

The Gallatin County DUI Task Force

Gallatin County, Montana



LOCAL DUI TASK FORCES

Contents

History	45
Task Force Objectives	46
Funding.....	46
Timeframes.....	47
Operational Issues.....	47
Structure	47
Task Force Agenda.....	48
Political Leadership and Community Support	49
Strengths.....	49
Barriers.....	50
Accomplishments.....	50
Programs.....	51
Partnerships	51
Media Involvement.....	52
Evaluation of Effectiveness Measures.....	52

History

The Gallatin County DUI Task Force was established as a result of a drunk-driving fatality in Gallatin County. On Memorial Day weekend 1978 a young woman was struck and killed by an intoxicated driver while walking in her driveway. The woman's mother, Doris Fisher (now Doris Heckerman), was a nurse and a county coroner. In the aftermath of the incident she came to the conclusion that DUI was not being treated as an important issue in her area and drunk drivers were not being held properly accountable. She assembled a group called Montanans Against Drunk Driving. This group engaged in various activities to raise awareness of the DUI issue. These activities included following DUI cases through arrest, prosecution, and adjudication. The group would question officials about cases in which charges were dropped or pled down and would sit in courtrooms to monitor DUI cases. Heckerman's position as a coroner gave her access to wrecked cars from DUI cases. These cars would be displayed prominently around the community and the circumstances of the crashes were publicized.

As part of an effort to raise awareness of the issue she began working with John Vincent, a local state legislator, who had been one of her daughter's high school teachers. They tried unsuccessfully to encourage Montana to pass anti-DUI legislation in 1979 and 1981. In March 1983, the task force was successful and Montana passed a law that authorized county governments to create local DUI task forces funded by license reinstatement fees. The law, MCA § 61-2-106 – "County Drinking and Driving Prevention Program," describes the purpose and operation of the local task forces. It is included as of this case study. The law went into effect in October 1983. The Gallatin County DUI Task Force was created on March 1, 1984, by the Gallatin County Commission. After the Gallatin County Task Force was created, Montanans Against Drunk Driving disbanded, and most of its members became part of the county task force. Heckerman is not a member of the current task force.

The task force has provided a forum for proactive discussion about the problem of DUI, and a place for professionals in the field and citizen activists to come together to design constructive and effective courses of action.

We were unable to confirm whether there had been an official charter for the task force at its inception. Task force records prior to 1991 were lost in a fire. The task force has bylaws, which are updated periodically.

Political and community support for the task force has waxed and waned over the years. Key informants who we interviewed report that Montanans tend to be strongly in favor of personal liberties, which makes it difficult to sustain strong support for strict DUI laws and their enforcement. Therefore, political leaders often do not feel that it is in their best interest to concentrate on DUI issues or support strong anti-DUI initiatives. For a period), the task forces in Montana were without funding when the state legislature neglected to pass through funding to the counties. Key informants reported that legislators may have felt that the local task forces had fulfilled their purpose. The Gallatin County task force continued to operate without funding while spearheading an effort to reestablish funding for all local task forces throughout the State. This success is described in the section on funding.

Task Force Objectives

The general purpose of the task force is to develop and fund public education and enforcement projects to reduce the number of alcohol-related crashes and deaths in Gallatin County. More specifically, the goals of the task force, as described on the task force Web site (http://www.gallatin.mt.gov/Public_Documents/gallatincomt_duitaskforce), are to:

- Support increased, focused, and effective DUI enforcement;
- Provide a collaborative environment where solutions to DUI can be addressed;
- Improve communication and collaboration of professionals in the field with citizens;
- Promote citizen education and awareness on the issue of DUI;
- Provide the tools and motivation to combat DUI on a personal/family level;
- Educate local politicians, decision makers, and the community about DUI; and
- Support, inform, and energize everyone involved in the continuum of DUI prevention, intervention and enforcement.

The original mandate for the task force was that it should have a strong but not exclusive focus on enforcement.

Funding

The task force budget for 2009 was \$76,213. This is about \$10,000 higher than usual because of a one-time infusion of funds to be used for three larger-than-normal projects. The task force has been funded by the State via DUI reinstatement fees. Although the funding is specifically set aside for the task force, the county government maintains fiscal oversight for the program because money goes through the county government. A fee is paid to the county for administering and overseeing the funds. A perceived benefit of this system is that the State provides funding while leaving decisions on how to run the task force to those at the local level.

There was a period of about two or three years during which the task force received no funding. One informant suggested that the legislature may have believed the task force was no longer necessary. The Gallatin County Task Force worked with the chair of the Great Falls DUI Task Force and a local State legislator to convince other legislators that the county task forces were still necessary. State funding was, in fact, restored and the new legislation included an increase in the driver's license reinstatement fee upon which the funding for task forces is based. The fee increase was, to some extent, intended as a point of negotiation that might be dropped in the course of getting the legislation passed. Ultimately the increase remained in the legislation so that the program now receives double the amount it received previously. Under the current system, the State gets half of the \$200 reinstatement fee; counties that have DUI task forces get the other half.

Prior to the years when the State funding was dropped, additional funding for the task force was sometimes available through grants, using funds provided to the State by NHTSA. During the funding gap, the State, perhaps under the belief that the task forces were no longer necessary, stopped approving the use of Federal grant funds for the task

forces. These funds were used instead to support Safe Kids, Safe Communities programs. Later, when State funding was reestablished, the Federal grant funds continued to go to the Safe Kids, Safe Communities programs, and the local task forces were still unable to apply for Federally funded grants. Recently the State has advised the local task forces that they may once again apply for grants from these Federal funds.

Gallatin County has a relatively high DUI rate, possibly due in part to the presence of Montana State University. The high DUI rate, coupled with the relatively large size of the county, results in a large number of county DUI offenders paying reinstatement fees after license suspension. Because task force funding comes from reinstatement fees from county residents, there is sufficient funding such that the task force does not need to seek other funds and has adequate funding to take on promising projects.

Timeframes

The Gallatin County Task Force has been in operation since 1984. It should be noted that the current task force grew out of the Montanans Against Drunk Driving organization that began in 1978 and provided the impetus for the creation of the States' local DUI task force programs. The initial goal of the Gallatin County Task Force was to study DUI and make recommendations to the Gallatin County Commission in six months of its creation. Beyond that, there was no pre-determined timeframe for task force activities to end or for the legislation to expire. The task force creates a yearly report on its activities that it submits to the County Commission and the State. The task force meets monthly for 11 months of the year (not in December) on the third Wednesday of the month.

Operational Issues

Structure

The task force is made up of residents and representatives from several agencies, led by a paid citizen coordinator. Because task force funding is passed through the county government from the State, the coordinator is a county employee. The coordinator position is part-time; however, the hours per week for this position have increased over time. It was suggested that the citizen-led nature of the task force makes it very important that there be a paid coordinator. Though people are interested in the issue, it would be difficult to get sufficient volunteer time to lead the task force effectively. Additionally, although it might be possible to fund the coordinator's position by making it part of one of the agencies involved (e.g., law enforcement), such an arrangement could result in one agency having undue influence on the focus of the task force. Key informants felt that the collaboration of different groups and agencies is essential and that balance can best be achieved by having the coordinator not be affiliated directly with any one of those groups or agencies.

The membership of the task force is open. The task force Web site (http://www.gallatin.mt.gov/Public_Documents/gallatincomt_duitaskforce) encourages people to contact the task force about becoming members. The county can also advertise for members. The focus has been to find members who are enthusiastic and will attend meetings rather than attempting to get a large membership that includes people who

do not actively participate. Meetings are always held in the same conference room in downtown Bozeman.

In addition to the coordinator position, the task force has a chair person, vice chair person, and a secretary/treasurer. The membership structure is established in the bylaws. Originally all task force members were approved by the three full-time county commissioners. This practice tended to slow the appointment process. About eight years ago, the bylaws were revised to allow certain approved agencies to send liaisons of their choosing. Agencies that have been approved include all member police organizations, the county attorneys' office, Bozeman city attorney's office, alcohol and drug services, and a student organization from Montana State University. In addition to agency representatives, there are 12 volunteers from the general public who still must be approved by the county commission. There are no standing subcommittees. Subcommittees are sometimes created to address specific needs, often because groups of members want to work on specific activities. Once the activity is completed, the subcommittee is disbanded. Sometimes the committee will appoint members to take on necessary tasks, such as rewriting bylaws.

Task Force Agenda

The task force agenda is set primarily by the task force coordinator and the chairman. Because the purpose of the task force is to serve as a think tank, substantial importance is placed on leaders' eliciting advice from other members regarding task force activities. Taking advantage of the abilities and ideas of members has a double benefit, as it allows the task force to take advantage of the members' expertise and ideas, and provides a sense of empowerment to task force members, which in turn is motivation for them to participate. For this reason, the coordinator finds it important to acknowledge the ideas and contributions of members.

The legislation that created the task forces puts a focus on issues of drinking and driving; thus, the task force tends to stay away from issues that are not specifically related to DUI, such as youth access to alcohol. Task force members feel it is important to leave other alcohol-related issues to groups that are able to deal with them more effectively. For example, the local MADD organization is in a better position to lobby for legislation and can address issues such as sales of alcohol to underage patrons. It was stressed that a task force can be more effective if it refrains from duplicating the efforts of others, or taking on efforts that other agencies can handle more effectively. In cases where the task force feels that a given issue is outside its purview, it may elect to come out in support of the issue, without actually working on it.

The agenda of the task force has not changed over time as the nature of the task force's work continues to be mandated by the legislation that created it. However, the specific activities of the task force have changed and evolved over time. For example, the task force's work to provide equipment for police agencies has expanded. At one point the task force was part of an effort to obtain video recorders for patrol cars. Once police agencies had some cameras and began to realize the benefits, they began purchasing cameras themselves. At that point, the task force began to look at other equipment it could help provide, and began to look into providing preliminary breath testers (PBTs) for officers. Now the police agencies are buying more PBTs for their officers, the task force is looking for

other activities. Our key informants stressed that the task force can be most effective if it remains flexible and ready to adapt to the changing environment.

Political Leadership and Community Support

The amount and nature of support for the task force from political leaders and the community has varied over time. As noted earlier, the culture in Montana places great importance on personal freedom, and this has made it difficult to fight for stronger penalties and enforcement against DUI. Over the years, there has been positive change. This is due in part to changing attitudes throughout the country, and the work being done by the task force and other groups such as MADD. Still, the task force continues to struggle against older, entrenched attitudes. When there is support for the task force, it tends to be in reaction to recent events. Several high-profile DUI crashes over the years have raised awareness and resulted in increased support for the task force and its activities. Often the support from the community and politicians tends to be passive rather than active. For example, agencies may report that they support the task force, but members do not attend task force meetings or participate in task force activities. A key informant has the sense that although many agencies consider DUI to be an important issue, they may feel that the existence of the task force means that the issue is being handled without requiring their participation. At the legislative level, support depends on how “palatable” or politically feasible a given issue is. The task force is currently supporting an upgrade to a primary seat belt law and efforts to change the laws regarding refusal to submit a breath test. Legislators have been resistant to these initiatives.

Strengths

A key to the success of the task force has been to maintain achievable goals by limiting the number of high priorities addressed so as to avoid overextending the abilities of the task force. By keeping goals reasonable in number and scope, the task force can build on successes rather than becoming discouraged by failures. A critical strength of the Montana task force system is that task forces are locally based even though the funding comes through the State government. Allowing task forces to make decisions locally capitalizes on local citizens’ support to address situations in a community in a timely manner.

The idea behind the local task force program in Montana is to create a place where people from different disciplines can share their knowledge, experience, and creativity to engage in activities that hold the promise for curbing impaired driving. This creates an educational opportunity for these professionals, and allows them to feel supported in their efforts and as though they are a part of something larger.

An important aspect of the task force is that it remains flexible. As the environment changes, the task force is free to change with it. When a group comes along that can take over some of the work of the task force (as MADD did with the legislative work), it can adapt to refocus its energy and resources on other activities. When efforts that had been successful in the past cease to be, the task force can search for other opportunities. For instance, a DUI prevention activity involving staged crashes at a high school and the removal of students from class to represent fatalities resulting from that crash can be a

powerful tool for a while, but eventually the effect wears off and a different activity must be sought. Similarly, placing wrecked cars in a high profile location can be effective for a short period of time but the impact may dampen with time. As with repeated exposure to the same strategies, community members may lose interest in the task force over time. Old allies in agencies may be replaced by officials who are not as supportive. New residents may become interested in the task force and new situations may provide new opportunities. The task force coordinator made the comparison between opportunities and open doors. "Open doors close, closed doors open. We don't batter ourselves on the closed doors but work with the doors that are open or where there is interest." By remaining vigilant and adaptable, the task force continues to use its resources effectively.

Barriers

A general barrier has been an environment in which DUI has not been considered a serious issue. Such an environment focused on concerns for individual freedom has led to a tendency to protect the drinking driver or to consider a DUI crash to be a regrettable outcome from a mistake in judgment rather than a crime.

The specific types of barriers that the task force has encountered have changed over time. This changing atmosphere underscores the importance of remaining vigilant for changes in situations and being ready to take advantage of new opportunities when they present themselves, especially when old opportunities cease. One specific barrier encountered involved a plan to issue regular reports on DUI citations to local radio stations, which proved impossible due to the inability to obtain data in a timely manner from the computer-aided dispatch system administrator for Gallatin County 911 communication.

Accomplishments

A primary measure of accomplishment is that the task force has managed to keep the issue of DUI in front of the public. This has required keeping the message out there, which has in turn required creating new ways to do so.

At the State level, the Gallatin County Task force was able to work with a State legislator and a coordinator of another DUI task force to reinstate funding after it had been stopped. The refunding affected DUI task forces across the State. This is especially important as Montana has many local DUI task forces. General anti-impaired-driving lobbying efforts of MADD during that time also helped reinstate funding. Another measure of the accomplishments of the Gallatin task force is that its "Swimming Upstream Awards" program has been picked up for use by other task forces in the State.

Programs

Activities that have been implemented by the task force include:

- Submitting guest op-eds and letters on the DUI issue to local newspapers;
- Gathering and disseminating DUI-related statistical information;
- Coordinating the collection of place-of-last-drink data until that activity was taken over by the State Department of Health and Human Services;
- Funding interagency DUI checkpoints and saturation patrols during holidays and special events;
- Funding equipment purchases (e.g., in-car video recorders, PBTs) for police forces;
- Holding demonstrations of the “Fatal Vision” goggles to illustrate alcohol impairment;
- Establishing and funding the Late Night Streamline Ride Service, a free ride service for impaired drivers. These rides are available on Thursdays, Fridays and Saturdays from about 8:30 p.m. until about 3 a.m. Hours may be modified to accommodate increased ridership for some holidays. This service provided 7,787 rides from September 2007 through June 2008;
- Working with tavern owners in downtown Bozeman to reduce underage drinking and open container and DUI violations. The effort included funding wristbands for customers using ID to show they are 21 or older, confining the area in which open containers are permitted, and providing and advertising the free ride program.
- Creating the “Swimming Upstream” awards program to honor community members who work to change how the county perceives the negative consequences of alcohol misuse;
- Funding and organizing the dissemination of anti-DUI messages through posters, and innovative methods such as flyers on pizza boxes used during the Super Bowl, key chains for distribution to new drivers at State DMVs, and public service announcements in unexpected places such as in the form of classified ads in local newspapers (e.g., “for sale – your truck if you get a DUI and lose your license”);
- Maintaining the task force Web site.
(http://www.gallatin.mt.gov/Public_Documents/gallatincomt_ DUI/duitaskforce).

Partnerships

The task force is described as a citizens organization. A recent list of task force members indicated 18 members, including 4 private individuals, 9 law enforcement representatives, 2 members of city or county attorney’s office, 1 representative of the county health department, a representative of the Associated Students of Montana State University, and a representative of Alcohol & Drug Services of Gallatin County. Over time certain task force members have become inactive, as others have joined. This is seen as acceptable, because it assures that current members are active and looking forward with a positive outlook. Including participants from outside of the law enforcement community is described as being very important in seeing the “big picture.” Including treatment providers was described as being particularly important.

MADD is not directly involved in the task force, yet the two groups work together in many ways. The task force works in consort with MADD to support its efforts and to avoid

duplication. In the past, the task force held periodic round table meetings that included the task force members and the local MADD chapter; however, regular meetings have been discontinued in favor of holding meetings related to specific projects. A key informant noted that an advantage of joining with MADD, rather than having the task force as a part of MADD, is that the task force can generally be more responsive to the local community and is not constrained by the national level priorities set by MADD. The task force has had a more collaborative approach to its work, by way of its many partners, whereas MADD is perceived by our key informants to work as a single entity.

Media Involvement

There are no media representatives serving as task force members. Many of the task force activities involve the use of media for publicizing DUI issues such as paid advertising and public service announcements. Media used include radio, newspapers, and media outlet Web pages. In some cases, media access is purchased; however, media outlets have volunteered marketing resources to aid in task force activities in the past. Relationships with the local media have changed as members of the media have changed. The task force coordinator has found that relations with the media rely heavily on personal relationships. There have been both television and newspaper reporters who have been interested in DUI issues and were supportive, but who moved on and were replaced by people who were not as supportive. For a time a television reporter invited the task force coordinator to report statistics and make a monthly comment. This ended when that reporter left the television station. Recently another television reporter has begun to express an interest in the issue. When invited for an interview, the task force coordinator spent 20 minutes suggesting other potential stories. There is ongoing media interest in the issue of repeat DUI offenders, so the task force coordinator is rewriting an article on DUI drivers to focus on repeat offenders in an attempt to interest the media. These are examples of the “open door, closed door” analogy described earlier, i.e., watching for opportunities and taking advantage of them.

The coordinator expressed the view that much of the task force’s work is essentially social marketing. She has a background in marketing and has used her background to find ways to get coverage of task force events and DUI issues without cost. She has used techniques she has described as “guerilla marketing” to get the message out. This includes placing what are essentially anti-DUI messages in the classified sections of local free newspapers. She has suggested to State officials that they provide training in marketing to local task force coordinators. She has the impression that many people think that effective marketing is simpler than it actually is, and that they would benefit from training in marketing. A key component to that training would be the need to concentrate on what one can do, creatively, working with available resources.

Evaluation of Effectiveness Measures

The task force tries to keep track of statistics such as DUI arrests, conviction rates, and proportion of crashes involving alcohol in the county. Because DUI arrests, crashes, and fatalities don’t tell the whole story, other factors are viewed as being indicative of success. One issue mentioned is that attitudes in the larger community appear to be shifting more

toward viewing DUI as being socially unacceptable and the issue as being important. People are more willing to publicly stand with the task force on the issue. The fact that media outlets have volunteered marketing resources is seen as a sign of change in attitude.