

## ADLC DUI Task Force Board Meeting

August 13, 2015 – 10 a.m.

118 E. 7<sup>th</sup> Street, Suite 2D

### Call to Order

The meeting was called to order at 10:01am by Chief Tim Barkell.

### Roll Call

Board Members in attendance: **Tim Barkell**, Chief of Law Enforcement; **Ben Krakowka**, County Attorney; **Joanne Heaney**, Victim's Witness Advocate representative; **Patricia Mulvey**, ADLC Commissioner; **Keith Lopez**, Western Montana Mental Health Chemical Addiction Counselor; and **Heidi Nielsen**, Citizen-at-Large and DFC Project Director.

Public Attendees: **Michelle Harrington**, Tri-County Addiction Services; **Matthew Buerkle**, DFC Project Coordinator; **Rose Nyman**, Former ADLC Commissioner.

Those excused from attendance: **Trooper Dave Oliverson**, Montana Highway Patrol.

Those absent from attendance: **Marti Kennerly**, Public Health Representative.

### Approval of Minutes

Motioned by Joanne Heaney and seconded by Keith Lopez that the minutes for the July 9, 2015 meeting be approved as written. Motion carried unanimously.

### Financial Report

Chief Barkell stated that there is a balance of \$5,608.14 in the DUI Task Force budget and that the county just received \$10,950.88 from the state in annual reimbursement fees that are not yet reflected in the current budget. Chief Barkell passed around the Notice of Reinstatement Fees from Kevin Dusko of MDOT. Ben Krakowka asked if anyone was aware of additional fees, apart from the \$200 reinstatement fee, for refusing a breath test and where those additional fees might be going. It was mentioned that the refusal fee may be an additional \$200 or \$300, but no one was sure where those monies ended up at this time.

### MIP and DUI Reports

Chief Tim Barkell reported that there are a total of 27 DUIs and 39 MIPs to-date for 2015. The monthly totals are as follows:

|            |  |
|------------|--|
| January -  | 1 DUI and 4 MIPs   |
| February - | 4 DUIs and 3 MIPs  |
| March -    | 8 DUIs and 9 MIPs  |
| April -    | 2 DUIs and 3 MIPs  |
| May -      | 0 DUIs and 10 MIPs (7 MIPs were from a house party on Alder) |
| June -     | 3 DUIs and 0 MIPs  |
| July -     | 8 DUIs and 8 MIPs  |
| August -   | 1 DUI and 2 MIPs to-date                                     |

Ben Krakowka asked how this year's MIPs compare with last year's at this time. Heidi Nielsen pulled up the minutes from August 14, 2014 and reported that there were 37 DUIs and 29 MIPs at this time last year. (Addendum: according to the August 8, 2013 meeting minutes, there was a total of 33 DUIs and 103 MIPs at this time in August 2013.)

### Upcoming Events

Chief Barkell noted that the MMA Fights start this Saturday, August 15<sup>th</sup> at 7pm in Washoe Park. The ADLC Police Department has offered callouts at double-time-and-a-half for two officers to cover the event. At this point, there are no officers signed up. Chief Barkell's concern is officer burnout from low staffing during the busy summer months and all the events that have been going on. He explained that the police force is down to 18 officers whereas there have been as many as 24 officers in the past. Patricia Mulvey asked what would happen if no officers took call to cover the event. Chief Barkell stated

that the organization running the MMA Fights would have to hire a security service, but that the service wouldn't have arresting capabilities. Ben Krakowka asked if the officer callouts could be offered to other counties. Chief Barkell said that the department hasn't done that before, but he could look into it as a possible option.

Labor Day (9/7) comes after school starts this year (8/31). Ben Krakowka noted that this is the time of year when back-to-school parties and campfires start picking up. He also mentioned that Chief Barkell should let his officers know that a common site for such parties is out at Cable Creek Campgrounds. Chief Barkell added that local youth are also taking their parties to Granite County areas and that Sheriff Scott Dunkerson is aware of that.

Heidi Nielsen mentioned that the middle school leadership camp up at Georgetown Lake's Rainbow Bay would be happening next week from the 17<sup>th</sup> through 20<sup>th</sup>. Chief Barkell said that he would make sure dispatch was aware.

The DUI Task Force discussed the *Coffee With A Cop* event for this September. To accommodate the most officers and the county attorney, the group felt that the event should be on a Tuesday or a Monday. The group would also like the event to happen at the Coffee Corral, but if the event date doesn't work for the owner, Kim Jones, a secondary site option would be the local McDonalds. The DUI Task Force also settled on an event time of 10am-11am. Chief Barkell will look at the officer schedules and call Heidi Nielsen with the best date for the event, and then she can work on securing the site and planning the local event. (Addendum: Chief Barkell called with the best date for officers in September being Thursday, the 17<sup>th</sup>.)

### **New Business**

Chief Barkell provided reports on last month's Goosetown and Art in the Park events. At Goosetown, there were 17 citations (down from 31 citations in 2014). One of the citations was for disorderly conduct related to fireworks complaints. Also, there was one felony citation for a stolen vehicle. He reported that there were actually more calls during the Art in the Park event, mostly due to parking issues. Otherwise, there were no problems at Art in the Park this year.

Chief Barkell added that there was a complaint made at a commission meeting regarding the Sunday of Goosetown (7/12/15). The complainant [name withheld] stated that people were throwing bottles and smoking at the baseball field. Chief Barkell stated that officers are not historically called out to cover Goosetown on Sundays because the teams usually leave on that day. He added that a solution offered was to get officers to take callouts on Sundays in the future, but Chief Barkell doubts that officers will take advantage of that option simply due to burnout during the busy summer months.

Patricia Mulvey wondered if announcements could be made prior to each baseball game regarding smoking and the associated fire hazards (e.g., wooden stadium). Chief Barkell thought that maybe a citation for watering on the wrong day could be adapted to create smoking citations for events.

Ben Krakowka gave a report on the Social Host Ordinance efforts by a group of local 8<sup>th</sup> graders. He said that they were great kids who worked very hard on the initiative to improve their community and who really did their research. He said that the youth presented the Social Host Ordinance to the ADLC Commission (7/21/15), but that the commissioners, for whatever reason, were against the ordinance and tabled it. There were two things pointed out as concerns by the commissioners. First, they felt the title of the ordinance was too lengthy. And second, the reimbursements the ordinance laid out for police officers and the fire department's time were an issue. Ben Krakowka noted that there is public misconception surrounding the Social Host Ordinance – adults vs. minors – and criminal issues.

Ben Krakowka noted that a target of the Social Host Ordinance was to rein in the parents of kids with habitual party activity, but that the ultimate goal was a community improvement change project by the group of youth who brought it forward.

### **Public Comment**

Rose Nyman noted that a person [name withheld] at a commission meeting, complained that an officer was not seen onsite at the Goosetown event on Saturday or Sunday (8/11 & 8/12). Chief Barkell clarified that there were five officers covering Friday, three covering Saturday, and none scheduled on Sunday (as discussed earlier).

Rose Nyman went on to say that the Fire Department and local Law Enforcement have the backs of the community members and are there when needed, and that if people are unhappy, they should follow the proper channels by calling law enforcement before bringing the issue before the commission. Chief Barkell confirmed that those who complained at the commission meeting never called the police. Rose Nyman added that following the commission meeting, she visited with a person [name withheld] who said that many people who engage in the disruptive behavior are not typically from this community. Furthermore, Rose Nyman is unhappy with such criticisms and feels that if the complaints are legitimate, those with the complaints should go to law enforcement first.

Regarding the Social Host Ordinance brought forth by the group of local 8<sup>th</sup> graders, Rose Nyman said that though she doesn't personally support a local Social Host Ordinance, the youth should have received support from the commission as well as adults who support the efforts of the youth – if for no other reason than to encourage the youth in continuing to pursue positive community change efforts. Furthermore, Rose Nyman felt that because these kids worked so hard, any complaints made against their efforts should have been made in-person, rather than as anonymous calls or letters that took away from the youth and adult supporters who were physically at the commission meeting. Finally, she felt that more adults should have physically supported the youth and was ultimately disappointed in how the youth were treated by the commission.

The majority of the DUI Task Force was in agreement with Rose Nyman's sentiments. Matt Buerkle mentioned that when Social Host Ordinance efforts were made in Havre, MT, similar public concerns came up. Ben Krakowka added that, even though a positive outcome would have been better, at least the kids are learning about the legislative process. Rose Nyman expounded on the idea by stating that the kids who presented the ordinance were well studied on the local and state laws but that the local legislative body did not have a clear understanding of the State's current efforts. Keith Lopez asked how many times the Social Host Ordinance had been brought before the commission. Rose Nyman answered that this was the first official attempt to pass it. Heidi Nielsen suggested a thank you card signed by the DUI Task Force representatives to the youth as a recognition of their positive efforts. The group agreed and a card was signed.

#### **Next Meeting**

The next DUI Task Force Meeting is scheduled for September 10<sup>th</sup> at 10 a.m. in the ACI office located at 118 E. 7<sup>th</sup> Street, Suite 2D unless otherwise noticed.

#### **Adjournment**

Moved by Keith Lopez and seconded by Joanne Heaney that the meeting be adjourned at 10:37am. Motion carried unanimously.



Heidi Nielsen, RN, BSN, CLNC, CLC

Anaconda DFC Project Director, DUI Task Force Citizen-at-Large

## ADLC DUI TASK FORCE – ATTENDANCE FORM

Date: August 13, 2015

|    | Name:               | Email:                |
|----|---------------------|-----------------------|
| 1  | Kurt Lopez          | Klopez@wmmhc.org      |
| 2  | Michelle Harrington |                       |
| 3  | Joanne Heaney       | on file               |
| 4  | Patricia Mulvey     | on file               |
| 5  | Ben Krakowka        |                       |
| 6  | Heidi Nielsen       | on file               |
| 7  | Rose Nymen          | nose.nymen1@gmail.com |
| 8  | Matthew Buerkle     | on file               |
| 9  | Tim Barkell         |                       |
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## Reinstatement fees

Dusko, Kevin

Sent: Thursday, June 25, 2015 12:25 PM

Cc: Dusko, Kevin

Good Afternoon DUI Task Forces:

First of all, thank you for submitting your plans by June 1st. By doing that, it enables me to get approval recommendations to the Governor's Highway Representative on Highway Safety so we can distribute funds by July 1. You and your county commission will be receiving letters from the Governor's Highway Representative for State Fiscal Year (SFY) 16 Task Force approval. We now have thirty-eight (38) DUI Task Forces representing forty-two (42) counties.

Next week, your county treasurer will be receiving funds authorized by HB132, disbursement of undistributed reinstatement fees. The amount of disbursement will be \$10,950.88 per county, which will distribute the accumulated DUI Reinstatement Fees collected and committed as of June 30, 2014.

This is less than the original projection because we are utilizing only committed funds in the DUI Reinstatement Fees Account. Any funds accumulating after July 1, 2014 have not yet been committed and will be released in subsequent fiscal years. Ultimately, the projected amount will be distributed but this will happen across fiscal years.

For internal fiscal tracking, you will need to perform necessary budget adjustments in your SFY16 budget to reflect the \$10,950.88 amount. If you need assistance with this, please contact me.

Finally, approved FFY15 DUITF's will receive the 4th quarter installment of the SFY15 distribution of reinstatement fees. This will happen during the latter part of July.

I wish you a safe and great summer and I am always available for questions.

Kevin

Kevin P. Dusko  
Transportation Planner  
State Highway Safety Section  
Montana Department of Transportation  
444-7411  
[kedusko@mt.gov](mailto:kedusko@mt.gov)

## COFFEE WITH A COP – PROGRAM INFO

Coffee with a Cop is on a mission to improve trust and build relationships – one cup of coffee at a time.

### **Police Officer Perspectives:**

A cup of coffee is a common bond. And, it can help officers build better relationships with the communities they serve.

Agenda Free: No speeches or specific topics. Just informal conversations about what matters to community residents.

No Barriers: Eliminate obstacles—such as radios, patrol cars and cell phones—for a short period of time to be more approachable and have relaxed conversations with community members.

Problem solving: Coffee with a Cop events are opportunities to build relationships in order to better problem solve with the people officers serve.

Organizational Transformation: Coffee with a Cop removes the typical barriers that come between officers and residents. And it's as beneficial for residents as it is for officers. Line level officers begin to see clearly the benefit of police-community collaboration and remember why they decided to put on the badge. The shift in attitudes helps transform an agency into a community-oriented policing organization.

### **Community Member Perspectives:**

No Agendas: Events are relaxed, informal and open for discussions about the issues community residents feel are important.

No Distractions: Radios and cell phones are off for the duration of the event so community members can have stress-free conversations with police officers.

No Barriers: One-on-one conversations between citizens and their police officers are the best way to build trust and mutual goals for communities.