway.
So how can we kind of help make sure that if they're going to do it, they're least sober when they do it to say we can't add drug driving to that film because those drug driving, unfortunately?
It it's a shame that that technology is not out there absolutely as far as affordable technology.
100%.
And I know like those of us that talk to the providers or talk to the coalition a lot, we're always asking that when's when's the drug interlock gonna be available? And unfortunately from an affordable perspective, it's gonna be alone.
Well, push nitsa 'cause. The law's already passed.
Yeah. So that's what they should be.
But I I totally agree with you in that I am very much of the camp.
They broke the law.
They did a bad thing.
They shouldn't be driving anyway, but I also work in the data everyday and know that they do it.
They will, and they whatever.
And so our rule is just making sure that if they're gonna continue doing whatever they wanna do, we just don't wanna hurt anybody.
Unfortunately, with with DUI, the moment they chose to drink and drive, they already chose to ignore a law, right?
Yeah, these aren't people that they've proven that they don't already. So hitting them with another law may not necessarily be the most effective thing to do because they obviously don't care about those.
Well, this is uncomfortable conversation.

 **Alan George** 1:09:18
Can I?
Can I please interject something here?
And if I may, this is and this is coming from someone who's prosecuted duis for over 40 years, spent five years to get the Perse.
Cution, they're going to drive anyway. I know some do, but I prosecuted in a small county and I've seen people on bikes that I know that are prosecuted for DUI because they don't have a license.
So you'll we're going to hear that from the ignition interlock people.
They couldn't provide the data to support it.
And and again, it's not like I have simply, but I don't make those generalizations that everyone's going to do it.
Yes, some are, but by the same token they can drive somebody else's car.
So it doesn't matter that we're going to say everybody has to get an ignition interlock if they're hell bent on driving, they'll find a way to drive.
So I don't know that that's really anything that we can rely on, just generalize.
We know they're going to all drive or the majority are going to drive, and I don't think we should do that.
But and again this is coming from somebody about was prosecutorially minded as can be.
The other thing you all touched on was the driving on suspended due to DUI and that is another thing we're working on because there's a question out there.
At what point in time does it evolve from driving on suspended to DUI to just standard one 86620 operating on suspended license which does not enhance?
Like driving on.
License suspended due to DUI does and we're trying to get that addressed legislatively too to get that clarified because I think an argument can be made until they do everything that's required to get their license back in good standing, even if the four to six months for a.
1st is expired or 12 to 18 months for a second has expired. If they keep driving their driving.
While suspended due to DUI because.
Have not complied with what's required in Chapter 189 a, but there is a a disagreement on that in various counties, various courts, and we're trying to get that straightened out.
But again, I and I and I know that I'm probably in the minority sentiment here, but I I don't ever want to be party to just generalizing.
This is what all these people do.
You know, there are a lot of people who made mistakes.
Who aren't necessarily horrible citizens. What they did was horrible.
But I'm not going to lump them in in some group that's just going to break the law.

 **KYTC C118** 1:12:16
That's one of the things that the judges are spending a hot topic conversation is affected sentencing by judges, and that's been a hard nut to crack because of a time limitations in the courtroom and the time it takes to individualize each sentencing for an offender. You're right, some.
Offenders don't need supervision.
Some offenders don't need.
Treatment some offenders don't need.
An extra.
An extra long sentence in particular, but some do.
And to identify those, we need #1 resources.
#2 is time.
To to effective.
So that's that to me. That's an important part of the positive list. We got to sentence these people effectively.

 **Alan George** 1:13:17
Well, I agree. I agree.
I just I I will never be part of the group that just generalizes that wrong. Doers continue to do wrong.
Many, if not most, maybe do.
But certainly they they all don't.
And I I just don't agree with the generalization.
We know that they, which would be the entire group, are going to keep driving.
And and and to predicate anything based on that assumption?

 **Robby Hassell (Guest)** 1:13:48
And if I could follow up on my colleague, Judge Mccarty's observations, I continue to be in awe of the dashboards that that Ed maintains and accumulates and and makes available as as a data point and combination of things we can all learn from this data base in.
Particular dashboard is with respect.
Mostly to recidivist defences.
And it's worth noting you know, we as judges, we can't advocate for or against.
Changes in the law, we sure will have to play the hand we're dealt.
We can talk about how it affects the court system and and what we know statistically also is that probably nationwide, even in Kentucky.
2/3 of first time offenders.
Do not reoffend.
And that's why Judge Mccarty's point about assessment for intervention and treatment purposes is so important is so important because we also know.

 **KYTC C118** 1:14:40
Thank you.

 **Robby Hassell (Guest)** 1:14:48
That to reach that high risk, high needs driver, the repeat recidivist who's a danger to the community who's a danger to for any number of reasons with the court system.
We know that punishment alone.
It has not proven to be enough either, and I don't know that there's a single state now that that has mandatory jail time for first time offenders. Although the teeth are certainly necessary to be there as deterrence for folks, as Alanis said, as a prosecutor.

 **KYTC C118** 1:15:03
Alright.

 **Robby Hassell (Guest)** 1:15:19
For well over 60% of first time offenders turn.

 **KYTC C118** 1:15:22
Hold on.

 **Robby Hassell (Guest)** 1:15:25
In fact, is there and they don't reoffend.
But for the rest, that's what we're dealing with and that's creating a societal problem. A court problem that we all are here to help address.

 **Alan George** 1:15:39
And everything that we we try to do.
I am a firm.
I understand the sentencing component, but obviously we never get to that if we don't get a conviction and and my goal has always been.
To get that conviction, if I have to make a little concession here or there because one they're accountable if they're convicted 2, they're going to have to go through the DUI program, be it for a first to repeat offender.
Three, their license is going to be affected and the impact that's going to have.
All of those things.
Now obviously we have to have a penalty commensurate with what they've done, but the key is getting the conviction and I tie this into the ignition interlock discussion.
That'll be upcoming. One of the points we made to them in our meeting.
We don't want people backing away from pleading guilty.
One of the good things that's happened I've seen it may not be uniform, but I've I've noticed it in others on our board of noticed it.
We are seeing a lot more guilty pleas since the advent of the ignition interlock.
'Cause many offenders, they were going to trial.
It was because they couldn't afford to lose their license.
And now that they know that they can continue to drive with an ignition interlock, they're not necessarily going to want to go to battle on the DUI itself. If, however, we start to make things so long, so expensive, or whatever, we may lose the ability to secure. So.

 **KYTC C118** 1:17:01
Yeah.

 **Alan George** 1:17:07
Many pleas.
And many of us in the smaller counties where we cannot be trying.
You know, we do everything.
Can't have a DUI trial every week.
And so we try to get guilty pleas.
That's my goal always is to get the conviction, have the judge, then do what the judge is to do.
But I believe my goal is to try to secure that conviction when I believe that person did commit the offense.
So I want to make sure there's a good enough balance that we're not losing our ability to secure these DUI guilty pleas to get everything going.
That we need to get going.

 **KYTC C118** 1:17:55
And I had a conversation with the Washington state couple members from the task force in Washington state, and they have different laws pertaining to, like the treatment assessments.
Upon conviction or upon arrest, and they actually have.
A addition in their statutes that allows for an assessment upon arrest of the Thomas Citation, where they might be a little more kind of like Matt was saying a minute ago about more fluid and honest about.
Their history and their potential.
For those who fall in a situation of, it's not a mistake or an accident that happened or not that it's.
A reflection of their current health state, right?
So I have questions about like how many other states might do assessments other than post conviction, and like how that applies towards treatment that could prevent recidivism.
If they let me say that Kentucky has.
In place something.
To use of this, that's called free trial.
And they were supposed to be the ones when he interviewed them in the in the jail they were to do a mini assessment at that point in time and let the judge know at that point when they sent the bail, what to do now, whether that's being done.
Now I don't know, but that that's the logical place to do it because.
They are really bad at that point in time and so if they could, they would probably cooperate with investment more slow.
Ly. They're in a crisis state, right? So so who?
A lot of times when they're talking to pretrial, they've already come down some because they've already been there.
Pre trial may not come in for five or six hours after they're booked in.
Or maybe even that night.
So they are coming down where it used to be. By the time pretrial got there.
So thank you for that. I'd say for helpful.
When the who's who's the owner of the pretrial service?

 **Robby Hassell (Guest)** 1:20:17
And if I could follow up, if I could follow up on Judge Mccarty's commentary as well.

 **KYTC C118** 1:20:17
Every trial comes in. Go ahead, Sir.
Oh my God.

 **Robby Hassell (Guest)** 1:20:36
For treatment and supervision while their case is pending.
I know here regionally the state of Maryland received a B JA grant to obtain screeners and assessors for each of their jurisdictions, whether or not they were jurisdictions that they had treatment courts set up, and certainly that helps to to head off the risk while the case is.
Pending and and the opportunity to work.
Whether through installation of pretrial interlock or or other technologies that are out there in addition to the other treatment of supervision regiments. So that's something.
All the way in the mix as to the benefits of reaching them early on instead of if the case is a year beyond the offense date when someone could have, could have received the benefit of that treatment in between, regardless of what the trial judge ends up being.
Able to do.

 **KYTC C118** 1:21:34
Thank you both for that clarification.
Yeah, my mind's been kinda real.
And since that conversation, like I don't, how do we do it?
'Cause I only know about things post conviction.
Really like a sparse process.
That's good.
Trying to tell me I found.
Ed, do you have anything to add on the dashboard?
I was gonna say we're we're gonna continue to tweak this and we'll share out with everyone's links to it and we'll we'll have updates as we're going along here and.
If you see anything that you think, hey, it'd be nice to be able to see this this way, or if you run across a different visual on something else that you're like, hey, really like the way that this just strap up is going on. If you can share.
Where that is and go through and try and see if we can go through and show that here.
Say that this is live now, or is this?
Yes, I if I sent you a link to it.
Yeah. OK.
We just don't have it.
It's published, but it's not distributed.
So so we can distribute it right now.
So we can distribute it to the task force after the, yeah, the public.
If the public could guess the the URL up there, they they can get to it, right?
Good luck.
Right now, we're not going through and trying to compare counties versus counties, so.
Do you all see a benefit in trying to just put one that says statewide versus accounting?
So just add another page that tries to compare the two of those against each other.
Is there a benefit to to doing that or we don't wanna step too far but I but I figure we wanna use as much of this as we can. I think there absolutely could be especially as we select more court monitoring data like if we said this county.
Really has a problem with amending charges down and then we were able to compare that county to the state on your dashboard to see well, yeah, that's why they have so many repeats of of this business.
I think that could be helpful.
So let's have this statement this state.
Make sure the state representative should be changed.
So if I make another tab inside the dashboard here and go through and make it to where you're seeing what the trends are for that specific county or that specific KSP post, and you see the state next to it. So it's not that you're trying to say like.
In candy versus Bell County, you're just trying to say statewide versus this county, how do they break out?
And it would be what's the percentage?
Kind of. Or the ratio in between those that you'd be looking at?
Don't mind about the the 2/3 of Uis do not repeat being able to go through and and say is that the case in Kentucky? I so I made a note to to try to come up with a a good visualization for that.
There anything else?
I'll make sure that I shared links and they'll just bring it out.
We'll we'll do a follow up after the meeting.
We'll send the the mad.
Port monitoring summary and we'll send the dashboard.
Anything else that we need to talk about? Maybe that should change should change.
Some other way I have some other discussion, probably in my e-mail.
Last grade things boards and all this stuff goes but.
We have a lot of work going on with the per SE and programs. We're getting started.
So I think we just kind of keep rolling and I think we'll probably look at towards the end of April having the next meeting.
So hopefully we'll have some data to share by then with the swab pilot and then we'll have a little bit more data as far as our pilot program goes too, but.
So you can probably talk and see. You know, I know.
Rob was talking about having gotten some of the results back in a lab on some of those blood draws or whatever.
But we'll let you kind of look at some of that when we start to see that come in.
Other than that, I think appreciate everybody's participation and the insight on everything and don't hesitate to reach out if there's something you think of or something that you want to add to whatever we're doing. I know it's going to work on the dashboard and I know we.
Probably going to have a few other things that will kind of come out as we go.
But I'm always here, Tiffany as well.
Just shoot us an e-mail or give me a call.
Anything we can help you with or Purdue moving forward?
Yeah, if you all receive any, there's lots of buzz going on about this per southeast.
Bill, if you want to talk and collaborate with anybody on the passport, I feel like lots of us.
Are we're getting whispers in our ear?
We're we're having conversations.
So I I'm gonna just.
Out there. Sorry if I'm wrong, but you want to reach out and have a side conversation with anybody on the task force about perspectives on that per southeast?
Bill briefly so.
Thank you all for joining us online.
I appreciate it, rob, Alan, Judge Hassle Ray Conley.
Thank you all.
I appreciate you if you need anything, just let us know, OK. And I think you can get a motion to adjourn the meeting.

 **Robby Hassell (Guest)** 1:27:17
Thanks for having me, man.
Great to see everybody.

 **Alan George** 1:27:19
Thank you all.
Thank you all for tolerating me.

 **Robby Hassell (Guest)** 1:27:24
Many folks.

 **KYTC C118** 1:27:25
Oh, no, we appreciate you, Allen.

 **Robby Hassell (Guest)** 1:27:27
Thanks so much. Take care.

 **Warfel, Robert (KYTC)** 1:27:29
Thank you.

 **KYTC C118** 1:27:29
I'll make motion.
Thank you all.
Thank you all.

 **Harding, Ed H (KYTC)** stopped transcription