

**Manual
for a
Selective
Traffic
Enforcement
Program
for
Alcohol-Related Motor Vehicle Crashes**



**U.S. DEPARTMENT OF TRANSPORTATION
National Highway Traffic Safety Administration
Washington, D.C. 20590**

**MANUAL
FOR A
SELECTIVE TRAFFIC ENFORCEMENT PROGRAM
FOR
ALCOHOL-RELATED MOTOR VEHICLE CRASHES**

**TRAFFIC SAFETY PROGRAMS
OFFICE OF ALCOHOL COUNTERMEASURES**

JULY 1972

For sale by the Superintendent of Documents, U.S. Government Printing Office
Washington, D.C. 20402 - Price 50 cents
Stock Number 5003-00082



U.S. DEPARTMENT OF TRANSPORTATION
NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
WASHINGTON, D.C. 20590

July, 1972

IN REPLY REFER TO: N42-31

TO: Traffic Law Enforcement Administrators

Alcohol-related motor vehicle crashes are continuing at an intolerable rate. This is a State and local problem and has to be attacked at that level.

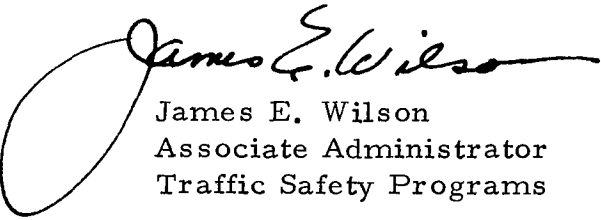
Research has established the fact that alcohol is a factor in more than 50% of fatal motor vehicle crashes. The present trend of increases in motor vehicle mileage, number of drivers and consumption of alcoholic beverages will tend to aggravate the problem.

I urge you to look at the problem in your jurisdiction - identify its magnitude and characteristics - and take immediate and positive steps to remove the drinking driver from the highway. Your action should be a fulfillment of the law enforcement mission of (1) detection and apprehension; (2) the prevention of crime and (3) the protection of life and property.

This manual is designed to provide you with guidance in examining the scope of the problem in your community and in planning and implementing refinements of your existing selective traffic law enforcement program.

We, at the Federal level, stand ready to assist by providing technical assistance. Our help may be secured through your Governor's Representative for Highway Safety and your Regional Administrator, National Highway Traffic Safety Administration.

Sincerely,



James E. Wilson
Associate Administrator
Traffic Safety Programs

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*THE OBJECTIVE OF THIS REFINED
SELECTIVE TRAFFIC ENFORCEMENT PROGRAM
IS TO REDUCE THE NUMBER AND
FREQUENCY OF ALCOHOL-RELATED
MOTOR VEHICLE CRASHES*

FOREWORD

The Manual has been prepared for chief traffic law enforcement administrators. It is a handbook for looking at a traffic law enforcement problem — alcohol-related motor vehicle crashes — and planning and implementing a program to bring that problem under control.

It is a conceptualization of the components of an effective traffic law enforcement program aimed at the reduction of alcohol-related motor vehicle crashes. This program must be integrated into the total law enforcement mission and selective traffic law enforcement program.

The effectiveness of the planning and administration of this program is directly related to and dependent upon the planning and administration of the law enforcement agency, which, in turn are influenced by the administrative and public climate in which the law enforcement agency operates.

A systems approach has been taken from detection to testifying. It provides a framework for the law enforcement administrator to examine and improve his law enforcement process. It is designed to maximize the detection rate and reduce the time and costs of processing the arrested person through adjudication.

INTRODUCTION

Law enforcement agencies are generally charged with and have as their objectives the preservation of peace, the detection and apprehension of offenders, the prevention of crime, and the recovery of property. Law enforcement agencies, as used here, means those agencies at the Federal, state, county, or municipal level having a general responsibility for enforcing the provisions of the criminal and motor vehicle codes.

The detection and apprehension of traffic law violators and the prevention of motor vehicle crashes in which traffic law violations are a causal factor are also clear responsibilities of the law enforcement agency.

The law enforcement administrator should be accurately informed of the magnitude, characteristics, and trend of the law enforcement problem in general and its component parts – crime, traffic, and service calls; particularly those incidents (crimes and traffic crashes) that are responsive to law enforcement effort.

The law enforcement administrator should determine the relative magnitude and importance of those crimes and motor vehicle crashes that are responsive to law enforcement effort. The size can be measured in terms of absolute numbers, persons injured (fatal and nonfatal), property loss, and/or economic loss. Once this has been done he is in a position to allocate his resources (manpower, equipment, and facilities) in proportion to the demonstrated need. This is an application of the principle of "Selective Assignment."

Once the resources have been selectively assigned – by function, time, and geographic area – the next step is selective enforcement. Selective enforcement is defined as "enforcement measures proportional to the traffic accident experience, with respect to time, place, and type of violation."* This should be an on-going policy and operation of the law enforcement agency.

The enforcement program directed toward alcohol-related crashes should be a refinement of the law enforcement agency's current selective enforcement program. Evidence is mounting that alcohol is present in over 50 percent of fatal crashes and that the probability of a drinking driver becoming involved in a crash increases as the Blood Alcohol Concentration (BAC) increases. Based upon the magnitude and severity of alcohol-related crashes, this refinement to the law enforcement agency's existing selective enforcement program is justified.**

The law enforcement administrator should view this as a control program. After identifying the magnitude, characteristics, and trend of the problem of alcohol-related motor vehicle crashes, planning should be directed toward controlling the problem to a tolerable level.

Defining a tolerable level is difficult and each administrator will be faced with that problem. As a rough guide, it can be identified as the point of diminishing return. It is that point where the downward trend in crashes begins to level off and the expenditure of additional resources will not bring a commensurate return.

*Source: The Patrol Operation, International Association of Chiefs of Police.

**See Appendix Exhibit 1.

IDENTIFY THE PROBLEM

The magnitude, characteristics, and trend of those motor vehicle crashes in which alcohol is a causal factor must be identified as well as those motor vehicle crashes in which alcohol is present but is not a causal factor.

This means that every law enforcement officer who investigates a motor vehicle traffic crash should be required to give his opinion* as to the causal factors. The administrator must state what information describing the condition of driver, vehicle, and roadway is wanted on motor vehicle crash reports — the condition which existed at the time of the crash, and/or the condition which existed *and contributed* to the crash.

The Police Traffic Services, Highway Safety Program Standard No. 15,** requires the recording of causal factors. Section I-D-1 states:

“I. The program shall provide as a minimum that there are:

D. Procedures for investigating, recording and reporting accidents pertaining to:

1. the human, vehicular, and highway causative factors in individual accidents.”

Reporting of driver condition is covered in more detail in the section titled “Reporting Systems.” Suffice it to say at this point that the law enforcement administrator should know:

1. The magnitude, characteristics, and trend of all alcohol-related motor vehicle crashes in which alcohol *is not* a causal factor, and
2. the magnitude, characteristics, and trend of all alcohol-related motor vehicle crashes in which alcohol *is* a causal factor.

Once the above is known, it should be related to distinguishable components of that law enforcement problem which is responsive to police effort.

Some characteristics to be noted:

1. Motor Vehicle Crash
Hour of day of week of occurrence
Location (street intersection or highway mile post) of occurrence
Type and severity
2. Driver/Pedestrian
Age
Sex

*See Appendix — Exhibit 2.

**See Appendix — Exhibit 3.

Blood Alcohol Concentration (BAC)
Occupation
Nationality/Race

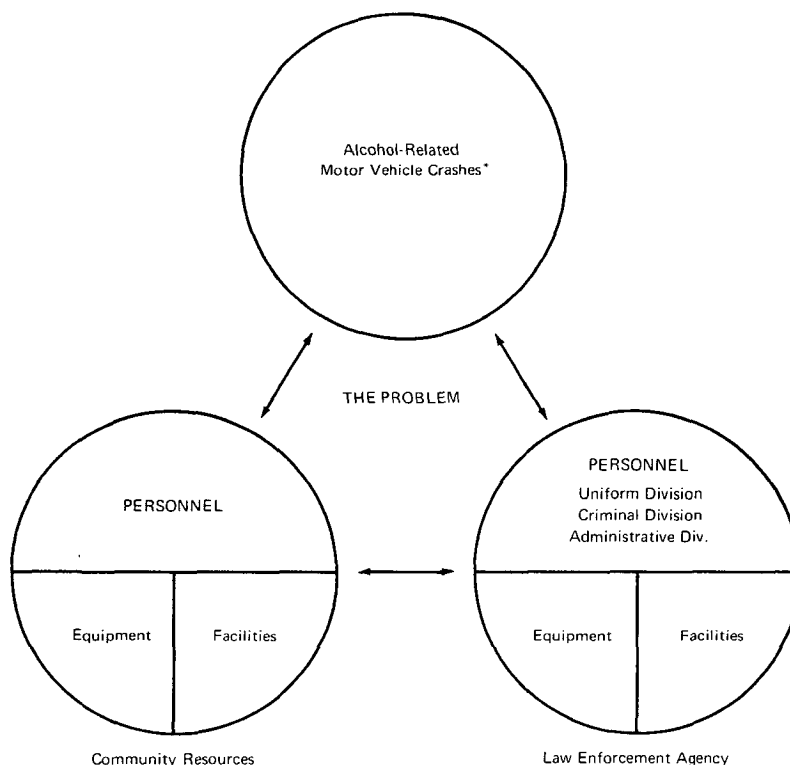
3. Violations other than alcohol-related which are causal factors
4. Other conditions (weather, road, vehicle) which are causal factors

A three-, four-, or five-year base line should be established for the above characteristics and a “trend” established and projected several years into the future. This predicts what can be expected and how soon it can be expected. It also indicates a need for urgency to develop and implement a control plan and the amount of resources which needs to be allocated.

In addition to the law enforcement resources, the administrator must consider what other community resources are available, and can be brought to bear on the problem. Figure 1 illustrates this concept of program planning.

Figure 1

PROGRAM PLANNING



*Alcohol-related crashes – a defined motor vehicle crash in which any driver or pedestrian involved had a *measured* Blood Alcohol Concentration greater than .00%.

PLAN

Industry has embraced the concept of "Management by Objectives" — a system of identification and communication of objectives whereby the manager directs his available resources to the achievement of well-defined objectives. Business objectives are expressed in different ways such as number of units manufactured, gross dollar sales, passenger miles of travel, percent of the market, etc.

The law enforcement administrator can express his selective traffic law enforcement program objectives for alcohol-related motor vehicle crashes in a similar fashion. Examples of program objectives are:

Reduce by (*percent or raw number*) for the current year over the previous three-year average the number of motor vehicle crashes in which alcohol was a causative factor.

Reduce by (*percent or raw number*) for the current year over the previous three-year average the number of motor vehicle alcohol-related crashes.

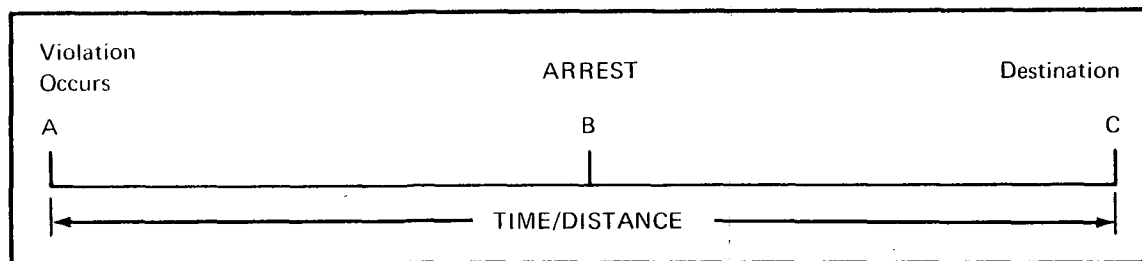
Reduce the average BAC level for the current year over the previous three-year average of drivers/pedestrians involved in alcohol-related crashes from BAC to BAC.

Specific objectives are useful in other areas such as training, processing of a "driving under the influence" arrest, and acquiring equipment such as recording and testing equipment. An objective of a training program for field personnel should be an increase in the number of arrests for the offense of driving while under the influence.

Arrest is a means to an end. The end, in this case, is a planned reduction of alcohol-related motor vehicle crashes, frequency of drinking drivers, and reduction in average BAC. One approach to this is portrayed in Figure 2.

Figure 2

DRINKING-DRIVER ACCIDENT RISK CHART



A — that point in time and location when and where a person who had just consumed alcohol enters his vehicle and starts to drive.

B — that point in time and location when and where a driver who had just consumed alcohol is stopped and arrested by a law enforcement officer.

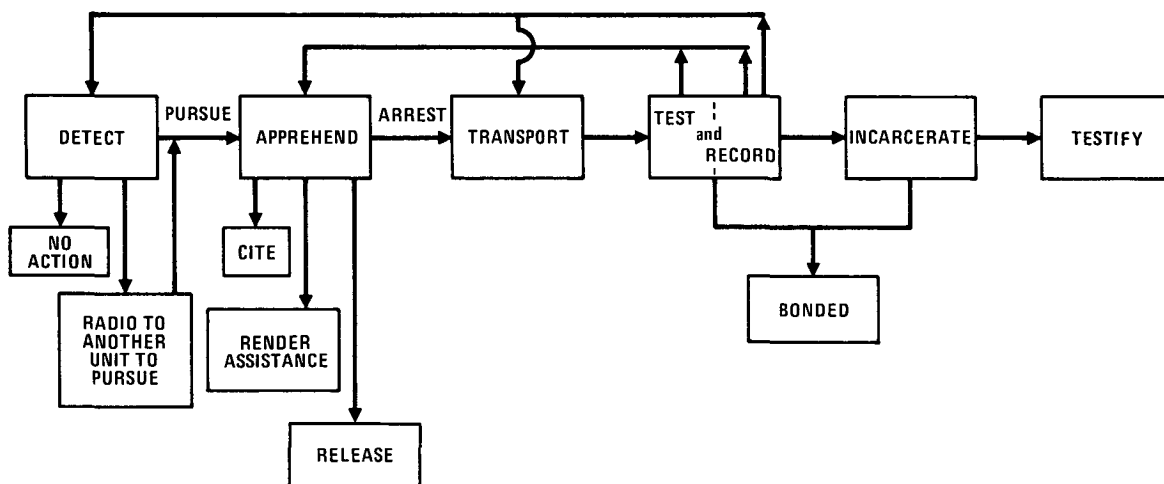
C — that point in time and location (destination) to which the arrested driver wanted to go.

Ideally, it would be nice if point "A" in Figure 2 could be completely eliminated. The closer that point "B" is moved to point "A" and the more point "B's" made, the greater the possibility exists for reducing alcohol-related crashes because exposure is reduced.

The police law enforcement process for the offense of "driving while under the influence" is schematically portrayed in Figure 3. An important objective is to reduce the processing cost and field officers' time.

Figure 3

**THE POLICE ENFORCEMENT PROCESS FOR THE
OFFENSE OF DRIVING WHILE UNDER THE INFLUENCE ***



*See "Model of the Police Enforcement Process for the Offense of Driving While Under the Influence" on pages 7 through 18 for illustration.

It would be advantageous for the law enforcement administrator to flesh-out Figure 3 in terms of who does what, when, how long does it take, what does the person have to know to do it, what laws require it, what administrative regulations require it, and what equipment is used. Once the existing process has been identified and the above questions answered, it should be studied with the objective in mind of reducing time and costs and developing a more efficient and economical system.

A "Model of the Police Enforcement Process for the Offense of Driving While Under the Influence," is presented on pages 7 through 18. Each of the six functions are defined. The law enforcement administrator should then examine the functions and determine what legal and administrative requirements are imposed which affect the performance of that function. The Model suggests items which may be influenced by laws and/or administrative regulations. The Model is not all inclusive, but serves only as a guide to planning and illustrates the enforcement process concept.

MODEL OF THE POLICE ENFORCEMENT PROCESS
FOR THE OFFENSE OF DRIVING
WHILE UNDER THE INFLUENCE

DETECTION

I. DEFINITION

That period of time and at that location from when and where the officer first goes on patrol or investigating a crash, observes the driver/vehicle until he has gathered sufficient information (evidence) to have reasonable grounds or probable cause to believe that an offense (driving while under the influence, DWI) has been committed and makes a decision as to what course of action (not pursue or radio to another unit to apprehend or arrest at the scene of a crash) he will take.

II. REQUIREMENTS

A. Legal

Elements of the offense

Evidence to support reasonable grounds or probable cause, both for on-view and crash investigation

Establishment of roadblocks to maximize detection

Use of marked versus unmarked vehicles for traffic law enforcement work

B. Administrative

Selective assignments and patrol area construction

Use of marked versus unmarked vehicle for traffic law enforcement

Levels of personnel performance – quantity and quality

Alcohol Enforcement Index for the alcohol-related crashes in the patrol area

III. OPERATIONS

Location of the problem of alcohol-related crashes in the field officer's patrol area

Clues to look for to suspect a DWI offense

Evidence (relevant and admissible) to prove each element of the offense

Use of television mounted in a patrol vehicle

Preparing necessary forms – what forms and who prepares

APPREHENSION

I. DEFINITION

That period of time and at that location when the officer has reasonable grounds to believe that the driver is in violation and decides to pursue until he stops the vehicle in a safe place, observes and talks to the driver, has made a decision to (1) arrest, (2) cite, or (3) release the driver, and if an arrest is made, is ready to transport the prisoner to the station.

II. REQUIREMENTS

A. Legal

Speed of patrol vehicle in pursuing

Use of force to apprehend a misdemeanor

Prearrest chemical test and/or physical coordination test

Issuance of a citation

Authority to search person and vehicle

Elements of offense of DWI and implied consent statutes

Administration of rights and implied consent — when and words used

Time needed to respond to request to submit to a chemical test

Arrest and cite at scene of crash

B. Administrative

Speed of patrol vehicle in pursuing

Use of patrol vehicle to stop violator

Releasing of driver and/or vehicle to a responsible person

Use of force to arrest and when to stop pursuit

Charging under the State Code and/or local ordinance

III. OPERATIONS

Radio message content — location, description of vehicle, number of occupants, vehicle want, driver want

Handling of passengers

Preparing necessary forms — what forms and who prepares

TRANSPORTING

(Persons and Property)

I. DEFINITION

That period of time and at that location from where the officer is ready to transport the driver to the station and the driver is in custody in the police station (interview room, booking room, or testing and recording room).

II. REQUIREMENTS

A. Legal

Responsibility of safety of prisoner and property

Transporting a juvenile in a marked police vehicle

B. Administrative

Disposition of vehicle and its contents at scene of apprehension

Calling a tow service

Parking and leaving suspect's car at scene of apprehension

Transporting a female

Transporting a juvenile

III. OPERATIONS

Search of prisoner (driver — male, female)

Handcuffing of prisoner — when and how

Radio message content (for females)

Use of audio recording device

Transfer of responsibility for property (vehicle and content) to towing service

Vehicle search — fruits of another crime, inventory and accountability of property

Preparing necessary forms — what forms and who prepares

TEST AND RECORD

I. DEFINITION

That period of time from when the officer first begins to test and/or record the driver's behavior, condition, and BAC level until all testing and recording has been completed. These activities may occur during detection, transporting, or at the station.

II. REQUIREMENTS

A. Legal

Chemical test before or after arrest

Physical test before or after arrest

Bodily substance to be tested

Location of chemical and physical coordination test – apprehension site, station, hospital

Influence of BAC level on element of offense – driving while under influence or ability impaired

Advising of Constitutional rights – Miranda decision

Consent by driver to be tested – words used, length of time to respond

Qualifications of operator of testing devices, technician for obtaining bodily substance

Chemical test and devices used – specifications

Recording devices used – admissibility into evidence

B. Administrative

Physical coordination tests – where and when used, the number available for use, who administers

Chemical tests – where and when used, who administers

Qualifications of operator

Testing of Equipment

Recording devices used – when, where, and who uses

III. OPERATIONS

Administering physical coordination test

Administering chemical test

Administering “rights” and “consent to testing”

Recording driver behavior, condition tests, conversation – how (audio and/or visual), when, where, by whom

Preparing necessary forms – what forms and who prepares

INCARCERATE

I. DEFINITION

That period of time from when the testing and/or recording at the station has been completed until the driver has been released on bond or appears in a court of law for a preliminary hearing or trial. It may or may not include actual incarceration in jail.

II. REQUIREMENTS

A. Legal

Separate facilities for age and sex

Security and physical well-being of prisoner

Serving of legal papers — complaint, arrest warrant

Provide legal counsel

Provide opportunity for bail

Fingerprinting and photographing of prisoner

B. Administrative

Search of prisoner

Medical examination of prisoner

Safe-keeping of personal property seized

Providing legal counsel and opportunity for bail

Fingerprinting and photographing of prisoner

Release of property — personal, vehicle, evidence

III. OPERATIONS

Fingerprinting and photographing prisoner

Searching of prisoner

Obtaining legal papers

Securing personal property and evidence seized

Medical examination of prisoner

Calling for legal counsel

Establishing and providing opportunity for bail

Releasing prisoner and/or property – when, to whom

Preparing necessary forms – what forms and who prepares

TESTIFYING

I. DEFINITION

That period of time and at the location from the beginning of court appearance and/or administrative hearing until final adjudication. It includes pretrial conferences with the prosecutor and administrative hearings conducted by the Driver Licensing Authority.

II. REQUIREMENTS

A. Legal

Elements of the offense

Rules of evidence

Retention and disposal of evidence

Appeal period

Elapsed time from arrest to trial

B. Administrative

Driver license hearing — rules of evidence

Identifying and summoning witnesses

Scheduling cases

III. OPERATIONS

Pretrial conference with prosecutor

Obtaining evidence for courtroom

Summoning witnesses

Identifying who testifies to what

Retention and disposal of evidence

Testifying in court

Testifying at driver license hearing

Clear, precise, and definite objectives have a side benefit of being used as a basis for evaluation. Evaluation permits the law enforcement administrator to determine the "state of affairs." Are the stated objectives being met and to what degree? Are established standards of performance (equipment and personnel) being met? Measuring progress and performance is a necessary administrative responsibility.

A measurement that has been around for a long time in the law enforcement service is the Enforcement Index. This quantitative measure can be adapted for use in an enforcement program for alcohol-related motor vehicle crashes. The formula would be as follows:

$$\text{Alcohol Enforcement Index} = \frac{\text{Convictions for Driving While Under the Influence and/or Driving While Ability is Impaired}}{\text{Number of Personal Injury (Fatal and Nonfatal) Alcohol-Related Motor Vehicle Crashes}}$$

Some enforcement agencies are unable to obtain conviction data or disposition of cases. If these conditions prevail, arrest figures can be substituted for convictions.

The Alcohol Enforcement Index can be used to measure total program effort. The quality factor can be built into the Alcohol Enforcement Index by using it at the field-officer level.

Example: Assume that the time period 7 p.m. to 3 a.m. is when the most alcohol-related crashes are occurring, that the jurisdiction is divided into five patrol areas during this time period, and that the law enforcement officer assigned to each patrol area during this period of time is detecting and arresting drivers for driving while under the influence. An alcohol enforcement index should be prepared for each patrol area for that period of time. In this way qualitative factors of time, location, and violation would be built into the Alcohol Enforcement Index.

Industry has used product quality control programs for a long time. The law enforcement officer produces a "product" and the administrator should have a "quality control" program for that "product."

It should be remembered that the arrest of the drunk driver is a means to an end — the end being a reduction of alcohol-related crashes. When a law enforcement officer has made an "on-view" arrest of a drunk driver, he removed him from the road and thereby reduced the probability of a crash occurring.

Reduction in the number of alcohol-related motor vehicle crashes for a patrol area during a law enforcement officer's assigned tour of duty can be used as a personnel evaluation measure. A comparison can be made using the current period of time and a three-year average of the previous time period.

In summary, the individual law enforcement officer assigned to a patrol area for a tour of duty is the lowest common denominator and the most important element of the program. The work that he produces must be measured in terms of means and end results.

REQUIREMENTS

Law enforcement agencies operate within certain constraints and have certain "tools." Two types of constraints and tools can be classified as legislative and administrative. These should be examined carefully to determine how they affect operations and what is needed to make law enforcement more effective.

The basic tool used against drinking drivers by the law enforcement agency is the law which prohibits driving a vehicle while under the influence of alcohol. Each state has its own variation of this and interpretation of what is a vehicle, what constitutes driving and under the influence, and where the law applies.

The traffic law enforcement administrator should review "The Police Enforcement Process of the Offense of Driving While Under the Influence," Figure 3, and identify what laws and administrative regulations influence each step. See the "model" on pages 7 through 18 as an illustration. He should also identify what laws and administrative regulations are needed to do a better, more efficient, and economical job. Once legislative needs are known, he should obtain support from his state professional association and forward the agreed upon legislative needs to the Governor's Representative for Highway Safety for inclusion in the Governor's legislative program for the next session of the Legislature.

Some laws that influence the enforcement process which should be considered are:

1. Establish a Blood Alcohol Concentration (BAC) of .10% which if equaled or exceeded is, in and of itself, a violation.*

This eliminates the need to prove driving under the influence and puts the burden of providing the evidence to prove the offense on scientific testing equipment.

2. Authorize prearrest breath testing by law enforcement officers.

This permits the officer to field-test a suspect before he is committed to the police law enforcement process and, in addition, it permits the officer to place the appropriate charge.**

3. Authorize the enforcement officer or other employee of a law enforcement agency to administer breath tests.

This permits testing of a suspect to be done in headquarters or district station as well as using a police officer or civilian to administer tests.

4. Permit the use of roadside check points for the purpose of detecting and apprehending violators of the law established under item 1 above.

*See Appendix – Exhibit 4.

**See Appendix – Exhibit 5.

This maximizes the detection and apprehension activities. It is a legitimate enforcement tool which is and should be used for detection and apprehension of offenders of other laws such as overweight vehicles, driver license, and criminals.

5. Require a driver/pedestrian involved in a crash to submit to a breath test for alcohol as part of his investigation.

This is for the purpose of determining the real extent of the problem of alcohol-related crashes. It is an integral part of the investigation.

6. Require autopsies of all fatally injured driver/pedestrians for determining the BAC.

This is an extension of item 5 above.

7. Authorize law enforcement officers to make arrests at the scene of crashes for misdemeanors (traffic violations) not committed in their presence.

Administrative requirements imposed on the law enforcement agency range from the selection, training, assignment, performance, and promotion of personnel; to organization, use of equipment, procedures, and budget execution.

An increasing awareness on both national and local levels of the need for more effective alcohol safety measures is creating an unprecedented opportunity for changing laws and administrative requirements and practices which previously have hampered enforcement effort. The law enforcement administrator should take an active and leading role to acquire good, necessary tools in the form of laws and administrative regulations.*

*See Appendix – Exhibit 6.

PERSONNEL

The law enforcement administrator has several options for organizing his approach to the problem of alcohol-related crashes. One of them is to assign the responsibility to the Patrol Division, another is to assign the responsibility to the Traffic Division with a predetermined amount of support from the Patrol Division, and another is to form a Task Force and assign them the responsibility with a predetermined amount of support from the Patrol and Traffic Divisions.

TRAINING

Once the administrator has made the decision as to which of the above courses to pursue, training of personnel can begin. The administrator should use the Model developed for Figure 3 as a basis for determining training needs. In addition, the training program for field personnel should provide an understanding of the problems of alcohol, the enforcement agency's program, and how the individual field officer's contribution and effort relates to the total program.

All field personnel should receive training based on what they will be expected to do. Field personnel should receive training on detection, apprehension, transport, some testing such as: coordination tests, chemical testing equipment assigned to them, some recording, and testifying. Support personnel (civilian or sworn) should receive training in the use of chemical testing devices and recording devices such as closed circuit T.V.

When Task Forces or specialized units are employed, the training needs of the remainder of the patrol force should not be overlooked. If alcohol safety is to become a priority in a law enforcement agency, a full range of training activities, from roll call bulletins to short-course instructions, needs to be undertaken.

ASSIGNMENT

The assignment of personnel should be predicated on demonstrated need. Highway Safety Program Standard No. 15,* Police Traffic Services, Section I-C, states:

- "I. The program shall provide as a minimum that there are:
 - C. Procedures for the selective assignment of trained personnel to supervise vehicular and pedestrian traffic duties including enforcement patrols in hazardous or congested areas based on time and location of
 - 1. traffic volume
 - 2. accident experience
 - 3. traffic violation frequency
 - 4. emergency and service needs"

*See Appendix -- Exhibit 3.

The workload of a law enforcement agency fluctuates by hour of day, day of week, location and type of incidents. Personnel should be assigned accordingly. The workload for each tour of duty and patrol area should be approximately equal. However, the nature of the law enforcement problem will not necessarily be the same. This would be due to how the area is zoned which has an influence on the nature of the problem. For example, the nature of law enforcement problems in an area zoned heavy industry is different than one zoned commercial business, while an area zoned single dwelling residential for homes costing not less than \$50,000 has still different problems.

Law enforcement field units (one or two men) should be assigned to the same patrol area for the same tour of duty (shift) for the entire reporting period, which is generally one calendar month. The days off of the personnel who man the unit should be those days with the lowest percent of incidents which occur for that patrol area during that tour of duty. As an illustration:

Table 1
PERCENT DISTRIBUTION BY DAY OF WEEK
OF
ALCOHOL-RELATED MOTOR VEHICLE CRASHES
FOR
PATROL AREA 3 (7 p.m. to 3 a.m.)

Month of June	
Day of Week	Percent of Crashes
Monday	21
Tuesday	7
Wednesday	9
Thursday	10
Friday	11
Saturday	16
Sunday	26
	<hr/> 100

The assigned days off for the regularly assigned personnel of patrol area 3 (7 p.m. to 3 a.m.) would be Tuesday and Wednesday.

It is important that the field officer assigned to a patrol area is provided with "intelligence information" as it relates to law enforcement problems on his assigned patrol area for the hours of day and days of week that he works. Part of the intelligence information is the number, location, and hour of motor vehicle crashes and those involving alcohol.

The alcohol enforcement index should be developed for each patrol area/shift. A trend line in alcohol-related crashes with alcohol-related traffic arrests should be made for the current month as compared to the comparable previous period using a three-year average. See the "Comparative Summary Report" on pages 31 and 32.

Performance measures can then be made on activities and results of activities.

The Patrol Division should receive support from the Criminal Division and/or Vice Unit. The support should take the form of visits to liquor establishments to ascertain that compliance is being made with the Alcohol Beverage Control laws and license provisions. Such laws as serving drinks to minors and persons under the influence, and selling after hours are a few of the more common laws with which the liquor establishment must comply. Drunk and disorderly and public intoxication charges are those most easily enforced against the patron/driver.

EQUIPMENT AND FACILITIES

EQUIPMENT

Equipment is divided into three classes, namely: (1) vehicle, (2) testing, and (3) recording.

After analyses of the law enforcement process as depicted in Figure 3 and an inventory of the kinds of equipment and facilities available, there is a need to design a proper mix of personnel, equipment, and facilities to achieve an efficient system at least possible cost. The processing of a person charged with "driving while under the influence" is only one of many subsystems in the police enforcement process.

The who, what, when, where, and how questions will have to be answered regarding testing and recording. These decisions influence the mobile (patrol vehicle or van), testing, and recording equipment specifications. The matrix for Testing and Recording, Figure 4, should be completed. This should be prepared for the present operations and proposed operations. It provides a guide for equipment to be obtained as well as content for a training program and material for the Standard Operating Procedure Manual.

Figure 4

MATRIX FOR TESTING AND RECORDING					
	<u>WHO</u>	<u>WHAT</u>	<u>WHEN</u>	<u>WHERE</u>	<u>HOW</u>
TESTING	Arresting officer	Bodily substance	At time of apprehension	At scene of apprehension	Chemical test
	Other patrol officer in unit	Breath		Van	Breath test
		Blood	Before arrest	Patrol vehicle	1. Field Kit
	Headquarters (station) officer	Urine			2. Machine
		Physical coordination	After arrest	Substation	Urine
		Test #1			Blood
		Test #2	X minutes after apprehension	Headquarters	
RECORDING	Police laboratory technician	Test #3		Hospital	Physical coordination
	Other officer	Other			
	Other civilian department employee	Chemical testing device	X minutes after advice of implied consent		
	Hospital				
	Arresting officer	Physical coordination test	Time of first detection	On street	Audio tape recorder
	Other patrol officer in unit	Chemical test - procedures, results	Time of apprehension	Site of apprehension	Visual movie camera
	Headquarters (station) officer	Administer of rights	During transport	Station	Audio/visual T.V.
	Police laboratory technician	Administer of implied consent	When administering tests	Patrol vehicle	Still camera
	Other officer	Physical condition	1. Chemical	Headquarters	Form
	Other department civilian	Conversation	2. Physical coordination		
		Driving behavior			

REPORTING SYSTEM

A reliable reporting system must be established. Some factors which influence the design of the information system are:

- Content of report
- Method — verbal or written
- Frequency of report — daily, biweekly, monthly, quarterly
- Form of presentation — essay, statistical, pictorial
- Recipient of the information — internal, interagency, public
- Purpose of the report — information only, action

The reporting system should start with the reporting of the problem and its characteristics so that the administrator can get a “handle” on the problem. An officer at the scene and investigating the crash is the starting point.

The needs of the administrator for information about the accident must be met in addition to the needs of the investigator who is gathering relevant and admissible evidence to support a charge for a traffic violation which may or may not have contributed to the accident.

A check-off space should be provided for the officer to indicate:

1. Whether alcohol was or was not a condition of the driver/pedestrian existing at the time of the accident, or
2. Whether the condition was or was not a causal factor in the accident.

In addition to providing space on the accident report form, instructions for marking should be contained in the manual which accompanies the report form. Figure 5 is an illustration.

Instructions for completing “Sobriety Condition of Driver/Pedestrian Alcohol-Related Condition.”

If the officer has reason to believe, which is not supported by a chemical test, that any one of the seven is applicable, he shall place an X in the appropriate box.

If chemical tests were given and the test results were greater than what is specified in the state statute (.10%, .15%), then the officer would place an X in the appropriate column alongside item 5, 6, or 7, whichever is applicable.

As stated elsewhere in this manual, the field patrol officer should have information relating to crashes and those alcohol-related crashes which occurred on his assigned patrol area for his particular tour of duty. This should be a cumulative listing and if there are any seasonal or monthly variations, the listing should reflect this. Figure 6 is an illustration of such a listing and the information it contains.

Patrol supervisors, in order to carry out their supervisory responsibilities, need information relating to the problem, the patrol areas, and the personnel performance of officers under their supervision. Table 2 is an illustration of what should be provided to the patrol supervisor.

Figure 5

REPORTING OF DRIVER/PEDESTRIAN ALCOHOL-RELATED CONDITION

Sobriety Condition of Driver/Pedestrian			
Vehicle		Pedestrian	
1	2		
[]	[]	[]	1. Had not been drinking
[]	[]	[]	2. Not known if had been drinking
[]	[]	[]	3. Had been drinking; ability not impaired
[]	[]	[]	4. Had been drinking, not known if ability impaired
[]	[]	[]	5. Had been drinking, ability impaired – existing condition only
[]	[]	[]	6. Had been drinking, ability impaired – not known if causal factor
[]	[]	[]	7. Had been drinking, ability impaired – causal factor
Chemical Test			
[]	[]	[]	1. Test given
[]	[]	[]	2. Test refused
%	%	%	3. Test results

Figure 6

ALCOHOL-RELATED CRASHES FOR PATROL AREA 3

7 p.m. to 3 a.m., Cumulative				
Month	Day	Hour		Causal Factor
1	Fri.	11:04 P	11th and Culver	x
2	Sat.	1:05 A	11th and Culver	
2	Sat.	11:30 P	1100 Block Culver	
3	Thurs.	12:25A	1100 Block Culver	x
1	Sat.	11:50 P	20th and Baker	x
1	Sat.	12:45 A	20th and Baker	
3	Sun.	1:30 A	2000 Block Baker	x

The information contained in Figure 6 can be presented in the form of a Collision Diagram. Collision Diagrams are generally prepared by Traffic Engineers on intersections that have more than five crashes per year.

Figure 7

[illegible]

The law enforcement administrator needs information as to what progress is being made, where it is being made, and who is making it. The Comparative Summary Report, Table 3, is an illustration of what should be provided to the administrator. The Comparative Summary Report can be used for department-wide operations or it can be used by the patrol commander for each of the patrol shifts and it can be used by the patrol supervisor for his particular shift.

The approach to designing the agency's internal reporting system should be based on what information is needed by an individual in order to carry out his job duties and responsibilities at an acceptable level of performance.

Reporting to other agencies and to the public is based upon the factors identified at the beginning of this section.

Figure 8

COMPARATIVE SUMMARY REPORT

ALCOHOL-RELATED MOTOR VEHICLE CRASHES								
REPORTING ON					REPORTING PERIOD			
<input type="checkbox"/> PATROL DIVISION <input type="checkbox"/> PATROL SHIFT								
	THIS MONTH				TO DATE			
SEVERITY	THIS YEAR	PRECED. 3-YR.AVG.	% CHANGE	PREDICTED RANGE	THIS YEAR	PRECED. 3-YR.AVG.	% CHANGE	PREDICTED RANGE
FATAL ACCIDENTS								
PERSONS KILLED								
PERSONAL INJURY ACCIDENTS								
PERSONS INJURED								
PROPERTY DAMAGE ACCIDENTS								
TOTAL								
PATROL SHIFT/AREA								
1								
2								
3								
4								
5								
TOTAL								

ENFORCEMENT OF ALCOHOL-RELATED TRAFFIC OFFENSES								
PATROL SHIFT/AREA	THIS MONTH				TO DATE			
	THIS YEAR	PRECED. 3-YR.AVG.	% CHANGE	ENF. INDEX	THIS YEAR	PRECED. 3-YR.AVG.	% CHANGE	ENF. INDEX
1								
2								
3								
4								
5								
TOTAL								

BLOOD ALCOHOL CONCENTRATION OF DRIVERS ARRESTED AND TESTED																
	DRIVERS		READING		B.A.C. LEVEL						THIS MONTH			TO DATE		
	ARRESTED	TESTED	NEG.	POS.	01-04	05-09	10-14	15-19	20-24	25+	THIS YEAR	PRECED. 3-YEAR AVG.	% CHANGE	THIS YEAR	PRECED. 3-YEAR AVG.	% CHANGE
ACCIDENT DRIVER																
FATAL																
PERSONAL INJURY																
PROPERTY DAMAGE																
ON VIEW																
TOTAL																

TIME DISTRIBUTION OF ALCOHOL-RELATED MOTOR VEHICLE CRASHES AND TRAFFIC ARRESTS																											
DAY	TIME	12-1		1-2		2-3		3-4		4-5		5-6		6-7		7-8		8-9		9-10		10-11		11-12		TOTAL	
		ACC	ARR	ACC	ARR	ACC	ARR	ACC	ARR	ACC	ARR	ACC	ARR	ACC	ARR	ACC	ARR	ACC	ARR	ACC	ARR	ACC	ARR	ACC	ARR	ACC	ARR
MONDAY	A.M.																										
	P.M.																										
TUESDAY	A.M.																										
	P.M.																										
WEDNESDAY	A.M.																										
	P.M.																										
THURSDAY	A.M.																										
	P.M.																										
FRIDAY	A.M.																										
	P.M.																										
SATURDAY	A.M.																										
	P.M.																										
SUNDAY	A.M.																										
	P.M.																										
TOTAL	A.M.																										
	P.M.																										

INTERAGENCY COOPERATION/COORDINATION

The judiciary is one of the first agencies which needs to be informed of the enforcement program and solicited for their cooperation. It includes the judges of the trial court, the prosecutor, and public defender.

They should be informed as to what the problem is, the intent and plan for doing something about it, and how the plan will affect their operations. Solicit from the judiciary its cooperation and a commitment. An understanding should be reached about the following:

1. What is individually and collectively expected from the law enforcement officer in the way of good case preparation – what evidence will be admissible and relevant.
2. What the law enforcement agency can, in turn, expect from the judiciary, individually, and collectively, such as:
 - a. pretrial conferences between prosecutor and arresting officer,
 - b. law enforcement agency participating in plea bargaining sessions,
 - c. charges being reduced,
 - d. sentencing designed to reduce the alcohol-related crash problem,
 - e. utilizing community health resources to reduce the recidivism rate of problem drinkers,*
 - f. reduce officer time by scheduling of cases,
 - g. reduce time between arrest and trial (continuances).

All other traffic law enforcement agencies in the area, particularly those which have concurrent jurisdiction with your agency, or whose boundaries are contiguous to yours, and those who are in the area (metropolitan) should be informed of your plans and be asked to implement a similar program for their jurisdiction.

Civic, church, business, and industry groups and news media should be informed. The reporting to these groups will be influenced by the factors identified in the section “Reporting System.” Business groups that may require special attention are those who possess liquor licenses.

The community resources must be identified and brought to bear on the problem as depicted in Figure 1, Program Planning, on page 3. The plans that each develop will be their commitment to the control of the problem. It should be volume 2 of the community’s comprehensive plan for reducing the problem of alcohol-related crashes.

An upgraded alcohol safety enforcement effort should not be perceived as a temporary “crackdown.” Rather, it should be explained as a carefully designed, technically sound effort to combat the alcohol-related

*See Appendix – Exhibit 7.

crash problem. It is also helpful to portray the enforcement activity as part of a community-wide effort to deal systematically with the individual who drinks excessively and drives. Effective control of these problem drinkers requires both legal and health resources. To the degree that citizens understand the law enforcement effort in this light, public acceptance will be forthcoming.

APPENDIX

Exhibit 1

PROGRAM OF ALCOHOL COUNTERMEASURES

1970

WHEREAS, Numerous studies have shown that alcohol is involved in a major portion of fatal crashes on our streets and highways; and

WHEREAS, Existing programs to counter driving under the influence of alcohol and fatal and personal injury accidents resulting therefrom are less than satisfactory; and

WHEREAS, Experience with strong alcohol countermeasure programs in certain foreign countries and some locations in the United States has demonstrated considerable success in lessening alcohol-related highway crashes; therefore be it

RESOLVED, That the International Association of Chiefs of Police supports a comprehensive, cooperative national program of alcohol countermeasures for highway safety with the National Highway Safety Bureau, to be implemented by state and local governments so as to reduce deaths, injuries and property damage on our streets and highways, as part of the total highway safety effort.

Source: Highway Safety Policies for Police Executives, Highway Safety Division, International Association of Chiefs of Police.

Exhibit 2

ACCIDENT REPORTS – OPINIONS OF POLICE

1969

WHEREAS, More sophisticated and detailed information as to causes is needed for preparing accident prevention and traffic enforcement information; and

WHEREAS, Statements of opinion supported by facts, when properly made, help to establish why accidents occur as opposed to mere records of *what* occurred; and

WHEREAS, Statements of opinion, when clearly classified as opinions, are not repugnant to factual reporting; now therefore be it

RESOLVED, That police agencies encourage officers investigating accidents to use statements of opinions supported by fact in accident reporting.

Source: Highway Safety Policies for Police Executives, Highway Safety Division, International Association of Chiefs of Police.

Exhibit 3

POLICE TRAFFIC SERVICES

Highway Safety Program Standard 4.4.15

PURPOSE

To reduce the deaths and injuries by improving police traffic services in all aspects of accident prevention programs and police traffic supervision, postaccident procedures to aid crash victims, and to bring those responsible for the accidents to justice.

STANDARD

Every State in cooperation with its political subdivisions shall have a program to insure efficient and effective police services utilizing traffic patrols: To enforce traffic laws; to prevent accidents; to aid the injured; to document the particulars of individual accidents; to supervise accident cleanup; and to restore safe and orderly traffic movement.

- I. The program shall provide as a minimum that there are:
 - A. Uniform training procedures in all aspects for police supervision of vehicular and pedestrian traffic related to highway safety, including use of appropriate instructional materials and techniques for recruit, advanced, in-service, and special course training.
 - B. Periodic in-service training courses for uniformed and police department employees assigned to traffic duties dealing with:
 - (1) administration and management of police, vehicular, and pedestrian traffic services.
 - (2) analysis, interpretation, and use of traffic records data.
 - (3) insurance of prompt reliable post accident response, including skilled aid to the injured.
 - (4) accomplishing postaccident responsibilities.
 - C. Procedures for the selective assignment of trained police personnel to supervise vehicular and pedestrian traffic duties including enforcement patrols in hazardous or congested areas based on time and location of:
 - (1) traffic volume
 - (2) accident experience
 - (3) traffic violation frequency
 - (4) emergency and service needs

- D. Procedures for investigating, recording, and reporting accidents pertaining to:
 - (1) the human, vehicular, and highway causative factors in individual accidents.
 - (2) the human, vehicular, and highway causative factors of injuries and deaths, including failure to use safety belts.
 - (3) the efficiency of the postaccident response.
 - E. Procedures for recognizing and reporting, to the appropriate agencies, hazardous highway defects and conditions, including:
 - (1) condition of drivers.
 - (2) operational condition of motor vehicles.
 - (3) defective signs, signals, controls, construction and maintenance deficiencies.
 - a. Data listed in (3) above shall be readily available to the public.
 - F. Appropriate agreements by the State and its political subdivisions regarding primary responsibility and authority for police traffic supervision, and cooperative responsibilities where concurrent jurisdictional boundaries and problems exist, and appropriate participation of each law enforcement agency in the comprehensive highway safety program of the State and its political subdivisions.
- II. The programs shall be periodically evaluated by the State, and the National Highway Safety Bureau shall be provided with an evaluation summary.
- III. Nothing in this Standard shall preclude the use of personnel other than police officers in carrying out the minimum requirements in accordance with laws and policies established by State and/or local governments.

Source: U.S. Department of Transportation, National Highway Traffic Safety Administration, Highway Safety Program Manual, Vo. 15.

Exhibit 4

CHEMICAL TESTS FOR INTOXICATION

1960

WHEREAS, The IACP advocates and supports the utilization of reliable scientific methods of combatting crime, including the use of chemical tests to determine alcoholic influence in the prosecutions of drinking drivers in the nation-wide effort to reduce injuries and deaths upon the highways; and

WHEREAS, It has been determined by scientists that practically all motorists are unfit to safely operate motor vehicles after the consumption of alcoholic beverages when the blood alcohol concentration has reached levels considerably lower than 0.15 percent, which is the statutory presumptive standard contained in the Uniform Vehicle Code and in all state legislation enacted upon the subject;

THEREFORE, IT IS HEREBY RESOLVED, That the IACP shall support, and urge serious consideration in future prosecutions and legislation in the various states of the following findings and opinion of a group of internationally recognized scientific experts in the field of chemical tests to determine alcoholic influence in their assembly upon December 12, 13, 14, 1958, in an International Symposium on Alcohol and Road Traffic conducted at Indiana University in Bloomington, Indiana:

“As a result of the material presented at this Symposium, it is the opinion of this Committee that a blood alcohol concentration of 0.05 percent will definitely impair the driving ability of some individuals, and as the blood alcohol concentration increases, a progressively higher proportion of such individuals are so affected, until at a blood alcohol concentration of 0.10 percent, all individuals are definitely impaired.”

Source: Highway Safety Policies for Police Executives, Highway Safety Division, International Association of Chiefs of Police.

Exhibit 5

CAREFUL SELECTION OF TRAFFIC CHARGES

1966

WHEREAS, The International Association of Chiefs of Police is dedicated to the proposition that proper enforcement of the traffic laws and ordinances can and will have a significant effect on the incidence of traffic collisions, and is of the firm conviction that effective enforcement of such regulations involves a strong element of public education in order to promote popular acceptance, understanding, and observance of safe driving rules by the motoring public if they are to accomplish the purposes of preventing accidents; now, therefore, be it

RESOLVED, That the International Association of Chiefs of Police hereby declares, as a statement of policy, that it advocates and encourages the careful selection of traffic charges in citing persons and in filing complaints in court for traffic law violations, specifying the particular act of omission or commission which is commanded or prohibited by the applicable statute or ordinance.

Source: Highway Safety Policies for Police Executives, Highway Safety Division, International Association of Chiefs of Police.

Exhibit 6

POLICE ROLE IN TRAFFIC SAFETY

1962

WHEREAS, Law enforcement officers have an operational responsibility for the supervision of traffic and reduction of traffic accidents; and

WHEREAS, Leadership in the traffic safety field is essential to carry out this operational responsibility; and

WHEREAS, Leadership in the field of traffic safety is an equal responsibility of administrators of traffic enforcement organizations and those responsible for traffic education and engineering;

NOW, THEREFORE, BE IT RESOLVED, That the International Association of Chiefs of Police meeting in October, 1971, urges its membership to maintain an active and leading role in the planning, development and support of traffic safety activities in their respective jurisdictions and areas of responsibility.

Source: Highway Safety Policies for Police Executives, Highway Safety Division, International Association of Chiefs of Police.

Exhibit 7

IDENTIFICATION OF THE ALCOHOLIC DRIVER AND LEGISLATED REQUIRED TREATMENT

1970

WHEREAS, Numerous studies have shown that the problem drinker is involved in a major portion of the fatal crashes on our streets and highways; and

WHEREAS, Since not all persons who drink alcoholic beverages are problem drinkers, there is a need to identify the problem drinker in order to prescribe treatment; and

WHEREAS, Traditional punishments such as jail or money fines have not been effective in dealing with problem drinkers; and

WHEREAS, The responsibility for treatment and rehabilitation is with the courts and social agencies; and

WHEREAS, Legislation is needed to implement such a program of identification and treatment of the problem drinker; therefore be it

RESOLVED, That the International Association of Chiefs of Police is opposed to any legislation which would repeal such laws as drunk in public, drunk and disorderly, driving under the influence of intoxicating liquor and similar laws because of the need to retain their deterrent effect for non-problem drinkers; and be it

RESOLVED, That the International Association of Chiefs of Police supports legislation to add to the powers of a judge the authority to refer an alcoholic or problem drinker for treatment when the person has been *convicted* of an alcohol related offense such as public drunkenness, drunk and disorderly, driving while under the influence of intoxicating liquor, and similar offenses. This should be done by adding to the penalty section, which now authorizes jail or money fines, a provision that in the alternative, a judge could sentence the convicted person to an alcoholic treatment center. In prescribing such a sentence, the judge should have the assistance of a social agency which can supply the necessary information about drinking problems of the person. The person who has been referred to a treatment center should be finally released only when the superintendent of such center certifies that his institution can do no more for the problem drinker. This is not intended to limit out-patient treatment. Be it further

RESOLVED, That copies of this resolution be sent to the National Institute for Mental Health, the United States Department of Health, Education and Welfare, Public Health Service; the Traffic Court Program of the American Bar Association; National Municipal Judges Association and the National Highway Safety Bureau.

Source: Highway Safety Policies for Police Executives, Highway Safety Division, International Association of Chiefs of Police.

Exhibit 8

REFERENCES

The following is a selected list of references which may be helpful in implementing the program in this manual. This list is not meant to be a bibliography of all the documents available in this field.

National Highway Traffic Safety Administration. *Planning Guide, Selective Traffic Enforcement Programs*. Washington, D.C.: U.S. Department of Transportation, 1972.

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