



**STATE OF OKLAHOMA
BOARD OF TESTS FOR ALCOHOL AND DRUG INFLUENCE**

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Dr. Jarrad Wagner, Ph.D.
Chairman

Joshua Smith
State Director

The agenda for this meeting was posted in accordance with Title 25 Section 311.A.9, at the Administrative Offices of the Board of Tests for Alcohol and Drug Influence, 3600 North Martin Luther King Avenue, Building 9, Oklahoma City, OK, 73111.

**Regular Meeting
Of the Board of Tests for Alcohol and Drug Influence
Oklahoma Department of Public Safety Complex,
W.C. Sarg Smith Classroom
3600 North Martin Luther King Avenue, Oklahoma City, OK, 73111**

**Tuesday May 16, 2023
10:00 A.M.**

MINUTES

BOARD MEMBERS PRESENT:

Dr. Jarrad Wagner, OSU Health Science - Chair
Kevin Kramer, Oklahoma State Bureau of Investigation
Kevin McCullough, CLEET
Major Jansen Idlett, Dept. of Public Safety
Dr. Kenneth Blick, OU Health Science
Dr. LaTrina Frazier, Dept. of Health

BOARD MEMBERS NOT PRESENT:

Chief Michael Bell, Oklahoma Chiefs of Police
Sheriff Damon Devereaux, Sheriffs and Peace
Ofc Assoc.

STAFF PRESENT:

Josh Smith, Director
Jordan Miller, Bus. Services Coord.
Christopher Pape, Breath-Test Admin
David Cravens, Training Admin
David Barnett, Interlock Admin

1. Call to Order and Roll Call

Action Taken: Dr. Wagner called the meeting to order at approximately 10:00 a.m. Roll was taken; six members were present.

2. Statement of Compliance with the Open Meetings Act

Action Taken: Dr. Wagner gave statement of compliance for the record.

3. Approval of Minutes

Action Taken: Dr. Blick motioned to approve minutes from the Tuesday, February 21, 2023 Regular Board Meeting. Kevin Kramer seconded the motion.

A roll call was taken with the following results: Dr Wagner voted yes, Kevin Kramer voted yes, Dr. Blick voted yes, Dr. Frazier voted yes, Kevin McCullough voted yes, Major Jansen Idlett voted yes.

4. Director's Report

1. Agency operations update – Financial updates – PO's ready for FY24, Budget not completed yet, but anticipate a reduced budget plan.

2. Training - Currently 23 classes completed certifying 223 new Intoxilyzer operators. Attendance has been lower since the beginning of the year; we are unsure why unless agencies are either unwilling to send their officers, not interested due to current DUI prosecution, or lack of manpower. We have had one out of town class canceled in Mangum, Oklahoma due to the low interest.

We are currently on track for 50 classes this year and hoping to reach a goal of 500 trained operators by the end of the year; however, if we continue to have low attendance reaching the 500-operator goal might be unattainable.

Breath Testing – Less than 10 instruments currently at CMI. Repair times have gotten better but still take an average of more than 90 days to return back to our inventory. Costs have increased just as much as we have seen with grocery and cost of living inflations. We have now exceeded our budget for repairs by \$8,000.00.

Ignition Interlock – We are still experiencing IDAP challenges, but some progress has been made as we continue working through those challenges. Currently, we have approximately 75-85 enrollments per month. The agency is still waiting on access to the driver license system. S/OK has reported that the software provider has informed them they are nearing completion and the changes will allow trained/authorized individuals read access.

3. Lastly, a big thanks to the hard work of staff. The phone calls have increased, and staff have stepped up to answer phones and return calls quickly. Staff have also become well educated regarding implied consent laws and driver license procedures.

Action Taken: No action taken.

5. Update on Board of Tests for Alcohol and Drug Influence Sunset Bill HB2822.

The bill passed and was signed by the Governor. The agency is being extended until July 1, 2026.

Action Taken: No action taken.

6. Discussion and possible action with items on breath alcohol instrumentation state plan. (Note: This plan is fluid and amendable.)

BOARD OF TESTS FOR ALCOHOL AND DRUG INFLUENCE "STATE PLAN" TO ADOPT NEW BREATH ALCOHOL TESTING INSTRUMENTATION

1. Identify the need for new instrumentation (current situation of the state).
2. Modify the administrative rules to accommodate incorporation of the new instrumentation.
3. Develop and adopt internal Board policy and procedure for instrument evaluation. (05/16/23)
4. Solicit feedback from other states currently using candidate instruments. (05/16/23)
5. Select instruments to evaluate that meet the statutory requirements, rules, and needs of the State. (05/16/23)
6. Evaluate instruments pursuant to the internal Board evaluation policy and procedure.
7. Board selects best candidate/instrument to adopt based on evaluation report/results or best fit.
8. Work with the selected instrument manufacturer to negotiate a purchase and service contract.
9. Identify funding sources and acquisition of new instrumentation.
10. Send qualified staff to manufacturer maintenance and repair training.
11. Develop and identify level of training and curriculum for current operators and new operators.
12. Create roll-out and distribution plan for new instrumentation.

Action Taken: Dr. Blick motioned: "The director and BOT staff shall evaluate the CMI Intoxilyzer 9000 and the Draeger 9510 evidential breath testing devices and provide a comprehensive report to the Board in accordance with the internal evaluation and protocol policy approved by the director and chair".

Motion was seconded by Dr. Frazier.

A roll call vote was taken with the following results Dr. Wagner voted yes, Kevin Kramer voted yes, Dr. Frazier voted yes, Dr. Blick voted yes, Kevin McCullough voted yes, and Major Idlett voted yes.

7. Chairman's Report

Dr. Wagner expressed his appreciation to the director, staff, and the board members for all the efforts taken to carry out the mission of the agency and attending the meetings.

Action Taken: No action taken.

8. Public Comments

Steve Fabian expressed his concerns over Service Oklahoma and informed the Board that many courts are setting aside revocations as a result of S/OK's lack of attorney appearances. Toby Taylor said he is appreciative for the Board, but there have been issues with the IDAP program roll out with Service Oklahoma. Brian Morton stated that there are still Order of Revocation issues with Service Oklahoma and pending litigation. Mr. Morton stated that his staff said the Board has been great to work with during the transition of the IDAP program. Kevin Behrens said there are a couple of new attorneys starting in June for Service Oklahoma and the director and staff at the Board have done all they can do to ensure IDAP is successful.

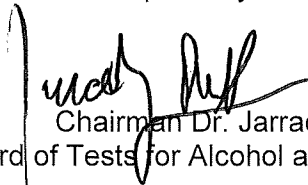
Action Taken: No action taken.

9. Adjournment

Action Taken: Kevin Kramer motioned for adjournment. Dr. Blick seconded the motion.

A roll call vote was taken with the following results Dr. Wagner voted yes, Kevin Kramer voted yes, Dr. Blick voted yes, Kevin McCullough voted yes, Major Idlett voted yes, and Dr. Frazier voted yes.

Respectfully submitted,



Chairman Dr. Jarrad Wagner
Board of Tests for Alcohol and Drug Influence

**A digital copy of these minutes is kept on record at the Board of Tests.
Available upon request.**