



Law Enforcement Assistance Fund
ANNUAL REPORT 2007

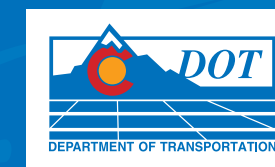
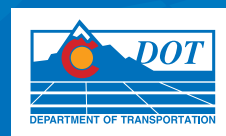


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The LEAF program has been **VERY SUCCESSFUL** in reducing alcohol related crashes & fatalities since its inception in 1983.

EXECUTIVE SUMMARY

The Annual Report for the Law Enforcement Assistance Fund (LEAF) provides an 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 development and issuance of the report is delayed approximately one calendar year.

In 2007, \$728,810.25 was awarded to 39 city and 18 county law enforcement agencies.



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 capitol equipment such as vehicles, blood and breath-testing equipment, and checkpoint signage. LEAF also funds toxicology services and Evidential Breath Alcohol Testing certification and training. The funds are supported by the nationally-recognized "Heat is On!" public information campaign, which informs the public about DUI laws and increases awareness regarding eight high-visibility enforcement periods across the state.

LEAF is entirely funded by 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) Office of Transportation Safety 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 can reapply after a one-year hiatus.

The LEAF program continues to be a major component of Colorado's strategy to prevent impaired driving. Since the program's inception in 1983, more than half of all DUI arrests in Colorado have been made by LEAF agencies. In 2007, LEAF agencies took 18,248 impaired drivers off state roadways.

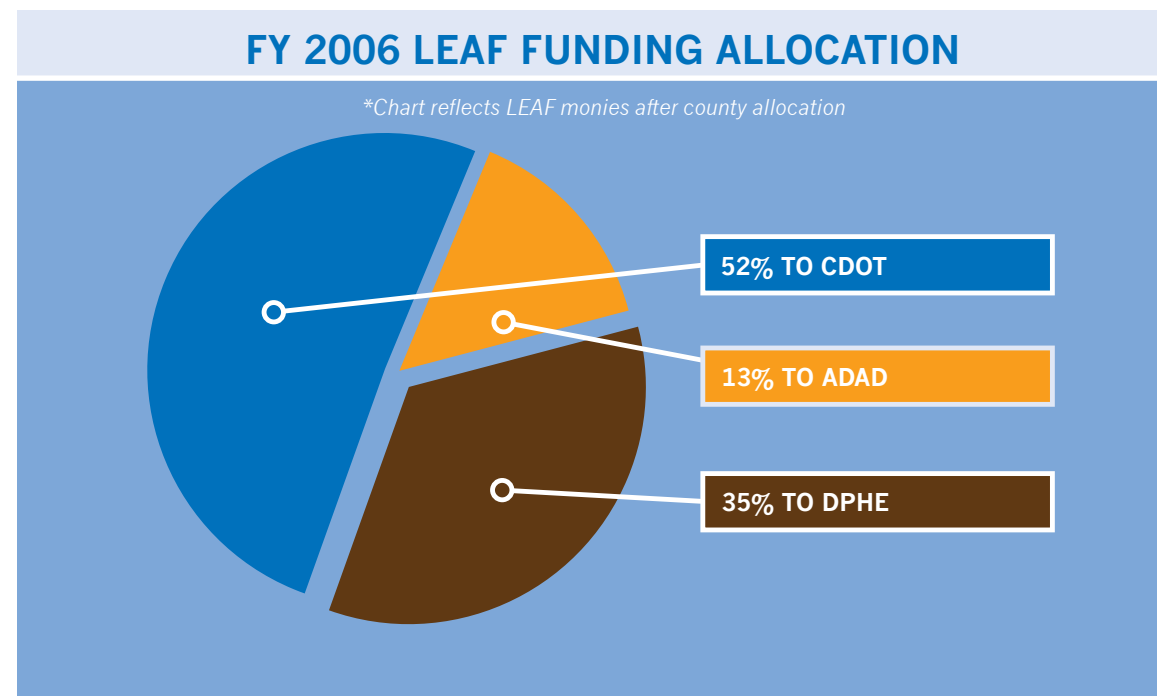
LEAF has also been successful in reducing alcohol-related crashes and fatalities; but tragically 226 people were killed in alcohol-related traffic crashes in 2007. Increased enforcement and education through LEAF funding has had a marked impact on impaired driving in Colorado. Nevertheless, the need for ongoing increased enforcement, as well as public education about the laws and the consequences, are vital to maintain the success of the program.

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.

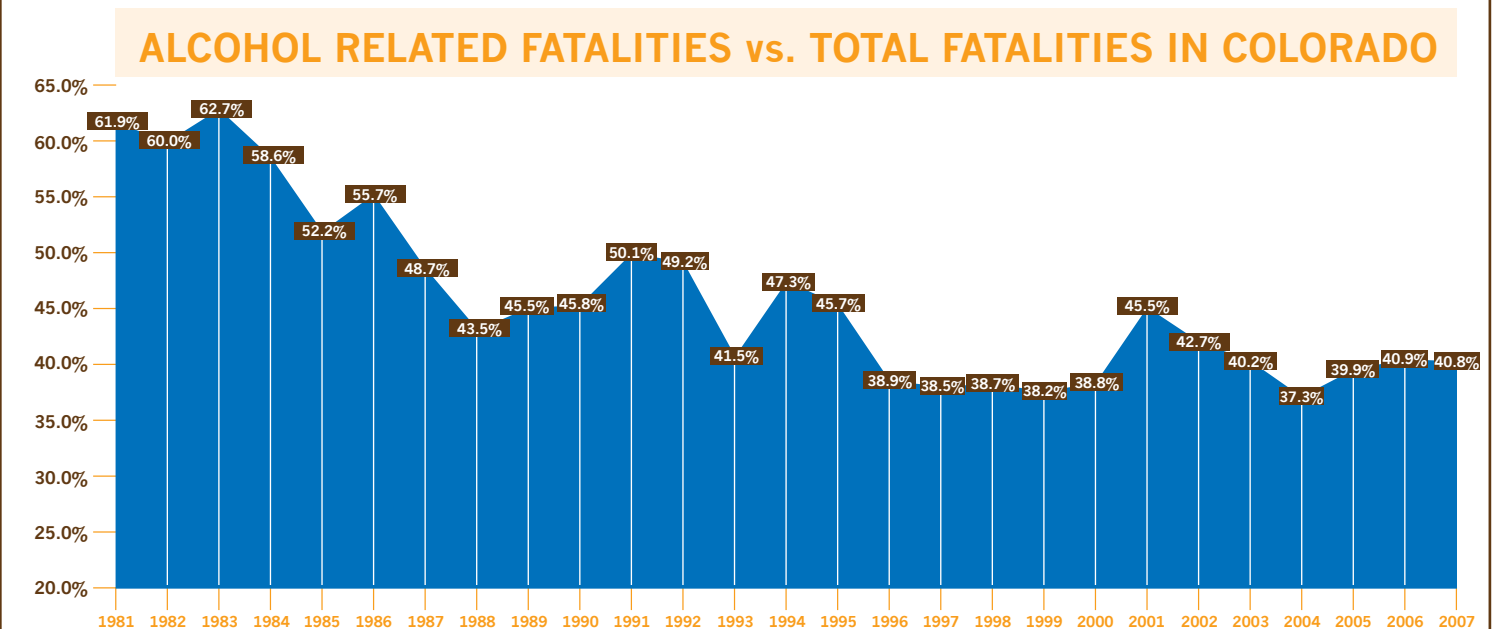
During the 1990 legislative session, passage of Senate Bill 190 increased the LEAF fee from \$75 to \$90, and reallocated where the money would be deposited. Of the \$90 fee, \$15 is provided to the state health department for laboratory services and implied consent specialists, which were previously paid out of the Highway Users Trust Fund. Another \$15 is deposited into the treasury of the county where the conviction occurred. The remainder of the monies (\$60) is distributed to the Department of Transportation and the Department of Human Services' Alcohol and Drug Abuse Division (ADAD) in the following manner:



LEAF IMPACT

In 1981, alcohol-related traffic fatalities reached a record high in Colorado when 468 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 percent. However, 226 people were killed in alcohol-related traffic crashes in 2007, a 51.7% decrease from the 1981 record high. This also reflects a 44.2% decrease from the number of fatalities (405) that occurred in 1983 when the LEAF program 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.



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.

SINCE THE INCEPTION OF THE LEAF PROGRAM, TRAFFIC FATALITIES RELATED TO ALCOHOL HAVE DECREASED SIGNIFICANTLY AS A PERCENTAGE OF ALL MOTOR VEHICLE FATALITIES.



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 2007, LEAF agencies comprised only 18% of all law enforcement agencies in the state, but they made more than 46% 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 conduct DUI-specific enforcement.

During the eight high visibility enforcement periods, LEAF agencies made 5,604 DUI arrests in 2007, compared to 5,404 in 2006. Four enforcement periods broke DUI arrest records, including National Crackdown (1,969), Halloween Weekend (562), Office Party Weekend (475) and New Year's Eve (449).

YEAR	CO 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	4,301,261	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
2007	4,753,000	39,568	18,248	46
TOTAL		891,214	454,398	51

* 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" with navigation links for Home, Reports, and News Releases. Below that, it says "Welcome to the Heat is On! Reporting Site." A large red banner displays "54439 ARRESTS AND COUNTING" and "191 Arrests From St. Patrick's Day 2009 (3/13/09 - 3/15/09)". Underneath, there are sections for "Enforcement Period Reports" with filters for "All Law Enforcement", "Police/Sheriffs Only", "State Patrol (CSP) Only", and "Selected (choose from below)". There are also dropdown menus for "Police/Sheriffs", "State Patrol", "Enf Period", and "Counties". A "View Report" button is visible, along with a "View Totals for All Enforcement Periods" link. At the bottom, there are logos for DOT, Sheriff's Office, 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, \$30,918,329 has been awarded for projects in 69 cities and 37 counties. In 2007, \$728,810.25 was awarded to 39 city and 18 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 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 assessor's highest-priority recommendations was to increase the LEAF fee to be consistent with current funding needs.

New technology makes capital equipment a necessary 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 pay officers' overtime costs, rather than purchasing Intoxilyzers, Portable Breath Testers (PBTs) or vehicles.

As population and travel continues to rise in Colorado, an increase in the LEAF fine to boost funding will be necessary to improve the program or sustain today's enforcement activities.



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



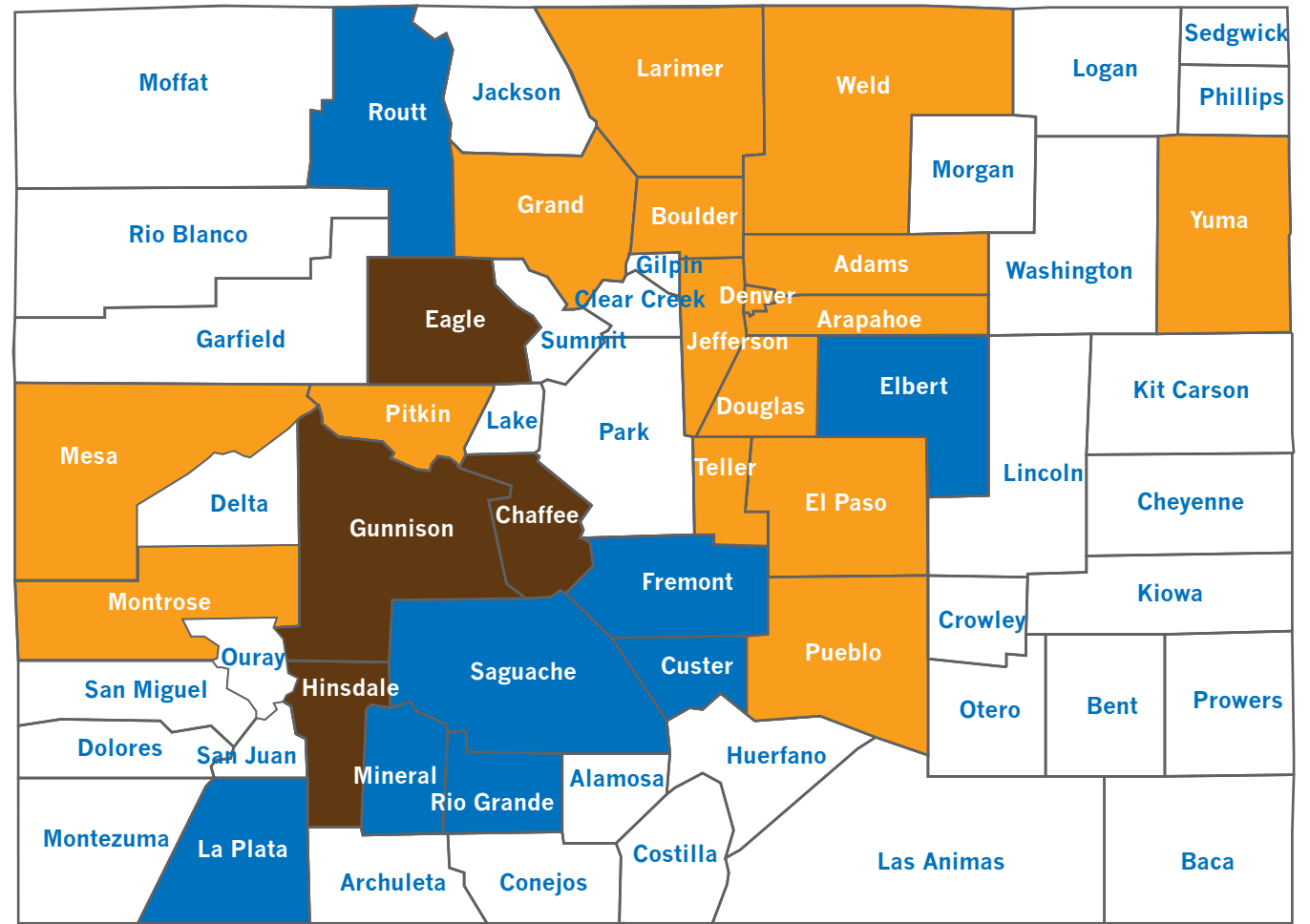
AS POPULATION AND TRAVEL CONTINUES TO RISE IN COLORADO,
an increase in the LEAF fine
 to boost funding may be necessary
TO SIMPLY MAINTAIN
 the current results or improve the program.

LEAF PROJECTS FUNDED IN 2007

AGENCY	AMOUNT	AGENCY	AMOUNT
Arapahoe County	14,900.00	Durango Police Department	18,625.00
Basalt Police Department	7,450.00	Eagle County Sheriff's Office	11,175.00
Broomfield Police Department	14,900.00	Elbert County Sheriff's Office	7,450.00
Buena Vista P.D.	1,862.00	Elizabeth Police Department	5,960.00
Canon City Police Department	9,312.00	Erie Police Department	1,862.00
Castle Rock Police Department	11,175.00	Fort Collins Police Services	18,625.00
Chaffee County Sheriff's Office	9,685.00	Fort Lupton Police Department	5,960.00
City of Golden Police Department	18,625.00	Fraser/Winter Park Police Department	5,289.00
City of Lakewood Police Department	18,625.00	Fremont County Sheriff's Office	3,725.00
City of Pueblo	18,625.00	Fruita Police Department	7,599.00
Colorado Springs Police Department	55,875.00	Greeley Police Department	18,625.00
Crested Butte Marshall's Department	7,450.00	Greenwood Village Police Department	11,175.00
Custer County Sheriff's Office	3,725.00	Hayden Police Department	3,725.00
Denver Police Department	56,220.00	Hinsdale County Sheriff's Office	5,587.00
Douglas County	27,937.00	Lafayette Police Department	11,175.00

AGENCY	AMOUNT	AGENCY AGENCY	AMOUNT
Larimer County Sheriff's Office	22,350.00	Routt County Sheriff's Office	3,725.00
Littleton Police Department	11,175.00	Saguache County	5,960.00
Lone Tree Police Department	3,725.00	Sheridan Police Department	7,450.00
Longmont Police Department	14,900.00	Steamboat Springs Police Department	13,410.00
Mesa County Sheriff's Office	29,800.00	Summit County Sheriff's Office	14,900.00
Milliken Police Department	1,490.00	Teller County Sheriff's Office	22,350.00
Mineral County Sheriff's Office	3,725.00	Thornton Police Department	18,625.00
Monte Vista Police Department	7,450.00	Town of Avon Police Department	11,175.00
Montrose Police	6,228.00	Upper Roaring Fork Valley, Aspen P.D., Snowmass Village P.D., Pitkin County Sheriff's Office	14,900.00
Monument Police Department	6,705.00	Vail Police Department	7,450.00
Northglenn Police Department	11,175.00	Weld County Sheriff's Office	18,625.00
Pagosa Springs Police Department – Archuleta County Sheriff's Department	7,450.00	Wheat Ridge Police Department	14,900.00
Park County Sheriff's Office	3,725.00	Yuma Police Dept/Yuma County S.O.	5,699.25
Parker Police Department	18,625.00	Total	728,810.25
Rio Grande County Sheriff's Office	8,195.00		
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		

2007 STATEWIDE LEAF AGENCY COVERAGE



■ COUNTY ONLY
 ■ CITY/COUNTY
 ■ CITY ONLY

AGENCY SELECTION PROCESS

The objective for each LEAF project is to increase and improve the enforcement of driving laws pertaining to alcohol and drugs. 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? How does the project propose to emphasize the consequences resulting from arrest and conviction of alcohol and drug-related traffic offenses?
- 3 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?
- 4 How does the project propose to increase the efficiency and effectiveness of the administrative systems, which support drinking driving countermeasures programs?

LEAF PROVIDES RESOURCES TO JURISDICTIONS THAT HAVE PROPOSED SOLUTIONS TO IDENTIFIED COMMUNITY PROBLEMS OF IMPAIRED DRIVING.

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

2007 LEAF Supported Activities:

- Certification of 332 EBAT devices
- Performed repair and maintenance of 346 Intoxilyzer 5000EN's and 47 Simulators
- Conducted 6 training classes to certify 87 EBAT Operator-Instructors
- Provided materials for 188 Operator training classes certifying 1400+ Operators
- Prepared and distributed 2,240 units of certified EBAT standard solutions
- Certified 17 laboratories
- Processed 335 subpoenas
- Provided certified documents for 1,000+ 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.

2007 LEAF Supported Toxicology Activities

- 5,524 blood specimens were analyzed for alcohol content
- 8,175 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 1,725 subpoenas for the year 2007
- Provided legal records for 385 DUI and DUID cases
- Provided legal testimony in 95 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 5000EN ALSO ALLOWS FOR A COMPUTERIZED CENTRAL DATA MANAGEMENT SYSTEM TO COLLECT, SUMMARIZE AND COMPILE REPORTS ON DUI ARRESTS FOR PROGRAM EFFECTIVENESS AND EFFICIENCY.

“THE HEAT IS ON!” CAMPAIGN



The *Heat Is On!* campaign is the high-visibility component of Colorado's DUI enforcement efforts. It publicizes at least seven high-visibility enforcement periods each year to deter impaired drivers and educate the public about the state's impaired driving laws. The *Heat Is On!* campaign is conducted by CDOT's public relations office. It is federally funded and employs the use of media relations, advertising and community outreach to reach a target audience of men, ages 18 to 34.

Since 1996, this campaign has been extremely successful in helping reduce the number of impaired driving fatalities.

In 2007, CDOT's public relations office generated 531 news stories about the Heat Is On! enforcement through media outreach, which included several news events which received extensive media coverage. For the Memorial Day Weekend enforcement period, victim rose remembrance ceremonies were held across the state to pay tribute to the 259 people killed in alcohol-related crashes each year in Colorado. Prior to the Fourth of July enforcement period, Governor Ritter signed a proclamation on the Capitol steps declaring Coloradans' Right to Safe and Sober Roadways. Two sobriety checkpoints were dedicated to victims of impaired drivers to help put a "face" to the statistics. CDOT also expanded its outreach to the Spanish-speaking community in Colorado by continuing the second year of the Hispanic campaign, "Toma Control, Vive!"

The campaign was also supported by a paid media effort, which included advertising on gas pump toppers, television and radio statewide. A post-campaign survey showed that awareness of DUI enforcement rose 16 percent. Also, 70% of respondents recognized the "Heat is On!" slogan.



“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 media in both English and Spanish.

Outreach to media surrounded seven high-visibility enforcement periods in 2007:

St. Patrick’s Day **March 16-19**

Memorial Day **May 25-29**

Independence Day **June 29-July 5**

NHTSA National Mobilization and Labor Day **August 17-September 4**

Halloween Weekend **October 26-November 1**

Office Party Weekend **December 14-17**

New Year’s Eve **December 28-January 2**



LAW ENFORCEMENT OFFICERS PLACE YELLOW ROSES IN PROSPECT LAKE IN COLORADO SPRINGS TO REMEMBER VICTIMS OF DUI.

DUI CHECKPOINT COLORADO



In 2007, the Colorado Department of Transportation (CDOT), working in conjunction with local and state law enforcement agencies, continued to implement an extensive statewide summertime sobriety checkpoint program called *DUI Checkpoint Colorado*. CDOT invited agencies to receive this interim grant to participate based on a problem identification process. The majority of funds were dispersed to law enforcement agencies in areas with high incidence of DUI-related injury and fatality crashes.

CDOT research reveals that since 1995, a high percentage of alcohol-related traffic deaths occur in the period beginning with Memorial Day Weekend through Labor Day Weekend. This is a primary reason that *DUI Checkpoint Colorado* lasts through this 14-week summer period each year.

Since the program started in 2003, the numbers of summer checkpoints increased from 82 to 105 in 2004, 154 checkpoints in 2005 and 150 checkpoints were conducted in 2006. In 2007, the total number of checkpoints decreased to 116.

The police departments of Aurora, Brighton, Commerce City, Loveland and Westminster, and the sheriff’s departments of Adams CO, Boulder CO, El Paso CO, Jefferson CO and Pueblo CO were selected to participate in *DUI Checkpoint Colorado*.

Checkpoint arrests have remained steady with 411 in 2006 and 408 in 2007. However, it is important to note that a high number of DUI arrests is not the goal of sobriety checkpoints.

With public notice and high visibility, the checkpoints serve as a deterrent to impaired driving.

Also, the impact of *DUI Checkpoint Colorado* is not limited 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.

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



CONCLUSION

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 14 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, funding provided by LEAF has 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.

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