

**National Highway Traffic Safety Administration**

Contract # DTNH22-00-H-05199

**Final Report**

**October 2001**

**Law Enforcement Use of  
Sobriety Checkpoints and Saturation Patrols**

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## Executive Summary

The purpose of this assessment was to collect information from law enforcement agencies across the United States on sobriety checkpoints and DUI saturation patrol activity. Open ended discussions were conducted over the phone with representatives of various law enforcement agencies about their use of sobriety checkpoints and saturation patrols. In general, the following types of discussion topics were included in these discussions: community involvement, judicial involvement, media coverage, resources, data collection, and training.

### Objectives

- Determine the frequency of sobriety checkpoints and saturation patrols being conducted by State, County, and Municipal law enforcement agencies within the United States.
- Determine why some law enforcement agencies do not conduct sobriety checkpoints or saturation patrols.
- Determine whether law enforcement agencies are conducting sobriety checkpoints and saturation patrols during NHTSA mobilization periods in July and December.

In addition to the above stated objectives, the assessment focused on resource and training needs, community and judicial involvement, and media relations.

### Field Study

Eighty-four out of 126 Law Enforcement agencies selected agreed to participate in the assessment. During the selection process, a random cross-section of state, county, municipal, and federal agencies were selected based on the number of sworn officers. County, municipal, and federal agencies were divided up into seven size categories and state agencies were divided up into four size categories.

<u>County, Municipal and Federal Agencies</u>	<u>Number of Officers</u>	<u># of Agencies</u>
Category I	1-25	3
Category II	26-50	7
Category III	51-100	11
Category IV	101-50	27
Category V	501-1000	11
Category VI	1001-2000	4
Category VII	2001 or more	5
<u>State Agencies</u>		
Category I	1-250	2
Category II	251-500	3
Category III	501-1000	3
Category IV	1001 or more	7

Each participating agency selected a representative to discuss sobriety checkpoint and DUI saturation patrol related topics. The discussions were 30-45 minutes in length and were conducted during a four month span (January - April 2001). The majority of discussions were with Officers, Sergeants, or Lieutenants.

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## **Background**

During the last fifteen years, the U.S. population has increased by 15 percent; the number of licensed drivers increased by 20 percent; vehicle miles driven increased by 56 percent; and the number of non-impaired driving related fatalities increased by 32 percent. Yet the number of alcohol-related fatalities decreased 36 percent. This decrease has variously been attributed to various broad societal influences such as public attitudes toward drinking; legal initiatives; heightened and innovative enforcement, including the use of well-publicized sobriety checkpoints and DUI saturation patrols. Success during the last fifteen years has been remarkable, still, 15,786 persons died in alcohol-related crashes in 1999.

Research clearly shows that sobriety checkpoints, when publicized and conducted on a frequent basis, are effective in reducing impaired driving crashes. In 1993, NHTSA entered into a cooperative agreement with the State of Tennessee to conduct a highly publicized sobriety checkpoint program throughout the state and to evaluate the effects of that program. From April 1994 through March 1995, Tennessee initiated a statewide impaired driving checkpoint program labeled "Checkpoint Tennessee." A total of 882 checkpoints were conducted resulting in 773 impaired driving arrests. Tennessee enjoyed a 20.4% reduction in alcohol related crashes while surrounding states reported an increase in alcohol related crashes.<sup>1</sup> Sobriety checkpoints have been shown to be highly effective and 70-80% of the public favors their use.<sup>2</sup> The Mesa, Arizona Police Department conducted a survey of 1,500 drivers who passed through two of their sobriety checkpoints conducted on holiday weekends during the summer of 2000. Mesa Police Department reported a 96.8% approval rating!<sup>3</sup> Even with all of the benefits, sobriety checkpoints and/or DUI saturation patrols are believed to be conducted on a frequent statewide basis in only a handful of states.

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<sup>1</sup>An Evaluation of Checkpoint Tennessee: Tennessee's Statewide Sobriety Checkpoint Program, 1999. Lacey, J., Jones, R., and Smith, R. National Highway Traffic Safety Administration, Washington, D.C. DOT HS 808 841.

<sup>2</sup>NHTSA Impaired Driving Issues Paper - June 2000

<sup>3</sup>An Evaluation of Sobriety Checkpoints, Mesa P.D. - October 2000



## **Chapter 1: General Information**

One hundred and twenty-six law enforcement agencies across the country were contacted for this project. Of those, 84 agreed to discuss, via phone, their DWI activities involving either sobriety checkpoints or saturation patrols. The following presents the results of those discussions:

### **Sobriety Checkpoints**

#### Frequency

Sixty-one percent (52) of the participating law enforcement agencies conduct one or more sobriety checkpoints per year. However, only eighteen percent (15) conduct sobriety checkpoints at least twice per month, while fifty-four percent (46) conduct sobriety checkpoints once a month or less.

Thirty-nine percent (33) of the participating agencies do not conduct sobriety checkpoints at all. Sixty-three percent (21) of these agencies cited State Constitution or court related issues as the reason why sobriety checkpoints are not conducted. Another sixteen percent (5) indicated funding or personnel matters as the reason. The remaining twenty-one percent (7) of the agencies provided a variety of explanations including:

- "You get more bang for your buck with saturation patrols."
- "It's a policy decision by the department."

Eighty-six percent of the participating state agencies conduct sobriety checkpoints while sixty-one percent of the county agencies and forty-four percent of the municipal agencies conduct sobriety checkpoints.

#### Department Policy

Eighty percent (42) of the agencies that conduct sobriety checkpoints have a written policy and/or guidelines on how the checkpoints will be conducted. One sample policy from the North Carolina State Highway Patrol is attached (Appendix A). The policies generally cover topics such as:

- Sign and traffic control patterns
- Time
- Location
- Officer safety issues

#### Location

Seventy-five percent of the agencies utilize alcohol-related collision and/or DUI arrest statistics to determine the location of their upcoming sobriety checkpoints. Additional criteria for determining the location of sobriety checkpoints included:

**High Traffic Areas** - Some agencies felt like sobriety checkpoints conducted in the highest traffic areas of their jurisdiction would provide the highest visibility and the most deterrent effect. Obtaining a high number of DUI arrests is not a primary goal.

High Concentration of Liquor Establishments - Municipal agencies in particular select locations where there is a large number of night clubs in one area of the city. Again, this is done to maximize the deterrent effect and to provide the utmost visibility.

Pre-determined - Six percent of the participating agencies are required to conduct sobriety checkpoints at pre-determined locations as mandated by the court or the state highway safety offices for grant purposes.

Safe Locations - A number of large metropolitan agencies indicated that locations of sobriety checkpoints are selected based solely on the safety of the public and the officers working them. That is, a location where it is perceived to be safe to direct vehicles to the side of the roadway for further investigation.

#### Multi-Agency Involvement

Ninety-two percent (48) of the agencies that conduct sobriety checkpoints work in conjunction with at least one other agency. State, county, and municipal law enforcement make up the primary agencies with assistance from federal law enforcement (tribal and military) and university campus police agencies. The vast majority of participating agencies stated that they could not conduct sobriety checkpoints properly or safely without the assistance of another agency.

#### NHTSA Mobilization Periods

Sixty-five percent (34) of the participating law enforcement agencies that conduct sobriety checkpoints do so in conjunction with NHTSA mobilization periods in July and December each year. Law enforcement agencies that do not participate in mobilization periods cited a variety of reasons such as:

- Bad weather (December)
- Other unique special event takes priority
- Too many other special events taking place during NHTSA mobilization periods

#### **DUI Saturation Patrols**

##### Frequency

Seventy-four percent (63) of the participating law enforcement agencies stated that they conduct DUI saturation patrols. Funding and personnel matters made up the majority of reasons why DUI saturation patrols are not conducted by the remaining agencies.

Of the agencies who do conduct DUI saturation patrols, thirty-three percent (21) average at least two DUI saturation patrols per month while fifty-two percent (33) average one or less DUI saturation patrol per month. Five percent of agencies indicated they conduct saturation patrols that concentrate on *other* traffic safety issues besides the impaired driver such as red light violations, aggressive drivers, and school zone safety violations.

One agency indicated that they conduct sobriety checkpoints instead of saturation patrols for more visibility to the public, creating a greater deterrent effect.

Eighty-eight percent of the participating state agencies conduct DUI saturation patrols, while seventy-two percent of the county agencies and sixty-eight percent of the municipal agencies conduct DUI saturation patrols.

#### Department Policy

Only forty percent (25) of the participating law enforcement agencies have a written policy or set of guidelines on the use of DUI saturation patrols.

#### Location

Fifty-nine percent (37) of the participating law enforcement agencies utilize alcohol-related collision and/or DUI arrest statistics for determining the locations of upcoming DUI saturation patrols. Other common location criteria include:

- Rotating to different areas of the respective jurisdiction
- Officer input
- Special events
- Commander discretion
- High traffic areas
- Metropolitan areas only
- Youth "hang-outs"
- Pre-determined by command staff personnel
- High concentration of liquor establishments

Eighteen percent (11) of the participating agencies indicated that their DUI saturation patrols are conducted throughout their entire jurisdiction with no particular boundaries.

#### Multi-Agency Involvement

Fifty-seven percent (36) of the participating law enforcement agencies that conduct DUI saturation patrols work in conjunction with at least one other law enforcement agency. As with sobriety checkpoints, state, county, and municipal law enforcement agencies work together with assistance from federal law enforcement and university campus police agencies.

#### NHTSA Mobilization Periods

Sixty-six percent (42) of the participating law enforcement agencies conduct DUI saturation patrols during the NHTSA mobilization periods in July and December of each year. The reason why agencies do not participate in the NHTSA mobilization periods vary, here are some comments made during the assessment:

- "We are too busy with other special events in our city"
- "What is a NHTSA mobilization period?"
- "All of our DUI saturation patrols are pre-determined"

## **Chapter 2: Community Involvement**

### **Sobriety Checkpoints**

#### Utilizing Community Organizations

Sixty-five percent (34) of participating the law enforcement agencies that conduct sobriety checkpoints utilize community organizations in some manner. Mothers Against Drunk Drivers (MADD) and Students Against Destructive Decisions (SADD) were, by far, utilized most often.

Other community organizations mentioned were:

- Salvation Army
- Emergency Nurses Canceling Alcohol Related Emergencies (ENCARE)
- Youth in Action
- Citizens AgaiNst Drug Impaired Drivers (CANDID)
- American Red Cross
- Nationwide Insurance
- STop Alcohol Related Tragedies (START)
- Pennsylvania DUI Association

#### Resources Provided

In addition to providing food and drinks for the officers working the sobriety checkpoints, participating law enforcement agencies reported receiving equipment from community organizations and assistance such as:

- Passive Alcohol Sensors (2 agencies)
- Portable Breath Testing Devices (3 agencies)
- In-car video camera (3 agencies)
- Informative materials (7 agencies)

#### Tasks Performed

Community organizations play an active role in a successful DUI sobriety checkpoint program. In many cases organizations attend sobriety checkpoints only to observe and show their support of the law enforcement agencies involved. In other cases community organization are performing tasks such as:

- Traffic control
- Court "watch-dogs"
- Assist with paperwork
- Participate in media events

### **DUI Saturation Patrols**

#### Utilizing Community Organizations

Compared to sixty-five percent for sobriety checkpoints, only fifty-two percent of the participating law enforcement agencies that conduct DUI saturation patrols utilize community organizations. In addition to MADD and SADD, who were again mentioned most often, there

were several other community organizations that support their law enforcement's effort to keep the impaired driver off the roadways.

- American Red Cross
- Neighborhood Crime Watch
- Safe Communities
- Sheriff's Task Force
  
- Youth in Action
- Community Patrols
- American Automobile Association (AAA)

#### Resources Provided

Community organizations have shown their support by providing food and drinks for the officers working the DUI saturation patrol and by just being there! Some community organizations have provided useful handout materials for officers to pass along to the motorists they encounter. One law enforcement agency reported that community organizations sponsored DUI training for the officers.

#### Tasks Performed

Community organizations assisted law enforcement agencies during DUI saturation patrols in a number of ways such as:

- Participating in media events
- Assisting with paperwork/statistics
- "Calling in" suspected impaired drivers
- Accompany local law enforcement officers during routine bar checks.

One law enforcement agency reported that an organization in their community performs a mock DUI stop and arrest in the local high schools. The students are shown first hand what can happen if arrested for DUI all the way through the court process. Organizers believe that the program has been very successful.

## **Chapter 3: Judicial Involvement**

### **Sobriety Checkpoints**

#### **Judge and Court Notification**

Twenty-three percent (12) of the participating law enforcement agencies that conduct sobriety checkpoints reported that they notify the presiding judge and/or court prior to conducting a sobriety checkpoint. Several agencies additionally reported that it is a requirement to notify the presiding judge prior to conducting a sobriety checkpoint.

Of the participating law enforcement agencies who do not notify the presiding judge or court, many indicated that the presiding judge is fully aware of their DUI enforcement programs and has a copy of the agency guidelines for conducting sobriety checkpoints.

During the assessment it became obvious that several law enforcement agencies do not have a good working relationship with the judge and/or court. The most common complaint among law enforcement agencies is that judges do not support them enough.

#### **Prosecutor Involvement**

Fifty-two percent (27) of the participating law enforcement agencies called indicated that their prosecutor participates in their sobriety checkpoint program in some fashion. In most cases prosecutors simply observe the process and offer legal assistance as needed. In other cases prosecutors are involved in setting up guidelines for an agency's sobriety checkpoint program. It is very common that newly hired prosecutors are assigned to observe a sobriety checkpoint as part of the training process.

### **DUI Saturation Patrols**

#### **Judge and Court Notification**

Twenty-two percent (14) of the participating law enforcement agencies that conduct saturation patrols notify the presiding judge and/or court prior to conducting a DUI saturation patrol. Many agencies indicated that notification prior to each detail is not necessary because the presiding judge is aware of their program and that DUI saturation patrols are scheduled for an entire year. In these cases, the court is given a schedule of when the DUI saturation patrols will occur.

Of the remaining participating agencies who do not notify the presiding Judge and/or court, most felt that notification was not necessary.

#### **Prosecutor Involvement**

Forty-seven percent (30) of the participating law enforcement agencies that conduct Saturday patrols reported that they have prosecutor participation in their DUI saturation patrol program. In most cases prosecutors are assigned to ride along with officers as part of their training program. In some cases prosecutors are assigned to a DUI saturation patrol command post to observe and provide legal advice as needed.

Overall, nearly half of the participating law enforcement agencies do not have prosecutor involvement in their sobriety checkpoint or DUI saturation patrol details. Here are some of the comments received during the assessment as to why prosecutor involvement is not occurring:

- "Their involvement is not needed because they are involved after the fact"
- "We don't want any lawyers around"
- "They are too busy for us"
- "They plea bargain everything down anyway"
- "We have never asked them"

## **Chapter 4: Media Involvement**

### **Sobriety Checkpoints**

#### **Media Coverage**

Ninety-six percent (50) of the participating law enforcement agencies that conduct sobriety checkpoints enjoy some sort of media coverage. Television and print coverage are, by far, the most common. Only four percent of the agencies reported that they hold press conferences to "kick-off" their sobriety checkpoint enforcement program. Thirty percent of the participating agencies indicated that they utilize a press release instead of a press conference to gain media exposure. In most of these cases, participating agencies provide a press release at the beginning of the enforcement project to provide information and then another press release at the end of the enforcement project to summarize results.

Eighty percent (42) of participating agencies that conduct sobriety checkpoints invite the media to attend their sobriety checkpoints. Of the remaining twenty percent who do not invite the media, most indicated that the media will come if they want, so an invitation is not necessary.

#### **Public Information Officer**

Sixty-eight percent (35) of the participating agencies that conduct sobriety checkpoints reported that they have a Public Information Officer (PIO). Four agencies indicated that their PIO was not involved in gaining media exposure for the agency's sobriety checkpoint program. In these four cases it was reported that the commanding officer over the traffic unit was responsible for this task.

### **DUI Saturation Patrols**

#### **Media Coverage**

Ninety-eight percent (62) of participating agencies that conduct DUI saturation patrols enjoy some sort of media exposure. As with sobriety checkpoints, television and print are the most common forms of coverage. Seventeen percent of these agencies utilize press conferences to "kick-off" their DUI saturation patrol programs. One agency reported that they utilize their website to post information about upcoming DUI saturation patrols and they also post results of previous DUI saturation patrols.

Seventy percent (44) of participating agencies that conduct DUI saturation patrols invite the media to attend their events. As the case with sobriety checkpoints, the remaining thirty percent of agencies who do not invite the media feel that it is not necessary because the media will come if they want to.

#### **Public Information Officer**

Sixty percent (38) of participating agencies that conduct DUI saturation patrols have PIOs that are involved in gaining media exposure for their DUI enforcement projects. Fifteen percent of the agencies indicated that their agency does not have a PIO, while the remaining twenty-five



percent stated that the commanding officer over the agency traffic unit was responsible for media coverage in this area.

Overall, fifty-eight percent of the participating agencies conduct either sobriety checkpoints or saturation patrols as part of a public awareness campaign. Most agencies reported that there was not a formal name attached with their campaign, while others did have a title or formal name for their DUI enforcement program, for example:

- Zero Tolerance
- Virginia: Smart, Safe, & Sober
- Booze It and Lose It
- Sobriety Checkpoint 2001
- Safe Highway Accident Reduction Program (SHARP)
- Project Graduation
- Stop DWI

Several additional agencies use the name of their particular agency and add "DUI Task Force" to it.

## **Chapter 5: Resources and Data Collection**

### **Sobriety Checkpoints**

#### **Equipment Utilized**

Only three percent of participating agencies that conduct sobriety checkpoints reported that they did not have any DUI related equipment. All of these agencies are small in size and work in conjunction with larger agencies. The following list summarizes the most commonly named equipment and the percentage of participating agencies that have it:

- DUI Vans (36%)
- Mobile Command Vans (15%)
- DUI Trailers (15%)
- Booking/Transport Vans (7%)
- Portable Breath Testing Devices (38%)
- Passive Alcohol Sensors (8%)
- In-Car Video Cameras (18%)

#### **Funding Source**

The following is a breakdown of the funding sources utilized when conducting a sobriety checkpoint by the participating agencies:

- Regular On-Duty (15%)
- Agency Overtime Funds (6%)
- Grant Overtime Funds Only (26%)
- Combination of the above (53%)

Many agencies reported that if they did not receive grant overtime funding they would not be able to conduct any sobriety checkpoints due to personnel issues.

#### **Resources Needed**

During the assessment, each agency was asked to choose their biggest resource need within four categories; personnel, funding, training, or equipment. The responses were the following:

- Personnel (40%)
- Funding (38%)
- Equipment (20%)
- Training (2%)

#### **Data Collection**

One hundred percent of participating law enforcement agencies who conduct sobriety checkpoints reported that they maintain statistical information as a normal part of any enforcement detail. The following is a breakdown of what law enforcement agencies do with the statistics after the detail is completed:

- Kept on file at department headquarters (58%)
- Reported to the state highway safety office (50%)
- Reported to the press (24%)

- Reported through the chain of command (10%)
- Department annual report (8%)

## **DUI Saturation Patrols**

### **Equipment Utilized**

Ten percent (6) of the participating law enforcement agencies that conduct DUI saturation patrols reported that they do not possess any DUI enforcement related equipment. As with sobriety checkpoints, in most cases these were smaller in size. The following is a summary of the most commonly named pieces of equipment and the percentage of agencies that possess it:

- Portable Breath Testing Devices (44%)
- DUI Vans (36%)
- In-Car Video Cameras (30%)
- Mobile Command Vans (10%)
- DUI Trailer (8%)
- Booking/Transport Vans (3%)
- Passive Alcohol Sensors (3%)

### **Funding Sources**

The following is a breakdown of the funding sources utilized by the participating agencies when conducting DUI saturation patrols:

- Regular On-Duty (16%)
- Agency Overtime Funding (2%)
- Grant Overtime Funding (30%)
- Combination of Above (52%)

Most participating agencies reported that they utilize grant overtime funding for the majority of the positions and then supplement their personnel with agency overtime or regular on-duty positions.

### **Resources Needed**

During the discussion, each participating law enforcement agency that conducts DUI saturation patrols was asked to choose their biggest resource need within the following four categories; personnel, funding, training, or equipment. The responses were the following:

- Personnel (46%)
- Funding (44%)
- Equipment (5%)
- Nothing Needed (3%)
- Training (2%)

### **Data Collection**

Only one participating law enforcement agency that conducts DUI saturation patrols indicated that they do not keep statistical information. The following is a breakdown of what is done with the statistical information after the enforcement project is completed:

- Reported to the state highway safety office (54%)
- Kept on file at department headquarters (51%)

- Provided to the press in the form of a press release (10%)
- Utilized in the department annual report (5%)

### **NHTSA Resource Kits**

Forty-nine percent of participating agencies that conduct sobriety checkpoints and/or DUI saturation patrols indicated that they utilize the NHTSA resource kits. The media relations materials were mentioned most often as being especially useful. Many agencies stated that they utilize the materials provided by NHTSA, but change the logo to their state program.

Forty percent of the participating agencies indicated that they do not utilize the NHTSA resource kits. The reasons why agencies do not utilize the NHTSA resource kits varied, but the majority reported that their agency already has the types of materials offered in the kits. A small number of agencies stated that the NHTSA resource kits were not helpful to them.

Ten percent of the participating agencies indicated that they "have never seen them" or "have never heard of them".

## **Chapter 6: Training**

### **Sobriety Checkpoints and Saturation Patrols**

#### **Standardized Field Sobriety Testing (including Horizontal Gaze Nystagmus)**

Ninety-five percent of the participating law enforcement agencies reported that at least some of their officers were trained in Field Sobriety Testing including Horizontal Gaze Nystagmus (HGN). However, only forty-eight percent of the participating law enforcement agencies utilize the NHTSA/IACP curriculum for Standardized Field Sobriety Testing (SFST) and HGN training. Twenty-eight percent of participating agencies reported that they do utilize officers not trained in SFST and HGN during sobriety checkpoints and DUI saturation patrols. Many agencies indicated that due to personnel issues, officers were not able to attend such training.

#### **Drug Recognition Experts**

Sixty percent of the participating law enforcement agencies reported that they have at least one certified Drug Recognition Expert (DRE) with their agency. Six percent of the participating law enforcement agencies have never heard of the DRE program. Of the participating agencies that have certified DRE personnel, one hundred percent indicated that they assign, or have available, a certified DRE for each sobriety checkpoint and DUI saturation patrol conducted.

#### **Training Needs**

Only thirty-three percent (28) of participating law enforcement agencies indicated that they need SFST/HGN training. However, sixty-three percent (54) indicated that they need a refresher course in SFST. Most agencies felt like the SFST refresher training course should be eight hours or less.

Forty-two percent (36) of the participating law enforcement agencies stated that they have a need for DRE training. Many agencies that indicated they need DRE training also indicated they cannot allow officers to leave their assigned duties to receive DRE training due to personnel issues. Several agency representatives reported that their agency head would not authorize DRE training due to the lengthy school and certification process. Here are some additional comments on the DRE program:

- "Hasn't gone over good with the brass"
- "Too long and too many court issues"
- "DRE training is hard to come by"

One participating agency reported that their state highway safety office is not sold on the DRE program and DRE training funds were cut off.

## **Chapter 7: Killington, Vermont**

The town of Killington, Vermont conducts sobriety checkpoints and are also involved in other innovative activities to decrease impaired driving in their town.

Killington, Vermont is a small quiet town located in beautiful central Vermont. Killington has a population of only 850 full time residents and is known for its world class snow skiing conditions. From mid-October through mid-April, Killington transforms from a small quiet town into one of the wildest party towns in the northeastern United States. People come to Killington from New York, New Jersey, Connecticut, and other states by the thousands to enjoy the world class snow skiing and the nightlife.

Killington has only two gas stations yet has twenty-nine liquor establishments. During a busy winter weekend, the population of Killington grows to 20,000-25,000 in size and the nightclubs that close down for the summer, re-open for the busy winter season. The town of Killington employs a total of only two full-time police officers who rely heavily on the Vermont State Police to provide primary law enforcement services to the community. Killington Road is a five-mile stretch of roadway that connects Highway 4 to the Killington Ski Resort. This five-mile stretch of roadway is lined with hotels, restaurants, and many nightclubs.

When Dave Stanton, a lieutenant with the Vermont State Police, became the District Commander for the Rutland County area, he recognized that there was a serious impaired driving problem in the Killington area. There was a very disproportionate number of alcohol-related crashes on Killington Road and on Highway 4, which is a twenty-two mile stretch of highway that connects the city of Rutland to the Killington ski resort area. Lieutenant Stanton saturated the area with troopers and conducted sobriety checkpoints on a regular basis. Sobriety checkpoints were normally staffed with 5-10 troopers and within an hour each trooper was tied up with an arrest for DUI. The heavy enforcement effort was not unnoticed. Local business owners were up in arms, complaining that the State Police was "harassing" their customers and hurting their profits. After several negative editorials in the local newspaper and even more complaints to the Town of Killington Select Board (Town Council), the Select Board called a meeting of concerned local business owners and law enforcement representatives to talk about the perceived problems with the enforcement stance taken by the State Police. That's when things started turning for the better.

Lieutenant Stanton realized that his troopers' efforts were only putting a small dent in a very large impaired driving problem and the business owners realized that the Vermont State Police was not going to ignore the impaired driving problem or back down from political pressure. In the Spring of 2000, the Killington DUI task force was formed which was made up of concerned local business owners, representatives from local and state law enforcement including the state liquor board, Killington Select Board members, and representatives from the Anheuser-Busch company. During the next several months, the task force met as often as necessary, sometimes as many as two meetings a week at first. They worked as a team to develop a program that would meet the objectives of all parties involved. The objective of the task force was to keep the reputation of Killington intact as one of the premiere ski resort towns in the northeastern United States, and at the same time, save lives and prevent injuries by addressing the impaired driving problem.

The program that was developed by the task force was truly a team effort between law enforcement, private industry, and the community.

The Killington DUI task force adopted the statewide public awareness campaign of, "DUI - You Can't Afford It." as the theme. Several signs were placed along the roadway in the Killington area displaying this message. In addition, a poster was developed by the task force that is unique to the area. The poster depicts Killington Peak in the background and offers two choices for impaired driving, the "easy way" and the "hard way." The easy way would be to assign a designated driver, take a taxi, take the shuttle bus, etc. The hard way displays a picture of the "DUI - You Can't Afford It" highway sign.

In addition, several other task force ideas were implemented such as:

The "Killington Nightlife" brochure - the two-sided brochure has the same design as the above described poster with phone numbers for local taxi services and information on the local shuttle service, "The Bus". Participating hotels in the Killington area hand this brochure to their guests along with their room key upon check-in.

The "Killington Nightlife" poster - the above described poster is prominently displayed in all participating bars, restaurants that serve alcohol, and hotels. In establishments that have a restaurant and bar, the poster is displayed in both areas.

The "Alert Cab" taxi voucher - this voucher is available upon request from any employee of any liquor serving business in the Killington area. The recipient has to pay for the taxi that night and is allowed to leave his or her vehicle in the business parking lot overnight. The voucher is good for a free taxi ride back to the vehicle the following day.

"The Bus" shuttle - this shuttle stops at most of the hotels and the more popular restaurants and bars along Killington Road nightly from 5:30 pm to 2:30 am. It costs only one dollar to ride and is funded by local Killington business owners.

The Killington DUI Task Force also developed a short video that is played in participating night clubs throughout the evening during the peak ski season months. The video is narrated by local celebrities who stress the importance of not driving while impaired and gives several suggestions on alternative forms of transportation. The designated driver is highlighted as the best and most responsible choice.

Lieutenant Stanton has asked the troopers under his command to periodically visit nightclubs in the Killington area and talk with the patrons regarding impaired driving issues. The message that is conveyed is "We want you to come to Killington to have a good time, but we are actively enforcing the driving while impaired laws." Public reaction has been very positive both from the residents of Killington and the visiting guests. During the first year of this program, Lieutenant Stanton has reported a 30% reduction in collisions for the Killington area.

The Killington DUI Task Force program could and should serve as a model program for other parts of the country to follow. While personnel and funding issues keep most law enforcement

agencies from conducting more DUI enforcement details, working with local business owners, large corporations, and the community is a very innovative approach to addressing the impaired driving problem.



## Summary

This assessment found that 61 percent (52) of those law enforcement agencies contacted conduct sobriety checkpoints and 74 percent (63) conduct DUI saturation patrols. Only 43 percent (37) of participating law enforcement agencies conduct both sobriety checkpoints and saturation patrols and 7 percent (6) of participating law enforcement agencies do not conduct either.

Multi-agency sobriety checkpoints and DUI saturation patrols are highly common especially in the metropolitan areas and for smaller law enforcement agencies who have limited resources.

Funding and personnel were pointed out as being the resources most needed by participating law enforcement agencies.

# Appendix A

## Sample Policy Statement

**--MEMORANDUM--**

**TO:** (Participants)  
**FROM:** (Agency in Charge)  
**SUBJECT:** Impaired Driving Checkpoint Plan

The ultimate goal of this combined enforcement effort is to reduce accidents, injuries and deaths all contributed to impaired driving offenses. To this end, these DWI Checkpoint(s) are to be established. All participating agencies agree to abide by this plan.

**1. Briefing**

All personnel will report to ( location ) for roll call, briefing and assignment:

Date:

Time:

**2. Location of Checkpoint**

This systematic plan has been drawn up in advance and the following location(s) of the impaired driver checkpoint was selected taking into account the likelihood of detecting impaired drivers, the traffic conditions, the number of vehicles that would likely be stopped and the convenience of the motoring public.

Location:

Time : From \_\_\_\_ (a.) (p.)m. to \_\_\_\_ (a.) (p.)m.

**3. Equipment**

- a. All vehicles should be fueled, equipped with the necessary safety equipment.
- b. The area used at this impaired driving check will be marked by signs in both directions advising motorists to stop for an impaired driving check. Law enforcement vehicles will be parked off the road with blue lights activated on at least one vehicle in each direction.
- c. All officers conducting the checking station are to be uniformed officers with reflectorized vests and flashlights.

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- d. Portable lights and the Batmobile will be provided by the N.C. Department of Health and Human Services.
- e. Traffic cones will be provided by \_\_\_\_\_.
- f. All ALCO-SENSORS or similar alcohol screening breath testing devices shall be calibrated up to date.

#### 4. Checkpoint Procedures

Officers involved in the impaired driving check must be familiar and be able to give testimony concerning the operating of the checking station. The checking station is to be operated as detailed below and no officer will deviate from this plan.

- a. Every vehicle is to be stopped. If traffic conditions create a hazard or undue delay of motorists, the officer in charge may temporarily alter this pattern. The officers conducting the check may not vary from the pattern otherwise. The officer in charge of the checkpoint is \_\_\_\_\_ (name of officer).
- b. The officer stopping a vehicle, in every case, shall perform only the following screening:
  - (1) Request the driver to produce a drivers license.
  - (2) Observe the driver's eyes for signs of impairment.
  - (3) Engage the driver in conversation to determine if the driver has the odor of alcohol on his or her breath and/or if his or her speech pattern indicates possible impairment.
  - (4) Observe the driver's clothing.
- c. If, after the driver submits to this screening test, the officer forms a reasonable and articulable suspicion that the driver is impaired or has otherwise committed a violation of the law, the officer or another officer shall take the driver to a secondary location for further tests or observation which may aid in determining probable cause. Under no circumstances will an impaired driver be allowed to remove his or her vehicle from the highway. The

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vehicle will be removed for the individual.

- d. An officer who has formed an articulable and reasonable suspicion that a driver has committed an implied consent offense shall have an ALCO-SENSOR or similar test administered to the driver. The test shall be administered in accordance with the regulations of the Department of Health and Human Services. A protective pat down shall be given to every driver prior to the ALCO-SENSOR or similar test.
- e. Cars designated as "apprehension cars" will be responsible for stopping all vehicles attempting to avoid the checkpoint. An officer who stops a driver who is attempting to avoid the checking station shall utilize the procedures as set forth above.
- f. Arrests will be made or citations issued for all definite clear-cut and substantial violations of the law. [Include information about transporting prisoners or if a magistrate will be available at the checkpoint. The delay between the taking of the Intoxilyzer and the setting of bond may become an issue -- efforts must be made to reduce this time.]
- g. The impaired driving checkpoint shall be terminated by the officer in charge.

The ultimate goal of this operation is to remove the intoxicated driver from our highways. Your cooperation and assistance are appreciated.