



CLARK COUNTY STAFF REPORT

John
Y/N

DEPARTMENT: Clark County Sheriff's Office

DATE: January 28, 2013

REQUEST: Accept \$12,000 in funding to participate in statewide traffic law enforcement campaigns

CHECK ONE: X Consent CAO

BACKGROUND

The Washington Traffic Safety Commission (WTSC) has received funding from the National Highway Traffic Safety Administration (NHTSA) that will be used to organize, execute, and evaluate high visibility enforcement traffic safety emphasis patrols. These patrols take place throughout the State of Washington during pre-established periods to enforce impaired driving and seat belt laws. The Sheriff's Office has submitted an application to participate in patrols along with other Clark County law enforcement agencies. The WTSC has approved the plan and has awarded the Sheriff's Office \$12,000 in funding to cover deputy overtime expenses. The grant does not require matching funds.

COMMUNITY OUTREACH

The WTSC plans to publicize the patrols in Clark County and the state with media advertising. They are intended to raise driver awareness of laws with the intent of increasing driver safety in the county and reducing traffic fatalities and injuries over the long term.

BUDGET AND POLICY IMPLICATIONS

This grant award is resource neutral and entails a \$12,000 increase in both revenues and expenditures. The Sheriff's Office requests a \$12,000 supplemental budget adjustment to recognize the revenues and expenditures associated with this grant in the 2013-14 budget. In recognition of the established schedule, this supplemental action request will be postponed to the next scheduled supplemental process.

FISCAL IMPACTS

Yes (see attached form) No

ACTION REQUESTED

Approve acceptance of a 2012-13 Traffic Safety Law Enforcement Patrols Grant from the WTSC. Permit the Sheriff to expend the grant funds in accordance with the terms and conditions of the grant. Recognize the need for a resource-neutral supplemental action, which will be submitted by the Sheriff's Office during the next scheduled supplemental process.

DISTRIBUTION

SO Fiscal, John Lawler
Auditor's Office, Amanda Miller

Office of Budget
SO Traffic Unit, Sgt. Dennis Pritchard

Joe Dunegan
Name Joe Dunegan
Title Clark County Undersheriff

Approved:

February 5, 2013 *SR01413*
CLARK COUNTY
BOARD OF COMMISSIONERS

[Signature]

FISCAL IMPACT ATTACHMENT

Part I: Narrative Explanation

I. A – Explanation of what the request does that has fiscal impact and the assumptions for developing revenue and costing information

The Sheriff's Office will incur 2013-14 overtime expenses when conducting the patrols. These expenses will be reimbursed by WTSC after they are incurred subject to a \$12,000 limit. Therefore, the request will result in no net fiscal impact.

Part II: Estimated Revenues

Fund #/Title	Current Biennium		Next Biennium		Second Biennium	
	GF	Total	GF	Total	GF	Total
0001 / General Fund	12,000.00	12,000.00	0.00	0.00	0.00	0.00
Total	12,000.00	12,000.00	0.00	0.00	0.00	0.00

II. A – Describe the type of revenue (grant, fees, etc.)

Traffic safety grant.

Part III: Estimated Expenditures

III. A – Expenditures summed up

Fund #/Title	FTE's	Current Biennium		Next Biennium		Second Biennium	
		GF	Total	GF	Total	GF	Total
0001 / General Fund	0	12,000.00	12,000.00	0.00	0.00	0.00	0.00
Total		12,000.00	12,000.00	0.00	0.00	0.00	0.00

III. B – Expenditure by object category

Fund #/Title	Current Biennium		Next Biennium		Second Biennium	
	GF	Total	GF	Total	GF	Total
Salary/Benefits						
Contractual						
Supplies						
Travel						
Overtime	12,000.00	12,000.00	0.00	0.00	0.00	0.00
Capital Outlays						
Inter-fund Transfers						
Debt Service						
Total	12,000.00	12,000.00	0.00	0.00	0.00	0.00



MEMORANDUM OF UNDERSTANDING
WASHINGTON TRAFFIC SAFETY COMMISSION

THIS AGREEMENT, pursuant to Chapter 39.34 RCW, is made and entered into by and between the **Clark County Sheriff's Office (Agency)** and the **Washington Traffic Safety Commission (WTSC)**.

IT IS THE PURPOSE OF THIS AGREEMENT to provide overtime funding to law enforcement agencies to conduct multijurisdictional, high visibility enforcement (HVE), traffic safety emphasis patrols (as outlined in Addendum A), in support of Target Zero priorities. **The Target Zero Manager and Law Enforcement Liaison assigned to your county shall coordinate the Scope of Work as outlined below:**

TERM: October 1, 2012 - September 30, 2013

AMOUNTS

Impaired Driving: \$9,500.00
CFDA# 20.601

Seat Belts: \$2,500.00
CFDA # 20.602

These funds shall not be commingled and are only to be utilized for the specific emphasis area.

SWV 0 0 0 3 0 5 1 - 0 6
(Agency) Statewide Vendor Number

IT IS, THEREFORE, MUTUALLY AGREED THAT:

1. **GOAL:** To reduce traffic related deaths and serious injuries by engaging in multijurisdictional HVE patrols in the areas of impaired driving and occupant protection.
2. **SCOPE OF WORK:**

Impaired Driving:

Agency will engage in multijurisdictional HVE patrols for all or part of the following:

Holiday DUI Patrols; November 21, 2012 – January 1, 2013
St. Patrick's Day DUI Patrols; March 14, 2013 – March 18, 2013
Summer Kick-Off DUI Patrols; June 21, 2013 – July 7, 2013
Drive Sober or Get Pulled Over Labor Day DUI Crackdown;
August 16, 2013 – September 2, 2013.

These patrols shall occur in locations where the highest rate of fatality and serious injury collisions caused by impaired driving occur in your geographic area of the state and will not begin before 4:00 pm. Patrols will occur Friday-Sunday, with the exception of:

Wednesday and Thursday, November 21 and 22, to cover Thanksgiving;
Wednesday and Thursday, July 3 & 4, to cover the 4th of July, and;
Monday, September 2 to cover the Labor Day Holiday

Seat Belts:

Agency will engage in multijurisdictional HVE seat belt-focused patrols on some or all of the following dates:

May 20 – June 2, 2013; these shall occur where the lowest rates of occupant protection use occur in your geographic area of the state. These patrols will not begin before 4:00 pm. **Agency agrees to take a zero tolerance approach to seat belt and child car seat violations.**

Law enforcement officers will complete the Emphasis Patrol Activity Logs and forward to their Target Zero Manager within 48 hours of the completion of the seat belt patrols.

3. CONDITIONS:

For each of the emphasis patrols listed above, **Multijurisdictional High Visibility Enforcement Protocols**, as outlined in **Addendum A** of this document will be followed. These protocols are incorporated in their entirety to this document by reference. Exceptions to these protocols may only be provided by the WTSC Program Director.

These are enforcement activities intended to apprehend impaired drivers, and unbuckled vehicle occupants. It is expected that Notices of Infraction/Citation (NOI/C's) will be issued at contact unless circumstances dictate otherwise.

Standardized Field Sobriety Testing (SFST) Training Requirement

Agency certifies that all of the officers participating in patrols under the terms of this agreement are SFST trained. SFST training is required as follows:

- Officers who received SFST training prior to 2008 will need to pass SFST refresher training before participating in these patrols or will have successfully completed the Advanced Roadside Impaired Driving Enforcement (ARIDE) in 2010 or later. Current Drug Recognition Experts are exempt from the SFST refresher.
- Officers who received SFST training in 2008 or later will need to take the SFST refresher training, which is offered with their BAC refresher, to stay current and be qualified to work these patrols. (BAC re-certification and SFST refresher training are required every three years.)

Media Contacts:

All of these patrols are conducted as part of highly publicized efforts. As such, publicity campaigns about these patrols are planned to alert the public to the fact that extra patrols are targeting these violations. Therefore, Agency must provide the names of at least two agency officers who can be available for media requests and questions. ***At least one of the individuals listed below must be available for weekend media contacts, beginning at noon on Fridays before mobilizations:**

Fred Neiman, PIO CCSO
360-397-6150
fred.neiman@clark.wa.gov

Marion Swendsen, CCTZM Zero
360-397-2421
marion.swendsen@clark.wa.gov

Cell Phone 360-624-2159

Available weekends per above?* Available weekends per above?*

4. **PAYMENT FOR LAW ENFORCEMENT:** Agency will provide commissioned law enforcement with appropriate equipment (vehicle, radar, etc.) and on an overtime basis (not to exceed 1.5 times their normal salary and benefits) to participate in these emphasis patrols.
5. **SHIFT LENGTH:** Agency will not schedule individual officer shifts for longer than eight hours. (WTSC understands there may be instances when more than eight hours are billed because of DUI processing, etc.)
6. **RESERVE OFFICERS:** Agency certifies that any reserve officer for whom reimbursement is claimed has exceeded his/her normal monthly working hours when participating in this emphasis patrol and is authorized to be paid the amount requested. Agency understands that reserve officers are not eligible for *overtime* for this project.
7. **DISPATCH:** WTSC will reimburse communications officers/dispatch personnel for work on this project providing Agency has received prior approval from the WTSC Program Manager.
8. **GRANT AMOUNT:** WTSC will reimburse Agency for overtime salary and benefits. The total cost of overtime and benefits shall not be exceeded in any one campaign area and **funds may not be commingled between campaign areas.**

Upon agreement by the Agency and the local Target Zero Manager, the DUI or Occupant Protection allocation may be increased or decreased without amending this agreement PROVIDED THAT the increase in the allocation does not exceed 50% of the original agreed amount for the specific emphasis area. Any increase in allocation exceeding 50% will require an amendment to this document.

9. PERFORMANCE STANDARDS:

- a. Participating law enforcement officers are required to have a minimum of 3 self-initiated contacts per hour of enforcement.
- b. Some violator contacts may result in related, time-consuming activity. This activity is reimbursable.
- c. Other activities, such as collision investigation or emergency response that are not initiated through emphasis patrol contact **WILL NOT** be reimbursed.

10. REIMBURSEMENT OF CLAIMS: Claims for reimbursement must include:

a. Invoice Voucher (A19-1A Form).

- 1) **Agency** identified as the "Claimant"
- 2) **Statewide Vendor Number** (bottom of Claimant box)
- 3) A Federal Tax ID #,
- 4) Original signature of the agency head, command officer or contracting officer.

b. Payroll support documents (signed overtime slips, payroll documents, etc.).

c. Emphasis Patrol Activity Logs showing 3 or more self-initiated contacts per hour.

Emphasis Patrol Activity Logs cannot be modified.

Payment cannot be made unless these activity logs are included.

The Invoice Voucher (A19-1A Form), payroll supporting documents, and Emphasis Patrol Activity Logs shall be submitted to your Target Zero Manager for review. The Target Zero Manager will forward these documents to WTSC for processing and payment.

11. DEADLINES FOR CLAIMS

All claims must be approved by your Target Zero Manager, please allow adequate time for processing in order to meet the following deadlines:

- a. **First Deadline:** All claims for reimbursement for emphasis conducted from October 1, to June 30, must be received by **WTSC** no later than August 15, 2013.
- b. **Second Deadline:** All claims for reimbursement for emphasis conducted between July 1 and September 30 must be received by **WTSC** no later than November 15, 2013.

(NOTE: Two separate invoices may be necessary for the Summer Kick-off DUI patrols if hours are worked in both June and July.)

Invoices submitted for reimbursement after the above dates, will not be paid.
WTSC will NOT accept faxed invoices.

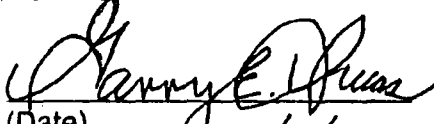
12. DISPUTES: Disputes arising under this Memorandum shall be resolved by a panel consisting of one representative of the WTSC, one representative from Agency, and a mutually agreed upon third party. The dispute panel shall decide the dispute by majority vote.

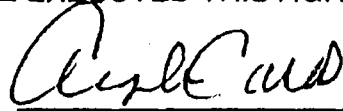
13. TERMINATION: Either party may terminate this agreement upon 30 days written notice to the other party. In the event of termination of this Agreement, the terminating party shall be liable for the performance rendered prior to the effective date of termination.

14. SUPPLANTING DISCLAIMER: I certify that none of the funds for this project supplant the normally budgeted funds of this agency nor do these funds pay for routine traffic enforcement normally provided by this agency.

IN WITNESS THEREOF, THE PARTIES HAVE EXECUTED THIS AGREEMENT.

Agency Signature


(Date) 10/01/02



Washington Traffic Safety
Commission Signature

10/26/12

(Date)

Agency Address (where fully executed copy of this document will be mailed):

Street

City, State Zip Attn:

**Please return this signed MOU (No later than October 24, 2012) to
your Target Zero Manager:**

**Marlon Swendsen, marlon.swendsen@clark.wa.gov,
360-397-2421, 707 W. 13th St. Vancouver WA 98660,
cell:360-624-2159 fax: 360-397-6159**

Target Zero Manager will forward this signed document to:

Angie Ward, WTSC
621 – 8th Avenue SW, Suite 409
PO Box 40944
Olympia, WA 98504-0944
360.725.9860

No later than October 31, 2012

Multijurisdictional High-Visibility Enforcement Protocols

Purpose

This protocol is intended to guide Target Zero Managers, Law Enforcement Liaisons, and law enforcement agencies in coordinating multijurisdictional high visibility enforcement (HVE) mobilizations to address impaired driving and seat belt use. These mobilizations are funded by federal highway safety grants.

Goal

The goal of multijurisdictional high-visibility campaigns is to reduce fatal and serious injury collisions through the coordination of:

- Publicity addressing increased enforcement, and
- Increased contacts and arrests of violators.

Method

Funding from the Washington Traffic Safety Commission (WTSC) will support multijurisdictional HVE patrol activities to increase the number of officers working on impaired driving, and occupant protection enforcement. Public education and media will be coordinated by the Target Zero Manager and Law Enforcement Liaison. The law enforcement activity will support the media effort by demonstrating to the public that the media messages are true; i.e., that "extra enforcement patrols (with a particular focus) are going on now" so that the public takes the media messages seriously.

The media work will support the police effort by encouraging voluntary compliance with the law. The objective of multijurisdictional HVE patrol activities is to change driver behavior by raising the awareness of tougher enforcement.

Definitions:

- HVE is enforcement of the law in conjunction with publicity that draws the attention of the public to the enforcement activity.
- Multijurisdictional enforcement is defined as a minimum of three law enforcement agencies (LEA's) or patrol units participating at a

designated date and time, enforcing a specific activity, in a location determined by fatality and serious injury collision data.

Responsibilities

WTSC:

- Provide Funding.
- Coordinate paid media at the state level.
- Lead earned media efforts for:
 - Holiday DUI
 - Click It or Ticket
 - Drive Hammered Get Nailed.
- Summarize enforcement activity.
- Report results to the National Highway Traffic Safety Administration.

Target Zero Manager and Law Enforcement Liaison:

- Lead the development of Multijurisdictional High Visibility Enforcement Mobilization Plans.
- Coordinate mobilization briefings.
- Lead earned media efforts for:
 - St. Patrick's Day DUI
 - Summer DUI
- Lead earned media efforts (optional) for all other mobilizations.
- Review and approve all MOUs, invoices, and other documentation before submission to WTSC.

Law Enforcement Agencies:

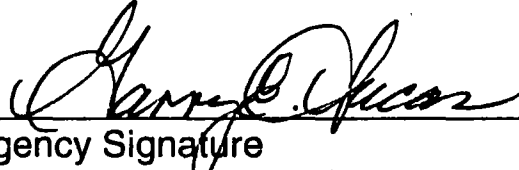
- Provide commissioned police officer(s) (active or paid reserve) with appropriate equipment (vehicle, radar, etc.) to participate in multijurisdictional HVE patrols.
- Ensure that officers assigned to the multijurisdictional HVE campaigns are qualified to enforce the impaired driving laws as outlined on page 2, section 3 of this document.

- Require all officers participating in multijurisdictional HVE patrols to attend mobilization briefings.
- Ensure officers conduct **a minimum of three (3) self-initiated contacts per hour.**

This is an enforcement activity that is intended to apprehend violators. It is expected that a Notice of Infraction/Citation (NOI/C) will be issued at contact unless circumstances dictate otherwise. It is understood that violator contacts may result in related, time-consuming activity. Such activity will be considered for reimbursement.

Activity other than that initiated through HVE patrol contact (investigating collisions, emergency responses, etc.) will be the responsibility of the contracting agency and may not be considered for reimbursement.

- Require officers to complete and submit multijurisdictional HVE patrol productivity on WTSC Emphasis Patrol Activity Log.


Agency Signature


Date