

**COMMISSION ON VASAP
QUARTERLY MEETING**

September 15, 2023

Minutes

Attendance:

Commission Members:

Mr. John L. Saunders, Vice Chairman
Senator Scott A. Surovell
Delegate James A. Leftwich, Jr.
Delegate Don L. Scott, Jr.
Delegate Wren M. Williams
The Honorable George D. Varoutsos
The Honorable Gino W. Williams
Ms. Pat Eggleston
Ms. Margaret Steele

Absent:

Senator Richard H. Stuart, Chairman
The Honorable Mary Jane Hall
Ms. Krystal Hullette

Commission Staff

Ms. Angela Coleman, Executive Director
Ms. EdQuina Bradley
Ms. Rosario Carrasquillo
Ms. Shelby Edwards
Mr. Glen Miller
Mr. Christopher Morris
Ms. Charlene Motley
Mr. Richard Phillips

Office of the Attorney General

Mr. Christian Parrish

Time and Place

The quarterly meeting of the Commission on Virginia Alcohol Safety Action Program (VASAP) was conducted in Potomac Room at the Omni Richmond Hotel in Richmond, Virginia on September 15, 2023, at 10:00 a.m.

Mr. John L. Saunders, Vice Chairman, presided and called the meeting to order at 10:02 a.m.
Ms. Angela Coleman, Executive Director, called roll of the Commission Members.

Approval of the Minutes

Delegate James A. Leftwich, Jr. moved, and Senator Scott A. Surovell seconded the motion that the minutes from the June 9, 2023, Commission meeting be approved. All were in favor; none opposed.

VASAP Leadership Program

Ms. Angela Coleman stated that the Commission staff's focus this year is on employee staff development, retention, and training. Ms. Coleman reported a critical need for leaders who can fill the gap left by program directors who retired or moved on to other positions. As a result, the VASAP Leadership Program was developed. Ms. Rosario Carrasquillo, Commission on VASAP Special Programs Design Technician, was introduced as the staff lead and instructor for the leadership program. Ms. Coleman introduced the Inaugural VASAP Leadership Class, who will be in the leadership program for the next 12 months.

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| Nancy Mayer, Capital Area ASAP | Issar Ali, John Tyler ASAP |
| Amanda Proffitt, Central Virginia ASAP | Bridget Mullins, Old Dominion ASAP |
| Karine Geller, Chesapeake Bay ASAP | Kailee Edwards, Peninsula ASAP |
| Tamara Nichols, Chesapeake Bay ASAP | Ciara Lindsey, Peninsula ASAP |
| Michelle Anderson, Court Community Corrections | LeVeice Farrell, Southeastern ASAP |
| Julie Caplan, Fairfax ASAP | LaNeisha McMiller-Smith, Tri River ASAP |

Ms. Coleman thanked the program directors for supporting their staff in their new adventure.
Mr. Saunders congratulated the participants and congratulated Ms. Coleman on the program.

Alexandria ASAP Update

Mr. Christopher Morris, Commission on VASAP Special Programs Coordinator, gave an update on Alexandria ASAP. He stated Ms. Sara Taylor with the Alexandria City Manager's Office and Mr. Rohan Williams, Director of Peninsula ASAP, and Alexandria ASAP, along with Commission staff, have been working on a proposal to take to Alexandria City Council. Mr. Morris stated Ms. Taylor has done most of the work for that and after reviewing the proposal, set to be presented in September, Mr. Morris stated he is confident that the City of Alexandria will pair with Alexandria ASAP to build a premier program. Ms. Coleman asked Mr. Morris to expand upon the financial investment. Mr. Morris reported that a new area of the Alexandria Court is being built near the Commonwealth Attorney's office. Included in the proposal is for Alexandria ASAP to be provided with an office in that new section which will save on rent and overhead costs for the Alexandria ASAP. In addition, the proposal is seeking 50-70 thousand dollars, for at least the first year, in financial contribution to the program.

VASAP Interlock Summary

Mr. Christopher Morris reported on the benefits of the ignition interlock program in Virginia. According to MADD, from 2006 to 2020, ignition interlock devices stopped 29,224,162 vehicles start attempts throughout the country where the driver had a BAC of .020% or greater. In 3,784,383 of those stops the BAC was .080% or greater. In Virginia, the total for the same time-period was 252,334 and 28,952 respectively. Virginia is unique because ignition interlock is tied to treatment. Mr. Morris stated while the client is in classes or treatment and working on permanent change in behavior the ignition interlock is stopping them from doing something regrettable. Ignition interlock usage creates a positive pattern of behavior through positive and negative reinforcement. Some of those negative reinforcements include, being returned to court, treatment assessment and the extension of interlock requirement. Cameras in Virginia provide local programs with the ability to detect circumvention attempts, for example, when a client has someone else blow for them so they can drive impaired. Mr. Morris reported circumvention is a major problem across the whole country. With the inclusion of cameras, ASAP has been able to detect a lot of the circumvention cases.

Most importantly, ignition interlocks strengthen highway safety on the roads of the Commonwealth reducing injuries, property damage and fatalities. Mr. Morris reported Virginia has one of the tightest regulatory requirements in the country. These requirements include:

- Interlock facility within a 50-mile radius of every resident
- Strict calibration requirements
- Annual facility inspections to include surprise visits.
- Certification requirements for devices, facilities and technicians.
- Devices must meet NHTSA testing requirements.

Mr. Morris stated interlock events with a BAC between .021% and .040%, deemed as violations by one of the local programs, receive a secondary review by the state office prior to action being taken. Commission staff will ensure it is a violation and that the device was calibrated within the requirements of regulations.

Mr. Morris reported some of the things that NHTSA tests for are precision and accuracy, calibration stability, high altitude, acetone, cigarette smoke and if the device detects tampering and circumvention. A Virginia requirement at installation is that interlock vendors use vendor specific tape so that it is apparent if the client cuts any wires to start the car without the interlock device.

Mr. Morris provided an update on the Intoxalock transfer process. Mr. Morris reported the process is nearly finalized and there have been hardly any issues. He attributed that to the hard work of the local programs and interlock vendors still in the state. Mr. Morris gave Intoxalock credit for working with VASAP during the transition to ensure the clients had a smooth process and reported a good partnership in their exit.

Mr. Morris introduced Ms. Merissa Bergman, a prior John Tyler ASAP client and model participant, to share her experience in the ASAP program with the ignition interlock device.

Ms. Bergman shared that in her three years on the interlock device she never received a violation and that having a breathalyzer in her car changed her life in ways she never imagined. What began as a mandatory requirement transformed into a catalyst for change. It propelled her to be more punctual, reliable, and focused. She shared that the financial burden of maintaining the

device and the potential consequences of violating forced her to evaluate her spending habits and taught her to budget more wisely. This allowed her to save enough money to buy a house, a goal that once felt unattainable. She stated the presence of the breathalyzer in her car was not only to prevent dangerous behavior but propelled her towards success and reshaped her work ethic, financial habits, and lifestyle choices. The requirement taught her the value of accountability and potential for positive change. Ms. Bergman closed with stating, “We all make mistakes in life, we are human, but to get behind the wheel while under the influence is not a mistake it is a choice.”

Mr. Saunders congratulated Ms. Bergman on her success and thanked her for her testimony. Mr. Saunders spoke on how powerful the VASAP program is and the positive impact the program has on lives.

Ms. Coleman stated this is the second year she has served as chair of the AAMVA Work Group and has been on the committee for the last 8 years. Mr. Toby Taylor, in attendance, is also a member of the work group representing the interlock manufactures. One of the goals of the work group is to develop templates for other states to start or enhance ignition interlock programs. Ms. Coleman said the report of the work group is due in October and that she will ensure that all Commission members and program directors receive a copy. Ms. Coleman noted that two programs, Virginia, and the state of Washington, are spot-lighted in that document. Ms. Coleman stated we should be proud of our national presence and that our impact goes beyond our communities and our Commonwealth.

Executive Director’s Report

Ms. Coleman presented the Executive Director’s report.

Valley ASAP

Ms. Coleman reported that on July 31, 2023, she had the opportunity to meet with Judicial representatives from the Courts in Staunton, Waynesboro, Augusta and Lexington. Those representatives reported egregious concerns about the operations of the Valley ASAP.

Commission staff began to look at those cases and those concerns were validated. The Commission staff began working with the Courts to ensure continuity of services. Ms. Coleman reported Valley ASAP has no staff members; however, there is staff local to the area on site that are serving as consultants to service the clients and make sure courts are covered.

Ms. Coleman stated Valley ASAP's Policy Board is aware and will be working on a plan moving forward. Ms. Coleman stated Commission staff will not be running the program, but it is critical the clients are being serviced and she is hopeful the local policy board will exercise their authority to reorganize the program. Ms. Coleman thanked some other ASAP locations for their assistance in making sure that clients can continue without disruption. Ms. Coleman recognized Commission Staff for the work they have done with Valley ASAP so far, including fielding all calls as the Valley ASAP's phone line has been forwarded to the Commission's office.

Financial Audit

An extensive financial audit of the Commission's office was conducted on September 11, 2023. Ms. Coleman recognized Ms. Charlene Motley, Commission on VASAP Field Services Supervisor, for the work that she did to make sure all documents and financials were in place. Ms. Coleman reported that the office received a perfect audit and came in under budget by \$87,000.

Annual VASAP Training Conference

Ms. Coleman reported 165 ASAP staff members attended the mandatory training conference which included an impressive panel of speakers with a heavy focus on day-to-day training. Commission staff has been working to enhance IT and make things more efficient for the field. A topic of the conference included the new certification process which includes individual staff testing and certification. Ms. Coleman reported so far testing has been positive, and the goal is for all employees to pass their certification test as well as program certification which is coming up in 2024. Ms. Coleman thanked staff for their cooperation as tests are eventually administered to all employees.

Commission members, Ms. Margaret Steele, and Ms. Pat Eggleston attended the conference. Ms. Steele reported from a treatment provider's perspective it was extremely informative. Ms. Eggleston reported she learned new information and enjoyed being a part of it.

Policy Board Training

Policy board training is being conducted on September 27, 2023. There are 225 Policy Board members across the Commonwealth. Ms. Coleman reported for the past six to nine months financial issues and staff shortages have been discussed. Ms. Coleman stated Commission staff are trying to ensure that policy board members understand where their oversight and authority come into play to strengthen our program moving forward. Ms. Coleman reported the registration information was sent to each policy board member individually. The training will be held at The Crossings Hotel in Glen Allen. Ms. Coleman reported consultants specializing in policy board oversight were hired to provide expert training on topics such as fiduciary responsibilities, FOIA, effective policy board meetings and personnel. Ms. Coleman recognized that Policy Board members volunteer their time to serve. The Commission will provide overnight lodging, breakfast, and lunch for the all-day training. Ms. Coleman reported there is representation from 21 out of the 24 programs with some programs having their entire policy board registered to attend. There is concern about the three ASAPs that we do not have representation registered to attend. Ms. Coleman encouraged the Commission Members to attend as well.

Senator Surovell asked Ms. Coleman if there had been any luck regarding implementing Senate Bill 841. Ms. Coleman responded in the affirmative. Ms. Ashley Cole, Director of John Tyler ASAP reported they have a Commonwealth Attorney who has agreed to be on their Policy Board. Mr. Rohan Williams, Director of Peninsula ASAP, reported they have a presiding Judge and a DUI defense attorney on their board. Mr. James Johnson, Director of Capital Area ASAP, reported they have an Assistant Commonwealth Attorney as well as a defense lawyer who specializes in traffic cases on their board. Ms. Jennifer McVeigh, Director of Old Dominion ASAP, reported they have a DUI attorney on their board. Lastly, Mr. Branden Green, Director of Tri-River ASAP, reported they have a defense attorney on their board.

Ms. Eggleston stated she served on a local policy board and having been in that role she appreciates the importance of policy board training. Ms. Coleman responded that with the changes, and the strengthening of certification process that some policy board members may not be aware of what their impact will be on the ASAPs that they provide oversight. Ms. Coleman stated she is encouraging policy board members to ask the tough questions and to take a look at financial and staffing concerns. She expressed excitement at the Commission's ability to provide the policy board training.

Mr. Saunders congratulated Ms. Coleman on being so proactive with upcoming trainings.

Meeting Dates

The following Commission meeting date is scheduled for 2023:

December 8th

Adjournment

Delegate Don L. Scott, Jr. moved, and Delegate James A. Leftwich, Jr. seconded, that the meeting be adjourned. All were in favor; none opposed. There being no further business, Mr. John L. Saunders adjourned the meeting at 10:44 am.



Senator Richard H. Stuart, Chairman