New Mexico looks to change the social norms around underage drinking to reduce the prevalence of alcohol use by youth.

By Rachel Kennedy and Richard Kuhn

ALCOHOL-IMPAIRED DRIVING CONTINUES TO BE A big problem on our nation’s roadways, contributing to more than one-quarter of all roadway deaths in 2016. Despite being under the legal drinking age, 15 percent of all 16- to 20-year-old drivers involved in fatal crashes in 2016 had a blood alcohol concentration of .08 g/dL or higher.

Prior to 2013, New Mexico had one of the highest rates of underage drinking in the nation, and the state ranked first in terms of kids starting to drink by the age of 10. In response, the New

The ZeroProof ZeroScape mobile app allows teens to customize selfies with artwork and share them with friends.
Mexico Department of Transportation (NMDOT) launched MyInstead, a campaign that encouraged kids to choose an activity “instead” of drinking. According to the New Mexico Youth Risk & Resiliency Survey, the state began seeing a downward trend in each alcohol indicator — ranking 28th for current underage drinkers in 2015 — showing strong results from the efforts.

However, according to the University of New Mexico’s Prevention Research Center, one of the Centers for Disease Control’s 26 Prevention Research Centers, the costs related to underage drinking in the state in 2013 were $500 million. More work needed to be done. In response, NMDOT launched the ZeroProof campaign. It provides information and resources to help New Mexico’s youth, parents, teachers and counselors become engaged in changing the social norms around alcohol. The goal is to instill good habits early to help curb drinking and driving later in life.

The campaign includes two websites: one for teens and tweens (ZeroProof.me), and one for parents and teachers (ZeroProofnm.com). The ZeroProof.me website provides resources for kids, puzzles and interactive stories where they can see the consequences of drinking alcohol. Facts about the harm of underage drinking, how it affects the brain, and advice on how to handle different situations where alcohol is present are all provided.

ZeroProofnm.com provides ways for parents and teachers to empower their children and students to help facilitate them in making good choices about alcohol. Studies show that parental disapproval is the number one reason kids choose not to drink alcohol. More work needed to be done. In response, NMDOT launched the ZeroProof campaign. It provides information and resources to help New Mexico’s youth, parents, teachers and counselors become engaged in changing the social norms around alcohol. The goal is to instill good habits early to help curb drinking and driving later in life.

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This awareness campaign focuses on getting its message out primarily through social media (with a presence on Facebook, Twitter, Instagram and Snapchat) and mobile devices. NMDOT recently launched the ZeroProof ZeroScape mobile app, which gives kids resources right at the tips of their fingers to help them navigate difficult and dangerous situations where alcohol is involved. They can take selfies and customize them with artwork to create individual montages, which they can then share with friends over social media. A library of stickers can be applied to build a canvas of layers showing who they are, a tenet of the ZeroProof brand. The goal is for kids to have fun with the app while empowering them to make good choices.

ZeroProof is an important reminder for everyone to be aware of the consequences of underage drinking and its effects on road safety.

Rachel Kennedy is a designer and copywriter and Richard Kuhn is the owner and a creative strategist at RK Venture.
2017 National LEL Training Conference

Our goal was to have each LEL leave the training with new tools, action items and strategies for enhancing their traffic safety activities.

THE FIRST NATIONAL LEL Training Conference is in the books, and from the comments and evaluations received, it was a success. The theme of the conference was Influencing Action and Engaging Law Enforcement. Our goal was to have each LEL leave the training with new tools, action items and strategies for enhancing their traffic safety activities. In addition, the attendees were afforded opportunities to expand their network of colleagues and develop new relationships.

The conference was funded by the National Highway Traffic Safety Administration (NHTSA) and organized by the Governors Highway Safety Association (GHSA). Eighty-nine LELs attended the two-and-a-half-day session at the Maritime Conference Center in Linthicum Heights, Maryland, representing 37 states and all 10 NHTSA Regions. It is amazing to see the talent and expertise that exists within the LEL network. Attendees brought more than 2,500 years of law enforcement experience and more than 800 years of LEL experience to the session.

The agenda included two breakout sessions and six panel discussions. It was designed to be instructional and interactive with clear takeaways. Of the 60 speaking opportunities during the conference, 28 were filled by LELs, who did an awesome job with their individual topic areas.

Several overarching themes wove through the conversations. The first is the importance of engaging the top executives at law enforcement agencies, communicating the importance of traffic safety efforts and having them lead by example. The second is the benefit of developing LELs as highway safety leaders and resources in their community. Finally, many speakers addressed the importance of working with partners to achieve traffic safety goals.

More than 90 percent of the conference evaluations received rated the event as either “excellent” or “very good.” A full conference report begins on page 6 of this newsletter, and speaker presentations and conference materials are posted on our website. The next National LEL Training Conference is tentatively planned for 2019.
EARLY ADULTHOOD IS A STATISTICALLY dangerous time to be behind the wheel. A 2016 report from the Governors Highway Safety Association showed that older teens (age 18-20) were more likely to be involved in a fatal crash than their younger counterparts (age 15-17). One group in Nevada has created a campaign specifically targeted to college-aged drivers.

Zero Teen Fatalities (ZtF) is an initiative funded by the Nevada Office of Traffic Safety to educate young drivers about the importance of being safe behind the wheel. During presentations, ZtF staff realized there were specific areas within traffic safety that demanded more focus when speaking with Millennials.

Drivers between the ages of 18 and 20 years old are involved in 81 percent of the vehicle crashes among 15- to 20-year-olds in Nevada. In 2016, 17 out of the 21 young drivers killed in the state were above high school age. In response, ZtF staff developed the “Zero 101” program to target college-aged drivers, and bring their safe driving message directly to campus.

Zero 101 is a 60-minute, multimedia presentation that helps college-aged drivers understand how to succeed on the road. The presentation focuses on five behaviors: seat belt use, impaired driving, focus, pedestrian safety, and rider safety. ZtF’s strategy is to engage university police departments, Greek life organizations, student clubs and athletic departments in this effort. Presentations were modified to remove any mention of “teen” to better connect with this target audience.

While some people believe reaching zero fatalities is an impossible goal, ZtF knows that it is unacceptable to lose any of our friends and family, and that is why they made zero their goal.

Kevin Moore is a program manager for Zero Teen Fatalities. For more information on ZtF or Zero 101, contact him at kmmoore@dps.state.nv.us.
IN RECENT MONTHS, I HAVE BEEN ON A temporary duty assignment to our National Center for Statistics and Analysis (NCSA) in the Office of Data Acquisition. This has presented an opportunity to work with and get to know people who come from disciplines that are very different from those of us who operate in the program side of the house.

These mathematicians, statisticians and engineers share our passion and focus for saving lives and bring their skills to bear so we can zero in on the true nature of our traffic safety problems, establish priorities and determine the best countermeasures to address them. Working with these professionals has highlighted an opportunity for an ongoing exchange of information and ideas that has always existed but has not been used to its full potential.

During my time at NCSA we are doing several things to enhance a mutual understanding and appreciation for our work and how it affects our shared goal of saving lives. A top priority at NHTSA is to talk about law enforcement to help our colleagues understand the profession on a deeper level. We will be focusing attention on the overwhelmingly positive characteristics of American law enforcement. That includes highlighting the incredibly professional and competent way law enforcement approaches the difficult and often dangerous work with which officers are confronted every day.

We are also asking law enforcement and LELs to share information about how the data you use is generated, and we are starting a dialogue to work together to continuously improve those processes. Offering suggestions, providing guidance and recommending countermeasures is a critical role of LELs. Doing that effectively relies upon having information of the highest possible quality. To support that work, NHTSA published the Crash Data Improvement Program Guide (DOT HS 812 419) in December 2017. This new publication offers an overview of crash data quality and suggestions on how to measure and improve data quality in terms of six distinct characteristics: timeliness, accuracy, completeness, uniformity, integration, and accessibility.

The guide is easy to work with and provides a wealth of information using real-world examples of state practices to help develop and measure enhanced data collection.

We look forward to continuing an exchange of information and ideas in the coming year, and hope you will join us as we work together to improve how we gather, analyze and apply the data that is so critical to our success.

Wil Price is a Highway Safety Specialist with the NHTSA Office of Enforcement and Justice Services and is the Contracting Officer Representative (COR) for the National Law Enforcement Liaison Program.
The National LEL Training Conference, which took place November 13–15, 2017, in Linthicum Heights, Maryland, featured a packed agenda for the 133 LELs, law enforcement executives, and partner organization representatives in attendance. Six panels and two breakout sessions covered current and future traffic safety and enforcement issues, led by highway safety professionals from the U.S. Department of Transportation, Governors Highway Safety Association (GHSA), International Association of Chiefs of Police (IACP), National Sheriffs’ Association (NSA), law enforcement, judiciary, National District Attorneys Association, and the LEL network.

Day One
National Highway Traffic Safety Administration (NHTSA) Acting Administrator Heidi King launched the event with a call to action to reverse the rising trend of increased motor vehicle crash fatalities and foster a strong commitment for traffic enforcement and safety programs among law enforcement partners. Representatives from NSA and IACP also emphasized the importance of law enforcement engagement and encouraged the LELs in attendance to educate police chiefs and sheriffs on the current state of traffic law enforcement, the benefits for their com-
communities, and how traffic safety is an integral part of the public safety landscape.

This set the stage for the rest of the conference and dovetailed with the theme of engaging law enforcement and influencing action. The first panel discussion, Assessing the Current Traffic Safety Environment, examined the trends, attitudes and societal challenges facing those charged with enforcing traffic laws, as well as action steps to begin changing the mindset of enforcement and changing behavior and culture. Data presented by NHTSA show motor vehicle crashes, deaths, and associated injuries are rising, while other panelists point out that among law enforcement, salary, morale, care, manpower, legislative support, respect, judicial support, community engagement, prosecutor support, law enforcement participation, traffic contacts, and more are falling. Three common threads were identified during a series of law enforcement partnership forums held across the country that are contributing to these challenges: leadership, resources and operational deployment.

On the Chiefs Panel: Traffic Safety Leadership and Influencing Action, law enforcement executives from across the country took a deep dive into the issues of leadership, resources, operations, and interoperability that were discussed in the first panel and steps that law enforcement leadership can embrace to influence action and overcome a lack of focus on traffic safety.

These leaders engaged in a frank discussion, noting that traffic safety is an element of the public safety spectrum. They pointed out that success revolves around the attitude of law enforcement leadership towards traffic enforcement; it is imperative to lead by example. Too many leaders suffer from traffic safety complacency and put it at the bottom of the priority list. The panel suggested that LELs work to educate the community, government officials, and political leaders on benefits of a strong traffic safety program and encourage traffic enforcement leadership to be traffic safety champions. One way to do this is to promote traffic enforcement as a means of interdicting criminal activity—the bad guys use vehicles to get to and from the scene of the crime and to transport their contraband.

Day Two

The following morning, attendees split into five teams to discuss Law Enforcement Engagement: Addressing Key Obstacles. The goal was to identify guidelines, tools and action steps LELs across the country can use to overcome the deterrents and barriers that are hindering law enforcement engagement in traffic safety. Each team brainstormed ideas in one of five categories: internal leadership, external leadership, resources, operations, and measuring results.

In their reports, several teams noted the importance of LELs establishing themselves as highway safety leaders and reliable sources for information, resources and ideas. This can be achieved through strong relationship management practices, such as reaching out to law enforcement partners at different levels of an agency and cultivating, managing, and main-
Attendants regrouped for an Officer Safety Panel Discussion: Integrating Officer Safety Messaging and Advocacy into Daily Operations. Panelists talked about sustaining the gains made thus far in developing a culture of safety within law enforcement agencies and discussed some best practices and lessons learned in the area of officer safety. NHTSA is working on a marketing project that will raise public awareness on the importance of traffic law enforcement and the dedicated efforts of law enforcement to reduce crashes. The message will help the public recognize the importance of the law enforcement activities and the dangers this presents to them personally. The message will also highlight the benefits of traffic law enforcement and how it improves the quality of life in a community.

The Federal Partners Panel included representatives from NHTSA, the Federal Highway Administration, and the Federal Motor Carrier Safety Administration, who talked about areas of common concern where LELs can play a role in carrying information and programs forward to their law enforcement partners, such as the submission of timely and high-quality crash data, which is necessary for evidence-based programs and initiatives to enhance operations and seek better outcomes. NHTSA uses crash data to populate its Crash Investigation Sampling System, and a number of motor vehicle manufacturing changes were introduced as a result of post-crash investigations. LELs were asked to spread the word that NHTSA investigates crashes for safety, not culpability.

Day two wrapped up with a Communications and Communication Strategies Panel Discussion: Maximizing the Impact of Messaging and Coordinated Efforts. LELs and professional communicators shared experiences and tips for using social media to market programs, communicate with partners, and keep traffic safety messaging in front of communities. The discussion helped highlight that communication is a key component of LEL efforts to build networks and disseminate messages.

Day Three

The final morning kicked off with the JOL-TSRP-LEL Panel Discussion: DUID and the Impact of Marijuana Legalization on Traffic Safety. Panelists agreed that it is imperative for law enforcement, the judiciary, and prosecutors to strategize and find areas of synergy on issues of traffic safety. The legalization of marijuana is presenting new challenges for the criminal justice system, which promotes both public safety AND traffic safety. It is necessary for law enforcement and district attorneys to arrest and prosecute offenders, but to do so with a solid knowledge of the laws and procedures. For the judiciary, it is up to the judges to uphold the law, but also to ensure constitutional protections for all individuals. Continuous education is needed for the Judicial Outreach Liaison (JOL), Traffic Safety Resource Prosecutor (TSRP), and LEL networks to keep up with changes in the law and constitutional interpretation. The National Traffic Law Center at the National District Attorneys Association has a library of resource material available to assist law enforcement and prosecutors with enhancing and maintaining their knowledge on the topic.

— Conference attendee

The conference and a couple of the speakers and presentations have steered me to do a better job and challenge myself to look at what we do from different lenses.

Judge Earl Penrod and Colorado LEL Bruce Sheetz discuss the impact of marijuana legalization on traffic safety.
To integrate the knowledge gathered in the previous two days, attendees once again broke out into five teams to discuss **LEL Needs and Next Steps**. The teams were asked to plan specific enhancements to resources and professional development opportunities for the LEL network in the areas of webinars, awards and recognition programs, Operation CARE, national initiatives, and incentives programs. In addition to suggestions for enhancing the LEL webinars and proceeding with the development of a LEL awards and recognition program, reports also outlined recommendations for incentivizing officer involvement in traffic safety programs, such as having clear guidelines that comply with federal rules, using training as an incentive, highlighting program outputs, using existing recognition programs and creating new ones, and identifying partners/sponsors in the private sector to assist with acquiring resources.

The conference succeeded in providing LELs with materials, information and takeaways they can use to enhance their local programs and work with partners. In addition, it was an opportunity to network and develop new relationships with colleagues from across the country. The LEL network is replete with talented, passionate, motivated, experienced professionals who are extremely good at what they do and dedicated to reducing deaths on our nation’s highways.

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**Thank You to the National LEL Training Conference Facilitators and Speakers**

- Heidi King, Acting Administrator, National Highway Traffic Safety Administration
- Harris Blackwood, Director, Georgia Governor’s Office of Highway Safety, and Vice Chair, Governors Highway Safety Association
- John Whetsel, Retired Sheriff, Oklahoma County, Oklahoma, and Chair, Traffic Safety Committee, National Sheriffs’ Association
- Domingo Herraz, Director of Programs, International Association of Chiefs of Police
- Wil Price, Highway Safety Specialist, Enforcement and Justice Services Division, National Highway Traffic Safety Administration
- Pete Abrams, Law Enforcement Liaison, Highway Safety Program, Wyoming Department of Transportation
- Richard Sullivan, Law Enforcement Highway Safety Coordinator, Municipal Police Training Academy, Rhode Island Department of Public Safety
- Umesh Shankar, Division Chief, Data Reporting and Information Division, National Center for Statistics and Analysis, National Highway Traffic Safety Administration
- Michael Morris, Region 2 Law Enforcement Liaison, National Highway Traffic Safety Administration
- Garry Parker, Law Enforcement Liaison, Texas Municipal Police Association
- Bob Thompson, Statewide Law Enforcement Liaison, Washington Traffic Safety Commission
- Michael Geraci, Regional Administrator, Region 2, National Highway Traffic Safety Administration
- Chief Daniel Sharp, Oro Valley (Arizona) Police Department, and Chair, Highway Safety Committee, International Association of Chiefs of Police
- Sheriff Michael Lewis, Wicomico County (Maryland) Sheriff’s Office
- Colonel Kedrick Wilks, Director, Idaho State Police
- Brett Reichart, East Central Region Law Enforcement Liaison, Indiana Criminal Justice Institute
- William Sullivan, Region 7 Law Enforcement Liaison, National Highway Traffic Safety Administration
- Daniel Kent, LEL Program Supervisor, Illinois Division of Traffic Safety
- Michael Bible, Law Enforcement Program Manager, Maryland Department of Transportation, Maryland Highway Safety Office
- Scott Kristiansen, Law Enforcement Liaison, Illinois Division of Traffic Safety
- Tim Roberts, Law Enforcement Liaison Coordinator, Florida LEL Program
- Katie Alexander, Law Enforcement Liaison, Texas Municipal Police Association
- Steven Rutzebeck, Central Region Law Enforcement Liaison, Maryland Highway Safety Office
- Keith Williams, Chief, Enforcement and Justice Services Division, National Highway Traffic Safety Administration
- Dale Stockton, Executive Director, Below 100
- Nick Breul, Senior Director, Officer Safety and Wellness, National Law Enforcement Officers Memorial Fund
- Deputy Chief Raphael Grant, Prince George’s County (Maryland) Police Department
- John Brophy, Special Crash Investigator, National Highway Traffic Safety Administration
- Earl Hardy, Senior Policy Advisor for the Office of the Assistant Administrator and Chief Safety Officer, Federal Motor Carrier Safety Administration
- Mark Kehrl, Director, Transportation Operations, Federal Highway Administration
- Corporal Kyle Willis, Law Enforcement Liaison, Boise (Idaho) Police Department
- Roger Hayes, Director, Law Enforcement Services, Georgia Governor’s Office of Highway Safety
- Steve Dillard, East Tennessee Law Enforcement Liaison, Tennessee Highway Safety Office
- Lori Millen, Marketing Analyst, National Highway Traffic Safety Administration
- The Honorable Earl G. Penrod, Senior Judge, Indiana Office of Court Services, National Highway Traffic Safety Administration / American Bar Association Fellow
- Tom Kimball, Director, National Traffic Law Center, National District Attorneys Association
- Bruce Sheetz, Law Enforcement Coordinator, Colorado Office of Transportation Safety
- Scott McConkey, Southern Minnesota Law Enforcement Liaison, Minnesota Office of Traffic Safety
- Tom Reagan, Law Enforcement Liaison, Maine Bureau of Highway Safety
- James Sanders, Region 8 Law Enforcement Liaison, National Highway Traffic Safety Administration
- Paul Bernat, Law Enforcement Liaison, Delaware Office of Highway Safety
- Dave Corp, Law Enforcement Liaison, Traffic Safety Section, Kansas Department of Transportation
- Art Amato, Eastern Region Law Enforcement Liaison, Traffic and Highway Safety Division, Missouri Department of Transportation
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The alert system allows motorists and pedestrians who witness distracted or aggressive driving to call #77 to report it. Those calls are answered at the New Jersey State Police Regional Operations and Intelligence Center in West Trenton and forwarded to the local police agency with jurisdiction. The agency can respond to the call and, if the behavior is witnessed, issue a summons. If the alleged vehicle is not located, the authorities may contact the registered owner. If the license plate of the alleged dangerous driver is gathered, a letter from the New Jersey State Police detailing the time and place of the observed offense including all potential penalties is sent to the vehicle owner’s address.

As of November 15, 2017, New Jersey State Police have received 2,389 #77 calls specifically about cell phone use and another 30,700 for “other” aggressive driver calls. In addition, 1,285 warning letters have been mailed out to registered owners of the vehicles.

To aid with the rebranding of #77, road signage along the state’s major highways is being changed to note the new initiative, and digital signage also touts the effort. A public awareness campaign that includes radio spots and advertisements on buses and billboards was launched last April as well.

The new #77 initiative ran parallel with the state’s April 2017 distracted driving crackdown. During the crackdown, more than 190 police agencies throughout New Jersey issued 15,292 summonses for cell phone use/texting and another 7,003 for careless driving.

Paul Kaminsky is a New Jersey LEL.

IN THE SPRING OF 2017, responding to an 8 percent spike in New Jersey traffic fatalities in 2016, largely attributable to an increase in distracted driving, New Jersey Attorney General Christopher S. Porrino and the New Jersey Division of Highway Traffic Safety announced an initiative to allow residents to report dangerous and distracted drivers.

The state’s #77 alert system, previously used for reporting aggressive driving, is now being used to report all forms of dangerous driving. Enforcement efforts are being stepped up, and warning letters will be mailed out to those spotted driving while distracted on New Jersey roadways.

In 2015 alone, 3,477 people were killed, and 391,000 were injured nationwide in motor vehicle crashes involving distracted drivers, according to NHTSA. Teens were the largest age group reported as distracted at the time of fatal crashes.

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Tips to Testify

Credibility of Witnesses
By Judge Earl G. Penrod

Whenever a case proceeds to jury trial, the court formally instructs the jury on a number of issues, including how to resolve conflicts in the evidence and how to determine the credibility of witnesses.

Typically, jurors are instructed to use their common sense and life experiences in determining the credibility of all witnesses. Law enforcement witnesses are not to be believed or disbelieved merely because they are testifying as police officers. Instead, the persuasiveness of law enforcement witnesses is to be determined as it is for other witnesses by weighing various practical factors and considerations.

In determining credibility, jurors are advised to consider a witness's opportunity to see and hear the events about which the witness is testifying. Also, jurors will evaluate a witness's ability to accurately recall and clearly set forth the relevant events. Therefore, proper advance preparation is imperative for an officer to be able to demonstrate excellent command of the facts so that the jury will arrive at the correct conclusions based on those facts.

Jurors may also consider the consistency and reasonableness of a witness's testimony in light of all of the testimony and evidence in the case. While all witnesses are under oath to tell the truth, a police officer's confident, straightforward presentation of what was seen and heard will underscore the reasonableness of the officer's testimony and will assist the jury in addressing inconsistent testimony from other witnesses, particularly those who have an interest in the outcome of the case.

In that regard, jurors are advised they may consider whether a witness has an interest, bias, prejudice or relationship to the case that may color or impact testimony or even provide a motive to lie. Therefore, a law enforcement officer must come across as a professional who is motivated only to provide the truth so that the law can be fairly and honestly enforced in every case. Law enforcement witnesses must not appear as having a personal stake in the outcome or a personal animus toward the defendant or an individual.

Finally, jurors may consider the behavior of the witness while testifying, and savvy witnesses know that it is not only what is said but how it is said. Jurors will evaluate a police officer's demeanor and appearance from the very moment the officer enters the courtroom until the officer is excused and exits the courtroom. As a result, an officer cannot wait until the oath has been administered to make a good first impression and establish credibility.

TIP TO TESTIFY: A well-prepared witness is a credible witness.

The Honorable Earl G. Penrod is the Senior Judge for the Indiana Office of Court Services and the NHTSA/American Bar Association Judicial Fellow.

Archives of past columns are available on the NLELP website. Have a testimony topic you would like to see addressed? Contact Judge Penrod at penrod26d01@msn.com.
A calendar of events, recordings of past webinars, newsletter archives and many more resources for LELs are available at www.nlelp.org. For campaign materials and tools to help you with your traffic safety marketing and messaging, visit www.trafficsafetymarketing.gov.