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# **Assessment of Changes in DWI Enforcement/Level**

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<p>16. Abstract</p> <p>This report summarizes a study of the long term experience of six law enforcement agencies with enforcement programs coupled with public information and education (PI&amp;E) designed to deter driving while intoxicated (DWI).</p> <p>Six communities were identified which had implemented DWI enforcement programs coupled with PI&amp;E in the late 1970's or early 1980's and had been deemed to be successful by their state highway safety office. They were: Redondo Beach, California; Fort Collins, Colorado; Wichita, Kansas; Omaha, Nebraska; Lexington, Kentucky; and Clearwater, Florida.</p> <p>In each community, DWI enforcement activity increased greatly with the advent of the specially funded programs. In three sites, arrests went down after funding ceased but remained well above pre-program levels; in one site arrest volume regressed to below pre-program levels. Two sites sought and received additional enforcement funding and were able to maintain a high arrest rate. PI&amp;E efforts tended to cease when funding ran out.</p> <p>The intent of such projects is to initiate programs that the communities will continue on their own. The reduced activity after funding ceases is attributed to increasing volume of work (as indicated by calls for service) in the face of stable staffing levels, changing command emphasis in response to constituent demands in other areas (other drugs, gangs, etc.) and officer burnout.</p>			
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A project of this nature requires the assistance of a number of individuals. Since it also involves trying to gain insight into leadership motivations for changes of enforcement emphasis, it also sometimes dictates anonymity for some who assist. With those issues in mind we will acknowledge only those who facilitated contacts in each of the jurisdictions studied. These are: Lt. Larry Sprengle, Redondo Beach, California; Lt. Gary Perman, Fort Collins, Colorado; Deputy Chief Chuck Rummery, Wichita, Kansas; Lt. Herb Walker, Omaha, Nebraska; Assistant Chief Larry Ball, Lexington, Kentucky; and Lt. Mike Egger, Clearwater, Florida. To these and others, the authors express their sincere thanks.



## CHAPTER 1 - INTRODUCTION

This report presents the results of a research project sponsored by the National Highway Traffic Safety Administration (NHTSA) entitled "Assessment of Changes in DWI Enforcement Level" (Contract No. DTNH22-88-C-07368). The project was conducted by the University of North Carolina Highway Safety Research Center and Mid-America Research Institute. The purpose of this project was to identify several jurisdictions which initiated driving while intoxicated (DWI) enforcement programs during the late 1970s or early 1980s and to assess the extent to which those programs were still viable at the conclusion of the decade of the 1980s. The intent was to seek to identify factors associated with programs which continued as opposed to ones which discontinued not long after initial outside funding was exhausted.

A frustration often accompanying funding of local highway safety enforcement efforts in the 1970s by the federal government or state governments through Governor's Highway Safety Programs was that, as often as not, special enforcement programs essentially ceased not long after outside funding was exhausted. These programs were most often funded through Governor's Highway Safety Programs in the form of grants or contracts using Federal Title 402 highway safety funding. They were often characterized by providing funds to defray overtime pay or the pay for additional law enforcement officers to enforce the traffic safety laws of interest, most often speeding or driving while intoxicated. Generally, the more effective programs also used public information and education programs to bring the enforcement activities to the public's attention. These public information and education efforts also were often funded through the enforcement grants.

The rationale for funding this type of effort was the hope that once the programs were up and running they would garner local financial support, through absorption into the local operating budget, and continue after the outside funding was ended. Most grants were for no longer than a three year period, often with the funds decreasing from year to year with local resources intended to make up the difference.

It was the general consensus in the highway safety community that frequently the special traffic enforcement activity of such projects diminished after outside funding ceased and the desired traffic safety benefits were also lessened. It was the intent of this project to attempt to identify factors associated with continuing activity, if present, so that those factors might be given consideration in implementing similar progress in the future.

The study approach called for conducting case studies of six successful DWI enforcement programs initiated in the late 1970s or early 1980s.

The initial step in this process was to query each of the ten NHTSA regional offices for their recommendations of potential sites. The regional offices were asked to identify DWI enforcement projects in their region that were initiated in that time frame and were thought to be successful. In turn, inquiry was made of the Governor's Highway Safety Program in each state. From this effort, programs in the states were identified which had promise for further follow-up. Local enforcement personnel were then contacted to determine the appropriateness of their program for inclusion in the study, both in terms of availability of data and willingness to cooperate. Basic selection criteria were indications of availability of crash and DWI arrest data, and of persons involved in the program who could recall program activities in the early 1980s, both in DWI enforcement and public information. We also sought jurisdictions which would provide some geographic diversity as well as a variety of approaches and patterns of combined DWI enforcement and public information programs.

From this effort, programs in 13 states were identified which had promise for further followup. Local personnel were then contacted to determine the appropriateness for the study and their willingness to participate in the study. All of the sites reported having adequate crash and arrest data to allow assessment of continued activity. Most still had persons available who recalled the sequence of DWI enforcement and PI&E efforts during the decade of the 1980s and all but one showed an interest in participating in the study. Six study sites were selected from this group, thought to represent the following general categories of DWI enforcement and public information programs: a high initial level of enforcement and public information activity followed by a waning in activity in both areas; continued high enforcement levels with a waning in PI&E activity; a police initiated program later bolstered by public support and continued PI&E; and a program with initial increases of enforcement supported by PI&E with the enforcement effort diminishing and PI&E efforts continuing. Within these broad categories of program patterns, there was variation in basic enforcement and PI&E strategies.

The six sites finally selected for study were: Redondo Beach, California; Fort Collins, Colorado; Wichita, Kansas; Omaha, Nebraska; Lexington, Kentucky; and Clearwater, Florida. Each site was visited by project staff. Enforcement personnel and other persons familiar with the DWI enforcement efforts were interviewed, supporting documentation gathered, and a summary description of program activities and continuation was prepared. Crash and DWI arrest data from a period before program inception until as recent as possible were also collected and presented graphically. A major problem encountered in the field data collection activities was that, in most instances, there was the lack of detailed historical records on the specific enforcement and public information activities that were undertaken and the level of effort expended on those efforts. For instance, if checkpoints were undertaken during the overall period of study, departmental personnel might recall the years that enforcement strategy was undertaken but not the number of checkpoints conducted. Similarly, though in some instances, estimates of the number of PI&E items distributed were available, measures of volume of news

coverage were not available. However, reasonably good counts of numbers of DWI arrests were available in all of the jurisdictions studied. Since it is generally acknowledged that the pool of potential DWI arrestees far exceeds the volume enforcement resources can handle (in other words, DWI drivers are practically a bottomless barrel for DWI enforcement), we took volume of arrests as a proxy measure of DWI enforcement level of effort. The measure of PI&E activity was generally dependent on the recollection of the persons contacted.

The description of the programs in each jurisdiction appears as a separate chapter for each site. The concluding chapter synthesizes and summarizes the results from the six case studies.

## CHAPTER 2 - REDONDO BEACH, CALIFORNIA

### BACKGROUND

Redondo Beach is located in Southern California and is one of several beach communities within the greater Los Angeles area. The 1983 population of this six square mile city was approximately 57,000 and the current population is approximately 65,000. The city is bounded on the west by the Pacific Ocean and on the other sides by five similar incorporated jurisdictions. Besides the resident population, the community experiences influxes of visitors, particularly on weekends and in the summer months. There are approximately 125 miles of public roads within the community which is served by three state highways. The three major highways are north/south and east/west thoroughfares.

The Redondo Beach Police Department (RDPD) in 1980 had an authorized strength of 92 sworn officers and currently has an authorized strength of 106 sworn officers and approximately 55 non-sworn employees. The Department is organized in two divisions, Operations and Administration. The Operations Division consists of three bureaus, Traffic, Patrol, and Investigations. In addition to its traffic law enforcement responsibilities, the Traffic Bureau has responsibility for parking enforcement, school crossing guards and coordinating the several special events that occur annually, as well as movie and television filming.

## THE DWI ENFORCEMENT PROGRAM

### *Description*

Emphasis on DWI enforcement in the Redondo Beach Police Department began in mid-1980 with the advent of a \$400,000 three-year grant from the California Office of Traffic Safety. This grant provided for four full-time officers specializing in DWI enforcement and provided for their salaries, equipment and training. The primary enforcement strategy was roving patrol using DWI detection cues to identify impaired drivers. Video tape equipment was also obtained to tape the testing process for each arrestee in the station. After one year, the routine use of videotaping was discontinued because the prosecutor found that for low illegal BAC levels the evidence provided was more helpful to the defense than to the prosecution. Juries were expecting to see defendants who were staggering drunks when the evidence of impairment was much more subtle. An additional aspect of the program was to rotate new officers through the program and thus provide in service training to general patrol officers to enhance DWI enforcement department-wide. Even so, during the period the special team was operational, they made the vast majority of the department's DWI arrests.

After expiration of the grant, personnel continued to be assigned to this special duty and the personnel slots for the DWI team remained in the budget, though the volume of arrest activity diminished somewhat. From mid-1986 to mid-1988 the Department was in receipt of an additional grant that provided funding for two additional motorcycle officers and a sergeant in the traffic bureau. Though this grant did not specifically target DWI enforcement, it did provide additional persons in the traffic bureau and thus enabled continued DWI enforcement. DWI arrest volume fell further at the expiration of that grant.

The four special DWI slots remain; however, they currently are not filled. Department turnover results in some number of vacancies and these tend to be

slots less likely to be filled. A 1989 change transferred the DWI squad responsibility from the traffic division to the patrol division which may have further diminished the emphasis on DWI enforcement efforts. Again, the basic DWI enforcement strategy was to deploy officers with special DWI detection training on roving patrol during high DWI activity periods. The average number of persons assigned to this duty each year, based on the recollection of those interviewed, from 1980 - 1989 is shown in Figure 2.1.

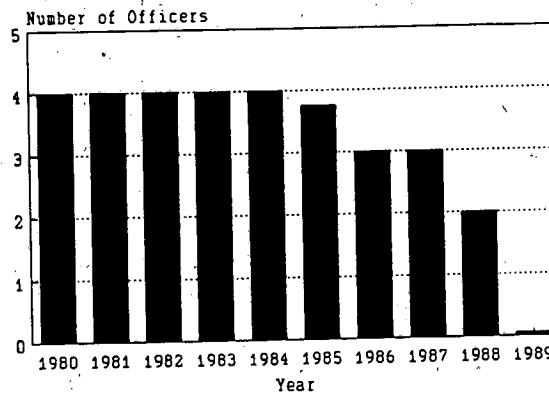
In 1989, in the absence of the DWI squad, motorcycle officers were occasionally deployed as nighttime DWI task forces.

Public information and education activities focussed primarily on obtaining hard news coverage of the enforcement activities and talks at service clubs and school events.

At the beginning of the project hard news coverage of the activities was obtained in the form of newspaper articles and radio appearances. Though no counts were made of such coverage and talks, the local contacts report that such activities declined over the life of the projects, and, though some activity remains, it is at a diminished level.

Again the project began in an atmosphere of civil support with MADD, the courts and those in politics giving it visible support. Although that support continues, especially from the prosecutor's office, it is now less vocal.

**Figure 2.1:** Officers Assigned to DWI Squad by Year, Redondo Beach, CA



## Results

The major enforcement objectives of the project were to increase the volume of DWI arrests, reduce the average BAC of those arrested to 0.15%, reduce processing time, reduce hit and run crashes, and train personnel. The project also achieved its DWI enforcement training objective. DWI arrests increased by nearly four-fold during peak project activity, and continued at a higher, though somewhat less dramatic, level through 1988 (Figure 2.2). Arrests have now decreased to near the level experienced before the project began. Though the average BAC of arrestees was not reduced to the desired level, processing time was cut by one-third, and hit and run crashes decreased. However, alcohol-related crashes (as determined by the investigating officer) as a percentage of all crashes seem to have mirrored enforcement activity (Figure 2.3). Rather than decreasing when DWI arrests increased in 1981, and increasing when DWI arrests began to decline in 1985, this measure *increased* when enforcement increased and *decreased* when enforcement decreased. A possible explanation for this apparent contradiction is that an increased ability of police officers to identify alcohol-related crashes also increased the number of crashes they classified as alcohol related.

## SUMMARY AND CONCLUSIONS

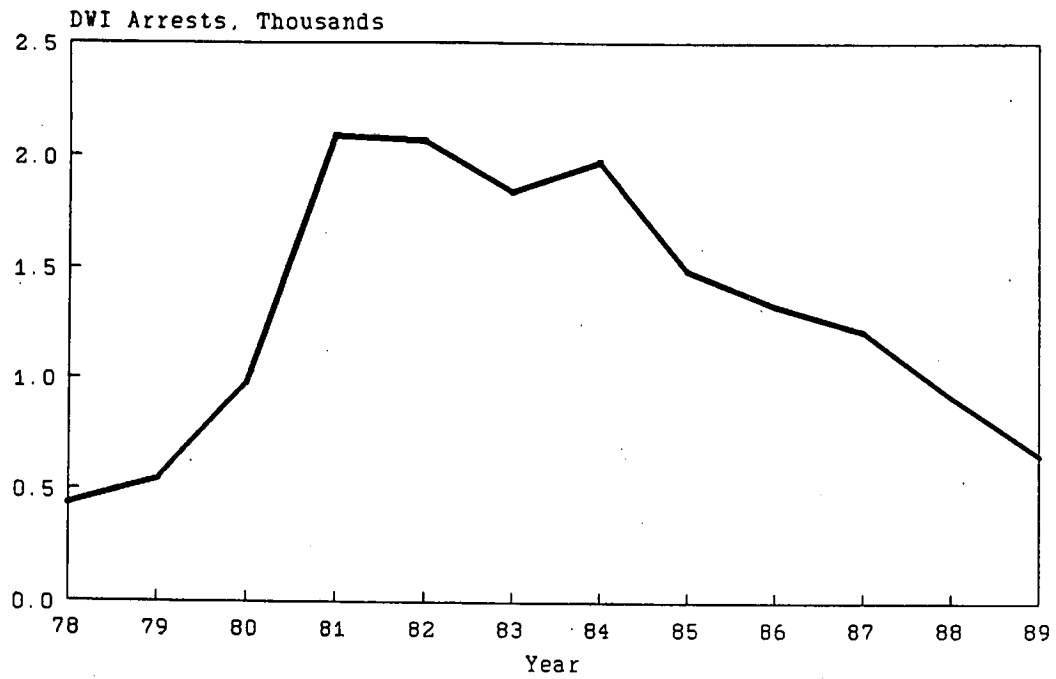
This DWI enforcement project focused on allocating specially assigned and trained personnel to DWI enforcement. It resulted in dramatic increases in arrest activity that were continued well after expiration of the project. The department indicated continued support of the project by continuing the additional personnel slots provided for by the project though in recent years they have been less frequently filled. The strategy of rotating officers through the training and special assignment seems to have assisted the persistence of increased DWI arrest activity department-wide after outside funding of the activity ceased. The rotation of officers was partly brought on by burnout on the part of the officers assigned to that duty. Though they were paid overtime (time and one half) for time spent in



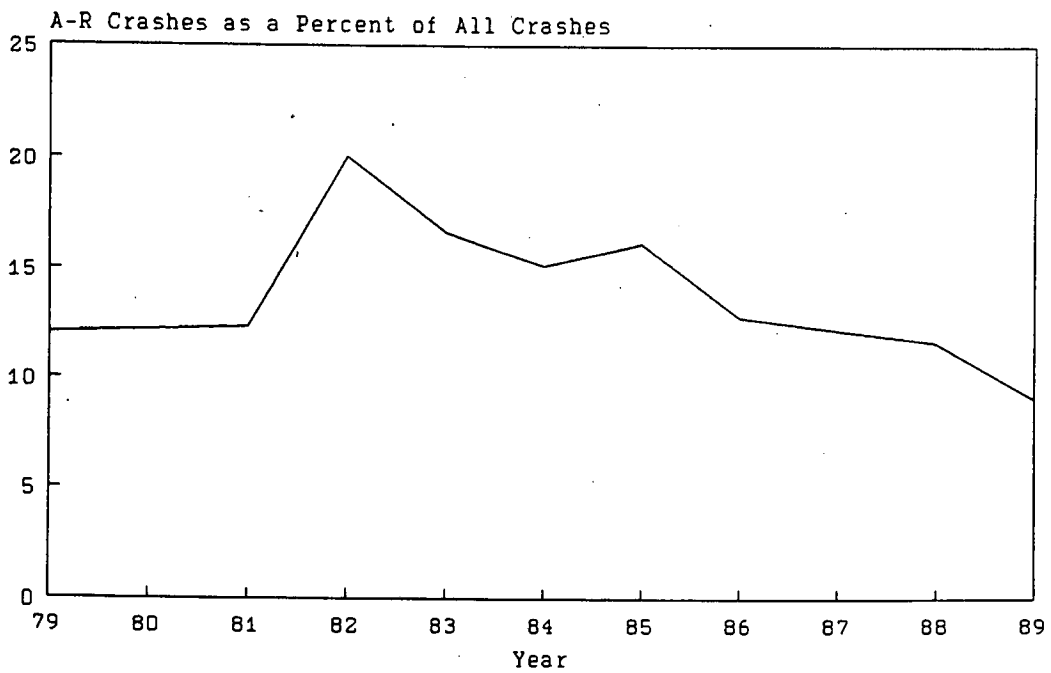
court and thus were well paid relative to other patrol officers, persons assigned to that duty found the additional work time associated with that duty burdensome and requested transfer. Public information and education activities relied primarily on hard news coverage and speaking engagements and apparently diminished greatly after the grant expired.

However, the grant did provide impetus to greatly increased DWI enforcement activity for a period four years after the grant expiration. Evidently, because of changing command emphasis, the DUI squad now is a relatively low priority, being essentially the last departmental positions to be filled. This seems to have been brought about by increased community calls for emphasis on drug problems other than DWI and a diminished local-citizen emphasis on DWI as a problem area. The mechanism for renewed activity in this area (the four vacant positions) remains, should command priorities be refocused on DWI.

**Figure 2.2:** DWI Arrests in Redondo Beach, California, 1978-1989



**Figure 2.3:** Alcohol-Related Crashes as a Percent of All Crashes in Redondo Beach, California, 1979-1989



## CHAPTER 3 - FORT COLLINS, COLORADO

### BACKGROUND

Fort Collins is a city of 93,000 persons in Northeastern Colorado with an area of 39 square miles and 320 miles of roadways. Fort Collins is the home of Colorado State University, which is its largest employer. Other large employers include computer companies and a manufacturer of governors for mechanical devices. Primary enforcement of traffic laws is conducted by the Fort Collins Police Department. The current police department strength is 105 sworn officers and 59 civilian personnel. The department is organized in three divisions, Patrol Services, Investigations and Information Services. The patrol division, with 60 sworn officers is responsible for traffic law enforcement. There is no formal traffic enforcement section.

### THE DWI ENFORCEMENT PROGRAM

#### *Description*

In 1978, the Fort Collins Police Department received a title 402 grant to increase DWI enforcement. This initial grant was used to pay the salary of a patrol officer and a car, radio and equipment to enable that officer to devote full time to DWI enforcement. The officer was assigned to high DWI activity areas for patrol and was also assigned to assist other officers in processing DWI suspects. All Fort Collins police officers received training on DWI detection skills.

The use of the special DUI officer was intended primarily to facilitate the more rapid return of other officers to patrol after they had stopped a suspected DWI. The first year of the program, arrests increased by 200 percent and by the third year by 400 percent.

The department absorbed the salary costs after the initial three year period of funding ended. Arrests continued to rise to approximately 1,500 in 1984 compared to the 208 that occurred in 1977, the last full year before the actual project started.

Beginning in 1984, patrol resources were further enhanced through a Law Enforcement Assistance Fund Grant (LEAF). This state level grant realizes its funding through \$50.00 assessments placed on DWI offenders. The initial three year grant provided for support of a diminishing share of a full time officer, equipment and training. After a one year period with no outside funding, a new LEAF grant was started in 1988 with similar components.

### *Results*

Though LEAF funding began in 1984, that year marked the beginning of a decline in DWI arrests. There were 1,481 arrests in 1984, 1,113 in 1985, and 731 in 1986 (Figure 3.1). The low figure in 1986 was partly attributable to a shortage of officers and evidently LEAF supported manpower may have been diverted to other traffic duties. In 1984 and 1985, the DWI enforcement position was rotated on a 90-day basis but in 1986 it was assigned on a random basis. Approximately the 1986 level of arrest volume has been maintained to date. Though data on alcohol-related crashes are incomplete, examination of Figure 3.2 reveals a decrease in alcohol-related crashes as the program has continued.

Public information activities were most active in the initial project with some paid radio spots, bumper stickers, key chains and other hand outs. During the LEAF grants, more public service PI&E activities took place such as radio PSAs

and public speaking engagements. An innovative public information program, that was part of the LEAF program in the mid-1980s, was a preliminary breath test device (PBT) loaner program. Under this program the department would loan PBTs to social hosts to allow them to test the breath alcohol level of their guests. In recent years, that program fell into disuse but it was being re-instituted in 1989.

## SUMMARY AND CONCLUSIONS

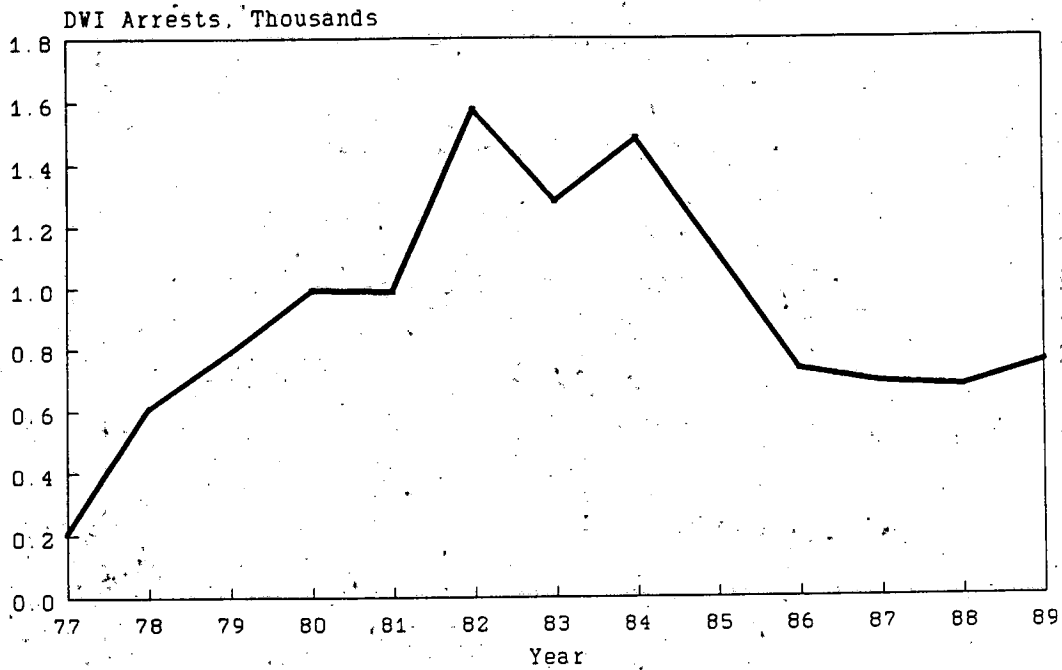
The Fort Collins Police Department implemented a DWI enforcement program that in effect created a single DWI specialist on nighttime patrol who assisted others in processing suspects. The program was coupled with DWI detection and screening training for all patrol officers who were not deployed especially to detect DWI offenders but were instructed to make stops "on view."

The program initially realized increased arrests which continued for a seven year period even during periods of no outside funding. With the reintroduction of additional funding, the arrest rate began to go down even though, theoretically, more manpower was being applied. Subsequently, manpower shortages diverted effort from this DWI enforcement, and arrests have reached a plateau of less than half of peak activity, but still three times the original arrest rate.

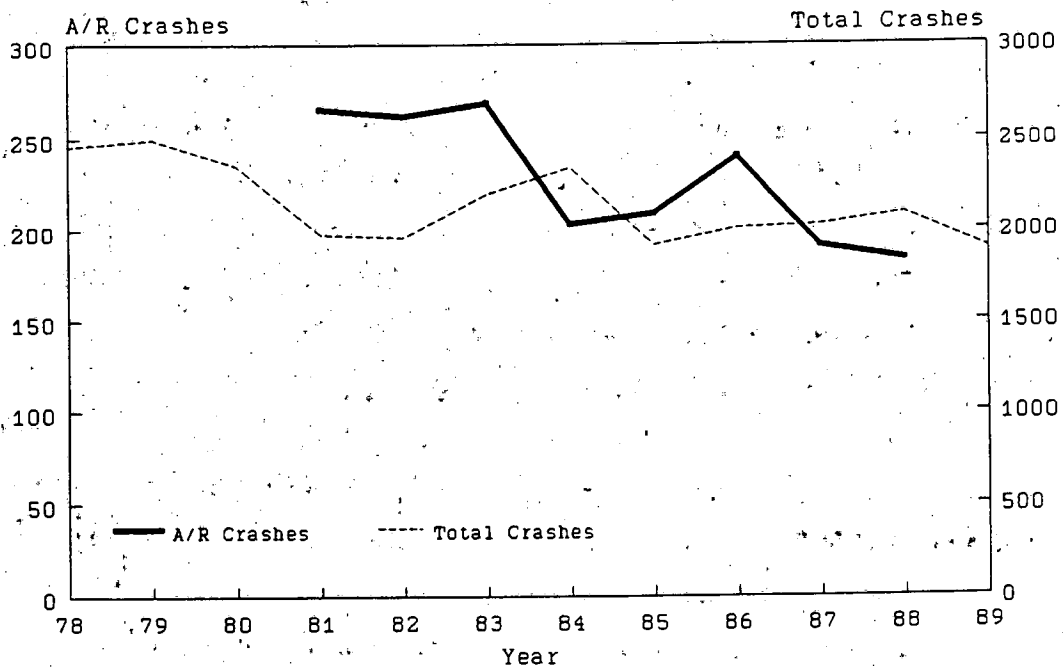
The police attribute the reduced arrest rate partly to stagnation on the part of the officers (the program has remained essentially the same for a period of years), and partly due to somewhat decreased command emphasis. The period of highest activity was associated with a period of increased command emphasis and community support. In recent years, the department has had increased calls for service without corresponding increases in enforcement personnel. Even though, at times the DWI specialist would be available to process DWI arrestees after roadside sobriety tests had been conducted, some police supervisors believe that patrol officers may now be handling some potential DWIs by having a sober passenger drive rather than spend the time to conduct roadside sobriety tests. These supervisors believe this is being

done to enable the patrol personnel to return to service faster and to be available to respond to other calls for service.

**Figure 3.1: DWI Arrests in Fort Collins, Colorado, 1977-1989**



**Figure 3.2: Alcohol-Related Crashes and Total Crashes in Fort Collins, Colorado, 1978-1989**



## CHAPTER 4 - WICHITA, KANSAS

### BACKGROUND

Wichita is located in south central Kansas and had a population of 289,000 in 1986. Population has remained relatively stable in the 1980s with about 3% growth in the 1980-1986 period projected. The current population is estimated at 300,000. The city is spread over an area of 188 square miles. Seven square miles have been added since 1982 through annexation. Aircraft manufacture is the prominent industry. Two interstate highways pass through the city, 235 and the Kansas Turnpike. The major traffic law enforcement agency in the city is the Wichita Police Department (WPD), although the Kansas Highway Patrol and the Sedgwick county Sheriff's Department enforce traffic laws on the interstate highway segments lying within the city limits.

The WPD had 435 sworn officers and 155 civilian employees in 1989. In addition to the chief, there are three deputy chiefs, one for each of the three bureaus of the department. The bureaus are Field Services, Investigations, and Support Services. Field Services contains the two patrol divisions (called Patrol West and Patrol East) and the Special Operations Division, and has the largest staff of the three bureaus. Each division is headed by a major, and these three majors are the only majors in the department.

Traffic law enforcement is performed primarily by the Special Operations Division's Traffic Section. The Division had 43 sworn officers and 40 civilians in 1989. Officers are assigned specifically to motorcycles or radar cars. Motorcycles are used extensively, and there are currently 32 motorcycles compared to 16 radar



cars being used by the Traffic Section. Motorcycle officers are assigned to cars in bad weather. Uniformed civilian personnel are responsible for accident investigation and parking enforcement. The Division also has a special DUI unit that operates Breath Alcohol Testing Vans (BAT Vans) that perform breath alcohol tests and assist in processing drivers arrested for DUI. In 1989, the WPD made 1,680 arrests for DUI and issued 102,226 citations for moving traffic violations, including 52,695 citations for speeding. The per capita arrest rate for DUI was 0.56% in 1989, about twice that of the state as a whole.

## THE DWI ENFORCEMENT PROGRAM

### *Description*

The Department's emphasis on DWI dates back to October of 1982 and was made possible by a Section 402 grant of \$766,483 for a three-year period beginning in October 1982. In the five-year period prior to 1982 (1976-1981), DUI arrests had averaged only about 400 per year, but fatal accidents had averaged 44 per year with an increasing trend. The objective of the new program was to reduce alcohol-related crashes through an intensive and highly-visible enforcement program supported by public information.

The *enforcement* component of the program concentrated on increasing the number of DUI arrests by reducing the time required to process an arrest. Prior to the program, DWI suspects were taken to the WPD's downtown headquarters for breath testing and processing. Average processing time for the arresting officer was about three to four hours. Under the new program, two marked BAT Vans, four Intoxilyzers, and a stationary videotape unit were acquired. In addition, eight service officers (civilians) were assigned to staff the vans, and a clerk was assigned to compiling the data needed to track arrests and accidents. To further increase officer efficiency and DUI arrest production, all uniformed street officers were trained in DUI detection and apprehension.

The *PI&E* component of the 1982 program involved added emphasis on DWI presentations by the Department's Traffic Information Officer (TIO) at schools, clubs, and public meetings. The TIO also designed, planned, and implemented public service announcements for television and radio. The campaign sought to increase public perception of the risk of arrest for DUI. The activity level was quite high, with as many as two new public service announcements a week being delivered on television. The designated driver concept was emphasized in many of the PSAs.

While the 1982 program as funded was designed as a three-year program, WPD management say that the program was continued under local funding supplemented by 402 funds after the grant expired in 1985. A second major 402 program began on October 1, 1988 and was designed to continue through September 1991. It provided nine additional motorcycles and nine officers, along with a third BAT Van to be used as a backup to the two already in operation, and another Intoxilyzer. The additional motorcycles are being used on a third watch during the hours of 7:00 p.m. to 3:00 a.m., with heavy emphasis on DUI. The public information component is similar to that of the 1982 program, but appears to stress the Department's Public School Liaison Program more and to place less emphasis on mass media campaigns and other *PI&E* efforts. Current mass media efforts are focused on hard news coverage and seasonal messages.

### *Results*

The WPD's effort to reduce the time required to process a DUI suspect has apparently been successful, with current estimates running about 45 minutes rather than the three to four hours required prior to the first program. Further, arrests have increased by a factor of about four and have been maintained at that level since the first program (Figure 4.1). Fatal crashes have also been running at a much lower level than was experienced in the five year period prior to the first program (Figure 4.2). The average for the 1976-1981 period was 44 compared to

26 for the 1983-1989 period, a reduction of 41%. Nighttime crashes, as a percentage of all crashes, have remained in the 11-16% range in the 1983-1989 period.

## SUMMARY AND CONCLUSIONS

The Wichita Police Department has received 402 funds for DWI enforcement and associated PI&E from late 1982 until the present. The main focus of the program has been to increase arrest rates by decreasing processing time. The Department attempted to do that by deploying three BAT Vans staffed by civilians. The Department reports that the processing time for the enforcement officer has been decreased from 3-4 hours per arrest to approximately 45 minutes. After the program was implemented, DWI arrests increased fourfold and fatal crashes decreased 41%, and both arrests and fatal crashes have continued to be maintained at these levels.

The initial activity involved fairly intensive PI&E, including television PSA's and other mass media efforts. The Department now relies mainly on the interest of the media in hard news coverage and on seasonal messages for mass media coverage. An increased emphasis has been placed on public school education.

This site represents enforcement at a continued high level but with somewhat decreased PI&E efforts. The highway safety impact of the program appears to have been favorable. The Department plans to continue the program at least through 1991 and to deploy an additional nighttime watch of motorcycle-mounted officers.

Figure 4.1: DWI Arrests in Wichita, Kansas, 1977-1989

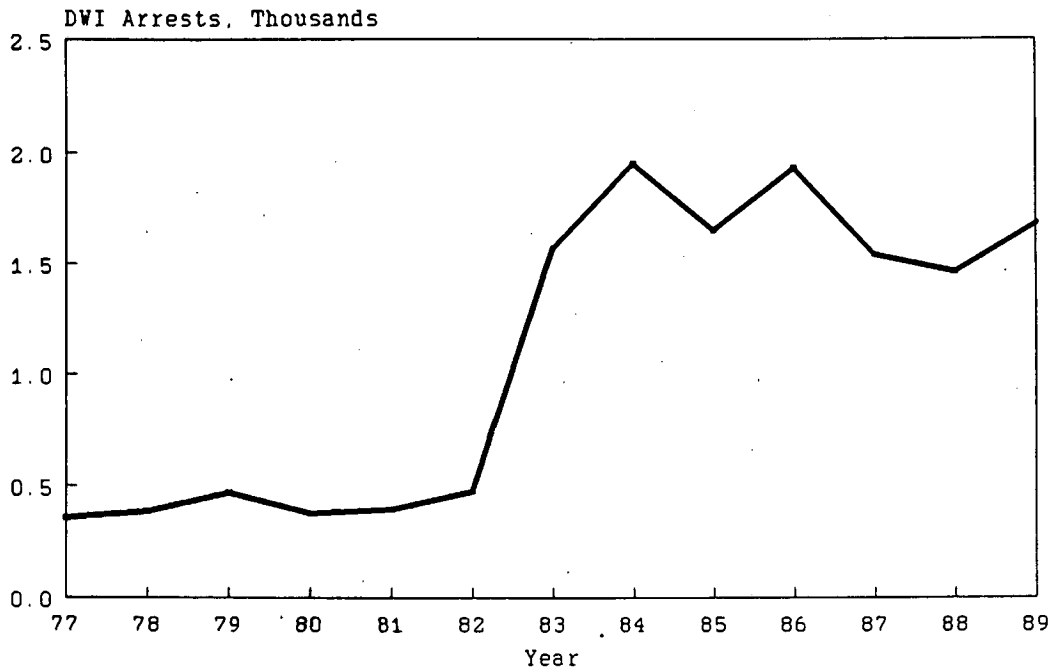
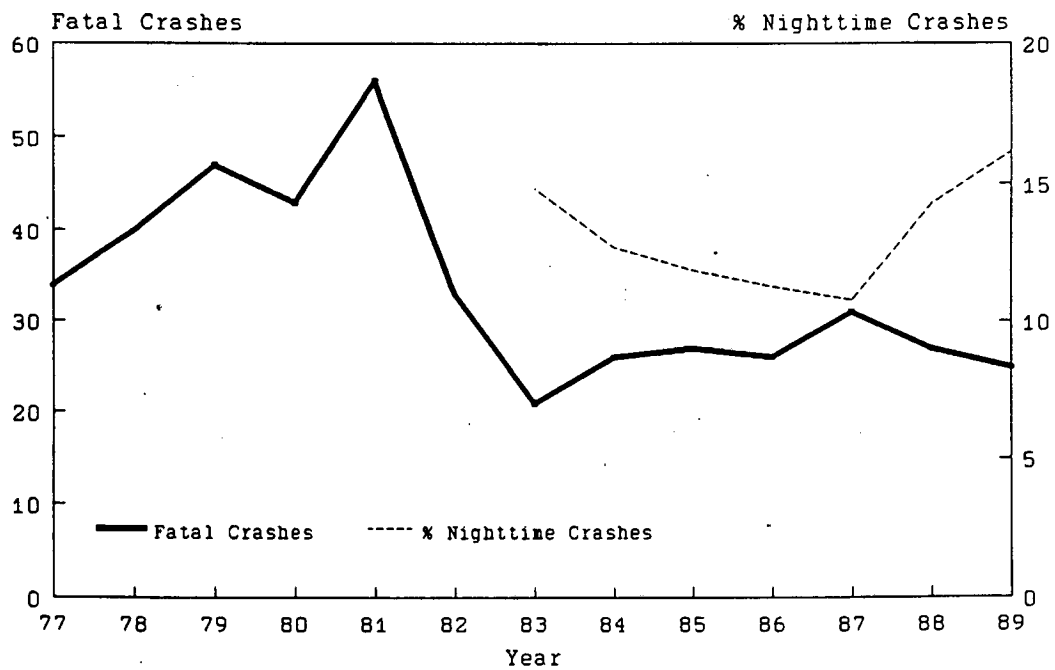


Figure 4.2: Fatal Crashes and Nighttime Crashes in Wichita, Kansas, 1977-1989.



## CHAPTER 5 - OMAHA, NEBRASKA

### BACKGROUND

Omaha is located in southeastern Nebraska on the Missouri river. Council Bluffs, Iowa, lies directly across the river. Omaha's population was 349,000 in 1986 and has experienced some growth (11%) since 1980. The current population is estimated to be about the same as it was in 1986. Omaha covers a land area of about 100 square miles and has some 1,500 miles of streets. Interstate highways 80 and 680 pass through the city. Industry is rather diverse, ranging from insurance to agricultural products. Law enforcement for the city is performed almost entirely by the Police Division of the Omaha Department of Public Safety.

The Omaha Police Division (OPD) had 602 sworn officers and 151 civilians in 1988. The Division is broken down into four bureaus, each headed by a deputy chief. The *Uniform Field Bureau* has the largest staff of sworn officers (372) and includes a Traffic Section with 59 sworn officers and no civilians. This bureau is organized along shift lines, with a captain in charge of each general patrol shift and a lieutenant or sergeant in charge of each traffic shift. The *Criminal Investigations Bureau* has 132 sworn officers and 26 civilians assigned to an administrative section, a property crimes section, or a persons crimes section. Each section is headed by a captain. The *Technical Services Bureau*, whose major function is training, and the *Administrative Services Bureau*, which includes such functions as the crime laboratory and research and planning.

Traffic law enforcement is done primarily by four one-person cars per shift. The cars are equipped with preliminary breath testers (PBTs). Driving cues and radar

are the primary means used for detection. In addition, the department has a Breath Alcohol Testing Van provided by Mothers Against Drunk Driving. In 1988, the OPD made 3,585 drunk driving arrests and issued 136,347 traffic citations. The per capita arrest rate for DUI was 1.03%, a moderately high rate that was about the same as the rate for the state as a whole.

## THE DWI ENFORCEMENT PROGRAM

### *Description*

Omaha's drunk driving enforcement program began in 1982 with a Section 402 grant which funded a midnight-shift special enforcement unit concentrating on DUI. The program was in response to a perceived drinking-driving problem thought to be due, in part, to a low DWI arrest rate amounting to about 0.20% per capita.

The *enforcement* component of the program involved deploying the special unit of eight to 10 cars at high-DWI incidence locations and the use of moving saturation patrols. Sobriety checkpoints were also used, sometimes in conjunction with units from the Nebraska State Police. Radar was used extensively in detection of DWIs.

The *PI&E effort* employed a community-based approach. The Division worked closely with Mothers Against Drunk Driving who helped publicize the program, especially through gaining hard news coverage. Eventually, MADD provided the Division a BAT van. The campaign to raise funds for the van itself created considerable media coverage, showing the MADD members in shopping centers getting contributions and tracking the status of the funds raised as the campaign continued. Print media coverage appears to have been especially strong with many news stories appearing in the Omaha World Herald and other newspapers. The campaign was a year-around effort and did not use a holiday-oriented approach.

Offit Air Force Base cooperated heavily with the program, helping both in developing strategy and materials for the PI&E campaign.

The program stressed the theme that no one was exempt from enforcement action, and worked very hard in making this threat a reality. In fact, a scandal developed when the Chief of Police was accused of attempting to have the mayor removed from office by catching the mayor's brother-in-law in a drunk driving "trap." As a result of the attendant publicity (which also no doubt raised the awareness of the Division's DWI program), the mayor was recalled from office but not before he fired the chief. The chief's firing was eventually upheld by the Nebraska Supreme Court. OPD sources say that the mayor attempted to punish other members of the Division for their participation in the alleged conspiracy against him.

The current DWI program, relying solely on local resources, continues many of the tactics used in the original program, but without a special DWI unit. Also, checkpoints have been abandoned as being non-productive of DWI arrests. Officers continue to use radar and driving cues for detection and are now equipped with PBTs. MADD has subsequently provided other equipment, including a four-wheel drive vehicle and radars. The PI&E effort continues to use a community approach, but to a lesser extent, and there may be less emphasis on PI&E than in the original program.

### *Results*

DWI arrests began to increase rapidly immediately after the program was placed in operation in 1982 (Figure 5.1) and have risen steadily even after the initial grant was over. The present level of DWI arrests is about five times what it was in the year preceding the grant (1981). Crash fatalities show a downward trend since 1977, with some fairly wide fluctuations (Figure 5.2). The trend value of crash fatalities in 1989 was about 25% less than it was in 1981. However, this trend seems to have

began in 1977 and cannot, on the basis of the data we have, be attributed to the program. Nighttime accidents as a percent of all accidents follow a similar trend since 1981.

## SUMMARY AND CONCLUSIONS

A 402 DWI enforcement program began in Omaha in 1982 and has resulted in a fivefold increase in DWI arrests as a result of additional officers and equipment. This increase has been maintained to date. The effect of the program on highway safety is unknown, but it is known that fatal crashes are about 25% lower than they were when the program began.

The program developed a reputation of arresting everyone identified as a violator, regardless of position, and after a few years there was an effort to soften the program. Community support was marshalled for the program, and it has continued nonetheless. In fact, MADD raised money from the community to purchase a van and four-wheel drive vehicle to enhance the program. The enforcement program originally included the use of checkpoints, but these have been abandoned in recent years. PBT's are used extensively. Training efforts have reached all uniformed police.

The PI&E effort has included both effective liaison with the media for news coverage and an extensive educational program through presentations not only to schools and service clubs but also educational programs in the workplace.

This site is an example of a police-initiated program bolstered by public support with continued PI&E that has continued well after outside funding was exhausted.



Figure 5.1: DWI Arrests in Omaha, Nebraska, 1981-1989

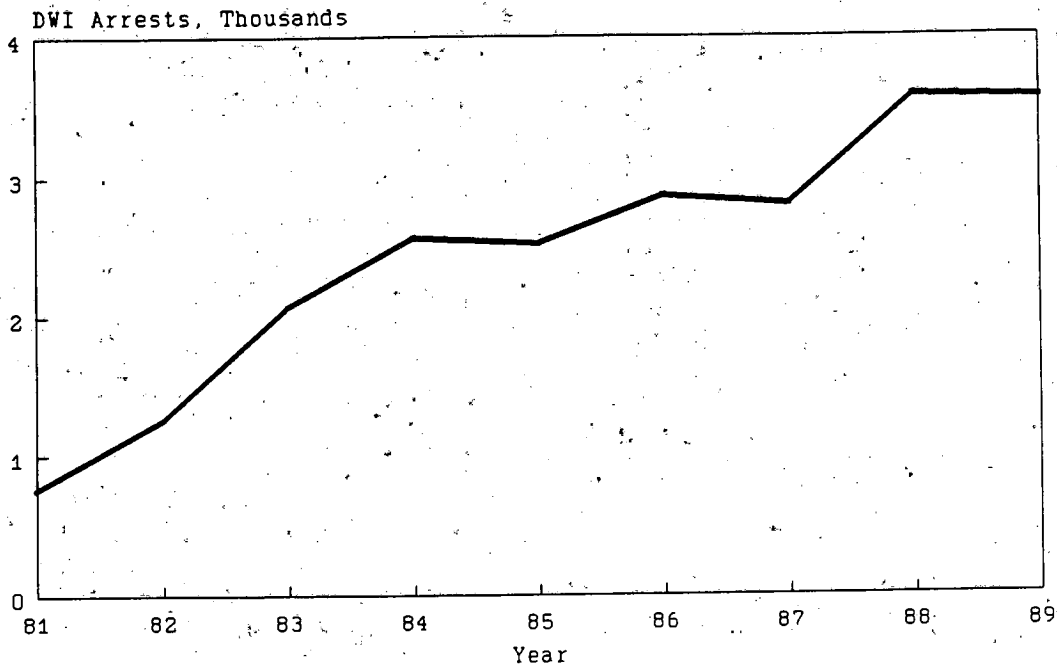
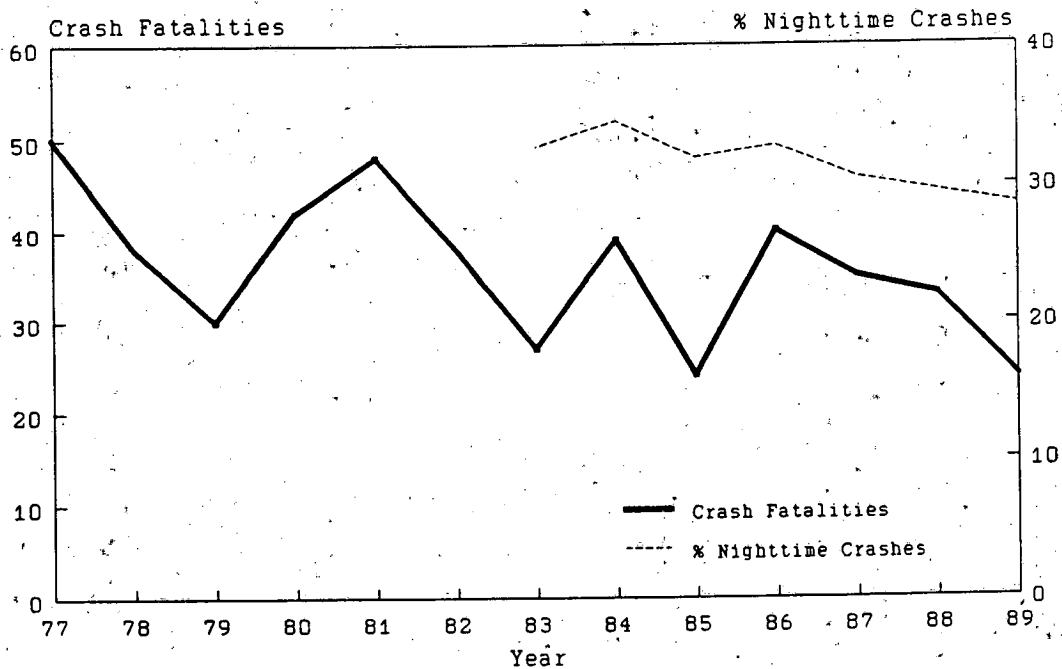


Figure 5.2: Crash Fatalities and Nighttime Crashes in Omaha, Nebraska, 1977-1989



## CHAPTER 6 - LEXINGTON, KENTUCKY

### BACKGROUND

Lexington, Kentucky, the home of the University of Kentucky, is a combined urban-rural jurisdiction with a population of approximately 240,000 (204,000 when its Traffic Alcohol Program was initiated in 1982). Lexington and Fayette County have identical boundaries and are governed by a unified governmental entity, the Lexington-Fayette Urban County Government. The jurisdiction covers 285 square miles. The Division of Police provides law enforcement services for the entire area which includes the urbanized city center as well as a rural area, which has numerous horse farms and two commercial horse racing tracks.

The Division of Police had an authorized force of 340 sworn officers in 1982 with approximately 300 positions filled. The current authorized level is 370 with 340 officers on duty. At the time of initiation of the program, DWI enforcement was conducted by officers on general patrol. A recent reorganization has created a Traffic Bureau with more direct traffic law enforcement responsibilities.

### THE DWI ENFORCEMENT PROGRAM

#### *Description*

A major emphasis on DWI enforcement was initiated in Lexington in mid-1982 with the announcement of the Traffic Alcohol Patrol (TAP). This enforcement effort, funded through a Title 402 grant from the Kentucky Highway Safety Standards Branch, consisted of extensive overtime work by police officers working

on their days off. During the most active phase of the program (mid-1983 through mid-1985, when funded at approximately \$340,000 per year), the additional patrol activity consisted of ten to twelve officers working from 10:30 PM to 3:30 AM Monday through Thursday and from 15 to 20 officers working similar hours on Friday and Saturday nights. Initially the program emphasized deployment of additional enforcement manpower, rather than any special training, though all officers had been trained as breath test operators. During the course of the project, approximately 175 officers participated.

In 1983, all officers received a 40 hour in-service training program on DUI detection and processing with some receiving as much as 80 hours of training. A portion of this training concentrated on NHTSA's Standardized Field Sobriety Tests. In 1983 and 1984, prosecutors were also familiarized with DWI procedures, the standardized field sobriety tests and chemical testing. During the course of the project approximately 175 officers received DWI enforcement training.

After 402 funding stopped, the department had changed the work schedule to a 10-hour day, four-day workweek. This created an overlap shift from 10:00 PM to 2:00 AM which, supplemented by department funded overtime from 2:00 AM to 3:30 AM, was used to create a DWI task force of one sergeant and five to six officers who worked Wednesday through Saturday nights.

In 1986, 10 preliminary breath testers were purchased and used primarily by officers assigned to the special DWI enforcement squad. The Department has gradually added additional PBTs so that there are now 70, and they are distributed more widely within the general patrol. These purchases were defrayed from the Kentucky DUI Service Fee Fund which is obtained through a \$150 fee charged every person convicted of DUI. The Police Division realizes approximately \$15,000 to \$25,000 in revenue each year from this fund.

The primary DWI enforcement technique used has been the detection of offenders through visual cues indicated to officers on general patrol. Screening of suspected DWI's with preliminary breath testers was implemented in the middle of the decade. Checkpoints have not been employed as an enforcement strategy with the exception of one media event in 1988.

Public information and education activities focused primarily on hard news coverage, supplemented by 5,000 bumper stickers and extensive public speaking engagements. Hard news coverage was fairly extensive during the first two years of the program. In 1986, a slide presentation was developed called "The Consequences of DUI" and was used in conjunction with speaking engagements.

In 1987, a new 402-funded program entitled "Community Approach to Traffic Safety" was funded at approximately \$125,000 per year for three years. This program has funded additional training in accident reconstruction, field sobriety testing and other traffic safety enforcement areas. Additionally, it funds publication of a quarterly newsletter, *Traffic Stop*, which has a circulation of 4,000 and addresses various traffic safety issues, including DWI.

From the outset, the Mayor was supportive of the program and the current Chief, a former traffic officer, is supportive of traffic enforcement. Additionally, the County Commonwealth's Attorney, who came into office in 1985, is publicly supportive of traffic safety issues, including DWI and seat belt use. The DWI conviction rate has consistently been around 90 percent during the decade of the 1980s. Lexington recently passed a local mandatory seat belt use ordinance which went into effect July 1, 1990.

### *Results*

Arrests increased by a factor of eight two years after the program started, but then dropped again by a factor of two and remained at about at this level

(Figure 6.1). Fatal crashes appear to reflect the arrest activity, decreasing initially and then increasing again to their initial level (Figure 6.2). Alcohol-related crashes (so-classified by the investigating officer) exhibit a downward trend since the program began.

## SUMMARY AND CONCLUSIONS

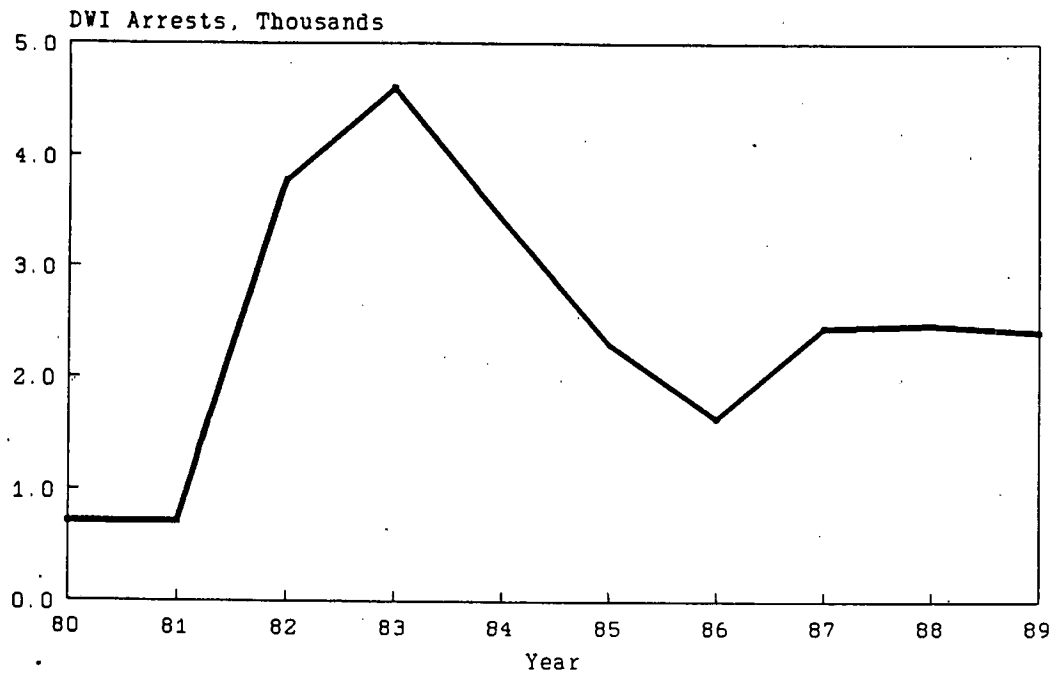
A DWI enforcement program which emphasized rotating officers through an overtime type assignment and officer training, realized substantial increases in arrest volume during the specially funded project period. Though the arrest rate diminished somewhat after the withdrawal of outside funding and a reduction of the number of officers assigned solely to DUI enforcement, arrests continued at a rate substantially higher than that before the program. Alcohol-related crashes were reduced, and that reduction seems to have been maintained. The initial project was evaluated by Pigman and Agent (1986)<sup>1</sup> who reported a 30% reduction in alcohol-related crashes.

The program relies heavily on hard news coverage to inform the public of the special DWI enforcement efforts. This approach seems to have worked partially because of political support of the program by the department, the local government and the prosecutor. This may also have helped to foster continuation of the special enforcement efforts (though somewhat diminished) after outside funding stopped.

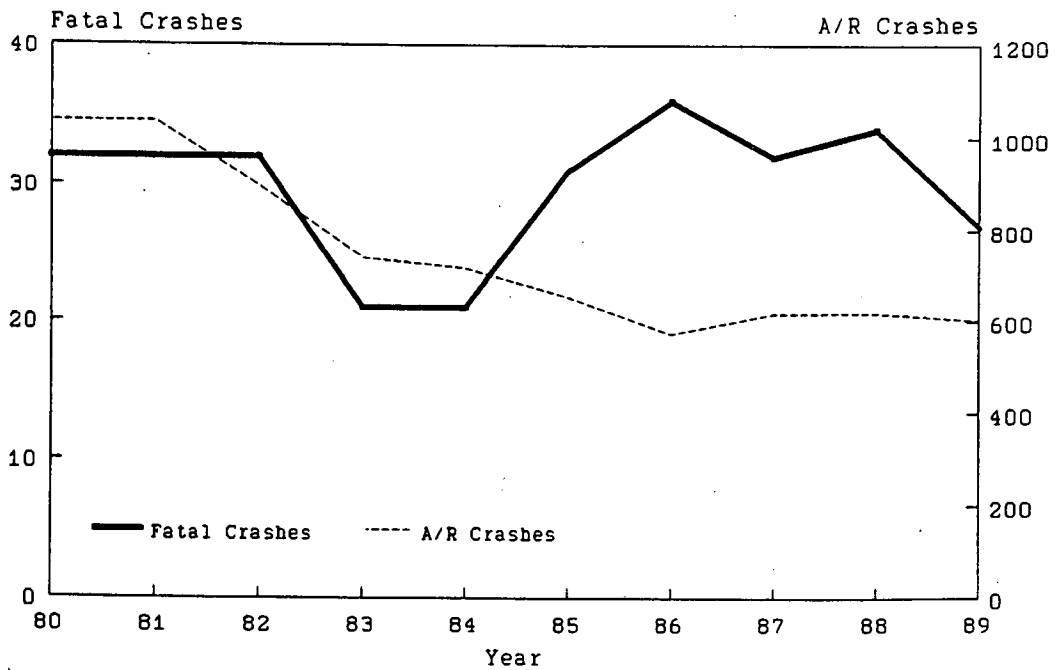
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<sup>1</sup> Pigman, JG; and Agent, KR. (1986). *Impact evaluation of the Lexington-Fayette County traffic alcohol program (1982 - 1986)*. Lexington, KY: Kentucky Transportation Research Program.

**Figure 6.1: DWI Arrests in Lexington, Kentucky, 1980-1989**



**Figure 6.2: Fatal Crashes and Alcohol-Related Crashes in Lexington, Kentucky, 1977-1989**



## CHAPTER 7 - CLEARWATER, FLORIDA

### BACKGROUND

Clearwater, Florida is primarily a resort, residential, and service community located on the Gulf Coast of Florida in Pinellas County, one of the most densely populated areas of the state. The population was 92,000 in 1983 when their DWI enforcement program was initiated and currently is 104,000. The city covers 26.5 square miles and has 350 miles of roadway.

At the beginning of the DWI enforcement project, the department had 175 sworn officers and was divided into five divisions: administration, community services, vice and intelligence, support services and field operations. There was also an independent selective enforcement unit which performed a variety of special enforcement functions including special events, criminal investigations, surveillance and, occasionally, traffic enforcement. DWI enforcement was housed primarily in the Field Operations Division which had a Patrol and Investigation Section. Current manpower level is 227 sworn officers.

### THE DWI ENFORCEMENT PROGRAM

#### *Description*

Clearwater initiated a major DWI enforcement and public information effort in 1983 in cooperation with the neighboring jurisdiction of Largo, Florida. The several elements of the DWI enforcement program included: specifically emphasizing command emphasis (the Chief issued a new General Order about DWI enforcement, which called for training of all patrol officers and took a visible role in

publicity about the program); DWI enforcement training (virtually all patrol officers were trained in the standardized field sobriety tests, including horizontal gaze nystagmus, and in detection of impaired drivers); selective enforcement techniques (locations with high DWI arrest rates and high alcohol-related crash rates were identified and officers selectively deployed to those areas); video taping of DWI offenders during the booking process; improved DWI arrest processing through the establishment of an additional testing location and streamlined paperwork; and use of DWI checkpoints. These enforcement strategies were implemented in 1983 and 1984 using funding from both a title 402 grant, and from a title 403 research contract. The funding was used to defray equipment, public information and training costs, but was not used to pay for personnel for enforcement activities, either through overtime or creation of new positions.

As part of the initial project, DWI public information and education materials were developed that were supportive of each of the specific enforcement strategies. An overall theme and logo, using the slogan "Arrest Drunk Driving," was developed and incorporated in all public information materials. Public information activities included television, radio and print public service advertisements, billboards, brochures and cards, novelty items, a mall display, a slide sound presentation and public speaking engagements as well as attempts to generate hard news coverage with media events such as press conferences and attempts to gain coverage of checkpoints. The "Arrest Drunk Driving" activity garnered a good deal of public attention in the initial years and by 1985 all 20 enforcement agencies in Pinellas county had joined the cooperative enforcement program. This primarily entailed joint training programs, joint checkpoints and public information activities. These activities were coordinated by the Clearwater Police Department and supported by a series of title 402 grants through 1988. As many as 430,000 pieces of public information materials were distributed in the peak year of 1986 when over 50,000 individuals were contacted during public speaking activities.



The basic enforcement strategies outlined above have essentially continued with an emphasis on continued in-service training and a gradually decreasing emphasis on checkpoints. In late 1985, a modification of the selective enforcement strategy was introduced and labelled wolfpacking, where a concentration of patrol activity was focused on selected locations. In 1986, the Department purchased six Ford Mustang patrol vehicles, equipped with computers that have since been devoted to traffic enforcement activities, including DWI enforcement. Checkpoints were used on a monthly basis in the initial project year and decreased to eight per year over the next two years and then gradually decreased to the point that none have been conducted during the last two years. The Chief reports that this and other reductions in DWI enforcement activities have in part been due to changes in command emphasis. Besides dramatic increases in calls for service, relative to increases in department size, he reports a conscious shift in command emphasis towards drug enforcement. Thus, manpower he might in former years have allocated to checkpoints or DWI wolfpacks, he now uses to conduct drug sweeps. In recent years, much of the anti-DWI activity has focused on public information and active enforcement activities have diminished. This PI&E activity was largely funded through title 402 grants supplemented by local donations. Ironically, because Pinellas county's crash rate fell relative to other jurisdictions in Florida, it is not currently eligible for funding for such activities.

### *Results*

The initial project was evaluated by the University of North Carolina Highway Safety Research Center (Lacey *et al.*, 1986).<sup>2</sup> This evaluation indicated increases in public awareness of enforcement activity (most notably checkpoints), decreases in reported drinking driving activity, and a 12% decrease in the proportion of crashes that were alcohol related when related to the experience of a comparison

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<sup>2</sup> Lacey, JH; Stewart, JR; Marchetti, LM; Popkin, CL; and Murphy, PV. (1986). *Enforcement and public information strategies for DWI (driving-while-intoxicated) general deterrence: Arrest drunk driving - The Clearwater and Largo, Florida experience*. Chapel Hill, NC: University of North Carolina Highway Safety Research Center.

community. A decrease in nighttime crashes was also observed. A change in the crash reporting threshold in late 1983 which limited reporting to more serious crashes masks that reduction in Figure 7.2. Thus, the increase in nighttime crashes *as a percent* of all crashes apparent from 1983 to 1984 is due to the fact that only more serious crashes were reported from October 1, 1983 on. However, inspection of the figure reveals that the level achieved in 1984 when the program was found to be effective was maintained throughout the rest of the decade. In recent years, there has been a dramatic decrease in the arrest rate, returning to a lower rate than experienced before initiation of the program (Figure 7.1).

## SUMMARY AND CONCLUSIONS

Clearwater, Florida, initiated a comprehensive DWI enforcement and public information program in 1983, which grew with the inclusion of adjoining law enforcement agencies in the program. Though outside funding was not used to fund enforcement manpower, it was used to help fund training and public information activities. Those activities continued through most of the rest of the decade. However, with no current outside funding, they have diminished somewhat during the last year. Enforcement activity, essentially funded internally, has been a function of command emphasis. Though the Chief remains interested in DWI enforcement, local pressures have directed his emphasis increasingly to other areas, most notably drug enforcement. The continued public information activity seems to have maintained the beneficial effect for the time being.

Figure 7.1: DWI Arrests in Clearwater, Florida, 1977-1989

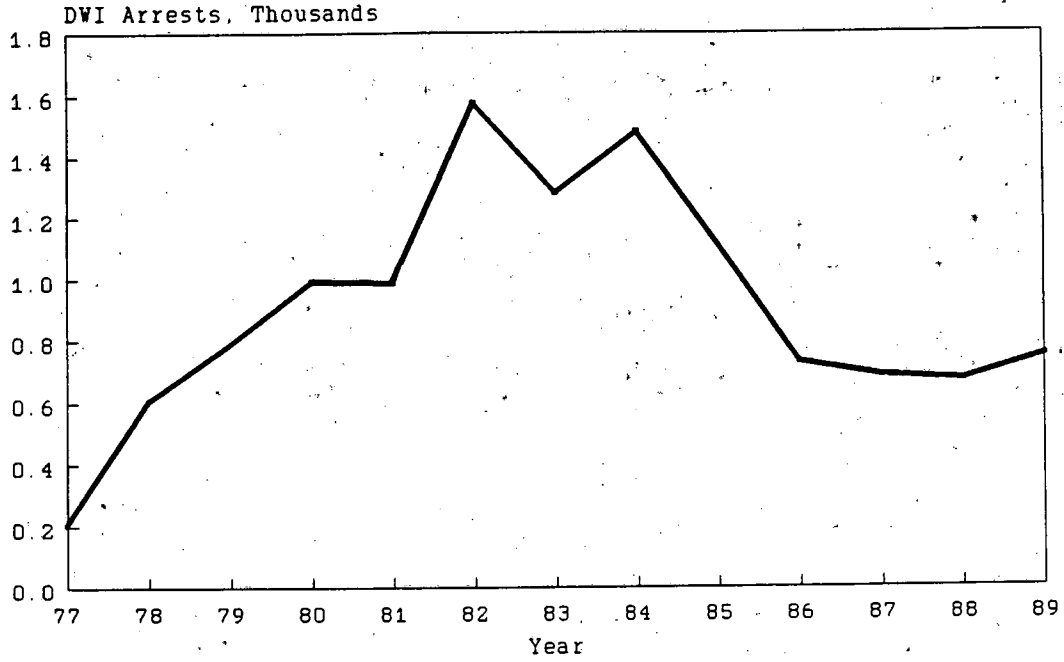
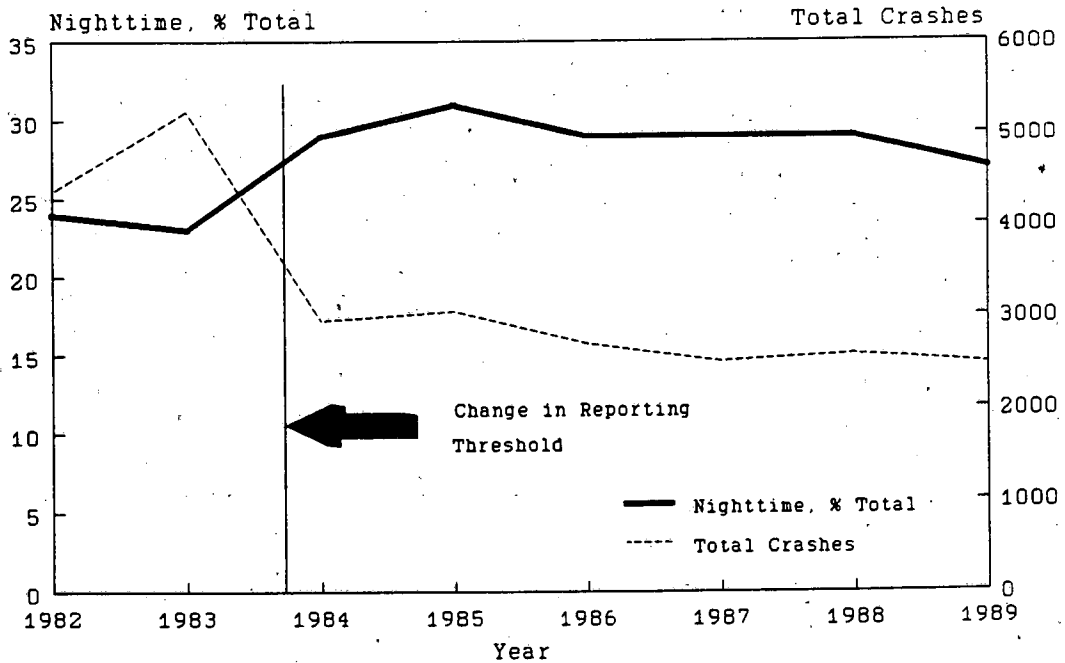


Figure 7.2: Nighttime Crashes in Clearwater, Florida, 1982-1989



## CHAPTER 8 - CONCLUSIONS AND RECOMMENDATIONS

The preceding chapters have described the history of DWI enforcement programs in several communities across the country. This study is essentially a study of the characteristics of such programs and of which characteristics may be associated with the continuation of the programs. Summary information about each of the programs appears in Table 8.1.

Perhaps the most direct measure of continued program activity is the DWI arrest rate. With the exception of Clearwater, Florida, in all jurisdictions studied, the arrest rate is higher now than it was before the program was initiated, even though in most jurisdictions, increases in police personnel have not matched increases in the population served. In Lexington, Fort Collins, and Redondo Beach, the arrest pattern was increased during the period of formal outside funding of enforcement efforts, followed by decreases when outside funding ceased, though to levels still well above those present before initiation of the program. Omaha and Wichita are notable in that their arrest rates have continued to climb or stay near peak level.

In Redondo Beach, California, arrests peaked during special funding which provided for additional officers. A number of patrol officers rotated through that assignment, but since the special grant expired, the positions provided by the special funding have increasingly gone unfilled even though the positions have been retained on the roster. This reflects changing command emphasis and perhaps decreased support from the community. For example, citizen activist groups are reported to have been less vocal there in recent years.

Fort Collins, Colorado, increased arrests markedly during the initial project which funded an additional patrol officer specializing in DUI enforcement and processing. After the initial grant expired, funding for similar activities was realized through Law Enforcement Assistant Fund grants. Activity peaked in the 1982-1984 era when command emphasis was greatest and has continuously declined since then, partly due to a lack of continuity of assignment to the duty, which is likely due to diminished command emphasis.

Lexington, Kentucky experienced large increases in DWI arrest volume in conjunction with outside funding of overtime patrol activity. Activity has continued since that funding ceased through allocation of local police resources and though arrest rates are lower than those achieved at the peak, they are still three times the rate before the program was initiated.

Clearwater, Florida chose to use training and command emphasis to increase arrest rates and to use outside funding to stimulate PI&E activity. That approach accomplished increased arrest rates during the project period but in recent years, with other issues (principally illicit drugs) competing for command emphasis, arrest rates have fallen below pre-program levels. However, PI&E efforts have continued as has most of the beneficial effect on crashes.

Wichita, Kansas has experienced ever growing arrest rates since program inception. This has largely been due to an increasing flow of grant funds to perform DWI enforcement and, thus, an increasing cadre of trained, experienced officers dedicated to that objective.

Omaha, Nebraska, has also steadily received highway safety grant funds, first in the area of DWI enforcement and then in other enforcement areas. The DWI arrest rate rose dramatically and has stayed at that level. Omaha's DWI enforcement efforts have also been aggressively supported by the local chapter of MADD,

both in terms of vocal support and monetary support for equipment. This has helped stimulate continued command emphasis.

In today's enforcement environment, there is increasing competition for ever more limited enforcement resources. In areas such as Redondo Beach and Clearwater (and even Wichita and Omaha), where problems such as illicit drugs and gangs have become more pressing problems, DWI enforcement is likely to become a lower priority, in the absence of vocal local support or outside funding. Similarly, DWI enforcement has received diminished command emphasis in Fort Collins.

In Lexington, continued command emphasis and support for highway safety from elected officials has succeeded to keep DWI enforcement in the forefront. Both Omaha and Wichita have been blessed with continued outside funding and Omaha with active community support, which are reflected in their continued high arrest rate.

An important lesson learned from this study is that it is difficult to quantify DWI enforcement and public information activity on a retrospective basis. Much of the information about enforcement strategies used and level of PI&E efforts was gathered from the recollections of program participants. Specific deployment schedules and other detailed measures of a given activity are seldom retained in police departments over an extended period of time, and project documentation is often discarded as supervisors change job assignments. However, since, to date, there seems to be an inexhaustible pool of potential DWI arrestees, volume of DWI arrests provides a good proxy of DWI enforcement activity.

It is unlikely that DWI enforcement will continue to have a high profile in virtually any police department without active community support and some form of special funding. Funding agencies should consider incorporating steps to garner community support in initial seed grants, and state and local governments should seek mechanisms to identify new funds to support DWI enforcement through

earmarked taxes and/or assessments on DWI offenders. To ensure continued high level activity in this area, both elements, community support and special funding, should be present.

**Table 8.1: Summary of Characteristics of Study Sites**

	Redondo Beach, CA	Fort Collins, CO	Wichita, KS	Omaha, NE	Lexington, KY	Clearwater, FL
<b>Current Population</b>	69,000	93,000	300,000	349,000	240,000	104,000
<b>Program Start Date</b>	1980	1978	October, 1982	January, 1982	1982	1983
<b>Method of Funding</b>	402 Grant	402 Grant/State	402 Grant	402 Grant	402 Grant	403/402 Grant
<b>Enforcement Approach</b>	Dedicated Patrol	DWI specialist plus training	Command emphasis; reduced processing time.	Special DWI unit; high DWI locations; saturation.	Selective enforcement.	Comprehensive combined enforcement / PI&E.
<b>PI&amp;E Approach</b>	Presentations at meetings; hard news.	Presentations at meetings; hard news.	Presentations at meetings; PSAs with non-police themes.	Community-based approach; strong print-media coverage.	Multi-media.	Multi-media.
<b>Prior Arrest Rate<sup>1</sup></b>	0.76%	0.75%	0.14%	0.22%	0.35%	1.09%
<b>Current Arrest Rate</b>	0.95%	0.81%	0.56%	1.03%	1.00%	0.67%
<b>Prior Crash Rate<sup>2</sup></b>	10.5	4.0	15.7	10.0	15.7	19.6
<b>Current Crash Rate</b>	5.8	2.0	8.7	8.6	11.3	10.6

<sup>1</sup> Percent of population.

<sup>2</sup> Fatal crashes per 100,000 population.



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