

THE MAINE LIAISON



Edition: JP-01

Maine Bureau of Highway Safety

Fall 2023

New

LEL's

The Maine Bureau of Highway Safety and Dirigo Safety LLC are pleased to introduce

Maine's new Law Enforcement Liaisons, James Wills and Patrick Hood. Both come to us with extensive and varied experience working in Maine's law enforcement community. Pat and Jim are learning the inner workings of the Bureau by working with Director Stewart, our Traffic



Safety Prosecutors and by meeting with Highway Safety Coordinators. They are attending meetings and are looking forward to attending several trainings in the coming weeks and months to stay informed about current practices and trends to help them support Maine's law enforcement community with their highway and traffic safety efforts.

Patrick Hood recently retired from the Maine State Police after completing 25 years of service to the citizens of Maine. He was the Troop Commander of the Central Field Troop for the last 5 years overseeing the work of Troopers and civilian support staff. Pat was a member of the State Police Tactical Team for 8 years and a member of the State Police Pipe and Drum unit for 12 years. He holds an associate degree in criminal justice from the University of Maine and lives in Union with his wife Mandy and their two teenage children.

(Continued on page 2)

TRAFFIC FATALITIES

Traffic Fatalities through: December 1, 2023

124

*comparable prior years through December 1 of respective year

*2022	*2021
166	140
*2020	*2019
151	145

In this Issue

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James Willis recently retired from his position as Shared Chief of Police for the Bar Harbor and Mount Desert Police Departments. He started his law enforcement career in 1986 at the Hancock County Sheriff's Department and was Patrol Lieutenant when he left the agency in 2002. Jim worked as a Victim Witness advocate at the Hancock County DA's office for a year and in 2003 became the Chief of Police for the Town of Mount Desert. In 2013 Jim was asked to also serve as Bar Harbor's Police Chief. This led to a unique arrangement that had Bar Harbor lease its Police Chief services from Mount Desert and over the next ten years, Jim is a Past President of the Maine Chiefs of Police Association and chaired their MLEAP accreditation committee from its inception until his retirement. He holds an associate degree in business administration from EMVTI and a bachelor's degree in rural public safety administration from UMFK. Jim lives in Lamoine with his wife Tracy, a teacher at the Lamoine

Consolidated School.

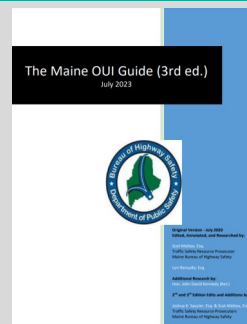
Pat and Jim are available to Maine's law enforcement community to assist them by working with the Maine Bureau Highway Safety's resources, grants, programs, and training opportunities to help keep Maine's roads safe.

James Willis
James.K.Willis@Maine.gov
207-460-6040

Patrick Hood
Patrick.Hood@Maine.gov
207-975-0423



Copies of the Standardized Field Sobriety Testing field notes are available from the LEL's.



A digital copy of the Maine OUI Guide (3rd ed.) can be found [here](#). Printed copies are available from the LEL's.

Officer Wellness Resource Corner

SHOWCASING THE BEST
IN LAW ENFORCEMENT
HEALTH AND SAFETY

Click [here](#) to access NHTSA's Officer Safety library of videos to share with your members.



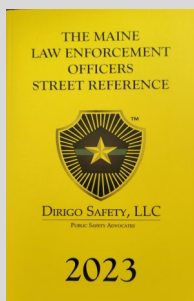
Maine Bureau of Highway Safety

FY 2024 NHTSA & Statewide Mobilization Calendar

NHTSA Major Campaigns	Slogans	Dates
Impaired Driving	<i>Drive Sober or Get Pulled Over</i>	Dec 13, 2023 - Jan 1, 2024
Distracted Driving Awareness	<i>U Drive, U Text, U Pay</i>	April 1 - April 8, 2024
Impaired Driving - Cannabis OUI	<i>420 awareness</i>	April 20, 2024
Occupant Protection	<i>Click It or Ticket</i>	May 20 - June 2, 2024
Speed	<i>Speeding Catches Up with You</i>	July 10 - July 31, 2024
Impaired Driving	<i>Drive Sober or Get Pulled Over</i>	August 14 - Sept 2, 2024
Child Passenger Safety Week	<i>Buckle ME Up</i>	Sept 15 - Sept 21, 2024

The above campaigns are some of the major nationally mobilized events from NHTSA. A full campaign calendar can be found [here](#) for reference. The following page has a list of major campaigns for the State of Maine.

Traffic Safety Marketing has ready to use materials to support any of the NHTSA campaigns that can be found [here](#).



The 2024 LEOSR Guide will become available mid-December for \$19.99. Please contact Ashley Bedard for your Agencies needs.



Ashley Bedard

Law Enforcement Training Manager
Dirigo Safety, LLC

[95 Main St., 3rd Floor, Auburn, Maine 04210](#)

(207) 200-1112

dirigosafety.com

Maine Bureau of Highway Safety

FY 2024 NHTSA & Statewide Mobilization Calendar

Maine BHS Grant Funded Details	Dates
Impaired Driving, “ <i>Drive Sober, Maine</i> ” HVE Statewide campaigns	October 1, 2023 - September 15, 2024 Dec 13 – Jan 1 and Aug 14 - Sept 2
Distracted Driving Awareness	October 1, 2023 - September 15, 2024
Occupant Protection, “ <i>Buckle up, no Excuses!</i> ” HVE Statewide campaign	October 1, 2023 - September 15, 2024 May 20 - June 2
Speed, “ <i>Slow Down New England</i> ”	October 1, 2023 - September 15, 2024
Pedestrian and Motor Vehicle Enforcement	October 1, 2023 - September 15, 2024

Many of the Maine Bureau of Highway Safety funding streams are ongoing throughout the FY2024 grant period as supported by Tier 1 and Tier 2 crash data. All Maine Law Enforcement Agencies are asked to prioritize resources to support participation in the three major High Visibility Enforcement campaigns highlighted in green above.

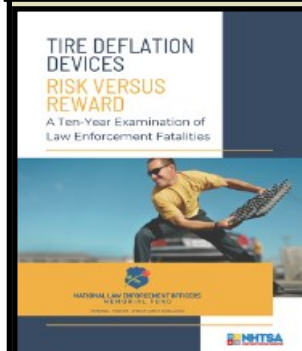
➡ Impaired driving (*Drive Sober, Maine*) December 13, 2023 through January 1, 2024 AND August 14 through September 2, 2024.

➡ Occupant Protection (*Buckle up, no Excuses!*) May 20 through June 2.

Share with us!

We LEL’s strive to provide valuable information and resources to support the mission of Highway Safety in the State of Maine. If you have suggestions on future content that would bolster our goal, please reach out to us. Patrick.Hood@Maine.Gov or James.K.Willis@Maine.Gov. Thank you and stay safe!

Worth the Read



Use this NHTSA resource to add to your training, education, and experience for the next time you set up to deploy spike mats. [Link](#)

The Bureau of Highway Safety *Coordinators*

UPDATES
FROM

The Bureau of Highway Safety Coordinators collectively serve Maine Law Enforcement for grant funding opportunities and dissemination of traffic safety messaging and materials. If you have questions about your grant or future grant opportunities, reach out to any member of the BHS team!

- Nicholas Brown, (207) 830-0165, nicholas.brown@maine.gov
- Chantel Plummer, (207) 458-2582, chantel.b.plummer@maine.gov
- Nathan McLaughlin, (207) 830-0166, nathan.mclaughlin@maine.gov
- Erica Davis, (207) 530-6399, erica.davis@maine.gov
- Jeremy Morin, (207) 530-6400, jeremy.morin@maine.gov
- Kasey Theriault, (207) 830-0167, kasey.theriault@maine.gov



DIRIGO SAFETY, LLC

PUBLIC SAFETY ADVOCATES

Access our full training schedule by clicking this [LINK](#)

OUI BOOTCAMP UPCOMING CLASS DATES

3 day class

Day 1 Dec 6: 8:00 am - 4:00 pm

Day 2 Dec 7: 8:00 am - 4:00 pm

Day 3 Dec 8: 8:00 am - 4:00 pm

[Presque Isle PD](#)

43 North Street
Presque Isle, Maine, 04769

Price: Free- This class is sponsored by the Maine Bureau of Highway Safety

3 day class

Day 1 Apr 2: 8:00 am - 4:00 pm

Day 2 Apr 3: 8:00 am - 4:00 pm

Day 3 Apr 4: 8:00 am - 4:00 pm

[Dirigo Safety LLC](#)

95 Main Street 3rd Floor
Auburn, ME, 04210

Price: Free -This class is sponsored by the Maine Bureau of Highway Safety

CANNABIS LIAISON TRAINING UPCOMING CLASS DATES

Dec 13: 8:00 am - 4:00 pm

[Dirigo Safety LLC](#)

95 Main Street 3rd Floor
Auburn, ME, 04210

Price: FREE- Sponsored by the Department of Administrative and Financial Services:

Office of Cannabis Policy (Lunch Provided)

This class is also available via streaming on Zoom! Choose this option during registration.

Jan 18: 8:00 am - 4:00 pm

[Rumford Municipal Building](#)

150 River Street
Rumford, Maine, 04276

Price: FREE- Sponsored by the Department of Administrative and Financial Services:

Office of Cannabis Policy (Lunch Provided)



TSRP Case law review:

Josh Saucier

Assistant TSRP

ME Bureau of Highway Safety

State v. Wilcox, 2023 ME 10:



Facts: In Old Orchard beach, An anonymous caller reported a brown Honda had struck something and was then in the 7-Eleven parking lot. The caller also reported that the driver of the Honda was likely intoxicated. Officer arrived, saw two brown Hondas (an SUV and a sedan) then confirmed with dispatch that it was a sedan. Officer saw the sedan had “extensive” front end damage. Officer approached and saw Def. looking at the tire, Def. tried to walk away and officer told him to stop. Officer then asked Def. what happened and if he was okay. Def. slurred speech in response. Officer told Def. that he was going to perform SFSTs and “gave [Def.] no opportunity to decline.”

Challenges: (1) Officer could not seize Def. in telling him to stop, (2) Officer could not tell Def. that he was going to perform SFSTs (i.e., could not order or require SFSTs: had to ask).

Decisions: (1) Officers initial order for def. to stop was reasonable and officer had RAS for such an order based on confirmation of the anonymous tip of the crash (confirmation provided by the same vehicle in the same location and the damage to the vehicle) and the officer’s community caretaker function/duties to ensure that Def. was uninjured following a crash; (2) SFSTs are not a search and thus do not require consent; they are a “limited investigatory seizure” and require RAS of OUI; RAS was present here based upon the crash, the anonymous tip of likely impairment and the confirmation of that part of the tip via Def.’s slurred speech.

Key takeaways for Officers: This case confirmed that the only thing required for an officer to “tell” a suspect to perform SFSTs is RAS of OUI. Consent is not required because SFSTs are not a search.

PowerDMS[®]

▼  Maine Chiefs of Police Association
▶  CONTENT HUB

Maine Chief’s of Police (MCOPA) PowerDMS Content Hub

MCOPA’s Content Hub on PowerDMS is a publisher site where documents and content are shared with subscribers (you). Whether you’re a PowerDMS customer or not, you can access the Content Hub. Current PowerDMS users will be connect through their own site, while non-users receive a FREE site for access, allowing you to view and import documents from the Content Hub.

To connect to the Content Hub or if you have questions, contact Lynne Doucette (Dirigo Safety, LLC) at lynne.doucette@dirigosafety.com.

To connect:

1)Request Access: Email Lynne with your email address. 2) You will receive a “Welcome Email” from alertservice@powerdms (If you don’t receive it check your spam/junk folder). 3) Connect to the Content Hub - Current users: Select “Connect Now,” and Non-users: Select “Sign Up for PowerDMS” and complete the form. 4) Access for current customers is immediate. Free sites may take up to 48hours to activate.

Chemist Corner

MAINE CDC-DHHS:
HEALTH & ENVIRONMENTAL TEST-
ING LABORATORY:

FORENSIC CHEMISTRY SEC-
TION: TOXICOLOGY

Janet T. Mills
Governor

Jeanne M. Lambrew, Ph.D.
Commissioner



Maine Department of Health and Human Services
Maine Center for Disease Control and Prevention
Health and Environmental Testing Laboratory
12 State House Station
47 Independence Drive
Augusta, Maine 04333-0012
Tel: (207) 287-2727; Fax: (207) 287-6832
TTY: Dial 711 (Maine Relay)

HETL Case Number: XXXXXXX
Subject Name: XXXXXXX
Investigative Agency: XXXXXXX
Agency Case Number: XXXXXXX

November 21, 2023

To whom it may concern:

Serum has a higher percentage of water compared to whole blood, and this produces a higher BAC result. A. Wayne Jones and Derrick J. Pounder recommend using a conservative serum/blood ratio of 1.22:1 for forensic purposes. This ratio is the mean plus two standard deviations. This article can be found in "Measuring Blood-Alcohol Concentrations for Clinical and Forensic Purposes" which is included in the Handbook of Drug Abuse 1998, p.329.

The raw plasma/serum final result and associated uncertainty of measurement range was calculated. This is reflected on the Certificate of Alcohol Analysis. Then the low and high values of the plasma/serum result range were converted (divided by 1.22) to the whole blood result to produce the converted whole blood result range below.

Plasma/Serum Alcohol Result and UoM: 0.337 +/- 0.031 g/100mL of serum/plasma

Plasma/Serum Alcohol Result Range: 0.306-0.368 g/100mL of serum/plasma

Converted Whole Blood Alcohol Result Range: 0.250-0.302 g/100mL of blood

If you have any questions, please don't hesitate to contact me.

Sincerely,

Chemist



Attention!

The Health & Environmental Testing Lab (HETL) is changing how it reports out serum/plasma alcohol results.

Update:

To better express the whole blood alcohol result that is converted from any tested serum/plasma sample the lab will now issue the following for each case:

1. Certificate of analysis result report for only the raw serum/plasma result.
2. An expert letter containing the raw serum/plasma result AND the converted whole blood result range.

Chemist Corner

MAINE CDC-DHHS:
HEALTH & ENVIRONMENTAL TESTING
LABORATORY:

FORENSIC CHEMISTRY SECTION:
TOXICOLOGY

Now on Every Certificate of Analysis Result Report:

Label	Color of Stopper/Container	Color of Tube Label	Sample Type	Date collected	Time	≈Volume	Test
A	Gray	N/A	Whole Blood	11/22/2023	1142	9 mL	Blood Alcohol
B	Gray	N/A	Whole Blood	11/22/2023	1142	9 mL	None



Update:

The lab will now include the following information on every certificate of analysis result report:

1. How many samples received
2. Type of tube/container
3. Type of sample
4. Collection date & time for each sample received
5. Approximate volume for each sample received
6. Exact sample used for testing

Attention!

The Health & Environmental Testing Lab (HETL) is adding information to the Certificate of Analysis Result Reports

Watch for Deer!

Vehicle-deer crashes can happen any day of the year on Maine roadways. Across the state, 19.7% of all crashes in 2022 involved a collision with a deer. The Maine Department of Transportation reports 227 people were injured in collisions with deer in 2022.

These crashes greatly increase from now until the end of the year because of deer breeding season, with November typically the peak time.

Drivers:

- Be especially watchful at dawn and dusk when deer are more active.
- If you see one deer, expect others, as deer seldom travel alone.
- Be alert and reduce speeds near wooded areas or green spaces and near water sources such as streams and ponds.
- Deer crossing signs show areas where high numbers of vehicle-deer collisions have occurred in the past; but they can happen on any roadway, including city streets.
- Do not swerve to avoid hitting a deer. Motorists could then veer into oncoming traffic, run off the road, hit objects or overturn.
- Use bright headlights when there is no oncoming traffic and scan for the reflective eyes of deer.
- If a collision occurs, move the vehicle to the roadway's shoulder. Then, if possible, call law enforcement. Put the vehi-

cle's hazard lights on, whether it is light or dark outside.

- Remain in the vehicle with your seat belt fastened to be better protected.
- Contact your insurance company to report any vehicle damage.

Anyone involved in a collision with a deer or other animal resulting in personal injury or property damage totaling \$2,000 or more is required to immediately report the incident to the nearest law enforcement agency.





Here's the link to this article for your use. [Here](#)



Winter Driving Tips

Severe weather can be both frightening and dangerous for travelers. Winter storms, bad weather and sloppy road conditions are a factor in nearly half a million crashes and more than 2,000 road deaths every winter, according to research by the AAA Foundation for Traffic Safety. Drivers should know the safety rules for dealing with winter road emergencies. AAA urges drivers to be cautious while driving in adverse weather.

AAA recommends the following tips while driving in snowy and icy conditions:

Cold Weather Driving Tips

Keep a bundle of cold-weather gear in your car, such as extra food and water, warm clothing, a flashlight, a glass scraper, blankets, medications, and more.

Make certain your tires are properly inflated and have plenty of tread.

Keep at least half a tank of fuel in your vehicle at all times.

Never warm up a vehicle in an enclosed area, such as a garage.

Do not use cruise control when driving on any slippery surface, such as on ice and snow.

Tips for Driving in the Snow

Stay home. Only go out if necessary. Even if you can drive well in bad weather, it's better to avoid taking unnecessary risks by venturing out.

Drive slowly. Always adjust your speed down to account for lower traction when driving on snow or ice.

Accelerate and decelerate slowly. Apply the gas slowly to regain traction and avoid skids. Don't try to get mov-

ing in a hurry and take time to slow down for a stoplight. Remember: It takes longer to slow down on icy roads. **Increase your following distance** to five to six seconds. This increased margin of safety will provide the longer distance needed if you have to stop.

Know your brakes. Whether you have antilock brakes or not, keep the heel of your foot on the floor and use the ball of your foot to apply firm, steady pressure on the brake pedal.

Don't stop if you can avoid it. There's a big difference in the amount of inertia it takes to start moving from a full stop versus how much it takes to get moving while still rolling. If you can slow down enough to keep rolling until a traffic light changes, do it.

Don't power up hills. Applying extra gas on snow-covered roads will just make your wheels spin. Try to get a little inertia going before you reach the

(Continued on page 11)

(Continued from page 10)

hill and let that inertia carry you to the top. As you reach the crest of the hill, reduce your speed and proceed downhill slowly.

Don't stop going up a hill. There's nothing worse than trying to get moving up a hill on an icy road. Get some inertia going on a flat roadway before you take on the hill.

Tips for Long-Distance Winter Trips

Be Prepared: Have your vehicle checked by a AAA Approved Auto Repair facility before hitting the road.

Check the Weather: Check the weather along your route and when possible, delay your trip if bad weather is expected.

Stay Connected: Before hitting the road, notify others and let them know your route, destination and estimated time of arrival. If you get stuck in the snow:

Stay with your vehicle: Your vehicle provides temporary shelter and makes it easier for rescuers to locate you. Do not try to walk in a severe storm. It is easy to lose sight of your vehicle in blowing snow and become lost.

Don't over exert yourself: When digging out your vehicle, listen to your body and stop if you become tired.

Be Visible: Tie a brightly colored cloth to the antenna of your vehicle or place a cloth at the top of a rolled up window to signal distress. At night, keep the dome light on if possible. It only uses a small amount of electricity and will make it easier for rescuers to find you.

Clear the Exhaust Pipe: Make sure the exhaust pipe is not clogged with snow, ice or mud. A blocked exhaust pipe can cause deadly carbon monoxide gas to leak into the passenger compartment of the vehicle while the engine is running.

Stay Warm: Use whatever is available to insulate your body from the cold. This could include floor mats, newspapers or paper maps. Pre-pack blankets and heavy clothing to use in case of an emergency.

Conserve Fuel: If possible, only run the engine and heater long enough to remove the chill. This will help to conserve fuel.

View the AAA Tips on Winter Driving Video by selecting this [Link](#).



RIGHT NOW, 50 MILLION VEHICLES ON THE ROAD HAVE OPEN RECALLS. CLICK TO CHECK FOR YOURS.

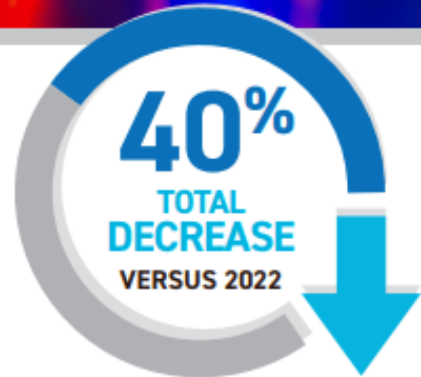


NHTSA 2023 THIRD QUARTER REPORT

Here's the link to this article for your use. [Here](#)

The National Law Enforcement Officers Memorial Fund, in conjunction with the National Highway Traffic Safety Administration (NHTSA), collects and analyzes fatal law enforcement crash data to track any emerging trends and to provide timely safety recommendations to the field.

During the Third quarter of 2023, traffic-related line of duty deaths remained relatively low compared to the same period in 2022, despite an uptick in cases. During the months of July, August and September of 2023, there were fourteen line of duty traffic related deaths. This is higher than the same period in 2022, where there were eight fatal cases. Despite this increase, overall traffic related deaths remain down by 40% compared to 2022.



Automobile and Struck-by Crashes Down

Vehicle crashes, including single-vehicle crashes, are lower than the same period in 2022. There have been 16 fatal motor vehicle crashes thus far in 2023, compared to 25 in 2022. This represents a 36% reduction in vehicle related fatalities.



AUTOMOBILE

↓ 36%

3RD QTR 2022 = 25 3RD QTR 2023 = 16

The incidence of officers being struck and killed by vehicles continues to remain comparatively low. There are six struck-by cases this year, three of which are connected to the use of tire deflation devices, compared to 13 cases at the same time in 2022, representing a 54% reduction in struck-by crashes. The NLEOMF completed an analysis of ten years of fatalities related to the use of tire deflation devices and published a report on its findings. <https://nleomf.org/wp-content/uploads/2023/10/Tire-Deflation-Device-Paper-NLEOMF-9.27.23.pdf> This continuing reduction in struck-by crashes follows an historic high of 21 cases in the same period of 2021.



STRUCK-BY

↓ 54%

3RD QTR 2022 = 13 3RD QTR 2023 = 6

Motorcycle Crashes Remain the Same

The only category that did not show a reduction was that of motorcycle crashes. Through the three quarters of 2022 there were a total of three motorcycle fatalities and that number is the same through three quarters of 2023.



MOTORCYCLE

NO CHANGE

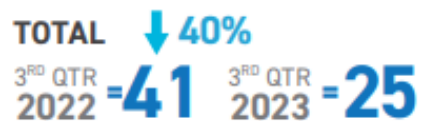
3RD QTR 2022 = 3 3RD QTR 2023 = 3

Third Quarter Data Comparison

In the third quarter there was a total of 14 fatal traffic related incidents, this is significantly higher than the same quarter in 2022 when there were eight fatal incidents. In the third quarter of 2023, there were seven automobile crashes, three of which involved a collision with a tractor trailer, and two which involved a head-on crash. In the third quarter of 2022 there were four fatal crash incidents. In one of the automobile crashes cases, it was immediately confirmed that an officer was unbelted.

In the third quarter 2023, there was one single-vehicle crash involving an officer responding to a call for service and no single-vehicle crashes in the same period of 2022.

During the third quarter of 2023, there were four struck-by cases, one of which involved the deployment of a tire deflation device. In one case an officer was intentionally run down



by a fleeing suspect, in another case, an officer was attempting to remove an animal from the roadway and in the fourth case an officer who was struck in 2022, while running with a group in his academy class, succumbed to his injuries and died in 2023.

There were two motorcycle fatalities in the third quarter of 2023 compared to none in the same period of 2022. One case involved an officer losing control and crashing while responding to a call for service and in the second case, which is a hit and run under investigation, involved an officer heading to work on his take-home motorcycle and being fatally struck on the highway.

Thus far in 2023, law enforcement traffic related fatalities have occurred across 17 different states and Puerto Rico. When looking at crash types, the number of single-vehicle crashes, a subcategory of vehicular crashes, continued to remain lower than in previous years.

Tire Deflation Report

The National Law Enforcement Officers Memorial Fund began looking at the troubling numbers of deaths associated with the deployment of Tire Deflation Devices (TDD's). This examination led to a review of ten years of fatal cases involving the use of these devices. That report was completed in September and is available on our website. <https://nleomf.org/wp-content/uploads/2023/10/Tire-Deflation-Device-Paper-NLEOMF-9.27.23.pdf>.

A new police safety video, telling the story of a Robbinsville, New Jersey officer who was struck and injured by a suspected impaired driver will be available shortly. These videos are excellent quick training videos that tell a tale of caution for other officers about roadway safety and can be used in training environments or at roll calls. <https://nleomf.org/officer-safety-and-wellness/NHTSA/officer-safety-videos/>

SAFETY RECOMMENDATIONS:



Do not use tire deflation devices unless trained to do so



Wear your seat belt



When you are out of your car on the roadway, put on your reflective vest.



OFFICIAL LINE-OF-DUTY FALLEN HEROES

RESPECT | HONOR | REMEMBER



POLICE OFFICER ANTHONY FRANCONI

E.O.W. 8/25/2023

Pyramid Lake Paiute Tribal Police

Officer Francone was killed as he attempted to end a pursuit by deploying spike strips.



OFFICER ROBERT GARTEN

E.O.W. 9/6/2023

Hartford, Connecticut Police Department

Officer Garten was killed in a crash while expediting to a call for service.



OFFICER DARRIN MCMICHAEL

E.O.W. 9/21/2023

Arlington, Texas Police Department

Officer McMichael was killed in a crash on his police motor while on his way to the station.

