



Law Enforcement Assistance Fund

ANNUAL REPORT 2006



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The **LEAF** program has been **VERY SUCCESSFUL** in reducing alcohol related crashes & fatalities since its inception in **1983**.

EXECUTIVE SUMMARY

The Annual Report for the Law Enforcement Assistance Fund (LEAF) provides a yearly update to the Colorado General Assembly on the progress of the LEAF program and use of funding. The report is based on the most accurate available traffic data, which is why the report is delayed one year.

LEAF is a program created by statute to provide supplemental funding for local, county and state law enforcement agencies to enforce Colorado's impaired driving laws. The program funds overtime pay for officers to conduct saturation patrols and sobriety checkpoints, as well as capital equipment such as vehicles, blood- and breath-testing equipment, and checkpoint signage. LEAF also funds toxicology labs and Evidential Breath Alcohol Testing certification and training. The LEAF program is supported by the nationally-recognized "Heat is On" public information campaign, which informs the public about DUI laws and increases awareness of seven high-visibility enforcement periods across the state.



LEAF is entirely funded from a \$90 fine assessed to drivers convicted of impaired driving offenses. The fine has remained unchanged since 1990, although costs to operate the program have risen with inflation and technological advances.

The Colorado Department of Transportation's (CDOT) Safety and Engineering Branch administers the LEAF program. Participating law enforcement agencies are chosen to receive funding after undergoing a stringent selection process, which includes submitting a detailed plan to address specific problems with impaired driving in their community. Agencies may only receive LEAF monies for three consecutive years, and then must wait one year before applying again. In 2006, \$987,400 in LEAF funds was awarded to 37 city and 14 county law enforcement agencies.

The LEAF program continues to be a major component of Colorado's impaired driving enforcement efforts. More than half of all DUI arrests in Colorado since the program's inception in 1983 have been made by LEAF agencies. In 2006, LEAF agencies took 19,835 impaired drivers off Colorado roadways.

LEAF has also been successful in reducing alcohol-related crashes and fatalities. Tragically, 226 people were killed in alcohol-related traffic crashes in 2006; however, that reflects a decrease of 10.3% from the previous year.

Increased enforcement and education through LEAF funding has had a marked impact on impaired driving in Colorado. Nevertheless, the need for ongoing increased enforcement, as well as public education about the laws and the consequences, is vital to maintain the success of the program.

Increased funding, by raising the LEAF fine, will be imperative in the future to continue to support the technological advances, equipment maintenance, enforcement manpower, and public information efforts that save lives in our state.

BACKGROUND

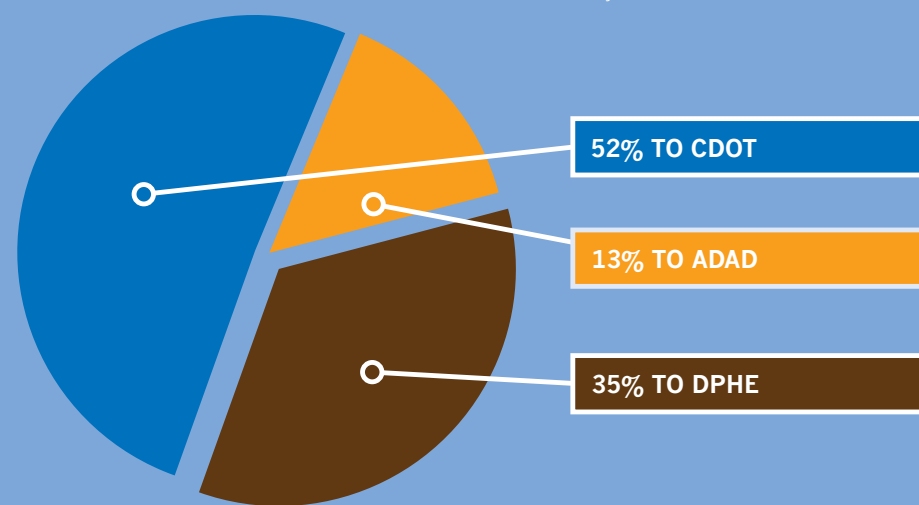
After alcohol-related traffic fatalities reached a record high (425 fatalities) in Colorado in 1981, major changes were made to Colorado's DUI laws during the 1982 and 1983 legislative sessions. Amendments to Section 42-4-1202, Colorado Revised Statutes, authorized the Law Enforcement Assistance Fund (LEAF), and required anyone convicted of an impaired driving traffic offense to pay \$75 into the fund.

The stated intent of the Colorado General Assembly was that LEAF monies be "expended in a manner which will improve enforcement of drunken driving laws," as well as increasing prevention efforts concerning the problems created by impaired drivers. The enabling legislation required the Colorado Department of Transportation (CDOT) to establish and promulgate rules and regulations and to determine minimum requirements for qualified programs. Copies of the Rules and Regulations may be obtained from CDOT or visit www.dot.state.co.us/safety/alcohol/leaf.htm.

During the 1990 legislative session, passage of Senate Bill 190 increased the LEAF fee from \$75 to \$90. Of the \$90 fee, \$15 is deposited in the county treasury where the conviction occurred. Of the remaining LEAF fees collected, the Department of Public Health and Environment (DPHE) receives an annual appropriation for laboratory services and implied consent specialists, which were previously paid out of the Highway Users Trust Fund. The remainder of monies is distributed to CDOT and the Department of Human Services' Alcohol and Drug Abuse Division (ADAD).

FY 2006 LEAF FUNDING ALLOCATION

**Chart reflects LEAF monies after county allocation*



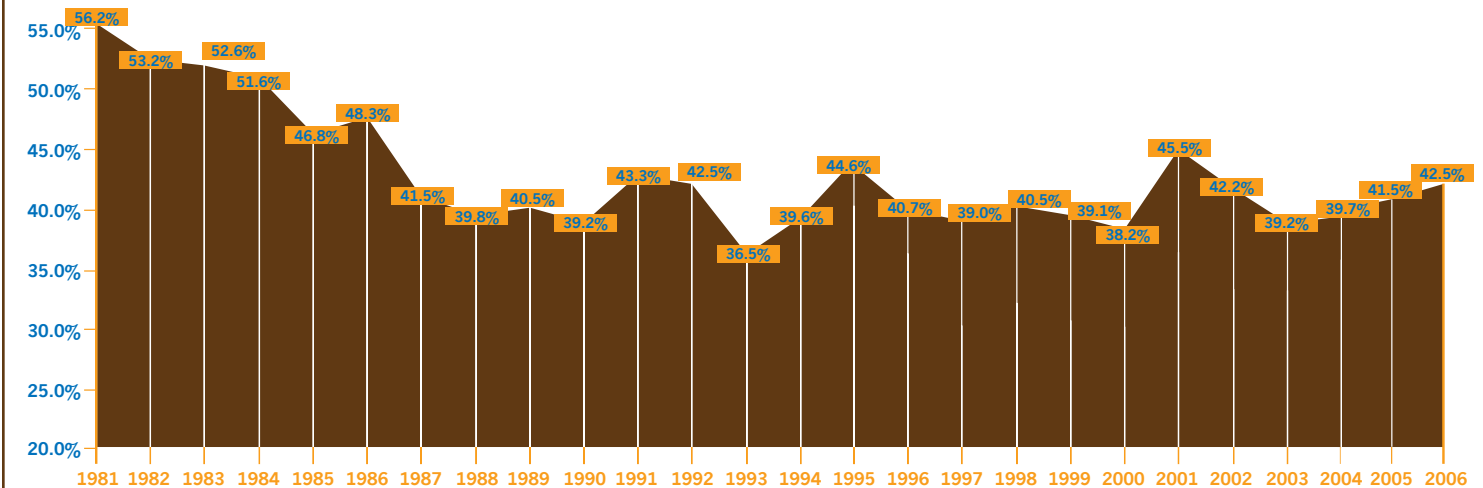
LEAF IMPACT

Alcohol-related traffic fatalities reached a record high in Colorado in 1981 when 425 people died in such crashes. Since that time, the population of Colorado has increased 64% and automobile travel in Colorado has increased exponentially—vehicle miles traveled have risen 110%. If alcohol-related traffic deaths had increased in proportion to this rise in travel, 1,313 people would have died in 2006 as a result of impaired driving.

However, 226 people were killed in alcohol-related traffic crashes in 2006—a 10.3% decrease from 252 deaths in the previous year, and a 46% decrease from the 1981 record high. This also reflects a 33% decrease from 340 alcohol-related traffic deaths in 1983, when LEAF was introduced.

The chart below shows that since the inception of the LEAF program, traffic fatalities related to alcohol have decreased significantly as a percentage of all motor vehicle fatalities.

ALCOHOL RELATED FATALITIES vs. TOTAL FATALITIES IN COLORADO



LEAF IMPACT CONTINUED

The LEAF fee has not changed significantly since the inception of the fund 25 years ago, while costs for law enforcement manpower and equipment have risen dramatically. In recent years, due to increased DUI enforcement costs, the LEAF funding has been allocated primarily to enforcement, and not equipment.

In 2005, an assessment was done of Colorado's Impaired Driving Program. The program was assessed by national experts in the Impaired Driving Enforcement Discipline. One of the recommendations from the assessors was to increase the Law Enforcement Assistance Fund (LEAF) fee to be consistent with current funding needs.

THE LEAF FEE HAS NOT CHANGED SIGNIFICANTLY SINCE THE INCEPTION OF THE FUND 25 YEARS AGO, WHILE COSTS FOR LAW ENFORCEMENT MANPOWER AND EQUIPMENT HAVE RISEN DRAMATICALLY.



DUI ARRESTS OVER THE YEARS

Arrest data is another indicator that enforcement efforts by LEAF agencies are working to take impaired drivers off the road and save lives.

In 2006, LEAF agencies comprised only 18% of all law enforcement agencies in the state, but they made more than 63% of all annual DUI arrests. More than half of all DUI arrests since 1983 have been made by LEAF agencies. This historical trend indicates that law enforcement agencies do rely heavily on the supplemental funding provided by LEAF to afford to conduct DUI-specific enforcement.

In 2006, there were 5,604 DUI arrests compared to 5,404 in 2005. Four enforcement periods broke DUI arrest records, including National Crackdown (1969), Halloween Weekend (562), Office Party Weekend (475) and New Year's Eve (449).

YEAR	POPULATION	STATEWIDE ARRESTS	LEAF ARRESTS	% of ARRESTS BY LEAF
1983	2,889,964	37,618	5,833	15*
1984		38,830	14,128	36
1985		42,330	19,089	45
1986		34,202	17,354	51
1987		35,429	14,038	40
1988		31,820	17,253	54
1989		38,579	22,801	59
1990	3,294,394	39,988	20,752	52
1991		37,557	19,632	52
1992		37,824	17,334	46
1993		37,550	25,203	66
1994		33,475	20,291	61
1995		28,760	19,476	67
1996		36,398	16,293	45
1997		36,726	16,737	46
1998		37,237	20,429	55
1999		36,676	19,512	53
2000	4,753,377	36,135	27,714	60
2001		34,408	20,985	61
2002		34,338	21,241	62
2003		31,077	19,856	63
2004		31,852	19,464	61
2005		31,442	19,148	48
2006		31,395	19,835	63
TOTAL		757,580	389,946	51.5%

* LEAF started on July 1, 1983

DUI ARRESTS OVER THE YEARS CONTINUED



The screenshot shows the Colorado Department of Transportation Traffic Safety website. At the top, it says "Colorado Department of Transportation Traffic Safety". Below that, there's a navigation bar with "Home", "Reports", and "News Releases". A login section is visible with "Username:" and "Password:" fields. A large banner displays "49381 ARRESTS AND COUNTING" with the text "IN COLORADO, WE'RE SERIOUS ABOUT DRUNK DRIVING. THE HEAT IS ON!". Below the banner, there's a section for "Enforcement Period Reports" with various filters for "All Law Enforcement", "Police/Sheriffs Only", "State Patrol (CSP) Only", and "Selected (choose from below)". There are also checkboxes for "Display Totals Only" and "Include LEAF Agencies Only". Several dropdown menus allow selection of "Police/Sheriffs", "State Patrol", "Enf Period", and "Counties". A "View Report" button is present. At the bottom, there are logos for DOT, LEAF, and Colorado State Parks.

LEAF agencies are required to report DUI enforcement plans and arrests for each enforcement wave on a special reporting Web site, www.dot.state.co.us/TrafficSafety/HEAT/index.cfm. The Web site serves two purposes—to keep agencies accountable for their funding, and to inform the public about the upcoming enforcement and results.

Consistent enforcement of Colorado's laws and strong public awareness will be needed to keep the gains that have been made in reducing the number of impaired drivers on the road, and consequently reducing deaths.

THE LEAF BUDGET

Since the inception of LEAF, \$29,976,952 has been awarded for projects in 69 cities and 37 counties. In 2006, \$987,400 was awarded to 37 city and 14 county LEAF enforcement agencies.

The LEAF fee has not changed significantly since the inception of the fund 25 years ago, while costs for law enforcement manpower and equipment have risen dramatically.

In 2005, national experts in the Impaired Driving Enforcement Discipline performed an assessment of Colorado's Impaired Driving Program, including all prevention and enforcement efforts. One of the assessors' recommendations was to increase the LEAF fee to be consistent with current funding needs.

New technology makes capital equipment a valuable tool for DUI enforcement officers. Up-to-date and properly-maintained vehicles and blood- and breath-testing instruments make convictions possible and efficient. However, in recent years, agencies have committed much or all of their LEAF funds to paying officers' overtime costs, rather than purchasing the valuable Intoxilyzers, Portable Breath Testers (PBTs) and vehicles.

As population and travel continues to rise in Colorado, an increase in the LEAF fine to boost funding may be necessary to maintain the current results or improve the program.



NEW TECHNOLOGY MAKES CAPITAL EQUIPMENT A VALUABLE TOOL FOR DUI ENFORCEMENT OFFICERS.



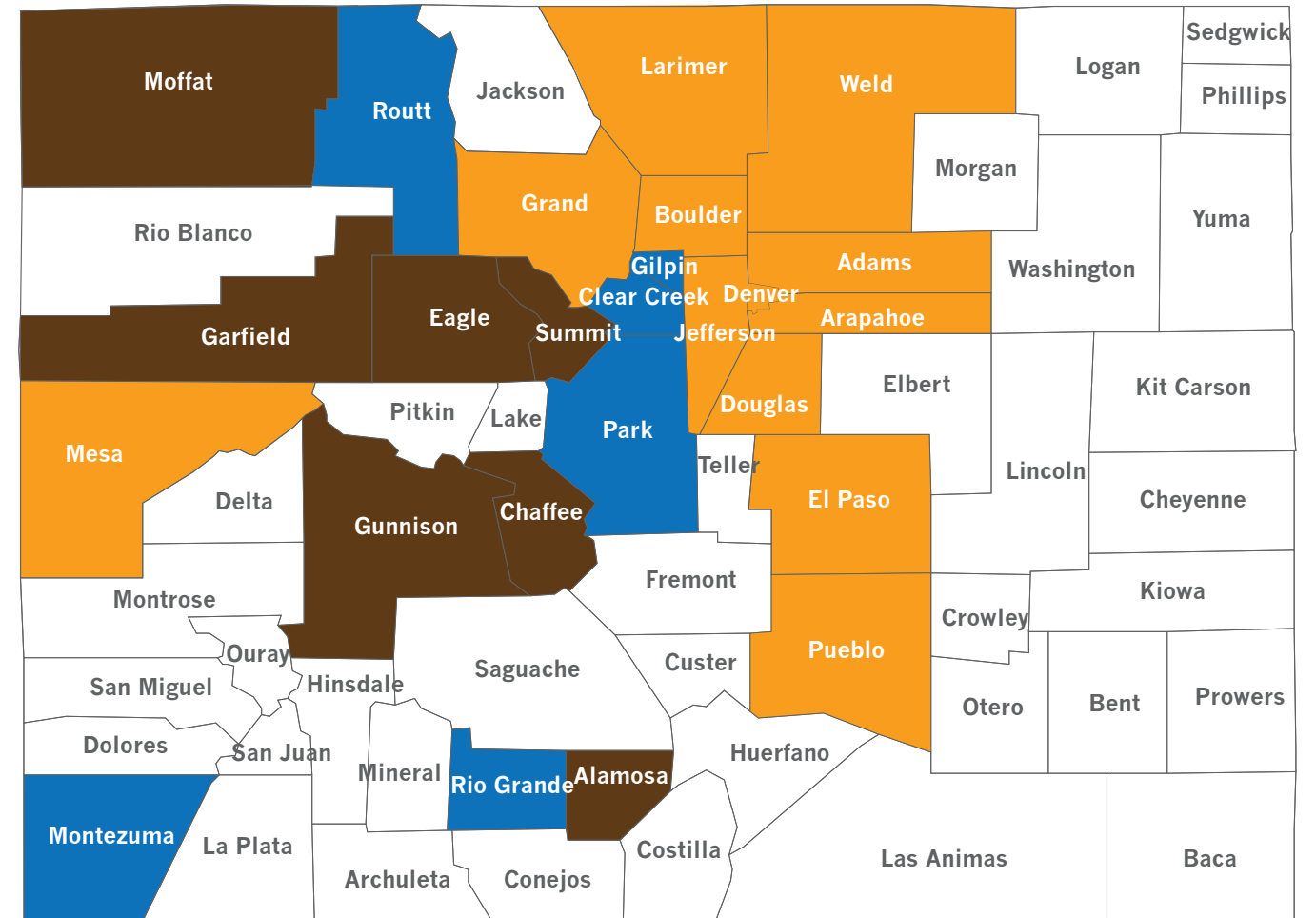
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LEAF PROJECTS FUNDED IN 2006

AGENCY	AMOUNT	AGENCY	AMOUNT
Adams County Sheriff's Office	\$18,850.00	Commerce City Police	\$14,150.00
Alamosa Police Department	\$10,000.00	Craig Police Department	\$10,000.00
Arapahoe County Sheriff's Office	\$18,875.00	Crested Butte Marshal's Office	\$10,000.00
Aurora Police Department	\$30,650.00	Denver Police Department	\$50,000.00
Avon Police Department	\$10,000.00	Douglas County Sheriff's Office	\$40,000.00
Basalt Police Department	\$10,000.00	Edgewater Police Department	\$10,050.00
Boulder County Sheriff's Office	\$25,450.00	El Paso County Sheriff's Office	\$24,600.00
Boulder Police Department	\$50,000.00	Erie Police Department	\$8,500.00
Breckenridge Police Department	\$20,000.00	Fort Collins Police Department	\$11,750.00
Brighton Police Department	\$28,750.00	Fountain Police Department	\$11,050.00
Broomfield Police Department	\$15,000.00	Fraser/Winter Park Police Department	\$10,000.00
Buena Vista Police Department	\$3,775.00	Fruita Police Department	\$10,000.00
Carbondale Police Department	\$15,000.00	Gilpin County Sheriff's Office	\$15,000.00
Castle Rock Police Department	\$11,750.00	Golden Police Department	\$20,000.00
Clear Creek County Sheriff's Office	\$8,500.00	Grand County Sheriff's Office	\$5,675.00

AGENCY	AMOUNT	AGENCY AGENCY	AMOUNT
Grand Junction Police Department	\$35,000.00	Pueblo County Sheriff's Office	\$12,600.00
Greeley Police Department	\$11,750.00	Pueblo Police Department	\$11,750.00
Greenwood Village Police Department	\$30,000.00	Rio Grande County Sheriff's Office	\$8,500.00
Gunnison Police Department	\$15,000.00	Routt County Sheriff's Office	\$10,000.00
Idaho Springs Police Department	\$4,700.00	Thornton Police Department	\$11,750.00
Jefferson County Sheriff's Office	\$52,500.00	Vail Police Department	\$12,000.00
Lafayette Police Department	\$30,000.00	Weld County Sheriff's Office	\$11,750.00
Lakewood Police Department	\$11,750.00	Wheat Ridge Police Department	\$20,000.00
Larimer County Sheriff's Office	\$18,875.00	Woodland Park Police Department	\$9,400.00
Littleton Police Department	\$16,500.00	Total	\$987,400.00
Longmont Police Department	\$11,750.00		
Loveland Police Department	\$20,000.00		
Manitou Springs Police Department	\$2,800.00		
Mesa County Sheriff's Office	\$40,000.00		
Milliken Police Department	\$10,000.00		
Montezuma County Sheriff's Office	\$14,150.00		
Monument Police Department	\$9,000.00		
Mountain View Police Department	\$10,000.00		
Park County Sheriff's Office	\$8,500.00		

2006 STATEWIDE LEAF AGENCY COVERAGE



■ COUNTY ONLY
 ■ CITY/COUNTY
 ■ CITY ONLY

SELECTION PROCESS

LEAF monies provide resources to jurisdictions that have proposed solutions to identified community problems of impaired driving. Successful applications must provide methods for measurable results based on two criteria: How will the enforcement affect behavioral changes for impaired drivers? How will the enforcement reduce alcohol and drug related crashes?

Proposals are reviewed by CDOT in the following areas:

- 1 How does the project propose to increase and improve the enforcement of the laws pertaining to alcohol and drug-related traffic offenses?
- 2 How does the project propose to increase prevention of problems created by impaired drivers?
- 3 How does the project propose to emphasize the consequences resulting from arrest and conviction of alcohol and drug related traffic offenses?
- 4 How does the project propose to coordinate the efforts of a municipality, county, or city and county within their own jurisdictions and with other jurisdictions in establishing and administering a qualified program?
- 5 How does the project propose to increase the efficiency and effectiveness of the administrative systems, which support drinking driving countermeasures programs?

THE OBJECTIVE FOR EACH LEAF PROJECT IS TO INCREASE AND IMPROVE THE ENFORCEMENT OF LAWS PERTAINING TO ALCOHOL AND DRUGS

Some of the major tasks include:

- 1 Increase DUI enforcement
- 2 Increase coordination of efforts among law enforcement agencies
- 3 Assign officers to special DUI responsibilities
- 4 Designate a patrol vehicle for DUI enforcement
- 5 Increase DUI arrest rates
- 6 Train officers in DUI detection and apprehension

(LEAF Rules and Regulations, guidelines and application forms are available on the CDOT web site at <http://www.dot.state.co.us/safety/alcohol/leaf.htm> or you can call us at 303.757.9462)

CERTIFICATION PROGRAM

Evidential Breath Alcohol Testing (EBAT)

Individuals arrested for impaired driving are offered a chemical test of their blood or breath to determine the alcohol content. The majority of individuals elect a breath alcohol test. Evidential Breath Alcohol Testing (EBAT) is accomplished by using the Intoxilyzer Model 5000 Enhanced called the 5000EN. Currently, all law enforcement agencies use the Intoxilyzer 5000EN, which employs advanced electronic technology to measure breath alcohol concentration. The 5000EN also allows for a computerized central data management system to collect, summarize and compile reports on DUI arrests for program effectiveness and efficiency.

LEAF monies fund the Certification Program for Evidential Breath Alcohol Testing (EBAT) in the Colorado Department of Public Health and Environment's Division of Laboratory and Radiation Services (LARS). Governing statutes empower the Colorado Board of Health to enact Rules and Regulations administered by the Certification Program. This rule establishes the minimum standards for the certification and approval of entities and processes utilized for alcohol and drug testing of suspected impaired drivers.

LARS is responsible for:

- Approval and certification of Evidential Breath Alcohol Test (EBAT) devices;
- Training and certifying EBAT Operators and Operator Instructors;
- Maintaining a centralized repair facility for EBAT devices and equipment;
- Establish standards of performance and certification of public and private laboratories;
- Providing certified records and documents to legal community
- Providing expert witness testimony

2006 LEAF Supported Activities:

- Certification of 332 EBAT devices
- Performed repair and maintenance of 332 EBAT devices and 130 Simulators
- Approved 147 EBAT facilities
- Conducted 6 training classes to certify 75 EBAT Operator-Instructors and 82 Operator-Instructors re-certified by written examination
- Provided materials for 180 Operator training classes certifying 1391 Operators
- Prepared and distributed 2000 units of certified EBAT standard solutions
- Certified seventeen laboratories
- Provided proficiency test samples to certified laboratories
- Prepared delayed breath alcohol standards for certified laboratories
- Processed 737 subpoenas
- Provided certified documents for 907 DUI cases
- Provided technical assistance and expert court testimony to law enforcement and legal community

TOXICOLOGY LABORATORY



INTOXILYZER 5000 EN

LEAF monies partially fund activities of toxicology scientists.

The laboratory provides analyses of blood specimens for alcohol content and urine specimens for drug content of suspected impaired drivers. Staff supports these analytical results in courts of law when needed. Education and training are provided to the legal and law enforcement communities of Colorado regularly.

2006 LEAF Supported Toxicology Activities

- 3177 blood specimens were analyzed for alcohol content
- 3914 urine specimens were analyzed for drug content
- Performed quality control analyses for alcohol and blood standard solutions provided by the Certification Program
- Participated in the College of American Pathologist Urine Drug Testing Proficiencies and Blood Alcohol Proficiencies
- Processed 1124 subpoenas for the year 2005
- Provided legal records for 261 DUI and DUID cases
- Provided legal testimony in 47 DUI and DUID cases
- Provided routine consultation to law enforcement and the legal community regarding analytical testing performed
- Provided statistics for the DRE program regarding drug evaluations

“THE HEAT IS ON!” CAMPAIGN



The “Heat is On!” campaign employs media relations, branding, advertising and community outreach to build awareness of Colorado’s impaired driving laws and seven high-visibility enforcement periods throughout the year. This campaign launched in 1996 to re-energize officers who were assigned to DUI enforcement and revitalize the LEAF program, and has seen tremendous success. This campaign is paid for with federal funding.

In 2006, CDOT’s public information office and public relations contractor Webb PR launched the Spanish counterpart of the campaign, called “Toma Control ¡Vive! El Verano Ésta Caliente.” This campaign aims to educate the growing Latino demographic about Colorado’s DUI laws through community events and media outreach to Hispanic media.

In addition, CDOT launched a new program of dedicating sobriety checkpoints to victims of drunk drivers. The dedications in Denver, Grand Junction, Colorado Springs and Weld County received tremendous news coverage and were recognized by the Colorado Chapter of the Public Relations Society of America with a Silver Pick Award for successful media relations.

NEWS CONFERENCE TO DEDICATE A DENVER SOBRIETY CHECKPOINT TO AIRMAN KRISTOPHER MANSFIELD, A VICTIM OF A DRUNK DRIVER, AND KICK OFF JULY 4TH DUI ENFORCEMENT.



“THE HEAT IS ON!” CONTINUED

LEAF agencies are instrumental in ensuring media coverage for the Heat Is On! campaign. Law enforcement officers participate in media events and conduct interviews with the media in both English and Spanish.

Outreach to media surrounded seven high-visibility enforcement periods in 2006:

St. Patrick’s Day	March 17–20
Memorial Day	May 26–30
Independence Day	June 30–July 5
NHTSA National Mobilization & Labor Day	August 18–September 4
Halloween Weekend	October 27–November 1
Office Party Weekend	December 15–18
New Year’s Eve	December 29, 2006–January 2, 2007

In 2006, “The Heat is On!” campaign and regional campaign events resulted in hundreds of television stories, newspapers articles and radio interviews. The message: “The Heat Is On!” has become recognizable as an aggressive stance against drunk driving.

DUI CHECKPOINT COLORADO



In 2006, the Colorado Department of Transportation, working in conjunction with local and state law enforcement, continued to implement an extensive statewide summertime sobriety checkpoint program called DUI Checkpoint Colorado.

Law enforcement agencies are eligible to receive federal grants to conduct sobriety checkpoints only when they are not receiving LEAF monies. CDOT may invite agencies to receive this interim grant to participate, based on a problem identification process.

CDOT research reveals that since 1995, most alcohol-related traffic deaths occur in the period beginning with Memorial Day Weekend through Labor Day Weekend. For that reason, DUI Checkpoint Colorado lasts this 14-week summer period each year.

Since the program started in 2003, the number of summer checkpoints increased from 82 to 105 in 2004 and 154 checkpoints in 2005. Now a target number, 150 checkpoints were conducted in 2006. The checkpoint activity is publicized considerably both through public service advertising and media advisories.

Law enforcement agencies that received federal funds for Checkpoint Colorado in 2006 were the police departments of Aurora, Colorado Springs, Denver, Golden, Parker, Thornton and Westminster and the sheriff’s offices of Adams, Eagle, Jefferson and Weld counties.

DUI Checkpoint Colorado arrests decreased in 2006 to 411 from 536 in 2005. However, it is important to note that a high number of DUI arrests is not the goal of sobriety checkpoints. With adequate public notice and high visibility, the checkpoints serve as a deterrent to impaired driving.

Also, the impact of DUI Checkpoint Colorado is not limited to specifically to impaired driving cases. Checkpoint agencies also made arrests for weapons violations, child abuse, drug violations, warrants and motor vehicle theft. Many citations were also issued for suspended/revoked licenses and others were arrested or cited for miscellaneous reasons.

CDOT will continue to expand the program. Due to Colorado’s variable weather, a yearlong effort is not practical. Nonetheless, this program, when coupled with Colorado’s other intensive yearlong counter-DUI programs such as the Heat is On! Campaign and LEAF program, improves the probability of achieving stated goals and plays an integral role in the continuous effort to combat impaired driving.

CONCLUSIONS

The LEAF program plays a significant role in reducing both the number of impaired drivers on Colorado roadways and the number of alcohol-related fatalities in the state.

More than half of all DUI arrests in Colorado are made by LEAF agencies, but the grant money is not going nearly as far as it once did. In the past 16 years, the cost of running the LEAF program has increased significantly, but the fine paid by DUI offenders has not kept pace, resulting in less comprehensive education and enforcement, especially given the increase in Colorado's population.

LEAF funds are meant to supplement agencies' DUI enforcement efforts, but many agencies depend on it in order to address the impaired driving problems in their community. Equipment is needed to assist law enforcement officers operating checkpoints and other DUI enforcement activities funded by LEAF. However, LEAF costs have not kept pace with the increasing costs of equipment and salaries.

Long term substantial improvement of our DUI enforcement system can best be attained by an enhanced public education and awareness campaign to coincide with existing LEAF and DUI Checkpoint Colorado efforts. The public must be educated about the laws that exist to deter and control the loss of life and property. The most difficult task remains: change behavior patterns and societal attitudes associated with drinking and driving.

The Heat Is On! campaign secures significant statewide media attention for the LEAF program, providing an essential tool for law enforcement; increasing awareness that impaired drivers risk being caught, and deterring would-be DUI offenders from getting behind the wheel.

With adequate funding, LEAF can better provide resources to jurisdictions that are willing and able to reduce impaired driving and save lives.

This effort requires increased manpower and the proper tools to give law enforcement officers the opportunity to identify and arrest impaired drivers, as well as deter drivers from ever getting behind the wheel of a vehicle if they are impaired.

FOR MORE INFORMATION, contact Glenn Davis, *Manager of Impaired Driving Programs at CDOT*
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