



GEM STATE EVALUATOR

May 2000

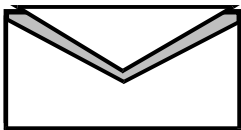
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WHERE DO I MAIL IT?



All DRE field evaluations are now being forwarded directly to POST, attn: Vicki. Please mail to: P.O. Box 700 Meridian, ID 83680, or fax to 208-884-7295.

WELCOME TO THE GEM STATE EVALUATOR

Ever wondered about the legend of our DRE state and national logo? Each component has a specific meaning in terms of drug recognition:

The bold eagle symbolizes strength, courage, and confidence. The eagle is proudly stretching its wings to display the title “Drug Recognition Expert.”



The 12 rays surrounding the eagle’s head represent the 12 steps in the drug influence evaluation process.

The eagle’s left talon is holding seven arrows or spikes, signifying the seven categories of drugs. CNS Depressants, Inhalants, PCP, Cannabis, CNS Stimulants, Hallucinogens, & Narcotic Analgesics.

The eagle’s right talon is holding a grape leaf cluster, symbolizing the drug, alcohol.

The words “Systematic Standardized Evaluation” that surround the emblem are the watchwords of the Drug Evaluation Procedure.

The Idaho DRE newsletter is published in an effort to keep DREs and administrators up-to-date with DRE issues. This is your newsletter. POST will bring you the latest and most pertinent information from the field to assist you in doing your job. Local, state, and national training opportunities will also be posted. We welcome articles from the field. If you have interesting case studies or other information you would like published statewide,

Cops Have a New Kind of Cuff for Drugged Drivers

By Tara King of THE LEWISTON MORNING TRIBUNE

Idaho State Police troopers and Lewiston police officers now are wielding blood pressure cuffs and thermometers in the battle to get drug-impaired drivers off the road.

Six drug recognition experts - or DREs, as they are called - put people suspected of driving under the influence of drugs through a battery of tests aimed at detecting whether the suspect has been smoking pot, injecting heroin, popping pain killers or snorting methamphetamine.

“Our goal is to assist officers in making a determination of whether a person is impaired by drugs or having a medical problem,” said ISP Sgt. Dale Hughes, a DRE Instructor and one of ISP’s four DREs in the region. The other two drug recognition experts come from the Lewiston Police Department.

The program is triggered when an officer suspects a person is driving under the influence of drugs or a mix of drugs and alcohol. If the officer’s suspicion level is high enough, he’ll arrest the person for DUI, and, in this area, bring the suspect to the Nez Perce County Sheriff’s Office for testing. A DRE is called in and the suspect then goes through a 12-step, 45-minute evaluation. A person can refuse the tests, but then loses his or her license, just as a suspected drunk driver loses his or her license when refusing a breath test, Hughes said.

The evaluation includes a breath test, a urine or blood test, a verbal interview, an eye examination (for pupil dilation and movement), an examination for the presence of needle marks, and the taking of blood pressure, temperature and pulse.

“Then, based on the totality of the facts we ascertain, we form an opinion and charges may be filed,” Hughes said.

DRE testing is not without controversy.

“It’s unreasonable search,” said Lewiston criminal defense lawyer, Charles, Kovis. “I think it is unreasonable that a person can be pulled over for not signaling and end up having a police officer examine his eyes and inside his mouth, and then take his blood pressure. That is going too far.”

In addition to violating civil rights, he said that DRE testing is vulnerable to a court challenge because it is “bogus science.”

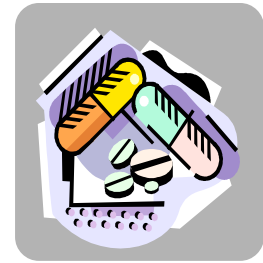
“I don’t think police officers can be trained to tell whether a person is under the influence of drugs simply by taking a pulse and checking blood pressure. There are hundreds of medical conditions that can affect that.”

Hughes said the testing is thorough enough to weed out people with medical problems.

“I’ve had two medical rule-outs,” he said. A rule-out is when the officer determines the person is not under the influence of drugs, but is impaired by a medical condition.

“People suffering from a diabetic reaction, for example, can slur their speech and stagger like they’re drunk,” Hughes said. “We’re trained to deal with that.”

Officers go through an intensive nine days of classes in order to become DREs.



The 2000 DRE School

will be held

July 10-20th

at POST Academy.

We hope to have

another full complement of 24 students.

NOTE: The Idaho

DRE Coordinator,

Tim Riha, can now

be reached at:

P.O. Box 312,

Cascade, ID 83611.

Phone: 208 382-5197

Email:

tim.riha@isp.state.id.us

HAVE QUESTIONS

OR COMMENTS?

If you would like to contribute an article or other information, or have questions or comments regarding this newsletter, please contact:

POST Academy

Attn: Vicki Malan

P.O. Box 700

Meridian, ID 83680

Phone: 208 884-7321

New Cuff (continued)

DRE testing has not yet been used as a prosecutorial tool in Nez Perce County. There is a pending case that began when a woman was arrested for driving under the influence of drugs, said Nez Perce County Deputy Prosecuting Attorney Sunil Ramalingam. The woman took a breath test for alcohol, which came up negative. After going through DRE testing, she was determined to be high on a central nervous system stimulant - most likely methamphetamine - and charged with DUI.

“The woman was also charged with felony possession of meth. Because of the drug possession charges, that case may be the ‘right’ case to introduce DRE testing as a tool in prosecuting,” Ramalingam said.

Kovis said he too, is waiting for the right case, but his aim is to challenge the use of the DRE.

“I’m not going to do it in a case where, if they throw out the DRE, they still have the guy’s statement that he got high that morning,” he said.

Reprinted with permission from The Lewiston Morning Tribune, Lewiston, Idaho, November 17, 1999.



Idaho State Police Sgt. Dale Hughes checks blood pressure and heart rate during a test run showing some of the checks he would use to test a person suspected of driving under the influence of drugs.

Trucker Check III

By DRE Coordinator, Tim Riha

I hope that you are all having a safe and happy summer. There are many things happening in the DRE Program around the state. Some of the things that are coming up include another DRE School and a joint operation with Washington and Oregon called Trucker Check III.

Let me start out by relating our problem with data collection and an attempt at a process to make our data collection better. This is best explained with an example. Each year, the state coordinator must do an annual report that is then sent in to the DRE National Coordinator. This annual report is published by IACP for all department heads, other dignitaries, etc. When I began to try to collect data for the annual report, I contacted Doug Graves at POST. POST handles all of our data collection and enters in the evaluations that you do when they are sent in. I was advised that they had 190 some reports entered into the database for 1999. That figure seemed kind of low to me, so I contacted the state lab and asked how many DRE toxicology reports they had done. They advised me that they had done 297 of them. This means that we had not received over 100 DRE reports at POST. Therefore, I was unable to get the results and figure out any percentages on any drug category of the DRE being correct. When I sent in the annual report, I gave the best number I could, which was the 297 evaluations that had toxicology reports done. This number did not include any rule-outs or refusals.

As it stands, the process is, you do your evaluation, make a copy and send it to your regional coordinator. The regional coordinator looks over you report and your opinion and, if there are no obvious problems, sends them into POST for entry into the DRE database. This process seems to be simple, yet in the busy life of a patrol officer, apparently it gets overlooked in certain

cases. We have discussed using a DRE database to do the reporting of data. In that instance, you would do your evaluation, then do your report on the database, and then send in the data periodically for entry into the statewide database. This would require more time of the DREs and would most likely be more inefficient at collecting the minimum required data.

Data is what is going to make or break our program. Without the minimum data to provide at the national level, we could possibly lose future federal funding of the program. Also, we might not be able to defend our program properly if challenged in court. It would also seem that the grant money that has funded the program thus far might be lost if they were to ask us for our results and we did not have any to provide.

Several Idaho DREs attended the National Conference in Rhode Island this year. While there, we held a meeting and it was brought up that we could collect the minimum required data in a different manner until a better way to do it comes along. There are several ideas in the works nationally, including a web based data collection page and other computerized databases (PC's or Palm Pilots.) The idea that we are going to implement is as follows:

Four times each year you will have contact with your regional coordinator. Jan. 1, Apr. 1, July 1 and Oct. 1 are going to be the cut off dates. Sometime within the first 2 weeks after the cut off date, you should contact your regional coordinator or they will contact you. They will collect how many evaluations you have done, what your opinion was for each one, and what did the toxicology report show (rule outs and refusals will be collected too.) Also, was the DRE evaluation a DRE or NJDT. I realized that you many not have all of your toxicology report back at the time of collection. This should be noted on the collection form and then followed up on the next contact with the regional coordinator. After the regional coordinator collects the data, copies will be made and sent in to me for recording and then I will

forward that information to POST. There may be additions or deletions to the data collection as we work out the bugs.

This is an addition to the program; you will still make copies of your evaluation and send them in to the regional coordinator as before. That way they will be on file for confirmations or other uses once they are entered into the statewide database. It is important that you know who your region coordinators are and what region that you are in. The regions are the same as the Idaho State Police regions.

These are the region coordinators:

- Region 1 – Sgt. Jonelle Greear – Idaho State Police, Region 1, 602 W. Prairie, Coeur d’Alene, 83815
- Region 2 – Sgt. Dale Hughes - Idaho State Police, Region 2, 2700 N and S. Hwy N., Lewiston, 83501
- Region 3 – Sgt. Dean Matlock - Idaho State Police, Region 3, 3056 Elder St., Boise, 83705
- Region 4 – Tpr. Kevin Winn - Idaho State Police, Region 4, 626 Eastland Dr. S., Suite B, Twin Falls, 83301
- Region 5 – Officer Chad Higbee – Pocatello Police Dept., P.O. Box 2877, Pocatello, 83206-2877
- Region 6 – Sgt. Ismael Gonzales Jr. – Idaho State Police, Region 6, 1540 Foote Dr., Idaho Falls, 83402

The joint operation with Oregon and Washington is called Trucker Check III. Oregon and Washington have done one of these operations together and Oregon did one on their own. This operation involves using DREs with Commercial Vehicle Inspectors and targeting commercial vehicles and their drivers. We will be doing our part of this operation at the East Boise Port of Entry. This will be a 48-hour operation and will involve the CVS officers inspecting the trucks and the DREs checking the drivers for possible drug/alcohol impairment. At the end of the contact, each driver will be asked to submit to an anonymous urine sample that will be used for statistical data.

Riha (continued)

At this time, we are in the planning stages for this operation and most likely, the local DREs will be utilized on this first attempt for Idaho. If the operation is a success, there is a possibility that we will do this annually and be able to incorporate other DREs and areas of the state.

The 2000 DRE School is going to be held from July 10 to July 20 at POST. We are hoping to have a full school again with 24 candidate DREs attending.

This year has brought a lot of changes for me as well. I am still coordinating the DRE program with Doug Graves at POST. However, I have left our training section and transferred back to patrol. I have also moved my family and my home office to Cascade.

The following is my updated contact information:

E-mail: tim.riha@isp.state.id.us
Address: P.O. Box 312, Cascade, ID 83611
Phone/Fax#: 382-5197

If you have any questions or concerns about anything DRE related, including the new data collection process, please contact me.

You are all a great help in getting the impaired drivers off of the roads and keeping the impaired students out of the school. Keep up the good, hard work and stay safe.

Tim Riha
Idaho State Police
Idaho DRE Coordinator

Time to Re-Certify

It is time for many of you to start thinking now about re-certification.

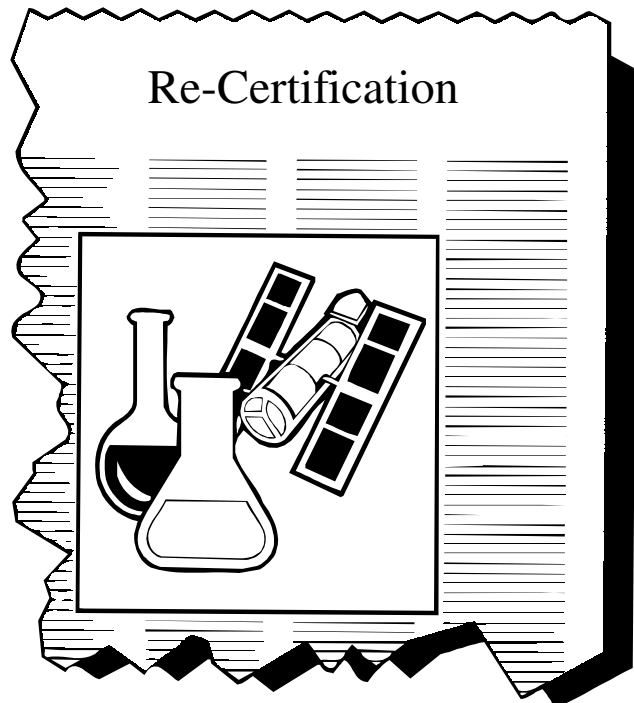
Some officers have elected not to re-certify and if this is the case for you, please contact me and let me know that you do not wish to continue in the DRE program.

The following persons need to re-certify immediately to keep their certification, as they expired on **5/1/00**:

Tracy Basterrechea, Jerod Sweesy

The following persons need to have their re-certifications done and sent in by **12/1/00**, as this is your expiration date:

Vern Hancock, Randy DeLeon, Ron Knapp, Chris Weadick, Dale Hughes, Paul Berger, Terry Pledger, Craig Boll, Parry Markle, Steve Whipple, Jonelle Greear, Brent Burgess, Mike Phillips, and Steve Nebeker.



How to Re-Certify

To re-certify, you must do the following:

1. You must have done 4 drug recognition evaluations since your most recent date of certification. One of those can be a mock evaluation. One of these needs to be witnessed by a certified DRE Instructor and noted in your rolling log.
2. You need to attend at least 8 hours of approved DRE training since your most recent date of certification. This can be broken down into two, 4-hour blocks of training. This can be anything related to DRE training such as SFST training, instruction on Drugs that Impair, INOA Training, etc. Basically, if it is related to drugs or impaired driving, then it will count.
3. You need to send in an updated resume with your training noted on it and anything else that has changed since your last certification.
4. You need to send in copies of your rolling log.

Please send them to me, and I will fill out your re-certification paperwork and then forward those things to POST for your file. It's that simple. The mock evaluation does not take much time; you just need to do the technical things, such as administration of SFST's and blood pressure, pulse, eye checks, etc. You do not need to write out your evaluation. It just needs to be demonstrated to the instructor that you do the evaluation properly and in the correct order.

The following persons need to have their re-certifications done and sent in by **1/1/01**, as this is your expiration date:

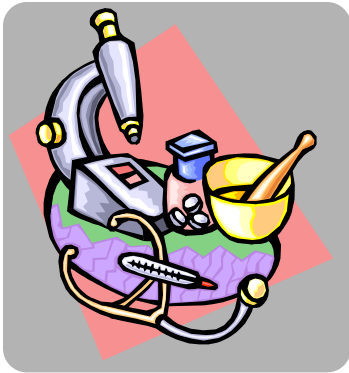
Budd Hurd, Wade Spain, Brian Lee, Jeff Arneson

The following persons need to have their re-certifications done and sent in by **2/1/01**, as this is your expiration date:

Alan Cavener, Louis Laskarris, Gary Casey, Tim Johnson, Brenda Glenn, Michael Rossi, Todd Ducharme, Robert Toffelmier, John Drinkwine, Eugene Smith, Harold Petty, William Bones, Buddy Jacob, Dean Matlock, Kevin White, Michael Slover, and Marc Santo.

Hopefully, with this advance warning for most of you, it will limit how much time is spent trying to track everyone down at the last minute. You should complete these requirements and send in the required paperwork, so that you can keep your DRE status. If you do not and enough time elapses after the expiration date, the only way you can continue to be a DRE is to go back through the entire training. Who wants to do that?

Tim Riha
Idaho DRE Coordinator



UPCOMING TRAINING



Washington State DRE In-Service 2000

Space is limited for this training with priority going to DREs. Please contact Sergeant Steve Johnson or Ms. Elaine Hagseth as soon as possible. Training open on a first-come, first-served basis.

Washington State Patrol Academy Phone: 360-427-2181, ext. 130

631 W. Dayton-Airport Rd.

Fax: 360-427-2134

Shelton, WA 98584-8945

Email: sdjohns@wsp.wa.gov

ehagseth@wsp.wa.gov

Date/Time	Event	Location
07/14/00	<i>The Rave Culture, Ravers & their Drugs</i>	Cheney, WA
08:00-17:00	Washington State Toxicological Update	Eastern WA State University

**23rd Annual Vehicular Homicide/DUI Conference
at Congress Plaza Hotel and Convention Ctr.
520 S. Michigan Ave., Chicago, IL
June 25-29, 2000
Completely Updated for 2000!**

Training for: Prosecutors, Judges, Law Enforcement Officers
and DUI Specialists

For more information or to register: Phone 800 323-4011 or 847 491-7245
and ask for the registrar, or visit our website: www.nwu.edu/traffic and
click open "Registration" link. Acknowledgement and hotel reservation
card will be mailed or faxed to each applicant.

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