

MINNESOTA DEPARTMENT OF PUBLIC SAFETY



08 - 0227



Office of the Commissioner

445 Minnesota Street • Suite 1000 • Saint Paul, Minnesota 55101-5100
ne: 651.201.7160 • Fax: 651.297.5728 • TTY: 651.282.6555
w.dps.state.mn.us

February 15, 2008

Alcohol
and Gambling
Enforcement

ARMERS11
Program

Bureau of
Criminal
Apprehension

Driver
and Vehicle
Services

Homeland
Security and
Emergency
Management

Minnesota
State Patrol

Office of
Communications

Office of
Justice Programs

Office of
Traffic Safety

State Fire
Marshal and
Pipeline Safety

Governor Tim Pawlenty
State of Minnesota

The Honorable Linda Higgins, Chair
The Honorable Bill Ingebrigtsen
Senate Public Safety Budget

The Honorable Steve Murphy
The Honorable Michael Jungbauer
Senate Transportation Budget and Policy

Chief Justice Russell Anderson
Minnesota Supreme Court

The Honorable Michael Paymar, Chairman
The Honorable Steve Smith
House Public Safety Finance

The Honorable Bernard Lieder
The Honorable Doug Magnus
House Transportation Finance

Dear Colleagues:

Pursuant to Minnesota Public Law Number 105-206, Section 164. 1 The commissioners of the Minnesota Department of Public Safety and Minnesota Department of Transportation are required to jointly report annually to the chairs and ranking minority members of the House of Representatives and Senate Committees having jurisdiction over transportation and public safety finance issues on the expenditure of any federal funds available under the repeat offender transfer program.

Enclosed, please find the 2007 report; the departments view this correspondence as satisfying the reporting requirements as provided in Public Law Number 105-206, Section 164.

If you need further information, please do not hesitate to contact us or Cheri Marti, Director of the Department of Public Safety's Office of Traffic Safety at 651-201-7070.

Sincerely,

Michael Campion
Commissioner of Public Safety

Lt. Governor Carol Molnau
Commissioner of Transportation

cc: Legislative Reference Library

Section 164: DWI Repeat Offender Fund Expenditure Report Federal Fiscal Year 2007

Executive Summary

The commissioners of the Minnesota Department of Public Safety and Minnesota Department of Transportation are required to jointly report annually to the chairs and ranking minority members of the House of Representatives and Senate Committees having jurisdiction over transportation and public safety finance issues on the expenditure of any federal funds available under the repeat offender transfer program, Public Law Number 105-206, Section 164. Total expenditures for federal fiscal year 2007 were \$2,216,472.00. Projects funded through this appropriation included:

- Alcohol Focused Safe Communities
- Traffic Operation Communication Centers (TOCC)
- NightCAP
- Paid Media and Public Information and Media Relations
- Coordination / Project Management
- E-charging
- Ignition Interlock
- Anoka County High Visibility Enforcement

Additional funding in the amount of \$4,450,000 was obligated in FFY07 but has not yet been expended for hazard elimination projects. Funding is reimbursed to the counties only after the projects are completed. Projects with funding obligated include county strategic highway safety plan projects (see Table 5) and the installation of a concrete barrier on Trunk Highway 61.

Yearly 164 Funding Expenditures

Table 1 below outlines all of the expenditures through Federal Fiscal Year (FFY) 2007 under the repeat offender transfer program (Section 164). According to federal law, these monies may only be spent on two program categories: Alcohol (AL) and Hazard Elimination (HE). AL projects are designed to change alcohol-related driving behavior and HE projects support implementation of effective low cost safety improvements to the roadway.

Table 1
Section 164: DWI Repeat Offender Fund Expenditures

164 Alcohol Programs (AL)	FFY02	FFY 03	FFY 04	FFY 05	FFY 06	FFY 07	Total
DL Database	\$15,814.72	\$162,933.87	\$273,824.63	\$322,201.45			\$774,774.67
Traffic Operations Centers	\$600,000.00	\$3,078,294.63	\$2,942,273.39	\$2,524,761.06	\$2,020,818.39	\$47,482.20	\$11,213,629.67
DWI Safe Communities			\$358,185.46	\$391,853.75	\$408,024.48	\$394,974.59	\$1,553,038.28
50 Troopers			\$3,552,052.05	\$3,749,168.08	\$2,904,616.58		\$10,205,836.71
NightCAP			\$266,774.02	\$417,225.98	\$200,513.88	\$515,693.34	\$1,400,207.22
Other Enforcement					\$329,180.00		\$329,180.00
Paid Media					\$400,000.00	\$780,000.00	\$1,180,000.00
Coordination						\$142,358.67	\$142,358.67
Public Information ad Paid Media						\$15,258.20	\$15,258.20
E-charging system						\$150,000.00	\$150,000.00
Ignition interlock						\$24,502.08	\$24,502.08
Anoka County High Visibility Enforcement						\$146,202.62	\$146,202.62
Total AL	\$615,814.72	\$3,241,228.50	\$7,393,109.55	\$7,405,210.32	\$6,263,153.33	\$2,216,471.70	\$27,134,988.12

164 Hazard Eliminations (HE)	FFY02	FFY 03	FFY 04	FFY 05	FFY 06	FFY 07	Total
Twisted End Guardrail Replace		\$72,071	\$3,079,389.58	\$119,883.17			\$3,271,344.00
General Hazard Elimination			\$1,063,066.90	\$621,785.10			\$1,684,852.00
Speed Management (Year 1)				\$94,068.94	\$2,731,069.36		\$2,825,138.30
County SHSP Projects					\$1,645,993.56		\$1,645,993.56
Total HE		\$72,071	\$4,142,456	\$835,737	\$4,377,063	\$0	\$9,427,327.86

Total 164 Expenditures	\$615,814.72	\$3,313,299.75	\$11,535,566.03	\$8,240,947.53	\$10,640,216.25	\$2,216,471.70	\$36,562,315.98
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164 Alcohol Program Descriptions FFY07

Alcohol Focused Safe Communities

The Alcohol Focused Safe Community project provides grants to communities to design and implement community programs that address impaired driving. Projects can include activities that establish sober cab programs, working with local beverage distributors to support efforts to reduce impaired driving, working with local governing bodies to improve local ordinances, as well as other educational activities. Special consideration is given to applications from coalitions in counties with the highest number of alcohol-related crashes and severe injuries. Each of the projects are coordinated by a Safe Community Coalition whose members represent the health, enforcement, emergency medical services, and traffic engineering communities, as well as members from businesses and concerned individuals. Table 2 indicates the counties that received Safe Community funding in FFY07.

Alcohol Safe Community Grants FFY07

Table 2

County	Amount
St. Louis County	\$ 27,231.46
Scott County	\$ 35,300.00
Blue Earth County	\$ 30,586.10
Hennepin County (Mpls)	\$ 20,297.93
Wright County	\$ 27,030.00
Sherburne County	\$ 33,300.00
Stearns County	\$ 37,300.00
Mille Lacs County	\$ 29,349.70
Countryside Public Health (Big Stone, Chippewa, Lac qui Parle, Swift and Yellow Medicine Counties)	\$ 37,500.00
Isanti County	\$ 26,367.10
Douglas County	\$ 5,500.00
Otter Tail County	\$ 10,442.75
Clay County	\$ 4,675.00
Washington County	\$ 18,300.00
Crow Wing County	\$ 9,400.00
Kandiyohi County	\$ 37,120.79
Winona County	\$ 5,273.76
Total	\$394,974.59

Traffic Operation Communication Centers (TOCC)

Funding was provided to the Minnesota State Patrol (MSP) to hire a position that provides technical support for local law enforcement agencies testing the use of the MSP's mobile data computer system. Local agencies are given mobile data computers and access to the system for a period of six months. This provides agencies the opportunity to test the system and demonstrate the benefits of acquiring such equipment through local funding sources. At the end of six months the loaned equipment is reissued to new interested agencies. Currently, there are sixteen law enforcement agencies accessing the MSP mobile data computer system. This has proven to be a great resource and tool in DUI and traffic enforcement. It also provides real-time data sharing interoperability on a statewide basis for those agencies using the mobile data computer system. Agencies currently testing the system and agencies requesting to test the system are listed in Table 3.

**Law Enforcement Agencies Testing and Requesting to Test the MSP
 Mobile Data Computer System
 Table 3**

Current Agencies Testing the System	Agencies Requesting to Test the System
1. Pine County Sheriff's Office	1. Wabasha County
2. Cloquet Police Department	2. Lake of the Woods County
3. Carlton County Sheriff's Office	3. Roseau County
4.. Lyon County Police Department	4. Montevideo PD
5. Itasca County Sheriff's Office	5. Minneota PD
6. Gaylord Police Department	6. Mt. Lake PD
7. Benson Police Department	7. Chippewa County
8. Department of Natural Resources	8. Lac qui Parle County Sheriff's Office
9. Bureau of Criminal Apprehension	9. Pipestone County Sheriff's Office
10. Noble County Sheriff's Office	10. Cook County Sheriff's Office
11. Worthington Police Department	11. Grand Rapids Police Department
12. Tyler Police Department	12. Slayton Police Department
13. Murray County Sheriff's Office	
14. Marshall County Sheriff's Office	
15. Winona County Sheriff's Office	
16. Starbuck Police Department	

Nighttime Concentrated Alcohol Enforcement Program (NightCAP)

The most effective deterrent for reducing impaired driving is fear of apprehension. One strategy to increase fear of apprehension is to conduct high visibility enforcement saturations. Funding was provided to the MSP to conduct such enforcement saturations in the 13 counties with the highest number of alcohol related fatalities and severe injuries. These counties represent over 50 percent of the alcohol-related fatalities and severe injuries. Thirty-six saturations did occur in other locations of the state at times and locations that impaired driving is prevalent. Each saturation included law enforcement at the state, county, and city level. Public information, education and media efforts are included in each of the saturations. Table 4 is a list of the 13 counties that participated in NightCAP, the number of saturations in each of the counties, and the number of DWI arrests during the year.

NightCAP Enforcement County Activity in FFY07
Table 4

County	Number of Saturations	Number of DWI Arrests
Anoka	16	140
Blue Earth	24	88
Crow Wing	10	52
Dakota	8	47
Hennepin	19	365
Itasca	13	54
Ramsey	15	121
Scott	13	60
Sherburne	16	46
Stearns	17	59
St Louis	11	41
Washington	11	46
Wright	10	28
Summer Metro	10	341
Other Locations	36	741
Total	229	2229

Paid Media

Paid media is essential for increasing the public's awareness of impaired driving enforcement strategies and educating the public on the risks of driving impaired. It is used primarily in conjunction with enforcement, usually during statewide enforcement mobilizations targeting impaired driving. Minnesota will often use funding to complement national campaigns sponsored by the National Highway Traffic Safety Administration. The majority of FFY07 paid media funding was expended on the following:

- Labor Day Impaired Driving campaign.
- Extended Impaired Driving campaign during periods of enhanced NightCAP enforcement.
- Sporting events and other locations known to attract young males and where drinking is prevalent.

Public Information and Media Relations

The public information and media relations project provides funding for impaired driving media materials that would not be considered paid media. Such material includes print material, posters, signs, and other educational material. Material was provided to alcohol retailers to educate their patrons on the risks of drinking and driving and offer alternative suggestions such as taking a cab or designating a driver. Public information material coupled with paid media creates a comprehensive approach to educating the public on the risks of driving impaired.

Coordination / Project Management

Coordination and program management are required to successfully implement projects designed to reduce alcohol-related fatalities and severe injuries. Program areas for these projects include: enforcement, media, system, community, and judicial. The coordination project funds positions that implement, monitor and report on these projects.

E-Charging

The Electronic Charging Service (E-Charging) will allow for routing, temporary retention, filing, and printing on demand of all charging documents (including electronic signatures) for all felony, gross misdemeanor and statutory misdemeanor cases. Funding was provided to the Minnesota CrimNet office to augment the E-Charging project to include a DWI arrest and administrative sanctions. The E-

Charging project will provide criminal justice stakeholders the ability to effectively perform the following functions:

- Appropriately identify, charge, and sanction impaired driving offenders, based on their driving history.
- Manage impaired driving cases from arrest through the completion of court and administrative sanctions.
- Provide stakeholders with adequate and timely information necessary to fulfill their responsibilities.
- Reduce administrative costs for system stakeholders and increase system efficiencies.

During 2007 phase one of the project was completed. Phase one included the following components:

- Defined the charging process (current and future).
- Documented the business requirement specifications.
- Documented business use case specifications.
- Documented the functional architecture and design specifications.
- Created an eSignature proposal.
- Designed an E-Charging Phase 2 Project Plan.

Ignition Interlock

During the 2007 session, the legislature mandated the Department of Public Safety to conduct a two year pilot program using ignition interlock devices with repeat DWI offenders. The purpose of this pilot is two pronged: (1) to determine whether ignition interlock devices reduce repeat DWI offenses; and (2) to determine how best to implement an ignition interlock program in Minnesota. The program is to be piloted in two counties, one metropolitan county, and the other rural. Hennepin and Beltrami Counties were selected to pilot the ignition interlock device. Hennepin County implemented the program on August 1, 2007 and Beltrami County began offering the program on October 1, 2007. Funding was provided for each of the counties to implement this pilot project. A complete preliminary report on the pilot project was submitted to the legislature on February 1, 2008.

Anoka High Visibility Enforcement

Surveys of Minnesota drivers consistently indicate that citizens hear the message regarding enhanced impaired driving enforcement. However, drivers do not believe that they are very likely to be arrested if they drive impaired. The MSP was provided funding to collaborate with law enforcement in Anoka County to try unique strategies for conducting high visibility impaired driving enforcement saturations. These unique strategies included the following:

- Select specific roadways, determined by evaluating alcohol-related crash data, to focus the impaired driving enforcement effort.
- Utilize roadside signs that will inform the driving public that they are entering into a DWI Arrest Zone.
- Utilize reflective vests to be worn by law enforcement indicating that they are participating in DWI enforcement.
- Place magnetic reflective insignia on law enforcement vehicles indicating DWI enforcement.
- Increase the use of local media outlets such as cable television, business changeable message signage and local newspapers.

The program resulted in 312 DWI arrests, 4,413 vehicle stops and 1,341 citations. A telephone survey was conducted of Anoka County residents at the same time period as a statewide telephone survey. An impaired driving enforcement mobilization did occur prior to the surveys. However, the high visibility enforcement program only occurred in Anoka County. Survey results indicated that 42 percent of Anoka County residents stated they would be very likely to be stopped by the police if they drove drunk compared to 27 percent statewide.

Hazard Elimination Projects Obligated in FFY07

County Strategic Highway Safety Plan (SHSP) Projects

Historically, 70 percent of fatal crashes occur on rural roadways and approximately 50 percent of fatal crashes occur on local roadways (county, township, and city). Mn/DOT recognized the need to focus available safety funding on the county road system in addition to the trunk highway system. In FFY 06, Mn/DOT established a program to fund low cost, systematic, proactive safety improvements project on the county road system. Twenty-seven (27) counties participated in 2006 (each receiving a maximum of \$75,000) and 37 counties participated in 2007-2008 each receiving a maximum of

\$150,000. The types of projects funded include: widening shoulders, enhanced pavement markings, edge line rumblestrips, intersection lighting, enhanced signing, guardrail upgrades, geometric improvements, and road safety audits.

Table 5 outlines projects funded in 2007-2008 on the county road system. Many of the projects listed are near completion and all must be completed by August 31, 2008.

SHSP Projects Obligated Funding FFY 07
Table 5

County	Project Description	Amount Funded
Aitkin	Guardrail protection for bridge rails	\$70,400
Becker	County RSA Program (min of 10 sites/segments)	\$50,000
Beltrami	County RSA Program (min of 10 sites/segments)	\$50,000
Carver	Low cost lighting at Rural County Highway Intersections	\$28,000
Cass	Install Intersection Lighting at 7 Intersections	\$105,000
Chippewa	County RSA Program (min of 10 sites/segments)	\$50,000
Clay	RSA Recommendations for intersection improvements	\$142,000
Crow Wing	Bypass/Right Turn Lane at 3 intersections with CSAH 16	\$150,000
Dakota	Pave bit shoulder and install edgeline rumble strips on CSAH 54	\$150,000
Dodge	Consolidate Access on high speed curves	\$150,000
Douglas	County RSA Program (min of 10 sites/segments)	\$50,000
Freeborn	County RSA Program (min of 20 sites/segments)	\$50,000
Hennepin	Install Edgeline & Centerline striping	\$150,000
Hubbard	County RSA Program (min of 10 sites/segments)	\$50,000
Itasca	Provide street lighting at 40-50 currently unlit rural intersections.	\$150,000
Kanabec	Install Guardrail at 5 bridge locations	\$150,000
Koochiching	County RSA Program (min of 10 sites/segments)	\$50,000
Lincoln	County RSA Program (min of 10 sites/segments)	\$50,000
Martin	County RSA Program (min of 10 sites/segments)	\$50,000
McLeod	Intersection lighting, LED edgelit stop signs, and ITS warning system	\$150,000
Meeker	County RSA Program (min of 10 sites/segments)	\$50,000
Morrison	Install 112 TH junction signs & replace ex destination and info signs	\$50,000
Nicollet	Passing lane & Turn lane construction at TH 99/CSAH 40 intersection	\$126,500
Olmsted	Install retroreflective bands on stop and yield posts	\$20,000
Olmsted	Improve sight distance at CSAH 34/CSAH 3 intersection	\$50,000
Olmsted	CSAH 1 Edgeline Rumblestrips	\$50,000

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County	Project Description	Amount Funded
Rice	Roadside Hazard Elimination	\$50,000
Rice	County RSA Program (min of 10 sites/segments)	\$50,000
Scott	Pave 4-foot shoulders and Rumble stripes on CSAH 8	\$150,000
Sherburne	Upgrade guard rail on bridges	\$140,000
Stearns	Guardrail end treatment upgrades	\$150,000
Todd	Install Guardrail at 8 bridge locations	\$120,000
Wabasha	Eliminating Shoulder Drop offs	\$150,000
Wadena	Install Intersection Lighting at 12 Intersections	\$12,500
Wadena	Replace "Y" intersection with standard 90 degree intersection	\$50,000
Watonwan	Edgeline Rumble Stripes	\$40,000
Winona	Upgrade Guard Rail End Treatments	\$150,000
Wright	Install Lighting at 13 rural intersections	\$150,000
Multiple Co (Olmsted lead)	Replace "twist down" guardrail end treatments with ET 2000 systems	\$300,000
Multiple Co (St. Louis Lead)	Upgrade edgeline striping from 4" to 6"	\$300,000
Multiple Co (Wright Lead)	Edgeline Rumble Stripes - 4 counties	\$150,000

Total Funds Obligated to Counties (FFY 07-08)

\$4,154,400

Concrete Barrier TH 61 in Hastings (FFY 07-08)

This project constructed a concrete barrier on TH 61 between Highway 10 and the Hastings Bridge (approximately 1/3rd mile) for \$300,000. The new barrier replaced the a narrow raised concrete median island, beginning near the base of the hill and ending 1,400 feet south of the TH 10 intersection. This section of road was experiencing median crossover crashes that could be eliminated by the barrier.

Planned Future 164 Funding Expenditures

Table 6 lists the general project categories that will be considered for funding in FFY 2008 and beyond. The funding amount indicates the carryover allotment currently available. Final project selection and level of funding will be determined jointly by DPS's Office of Traffic Safety and Mn/DOT's Office of Traffic, Safety, and Operations.

Planned Future Program Expenditures
 Program areas for FFY08 and Beyond
 Estimated Carryover Funding Allotment
 Table 6

AL Projects	Enforce- ment	DWI Courts / Judicial	Media and Media Relations	System Improvements	Community Programs	Total
Funding	\$2,700,000	\$1,800,000	\$1,800,000	\$1,697,749	\$1,350,000	\$9,347,749

HE Projects	County SHSP Projects	TH Enhanced Pavement Markings	TH Cable Median Barrier	Total
Funding	\$4,339,425	\$3,000,000	\$3,000,000	\$10,339,425

Conclusion

Traffic fatalities remain to be the number one cause of deaths for ages one to 34. One third of these fatalities are alcohol-related. This funding has provided an excellent opportunity for both the Departments of Transportation and Public Safety to develop effective programs that will reduce these tragedies on the road.