

Project Agreement

Whereas the City of Rapid City will be conducting and administering the Serious Traffic Offender Program "STOP" traffic safety prevention project and

Whereas funding to assist with this project will be provided through Highway Safety funds, and

Whereas the **Department of Public Safety, Office of Highway Safety**, has been designated by Governor Rounds as the State agency responsible for administration of these funds

it is hereby agreed that:

- 1) This agreement will be effective from October 1 2005, through September 30, 2007.
- 2) A maximum of \$100,000.00 from October 1, 2005 through September 30, 2006 and \$100,000.00 from October 1, 2006 through September 30, 2007; the total grant not to exceed the \$200,000.00, will be made available for implementation of this project.
- 3) Federal funds will not be used to supplant state or local funds.
- 4) The Office of Highway Safety will make payments to the City of Rapid City through the use of a voucher. Funds are reimbursement based.
- 5) The City of Rapid City agrees to:
 - a) Provide a plan of action for the project including specific goals, objectives, evaluation component and a timeframe for implementation. Reference "Appendix A"
 - b) Cooperate with the Office of Highway Safety to ensure compliance with all financial and administrative requirements set forth in the effective edition of the South Dakota Highway Safety Task Directors Manual.
 - c) Comply with the audit requirements of OMB Circular A-133:

If the audit disclosed findings or recommendations, the Division must also include a corrective action plan, in the audit report package, that contains the following:

- i) The name and number of the contact person responsible for the corrective action plan.
- ii) Specific steps taken to comply with the recommendations.
- iii) Timetable for performance and/or implementation dates for each recommendation.
- iv) Descriptions of monitoring to be conducted to ensure implementation.

Submit audit report packages and the appropriate number of copies as defined in OMB Circular A-133 § .320, no later than nine (9) months after the close of each fiscal year during the term of the award. Audit reports shall be submitted to the Office of Highway Safety.

Serious Traffic Offender Program Proposal

S.T.O.P.

I. The Problem

The State of South Dakota has a serious problem involving motor vehicle drivers who have had their license suspended and / or revoked. Pennington County alone, according to the most recent figures available, has 1,350 individuals who currently have their driver's license suspended or revoked. Many of these individuals have had their license suspended or revoked multiple times. For example, the number one individual on the list has had his license suspended or revoked a total of 27 times.

In spite of the fact that their license has been suspended or revoked, many of these individuals continue to drive. These drivers believe there is a slim chance they will be caught driving while their license is suspended or revoked. This belief on their part is not far-fetched. A few of these drivers might be known to an officer as having a suspended or revoked license and are stopped for that reason alone. The vast majority are stopped for a different traffic violation. The DUR or DUS violation is then a secondary offense to the reason they were stopped.

While the list of suspended and revoked drivers continues to increase, the actual numbers of DUR / DUS offenses charged over the last four years has declined each year. The numbers of those charged by the police department in each of the years are: 2001 – 370, 2002 – 357, 2003 – 320 and 2004 – 229. The underlying reasons for these fluctuations and decline are unclear, the fact of the matter is, something must be done to attempt to remove the dangerous drivers whose licenses are suspended or revoked from the roadway, to enforce Court sentencing, and more importantly, protect the public.

II. The Purpose of the STOP Program

The purpose of the STOP program is to target the problem of suspended or revoked drivers who have lost their license for their dangerous driving in order to protect the public. This does not mean law enforcement should ignore those who lost their license for the violation of another social contract, rather, dangerous DUR / DUS drivers should be the focus of enforcement since they pose the greatest public risk.

While most citizens in our communities might believe all individuals with suspended or revoked licenses have received this status because of poor driving, this is not necessarily the case. The State legislature has imposed a sanction of revoking or suspending an

- Provide more information about the public risk of DUR / DUS dangerous drivers are having upon our communities to improve laws, policies and social programs used to rehabilitate offenders.

IV. STOP Management, Operation and Implementation

A. Identifying STOP Targeted Offenders

Since Pennington County alone has over 1,300 DUR / DUS offenders it is obvious that a special traffic enforcement program cannot, and should not, include every revoked and suspended driver in the county in the target population. Such a program would simply be unmanageable. Instead, an effective program should focus particularly on those DUR / DUS that are the most dangerous drivers with a history of the high-risk driving habits. These are the individuals with hazardous moving violations, not those whose license was revoked or suspended for a non-traffic offense.

Even after removing as targets those drivers whose license was revoked or suspended for non-hazardous traffic violations there remains an unmanageable number of revoked and suspended drivers. The challenge is to develop a set of acceptable criterion to objectively identify the most dangerous DUR / DUS drivers in such a way the size of the population is manageable to track and target given the available law enforcement resources. It is estimated that a reasonable target population size would be between 150 to 200 dangerous traffic offenders.

Law enforcement has long known the majority of crime is committed by a relatively small number of chronic offenders. If these individuals are pro-actively targeted by utilizing effective law enforcement strategies and tactics, offenders should be apprehended early and crimes should decrease. Likewise, the assumption is that the same approach can be applied to the majority of hazardous moving violations; that is, like crime, serious traffic offenses are committed by a relatively small number of the motoring public. Subsequently, as with other crime, if chronic dangerous traffic offenders can be identified, targeted and removed from the roads the accident rate will decrease and personal injury and traffic related deaths will subsequently decreased.

An objective method can be developed to reliably determine who those people are that are the most serious hazardous moving offenders. The Traffic Division of the Rapid City Police Department has constructed what is believed to be a reasonable and reliable method to help identify the **most serious** hazardous moving violation offenders through an objective point system. Under the **STOP Offender Point System** the points are garnered based upon the seriousness of the hazardous moving violation. For example, under this system a DUI would be assessed 5 points, reckless driving 4 points, speeding 3 points, failure to yield 2 points, etc. Under this system, once a revoked or suspended driver reached 15 points they would be identified as a targeted dangerous driver and be made part of the STOP program. Applying the **STOP Offender Point System** to the existing DUR / DUS drivers list for Pennington County resulted in identifying 190

this also allow regular rotation of patrol officers to maintain their zeal for STOP, and just as important, provide opportunities for several officers to benefit from the experience that they will learn by their participation. Eventually, every Patrol Shift will have patrol officers familiar with STOP to help facilitate cooperation and implementation shift-wide.

Accident Investigators and Patrol Shifts will be included in the comprehensive strategies and special STOP operations. On the same token, at times the temporary assigned officer to STOP, when required, in can help handle regular traffic duties, exigent calls for service and police back-up. When an assigned STOP officer performs a significant activity outside STOP program purview, that time will be tracked and not be charged to the STOP grant project account.

B. Other Key Agency Management Involvement

The Pennington County State's Attorney has been consulted on this plan and agrees with its concept. Judges will be made aware of the STOP program objectives. As part of this plan, the State's Attorney has agreed to an enhanced prosecution of those suspended and revoked drivers charged in Pennington County. A process will be developed to notify the State's Attorney when a STOP arrest has been made. The State's Attorney will make judges aware of the STOP status of the case and gain their reasonable cooperation to give special attention to these special status cases. The State's Attorney can work with South Dakota's Department of Public Safety to pursue any alternative sentencing strategies in order to rehabilitate, or when necessary, better control offenders arrested under STOP.

A quarterly meeting will be arranged with the SD Office of Highway Safety to discuss the STOP program activities and progress. The State will be kept abreast of any significant changes in the program and will be made aware of program operations management decisions since they have a vested interest in STOP.

V. Estimated Program Cost

To implement and evaluate a first-time special traffic enforcement program like STOP requires a reasonable time frame of two years. It is estimated it will take at least three months to implement the program to where it is nearly fully functional. The first several months will provide the necessary experience to make various unforeseen adjustments in STOP to improve upon its operations and results. Once the program is fully implemented, it will need to remain in place for 12 to 18 months in order to reasonably evaluate its effectiveness. It is estimated that STOP program funding for two years will be in excess of \$200,000. The main program costs will be the need to add the two additional full-time sworn staff. Under the current City pay contract, salary and rollup costs for a new police officer is \$46,833. The salary and rollup costs for a sergeant is \$56,919. The total annual cost is comes to \$103,752, with a total of \$207,504 over the two years of the proposal.

The Rapid City Police Department will assume other important and substantial costs related to implementing STOP. Those additional costs will include providing equipment,

The Program Evaluation design will provide valuable ongoing feedback about the STOP program, while providing formative evaluation findings at the end of two years to determine if the program should be discontinued, continued, and perhaps, expanded to other law enforcement jurisdictions.

VI. Summary and Request for Funding

In summary, law enforcement is aware there are a number of suspended and revoked drivers with a significant history of hazardous moving violations that continue to drive and pose a serious public risk. These drivers are a danger to the general public and are involved in a disproportionate number of accidents. These same unnecessary accidents result in serious property damage, injury and loss of life to innocent victims. Law enforcement, as part of the criminal justice system, must be willing to have the resolve and commitment to develop new ways to better deal with the problem created by these chronic dangerous drivers. The Serious Traffic Offender Program (STOP) is a unique, viable and well-thought-out strategy that offers a new approach for an age old serious problem; that is, keeping dangerous DUR / DUS drivers off the road. This proposal is a serious innovative measure to create a safer environment for our citizens on our community roadways.

The Rapid City Police Department requests that the South Dakota Highway Safety enter into partnership with our community to develop and implement a strategy to track and deal with serious dangerous drivers. The request is for **\$200,000** to fund the STOP for two-years. The potential public value the STOP program offers is immense. STOP will provide a new approach to making our highways safer not only in Rapid City, but for the entire State and nation if it proves effective and is expanded to other jurisdictions.
