



STATE OF ARIZONA ANNUAL PERFORMANCE REPORT FEDERAL FISCAL YEAR 2009

PREPARED BY
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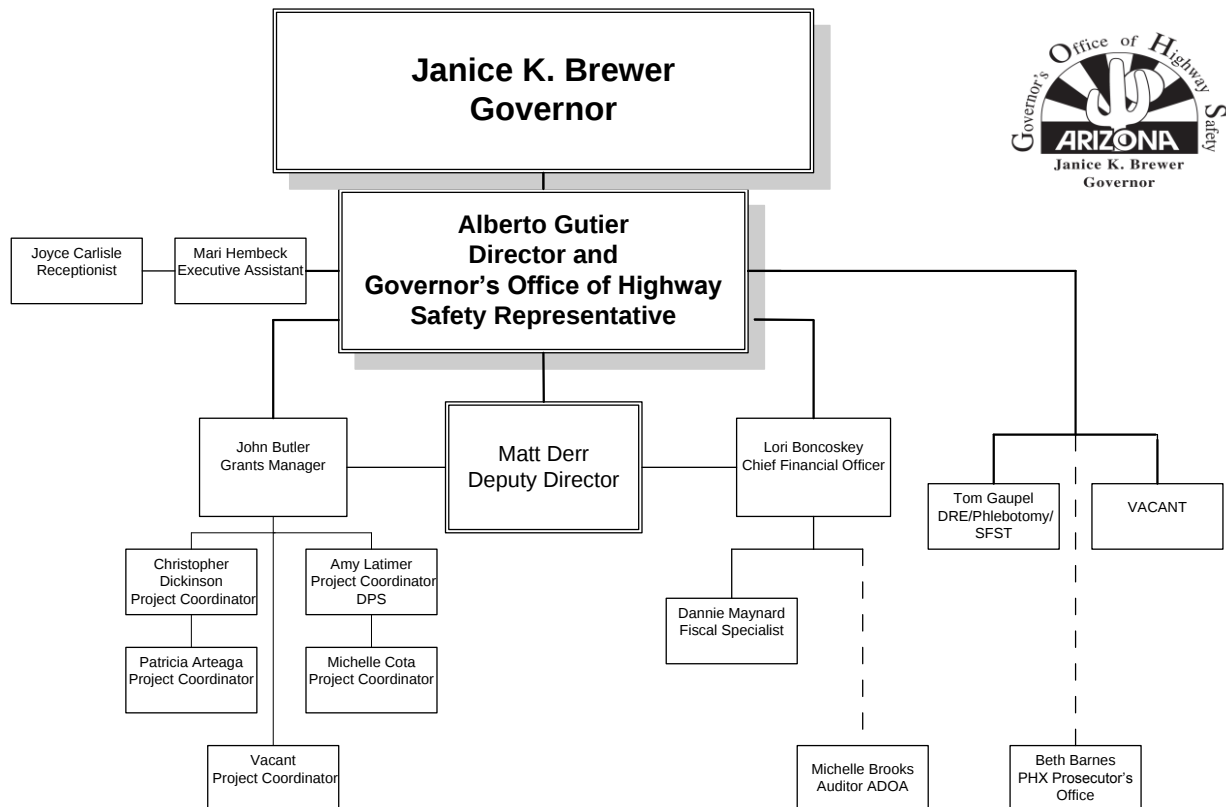
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GOVERNOR'S OFFICE OF HIGHWAY SAFETY ORGANIZATION CHART



INTRODUCTION

This report, required by the National Highway Safety Traffic Administration (“NHTSA”) pursuant to 23 CFR Part 1200 provides an update of highway safety projects, pursuant to Arizona’s Highway Safety Plan (“HSP”) throughout the State of Arizona in Federal Fiscal Year (“FFY” or “FY”) 2009.

FFY 2009 brought forth many changes in Arizona and at the Arizona Governor’s Office of Highway Safety (“GOHS”). On January 20, 2009 Governor Janice K. Brewer was sworn in as Arizona’s 22nd Governor. On March 30, 2009 Alberto C. Gutier was reappointed as the Director of GOHS.

The change of leadership at GOHS brought with it a change in the direction of the agency. In FY 2009 GOHS worked hard to return to its core mission of funding projects and programs that reduce fatalities on Arizona’s streets and highways.

Since April 1, GOHS has cut staffing to 2001 levels, reduced employee travel and expenses, closed its Tucson office and reduced expenditures on paid media. The resulting cost savings have allowed GOHS to distribute additional funding for overtime and equipment to police officers and deputies throughout the state to enforce Arizona’s impaired driving, speeding, seat belt, child safety seat laws and other highway safety priorities.

Even with the change of leadership at GOHS, current GOHS leadership continued funding the projects that were approved and authorized in Arizona’s 2009 HSP and subsequent revisions.

With a renewed focus on funding enforcement, equipment and training, GOHS is confident that it will build upon the successes described in this report in the years to come.

GOHS Mission Statement

The Arizona Governor’s Office of Highway Safety is the focal point for highway safety issues in Arizona. GOHS is a cabinet-level agency that provides leadership by developing, promoting, and coordinating programs; influencing public policy; and increasing public awareness of highway safety.

PROBLEM IDENTIFICATION OVERVIEW

2008 data from the NCSA Fatality Analysis Reporting System (“FARS”) show that traffic fatalities in Arizona decreased 12.51 percent from 2007 to 2008. In the five year period from 2004 to 2008 traffic fatalities decreased by 18.59 percent statewide.

Complete data for 2009 are not yet available so the statistics referenced throughout this report come from NHTSA’s FARS data (Traffic Safety Facts 2004-2008) and the Arizona Motor Vehicle Crash Facts 2008. All data referenced come from FARS except where otherwise indicated.

Arizona’s problem identification process involves the study of relationships between crashes and the characteristics of population, licensed drivers, registered vehicles, and vehicle miles traveled. Drivers can be classified into subgroups according to age, sex, etc. Vehicles can be divided into subgroups according to year, make, body style, etc. Roads can be divided into subgroups according to number of lanes, type of surface, political subdivision, etc. Crashes can be further analyzed in terms of the time, day of the week, month; age and sex of drivers; primary crash factors; and use of safety equipment.

In Arizona’s 2009 HSP, GOHS identified five emphasis areas to reduce fatalities by 15 percent over the period from 2008 to 2012. These five areas are:

1. Occupant restraint
2. Young Drivers
3. Speeding
4. Impaired Driving
5. Roadway departure/intersection

Other factors also influence motor vehicle crashes and should be considered in conducting comparative analyses between jurisdictions. For example, variations in composition of population, modes of transportation, the highway system, economic conditions, climate, and the effective strength of law enforcement agencies can be influential. The selection of crash comparisons requires the exercise of judgment.

In order to meet the goals set forth in the FY 2009 HSP, last year, Arizona funded projects in the following emphasis areas:

- **Alcohol and Other Drugs / Youth Enforcement** - To reduce the number and severity of crashes in which alcohol and/or drugs are contributing factors.
- **Occupant Protection** - To increase the statewide seat belt / child safety seat (CSS) usage rate of motor vehicle occupants and to increase public information and education of the benefits of seat belt and child safety seat usage for adults and children.
- **Police Traffic Services** - To achieve and maintain compliance with traffic laws such as aggressive driving, speeding and red light running. Enforcement must be consistent, impartial and uniformly applied to all street and highway users.

- **Traffic Records** -To develop a comprehensive data processing system that brings together the engineering, enforcement, educational, medical, behavioral health, prosecution, judicial, correctional, and emergency response disciplines.
- **Emergency Medical Services** - To continue to support rural providers with emergency medical services (EMS) equipment.
- **Motorcycle, Bicycle, and Pedestrian Safety** - To increase the public's awareness and understanding of and participation in motorcycle, bicycle and pedestrian safety.
- **Roadway Safety** -To improve traffic conditions in identified corridors and local jurisdictions by funding minor traffic engineering improvements, correcting signing deficiencies and promoting safety programs.



ARIZONA'S FY 2009 PERFORMANCE GOALS

As identified in Arizona's FY 2009 HSP, the primary highway safety goals for Arizona are to reduce fatalities by 15 percent in each of its five emphasis areas over the five year period from 2008 to 2012. Fatality goal reductions are expected to stimulate a collateral reduction in serious injuries.

As stated above, the five emphasis areas are:

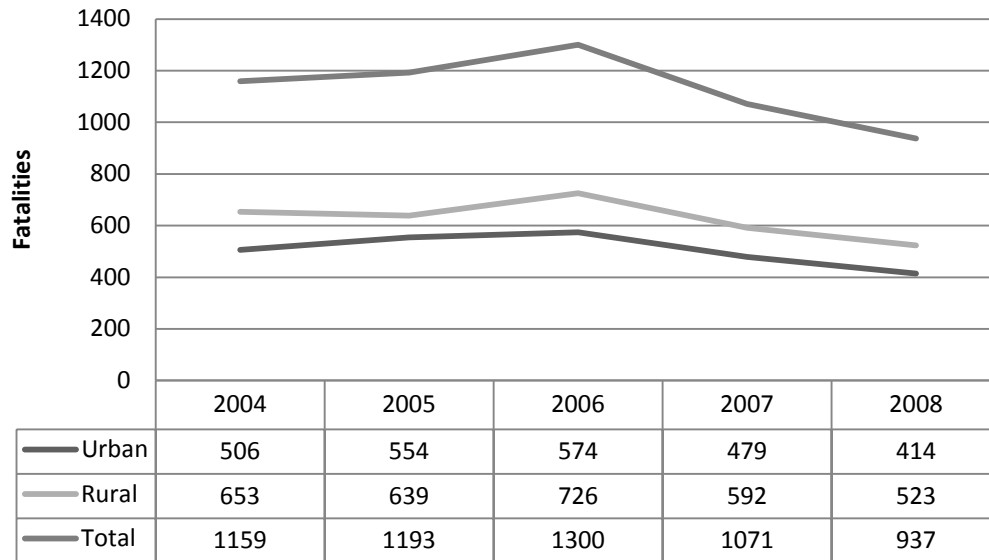
1. Occupant restraint
2. Young Drivers
3. Speeding
4. Impaired Driving
5. Roadway departure/intersection

FY 2009 RESULTS

Arizona's FY 2009 Performance Goals					
Category	Year				
	2004	2005	2006	2007	2008
Traffic Fatalities	1,151	1,179	1,293	1,071	937
Alcohol-Impaired Driving Fatalities	334	375	399	337	266
Speeding Related Fatalities	408	519	584	452	373
Passenger Vehicle Occupant Fatalities (unrestrained)	424	406	469	379	320
Young Drivers (Under 21 Years Old) Involved in Fatal Crashes	213	212	225	180	149

Arizona Traffic Fatalities

(Data: FARS 2008)



Arizona's FY 2009 Performance Goals Year to Year Percentage Change

Category	Year			
	2005	2006	2007	2008
Traffic Fatalities	2.43%	9.67%	-17.17%	-12.51%
Alcohol-Impaired Driving Fatalities	12.28%	6.40%	-15.54%	-21.07%
Speeding Related Fatalities	27.21%	12.52%	-22.60%	-17.48%
Passenger Vehicle Occupant Fatalities (unrestrained)	-4.25%	15.52%	-19.19%	-15.57%
Young Drivers (Under 21 Years Old) Involved in Fatal Crashes	-0.47%	6.13%	-20.00%	-17.22%

Arizona's FY 2009 Performance Goals 5-Year Percentage Change

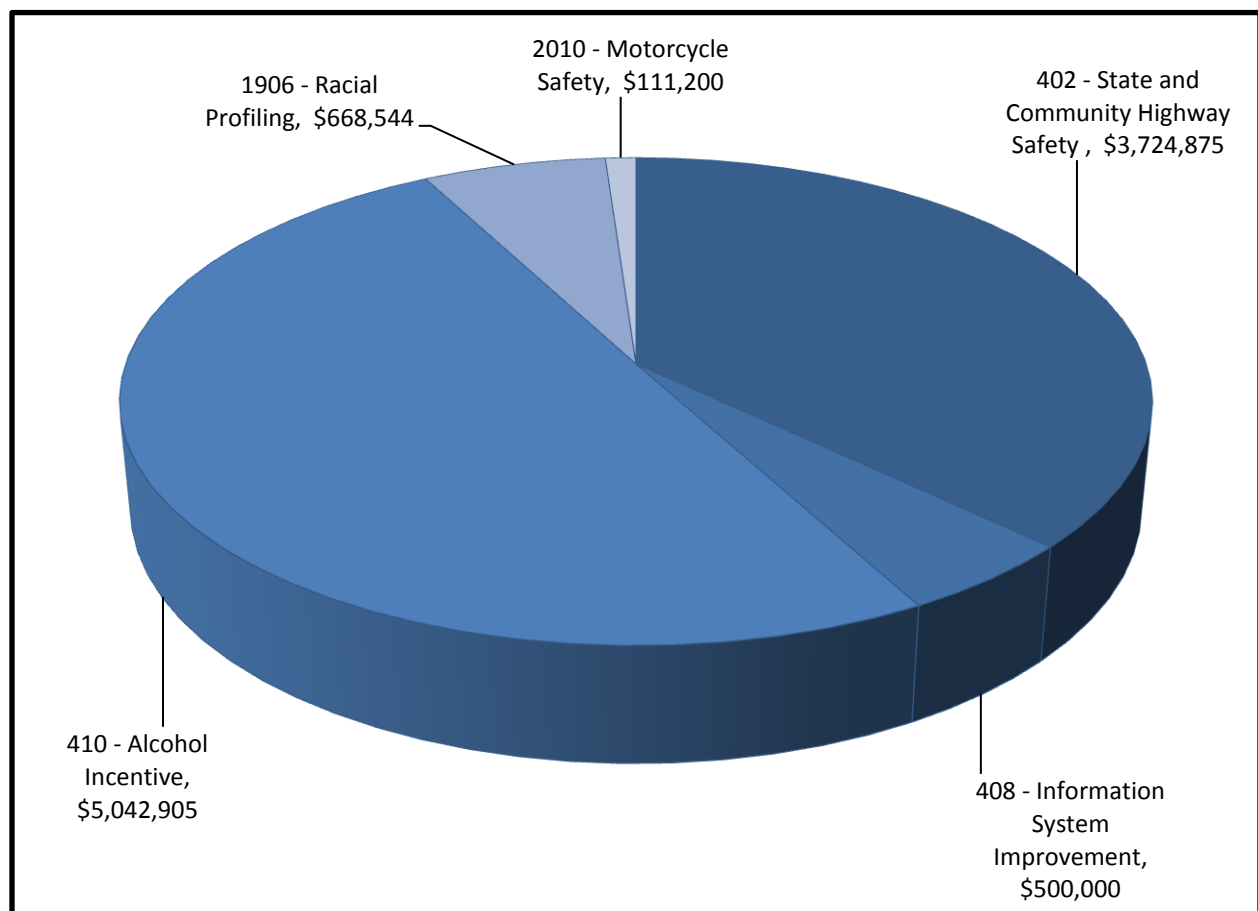
Category	5-Year Percentage Change
Traffic Fatalities	-18.59%
Alcohol-Impaired Driving Fatalities	-20.36%
Speeding Related Fatalities	-8.58%
Passenger Vehicle Occupant Fatalities (unrestrained)	-24.53%
Young Drivers (Under 21 Years Old) Involved in Fatal Crashes	-30.05%

FY 2009 ALLOCATED FUNDS

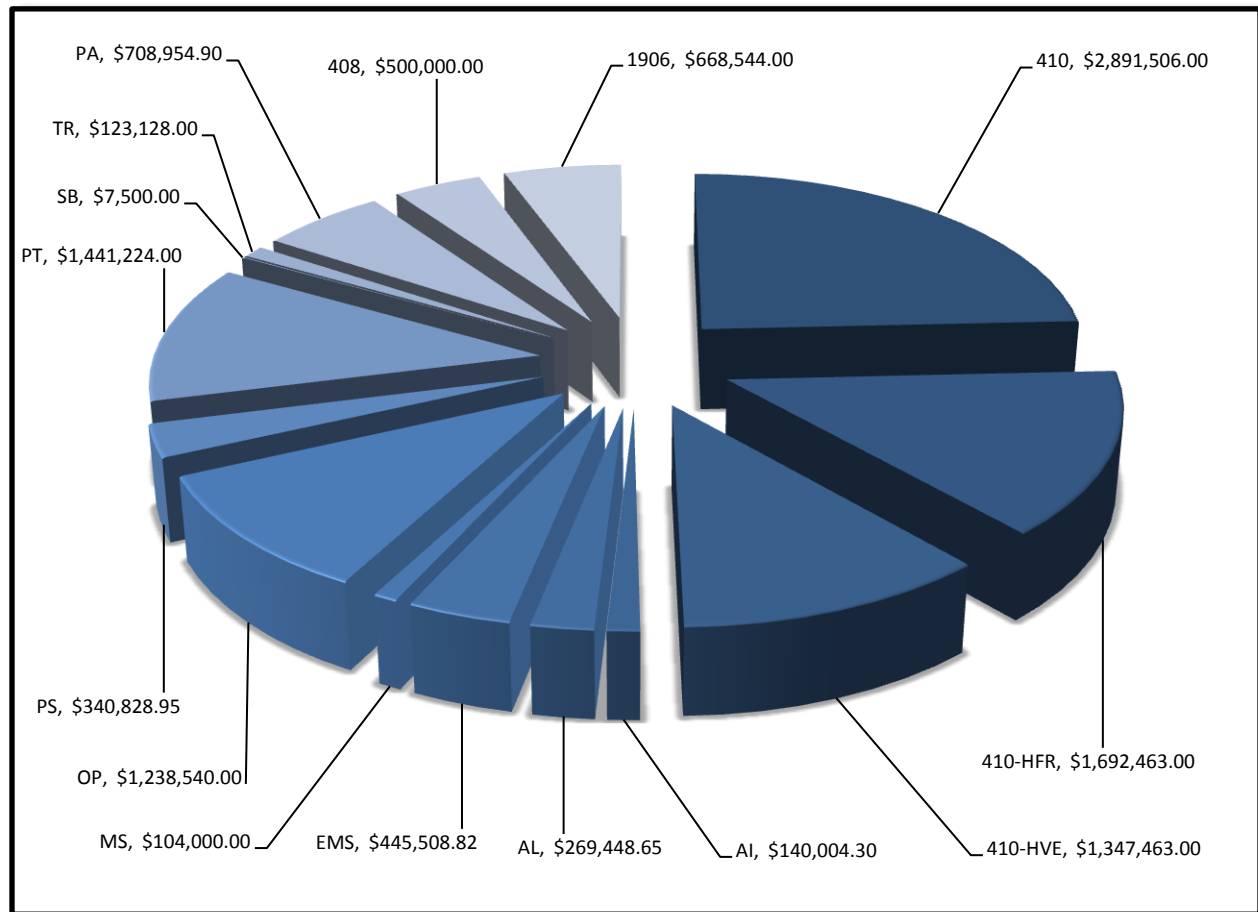
As a result of the passage of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users ("SAFETEA-LU"), in FY 2009, GOHS was awarded \$10,047,524 in funding from NHTSA.

SAFETEA-LU provides funding for the base program (Section 402 – State and Community Highway Safety Grants) as well as incentive programs (such as Section 410 – Alcohol Incentive and Section 1906 – Racial Profiling).

Arizona Revised Statutes § 28.602 establishes how the State of Arizona administers highway safety programs. Arizona Executive Order 2004-24 designates the GOHS as the State Highway Safety Agency ("SHSA") and, as such, the appropriate agency to administer the HSP and the funds associated with the HSP on behalf of the Governor.



FY 2009 BUDGETED FUNDS

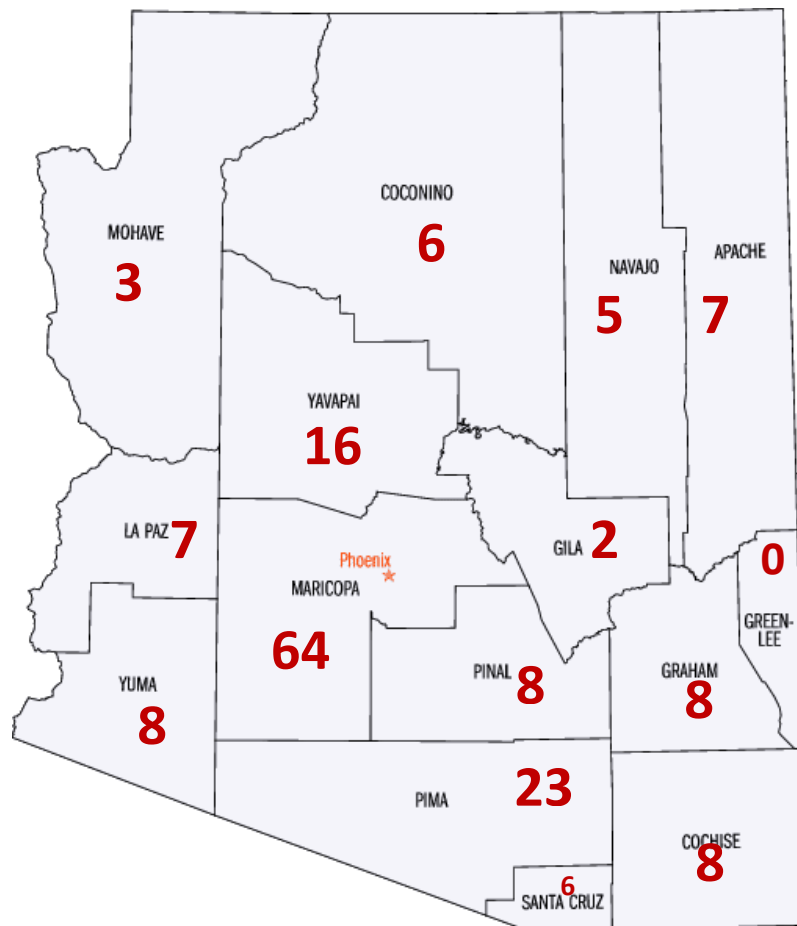


Note: These calculations are based upon the budget set by Arizona's FY 2009 HSP. Actual expenditures for FY 2009 for these categories may differ, but are still in the process of being reconciled as part of GOHS' forensic audit.

2008 PROJECT DISTRIBUTION BY COUNTY

In FY 2009, GOHS wrote and executed 274 contracts with law enforcement agencies, fire departments and districts, non-profit organizations, government agencies and hospitals across the state.

Note: this map does not include statewide contracts (to the Arizona Department of Public Safety or other statewide agencies and organizations).



ACCOMPLISHMENTS

STATISTICAL

- ✓ In FY 2009, GOHS continued making progress towards reducing traffic fatalities across all categories, with the exception of motorcycle fatalities.
- ✓ Fatalities per 100 million vehicles miles of travel (“VMT”) decreased 10 percent from 2007 to 1.53.
- ✓ Fatalities per VMT have decreased 23.88 percent since 2004. This is still higher than the national average of 1.27 but Arizona continues to make progress in reducing this number.
- ✓ Arizona’s statewide population grew 1.6 percent from 2007 to 2008 and the number of licensed drivers increased 3.52 percent in the same time period. Even with growth in these two areas, total traffic fatalities decreased to 937 in 2008 from 1,071 in 2007 (12.51 percent change).
- ✓ Alcohol-impaired fatalities continued to decline from a high of 399 in 2006 to 266 in 2008. From 2007 to 2008 alcohol-impaired fatalities decreased 21.07 percent.
- ✓ Speed related deaths dropped 17.48 percent from 2007 to 373 and were down 8.58 percent in the five year period from 2004 to 2008.
- ✓ Seatbelt use held steady at 80.80 percent, up slightly from the prior year when seatbelt usage was measured at 79.90 percent, but down from the all time high in 2004 of 95.30 percent (which was a result of questionable survey methodology).
- ✓ Seatbelt use for drivers increased slightly at 82 percent, up from 81.4 percent the prior year.
- ✓ Child safety restraint use increased 7.1 percent to 87.2 percent.
- ✓ Pedestrian fatalities decreased 22.08 percent in 2008 from 154 in 2007 to 120 in 2008. Over the five year period since 2004, pedestrian fatalities have decreased 7.69 percent.

OPERATIONAL

- ✓ GOHS completed a restructuring of its staff by reducing staffing from 17 employees to 11 while continuing to process and administer a complete portfolio of grants.
- ✓ GOHS closed its office in Tucson and consolidated all operations to its Phoenix headquarters. This move eliminated a great deal of paperwork, resolved a number of contractual issues with grantees and resulted in an annual savings exceeding \$500,000.
- ✓ In April, new GOHS leadership inherited an agency that was in financial disarray, without an accurate picture of carry-forward funds or balances remaining in contracts and programs. GOHS brought in a new CFO and fiscal specialist and with the assistance of the State of Arizona's Department of Administration, is in the process of reconciling previous year's financial statements, through a forensic audit to gain an accurate picture of GOHS' finances and carry-forward funding.
- ✓ GOHS reassigned sworn law enforcement personnel back to their respective police agencies and replaced these officers with civilians and retired law enforcement officers resulting in annual savings exceeding \$200,000.
- ✓ GOHS participated in NHTSA's national "Click it or Ticket" campaign in May 2009.
- ✓ In addition to its base funding, GOHS continued participation in the following demonstration grants from NHTSA:
 - Click it or Ticket – Next Generation. \$600,000 grant running from September 2008 through September 2010.
 - Rural Alcohol Ignition Interlock. \$125,000 grant running from September 2008 through September 2010.
 - Phlebotomy Demonstration in Idaho and Texas. \$201,343 grant running from September 2008 through September 2011.
- ✓ GOHS participated in NHTSA's national Labor Day DUI crackdown.
- ✓ GOHS brought back the enforcement oriented slogan "Drive Hammered...Get Nailed!" for use in press conferences, earned media, paid media campaigns and DUI task force enforcement efforts.
- ✓ Postponed until 2010 the annual GOHS conference for law enforcement, judges and prosecutors due to state budgetary constraints and the GOHS fiscal problems (GOHS did hold a judicial conference in October, but this conference fell in FY 2010).
- ✓ Rewrote the standard grantee contract and revamped the grant procedure, resulting in FY 2010 grants being funded six to seven months earlier than FY 2009 grants.

- ✓ Completed a redesign of the GOHS website, making it more user friendly for the public and law enforcement agencies to navigate with updated information on all GOHS programs.

Screenshot of new GOHS website:



- ✓ GOHS is in the process of updating and rewriting the Children are Priceless Passengers ("CAPP") curriculum.
- ✓ Restructured the Statewide DUI Task Force. GOHS Director Alberto C. Gutier now serves as the chair of the Statewide DUI Task Force. **Attendance at meetings of the Statewide DUI Task Force have increased 1067 percent – from an average attendance of 12 persons to over 140 at the most recent meeting.**

PROGRAM GOALS AND ACCOMPLISHMENTS

IMPAIRED DRIVING



In FY 2009, alcohol-impaired driving fatalities constituted 28.39 percent of all traffic fatalities in Arizona.

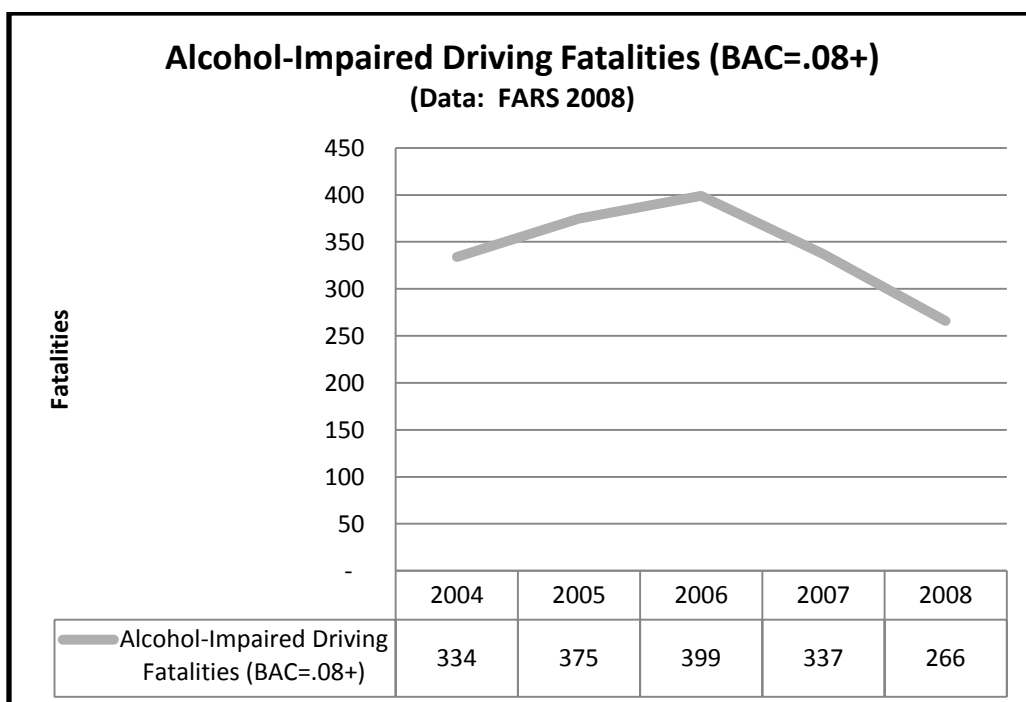
Stopping impaired driving and reducing the number of alcohol and drug impaired fatalities

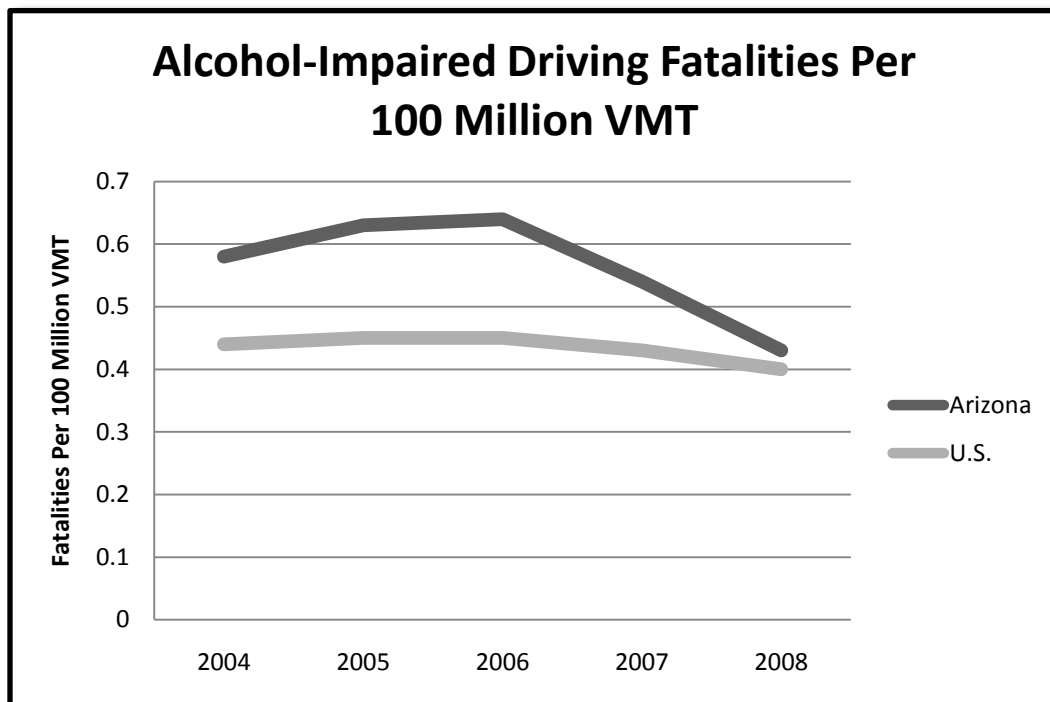
continues to be the number one priority of GOHS.

In FY 2009, GOHS funded more than \$6.2 million in overtime, equipment and training to law enforcement agencies across the state to enforce Arizona's strict DUI laws.

As a result of this financial support, total alcohol-impaired fatalities decreased in 2008 by 21.07 percent from the prior year and were down 20.36 percent in the five year period from 2004-2008.

In addition to redirecting additional funding to officers on the streets, GOHS has reintroduced the public and law enforcement community to its enforcement oriented slogan: "Drive Hammered...Get Nailed!" The "Drive Hammered...Get Nailed!" message has been heard and seen through paid media campaigns statewide and has been the primary message at Arizona Cardinals home football games and broadcasts.





2009 DUI/IMPAIRED DRIVING RESULTS

Arizona continues to have one of nation's best models for enforcing DUI laws through the 16 Statewide DUI Task Forces.

EAST VALLEY DUI TASK FORCE
 EASTERN ARIZONA DUI TASK FORCE
 GILA COUNTY DUI TASK FORCE
 LA PAZ COUNTY DUI TASK FORCE
 NAVAJO COUNTY DUI TASK FORCE
 NORTHEAST ARIZONA DUI TASK FORCE
 NORTHWEST ARIZONA DUI TASK FORCE
 NORTHERN ARIZONA DUI TASK FORCE
 PINAL COUNTY DUI TASK FORCE
 SANTA CRUZ COUNTY DUI TASK FORCE
 SOUTHEASTERN ARIZONA DUI TASK FORCE
 TRI-CITY DUI TASK FORCE
 WEST VALLEY DUI TASK FORCE
 WESTERN ARIZONA DUI TASK FORCE
 WHITE MOUNTAIN DUI TASK FORCE
 YUMA COUNTY DUI TASK FORCE

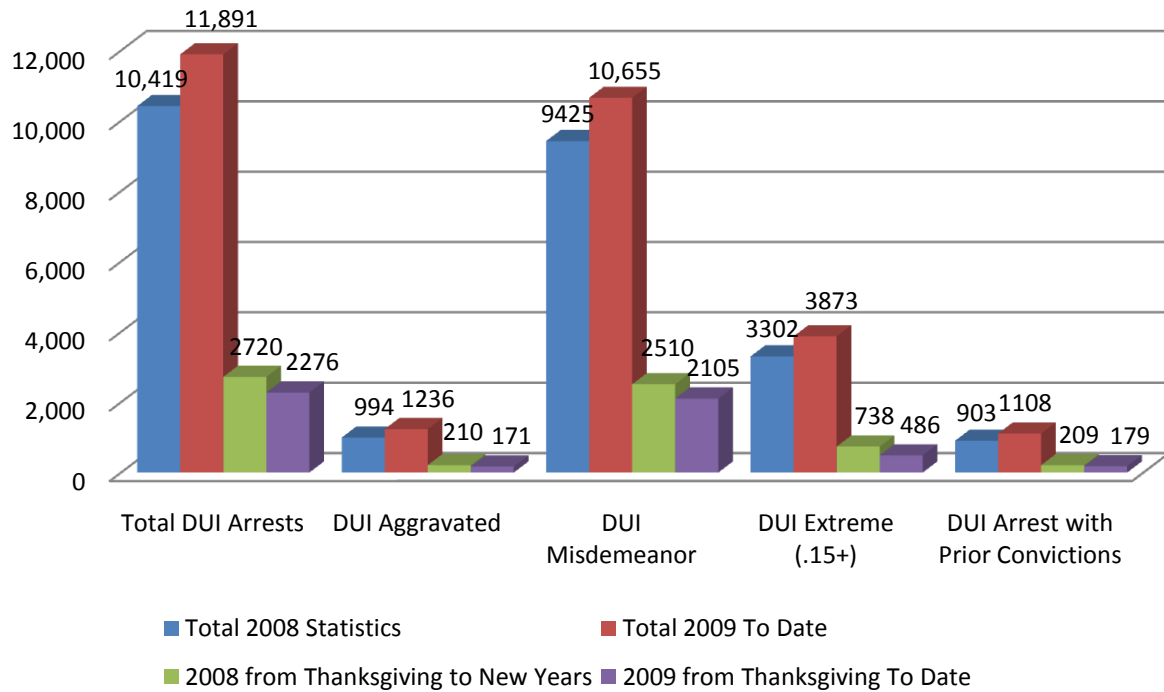
Together, these task forces conduct saturation patrols and checkpoints throughout the year, with the primary focus being on Holidays. Funding overtime and equipment for impaired driving enforcement has been the priority for GOHS this year, with very successful results.

DUI Task Force Statistics			
	FY08	FY09	% Change
Participating Officers/Deputies	10,911	11,698	7.21%
Contacts	106,019	109,049	2.86%
Total DUI Arrests	10,363	12,279	18.49%
DUI Aggravated	998	1,236	23.85%
DUI Misdemeanor	9,365	11,043	17.92%
DUI Extreme	3,372	4,042	19.87%
DUI Arrests with Prior Convictions	934	1,133	21.31%
Under 21 DUI Arrests	592	742	25.34%
Average BAC	0.151	0.149	-1.32%
Seat Belt Citations	1,069	1,663	55.57%
Child Restraint Citations	253	323	27.67%
Under 21 Liquor Law Citations	1,605	1,900	18.38%
DUI Drug Arrests	621	932	50.08%
Other Citations (speed etc...)	43,803	54,396	24.18%

With a renewed focus on DUI enforcement through increased funding for overtime and equipment, GOHS has seen an increase of 18.49 percent in DUI arrests in FY 2009 and has seen an increase in arrests and citations over all of the enforcement categories over FY 2008.



Statewide DUI Enforcement Statistics as of December 17, 2009



Most importantly, these efforts are helping keep intoxicated drivers off the streets and have led to a reduction in alcohol-related fatalities.

FY 09 Top Reporting Agencies	
Phoenix PD	4,645
Tucson PD	1,281
Scottsdale PD	915
Chandler PD	840
DPS	557
Gilbert PD	574
Tempe PD	557
Mesa PD	417
Pima County Sheriff	277
Maricopa County Sheriff	261

The recent success of GOHS' focus on funding overtime for DUI enforcement is evident in the data comparing the Labor Day enforcement efforts in 2008 and 2009:

Labor Day Enforcement			
	2008	2009	% Change
Participating Officers/Deputies	989	1,295	30.94%
Contacts	15,227	14,716	-3.36%
Total DUI Arrests	861	1,261	46.46%
DUI Aggravated	69	153	121.74%
DUI Misdemeanor	792	1,108	39.90%
DUI Extreme	243	436	79.42%
DUI Arrests with Prior Convictions	63	135	114.29%
Under 21 DUI Arrests	60	110	83.33%
Average BAC	0.151	0.145	-3.97%
Seat Belt Citations	120	212	76.67%
Child Restraint Citations	23	41	78.26%
Under 21 Liquor Law Citations	163	366	124.54%
DUI Drug Arrests	72	131	81.94%
Other Citations (speed etc...)	3,782	5,831	54.18%

In nearly single category, GOHS saw tremendous improvement in 2009 from 2008. Total DUI arrests were up 46.46 percent, arrests for extreme DUI increased an astonishing 79.46 percent.



In addition to funding DUI saturation patrols, GOHS funds sobriety checkpoints. In FY 2009, GOHS funded:

- 34 sobriety checkpoints
- 150 officers participated
- 28,825 vehicles were stopped and contacted
- 210 DUI arrests were made

GOHS provided funding for sobriety checkpoints for the Tri-City DUI Task Force, Mesa Police Department, Tucson Police Department, Pima County Sheriff and the Peoria Police Department.

ALCOHOL FUNDING

GOHS funding in FY 2009 for impaired driving enforcement came from four funding sources:

1. 402 – Alcohol and Other Drugs
2. 410 – Alcohol Incentive
3. 410 – High Fatality
4. 410 – High Visibility Enforcement

Utilizing 402 – Alcohol and Other Drugs funding, GOHS funded the purchase of sixty-one **(61)** Portable Breath Testing Devices (PBT) and fifty seven **(57)** tint meters. Additional funding provided police agencies **(2)** phlebotomy chairs implemented for DUI blood draws. A third restraint chair, speed detection equipment and motorcycle equipment was awarded but not contractually obligated until FY2010.

GOHS funded **\$38,000.00** to the City of Phoenix Prosecutor's Office for the purchase of a Virtual Center Case Management System and related computer equipment to enhance DUI prosecution.

With funding from the 410 – Alcohol Driver Incentive Program, GOHS provided over **\$2.8** million dollars in funding for Personnel Services and Employee Related Expenses to individual police agencies and additional multi-agency DUI Task Forces. Funding enhanced the allocated manpower to increase the total arrests for impaired driver and youth alcohol enforcement which correlated to a reduction in total fatality and serious injury collisions.



Additional funding providing four **(4)** fully equipped police motorcycles (Buckeye PD, Prescott Valley PD, Tolleson PD), one **(1)** fully equipped police vehicle (Thatcher PD), and one **(1)** DUI enforcement van (Cottonwood PD) to police agencies, enhancing existing DUI enforcement programs.

Funding also provided in and out of state training opportunities for both police agencies and

judicial employees to enhance their respective knowledge and abilities. Other funded capital outlay items included Portable Breath Testing Devices (PBT), Phlebotomy Restraint Chairs, and digital video cameras.

Utilizing 410 – HVE funding, GOHS provided \$67,000.00 to the Arizona Department of Liquor License and Control to conduct youth alcohol enforcement, liquor establishment compliance, and education throughout Arizona.



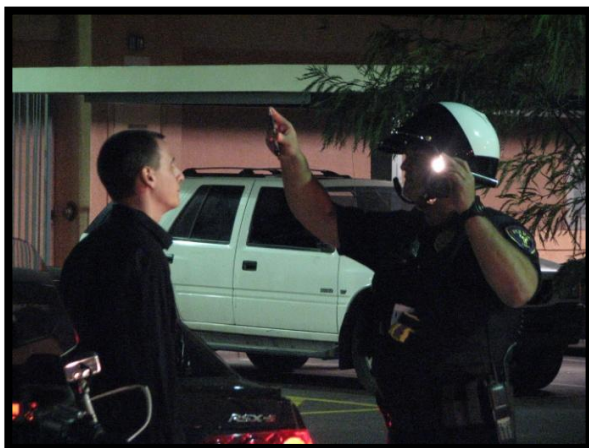
GOHS provided \$190,000.00 to fund the personnel services and employee related expenses of a City Phoenix Prosecutor assigned to GOHS as liaison and advisory resource for traffic safety issues for law police agencies throughout the state. The prosecutor played a valuable role in provided current court decisions and judicial trends related to the various aspects traffic safety.

Pima County Sheriff's Office was provided \$128,000.00 for personnel service and employee related expenses to conduct multi-agency DUI task forces in the metropolitan Tucson area as well as the entire Pima County. Pima County Sheriff' Office additionally implemented funding to purchase a lighting system to enhance their mobile DUI operation processing areas

With funding from the 410 – High Fatality Grant, The Governor's Office of Highway Safety (GOHS) provided \$32,000.00 to the Arizona Department of Liquor License and Control to conduct youth alcohol enforcement, liquor establishment compliance, and education throughout Arizona.

GOHS funded \$275,000.00 for five separate DUI task force operations for the Arizona Department of Public Safety ("DPS"). GOHS provided funding to DPS to purchase a new fully equipped mobile DUI processing van (\$160,000.00) and an additional \$25,000.00 to provide impaired driver related training courses to officers throughout Arizona.

GOHS provided funding of \$750,000.00 to enhance the DPS crime laboratory with the purchase of new equipment to analyze blood samples for DUI prosecution and evidentiary purposes. These four instruments were distributed throughout the state – one in the Flagstaff crime lab, one in the Tucson crime lab and two in the Phoenix crime lab.



These machines were installed and operational by the end of FY 2009. With these machines, DPS has improved detection limits of methamphetamine and related stimulants by approximately 25 times; has combined analysis schemes into one, speeding results for investigators, prosecutors and courts; has enhanced DUI prosecution by allowing one toxicologist to complete the analysis and testify to results for both Benzodiazepines and sleep aides instead of two



toxicologists with previous instrumentation; and has provided analysis of certain benzodiazepines which are susceptible to heat and decomposition, which were problematic with older instrument methods.

Funding was provided to Chandler Police Department for the purpose of purchasing two digital in-car video systems to enhance DUI investigations

Gilbert Police Department received \$60,000.00 in funding to conduct DUI enforcement campaigns as part of the East Valley DUI Task Force.

GOHS funded 2009 Memorial Holiday Weekend media campaign addressing issues of impaired driving (\$70,000.00).

GOHS also provided \$330,000.00 in funding for the first Regional DUI van for Pinal County. Pinal County is the fastest growing county in Arizona and the second fastest growing county in the United States. Pinal County's alcohol-impaired driving fatalities as a percent of total fatalities has increased eleven percent in the past four years.

The Pinal County Sheriff has recently reinstated the Pinal County Regional DUI Task Force, comprised of 14 law enforcement agencies throughout the county. The Pinal County Regional DUI Task Force to conduct targeted DUI enforcement saturation patrols throughout Pinal County. The regional DUI van has been used every weekend since late September for DUI enforcement events throughout the county.



SECTION 163 FUNDING

GOHS was unaware of the existence of any remaining Section 163 funding until early December 2009. At that time, it was determined that there was approximately \$1,043,944 in unspent an unobligated Section 163 funding. GOHS is in the process of developing a plan to expend these funds in FY 2010.

TRAINING

This year, GOHS restructured its DUI/DRE Training program by consolidating two positions (DRE Coordinator and Phlebotomy) into one full time position.

This position is responsible for coordinating all Drug Recognition Expert ("DRE"), Advanced Roadside Impaired Driving Enforcement ("A.R.I.D.E."), Drug Impairment Training for Education Professionals ("D.I.T.E.P."), Standardized Field Sobriety Testing ("SFST"), HGN ("Horizontal gaze nystagmus") and Phlebotomy training and programs throughout the state.

FY 2009 Training		
Program	Schools	Students
DRE	3	65
HGN-SFST	21	630
HGN-SFST Instructor	3	39
ARIDE	8	147
DITEP	13	565
Phlebotomy	12	96
DRE Instructor	3	18
Total	63	1560

TRAFFIC SAFETY RESOURCE PROSECUTOR

FY 2009 was another successful year for Arizona's Traffic Safety Resource Prosecutor ("TSRP"), City of Phoenix Prosecutor Beth Barnes. Utilizing 410 funds, GOHS provided \$190,000 in FY 2009 for Arizona's TSRP. In the last year, Arizona's TSRP gave 75 presentations to approximately 4,274 prosecutors, law enforcement officers, crime lab personnel, and community groups (MADD etc.).

The TSRP developed and coordinated a "Prosecuting the Drug and Alcohol Impaired Driver in Arizona" three-day course. The NHTSA Prosecuting the Drug Impaired Driver course was modified to include case law, statutes, and issues specific to Arizona. Additionally, training on alcohol DUI cases and an emphasis on HGN were added to the course. The course was held in Maricopa County with prosecutors from 15 different agencies attending. The class filled within 1 1/2 days of advertizing it.

In FY 2009, the TSRP Responded to at least 456 requests for assistance from prosecutors, law enforcement officers, and crime lab personnel on topics such as: source code, breath temperature defense, DUI jury instructions, COBRA data, probable cause for blood draws, trials on prior convictions, the right to independent chemical tests, defense expert witnesses, general trial strategy, mandatory sentencing in DUI cases, how to admit toxicology results without the criminalist who conducted the test, DRE cases, universal impairment at .08, DUI lesser included offenses, peaks of contamination in blood results, right to counsel, officer phlebotomy, the effective date of the new DUI legislation, to name a few.

The TSRP provided materials such as, model trial court and appellate pleadings, a guide for cross-examining defense expert witnesses, transcripts from source code hearings and defense experts, example search warrants, scripts for cross-examining expert witnesses and for the direct examination of state witnesses, copies of the DUI Manual, case law, and studies relied upon by experts were provided.

The TSRP assisted agencies in obtaining *amicus* briefs for cases in the court of appeals and to obtain materials for the latest spin on the source code issue.

During this fiscal year the Arizona TSRP website was finalized and posted. This resource provides a detailed description of the role of the TSRP, the various services that are offered by the Arizona TSRP program, and an explanation that the program is funded by a grant through the Arizona Governor's Office of Highway Safety.

The TSRP maintained an email list of Arizona prosecutors, officers and traffic safety professionals who desire to be kept abreast of DUI and traffic issues. The list now has in excess of 180 members. When new case law, new legislation, and other issues of interest arise, a notice is sent to the members of the group.

The TSRP utilized the email list to assist prosecutors with specific issues. For example, she assisted agencies obtain *amicus* briefs for cases in the court of appeals and to obtain materials for the latest spin on the source code issue.

Additionally, the TSRP maintained the DUI manual and assisted the Arizona DRE/Phlebotomy Coordinator with the NHTSA Officer Phlebotomy Refusal Grant by helping with program set up and training in Idaho and Texas.

FY 2009 TSRP Presentation Topics

Prosecuting the Drug and Alcohol Impaired Driver in Arizona (Three-day DRE School for Prosecutors)

Breath Test Admissibility

Common DUI Defense Ploys and How to Address Them at Trial

Source Code

Mock Trial

Search and Seizure for Traffic Cases

Recent DUI Case Law Review

Upcoming DUI Legislation

Legal Review for DRE Cases

How to Admit Tox Results

Common Defense Challenges in DRE Cases

How to Admit Tox Results Without the Expert to

Conducted the Analysis

How to Conduct a DUI Trial

Qualifying a DRE Officer as an Expert

Trial Advocacy (opening statements direct-examination, cross-examination, and closing arguments)

Standardized Field Sobriety Tests

The DUI Laws of the State of Arizona

Actual Physical Control

Defense Challenges to Breath Tests

Issues for DUI Blood Trials

Proving DUI Prior Convictions

Discovery in DUI cases

Officer Phlebotomy (for prosecutors)

The Legal Environment (HGN School)

Courtroom Demeanor

DUI MEDIA

This year, GOHS changed the method by which it delivers messages regarding impaired driving to the public. In recent years, GOHS would spend upwards of \$1.2 million in paid media campaigns. This year, GOHS continued the contracts entered into by the previous administration but placed more emphasis on earned media.

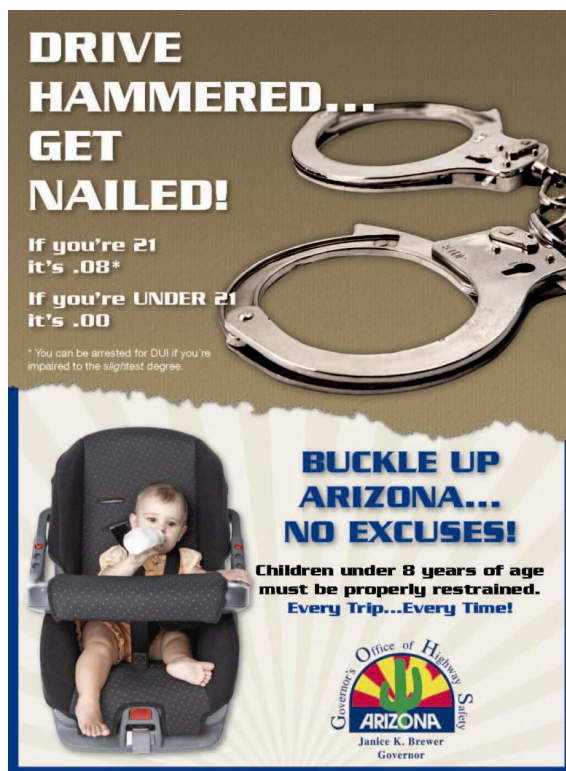
The GOHS Director conducted interviews with TV and radio stations and print media (in both English and Spanish) across the state (primarily in the two largest media markets of Phoenix and Tucson) discussing DUI enforcement and designated driver campaigns. The GOHS Director has appeared at press conferences kicking off DUI enforcement efforts in Southern Arizona and Metropolitan Phoenix.

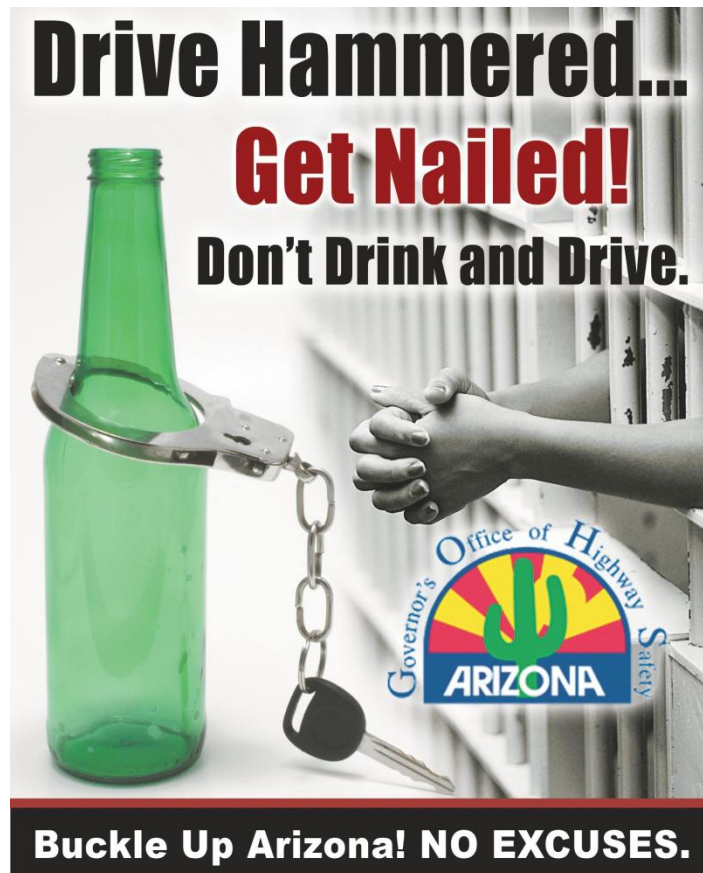


Additionally, in FY 2009, GOHS rebranded its media efforts with the enforcement oriented slogan: "Drive Hammered...Get Nailed!" This slogan has been utilized in print media, online and radio advertisements and in the GOHS partnership with the Arizona Cardinals.

PRINT MEDIA CAMPAIGNS

Tempe July 4th Celebration Program





Taxi Toppers

GOHS continued its existing contract with Discount Cab for taxi topper advertisements. These advertisements appear on 33 taxis in Phoenix and Tucson resulting in millions of impressions per month.



Arizona Cardinals Partnership

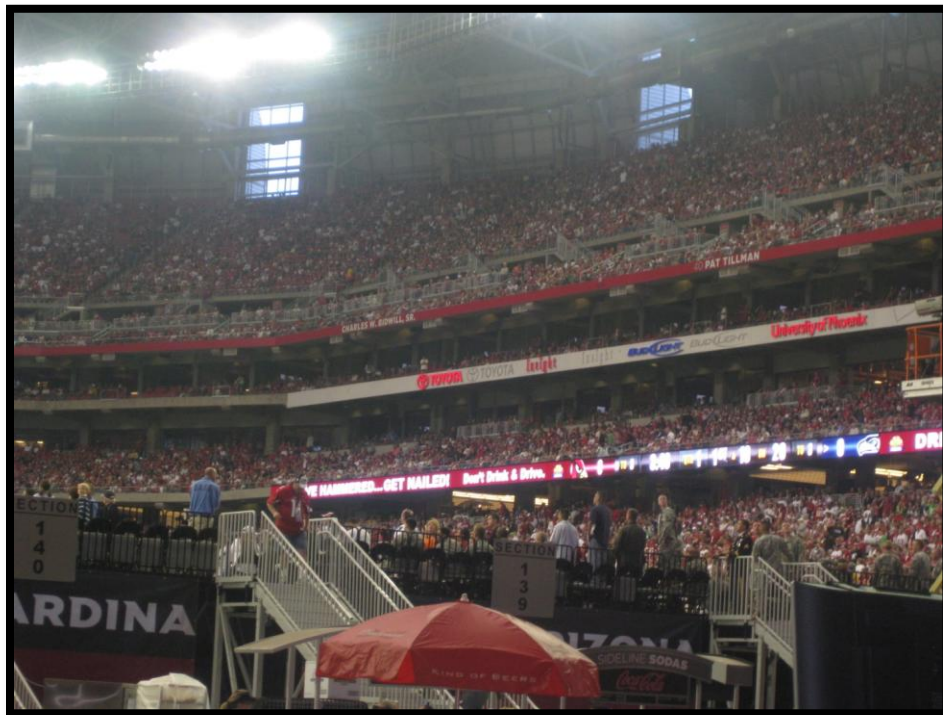
In 2009, GOHS entered into a partnership with the Arizona Cardinals Football team, promoting designated drivers and the enforcement message reminding fans not to drink and drive. As part of this partnership, GOHS is a co-sponsor of the Cardinals designated driver program with the TEAM coalition, Hensley Beverage Company and Coca-Cola. At home football games, fans have the opportunity to sign up to be a designated driver. Upon signing up, they receive a coupon for a free soda and are entered to win tickets to the NFL Pro Bowl. At the end of November 2009, the Arizona Cardinals were 5th in the NFL for signing up designated drivers, with 5,438 people signing up to be a designated driver.

With this partnership, GOHS has an LED ad that runs along the sidelines during the game, signage in the concession area and messages during the radio broadcast reminding fans not to drink and drive.

Arizona Cardinals LED Message



Arizona Cardinals LED Message



Arizona Cardinals Concession Display

**DRIVE HAMMERED...
GET NAILED!**



Don't Drink & Drive.

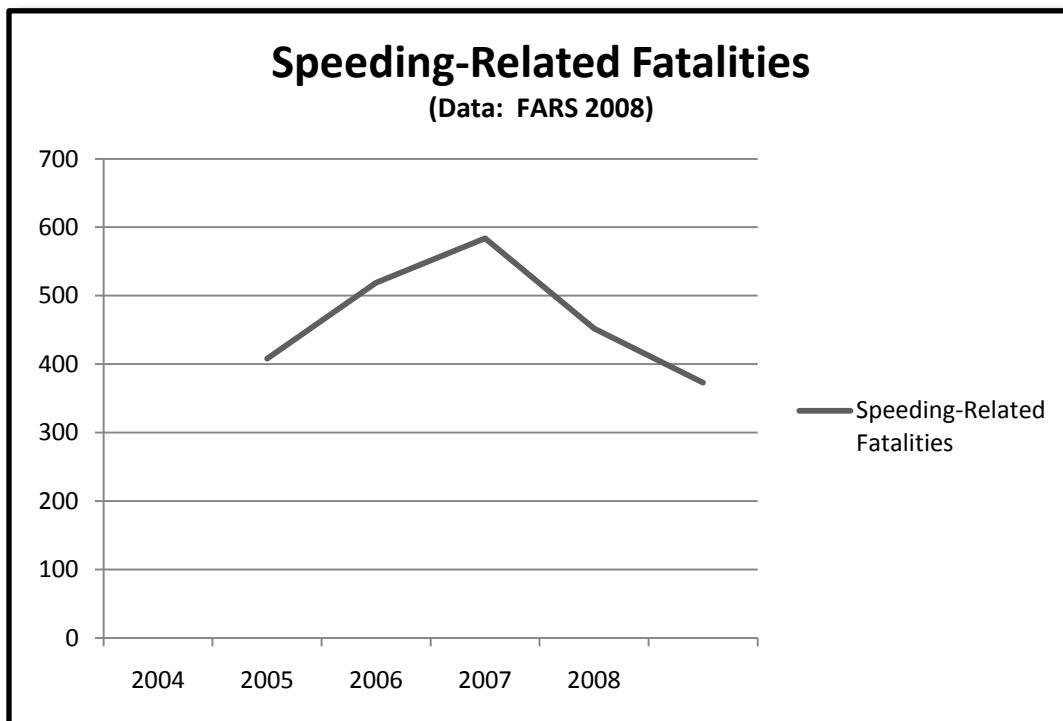


POLICE TRAFFIC SERVICES

Speed related accidents continue to be a leading cause of all traffic fatalities in Arizona. In 2008, speed related fatalities accounted for 39.81 percent of all traffic fatalities. However, speeding related fatalities decreased 17.58 percent in 2008 from 452 in 2007 to 373.

Over the five year period from 2004 through 2008, speeding related fatalities declined 8.58 percent.

In FY 2009, GOHS funded over \$1.4 million in overtime, equipment and training for law enforcement agencies statewide for speed and traffic enforcement.



FUNDED PROJECTS

GOHS funded twenty-six (**26**) police agencies over \$1.4 million in personnel services and employee related expenses dedicated towards programs related to DUI, speed, aggressive driving, intersection and school zone enforcement in an attempt to reduce the volume of fatality and serious injury collisions in Arizona.

GOHS funded three fully equipped police vehicles (San Luis, Safford, and Springerville) to enhance their traffic enforcement unit. These vehicle were additionally equipped with speed detection devices and digital video cameras

Yuma Police Department and Goodyear Police Department were provided funding for a speed trailer equipped with a digital display board and data collection capability. Sedona Police Department was provided funding for a speed and message display board.

Additional funding by GOHS provided the some of the following equipment to police agencies throughout Arizona:

- Fifty-eight **(58)** Speed Detection Devices (Radar, Lidar, Moving Systems)
- Eighteen **(18)** Digital Video In-Car Cameras
- Seven **(7)** Pairs of Stop Sticks
- Sixteen **(16)** Portable Breath Testing Devices (PBT)
- One **(1)** Laptop Computer
- Three **(3)** Motorcycle Helmets with Radio Systems



Scottsdale Transportation Department received \$30,000.00 to develop and maintain a traffic safety advertising campaign implementing movie theatres, brochures, banners and newspapers.

OCCUPANT PROTECTION

In FY 2009, of the 583 fatally injured motor vehicle occupants in Arizona, 320 – or 54.89 percent – were unrestrained during their crash. While overall motor vehicle occupant fatalities decreased in 16.60 percent 2008, the percentage of unrestrained occupants killed in accidents has remained constant – around 54 percent – for the prior five years.

Although a secondary seat belt law state, Arizona consistently achieves 80 percent seat belt use. According to the annual seatbelt survey, statewide seatbelt use in 2009 was 80.8 percent, up slightly from 2008 when usage was 79.9 percent. Child safety restraint use was up to 87.2 percent, up from 80.1 percent in 2008.



GOHS continues to participate in the on-going national **Click It or Ticket** enforcement campaign. During the May 2009 enforcement period, Arizona recorded 2,932 citations for child safety seats and seatbelt usage.

CIOT May 2009 Statistics	
Number of Agencies Participating	27
Seatbelt Citations	2453
Child Restraint Citations	479
Total Safety Belt Citations	2932
Other Citations Issued	
DUI	111
Moving Violations	640
Non-Moving Violations	731
Felony Arrests	25
Stolen Vehicles	12
Fugitives Apprehended	111
Suspended Licenses	211
Uninsured Motorists	478
Speed Citations	1346
Reckless Driving Citations	34
Drugs	50
Other	405

GOHS funded, supported, and administered numerous programs related to occupant protection. GOHS distributed hundreds of child safety seats to a wide variety of the population through distribution and hands-on training provided by police and fire departments, health, social service agencies as well as non-profit organizations.

GOHS funded certified Child Passenger Safety (“CPS”) instructors to provide continuous training to potential and technicians and instructors throughout Arizona. The Children Are Priceless Passengers (CAPP) in existence since 1994 has expanded to fifteen (15) locations (English and Spanish) throughout Arizona. CAPP continues to be a model program for a community partnership between police, health agencies and the municipal court system.

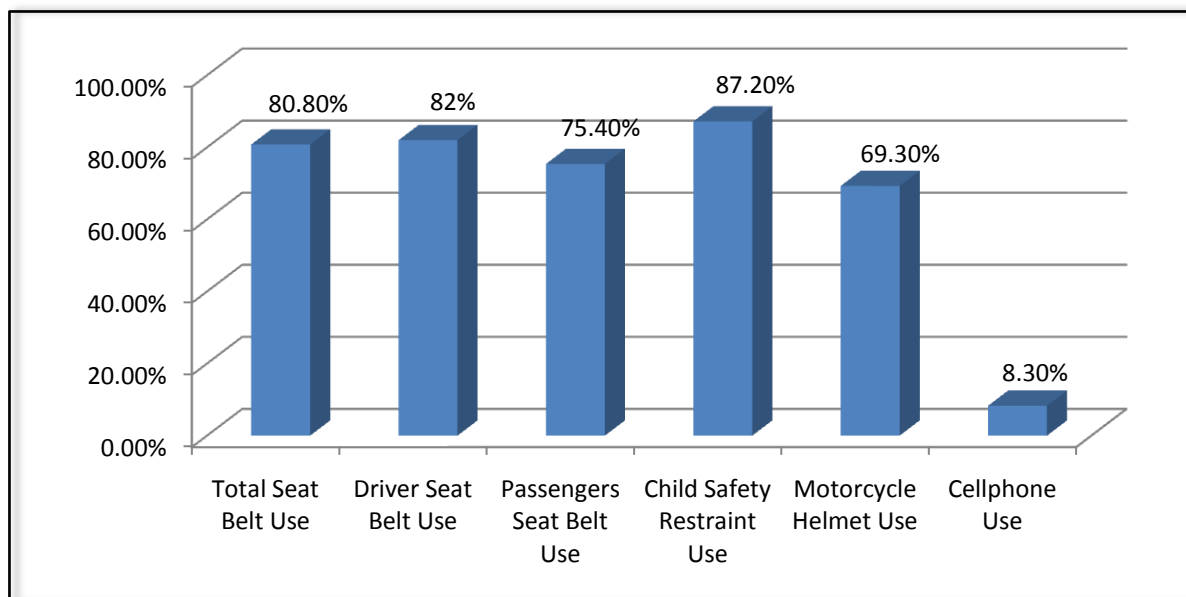
GOHS continues to fund the **1-800-505-BABY** hotline program which allows citizens without confrontation an option to report unrestrained children riding in vehicles. Phoenix Police Department administers this successful program. Last year, they received 1,890 phone calls, resulting in mailing 1,512 informational packets to vehicle registered owners. Approximately 1,361 educational letters were mailed as a result of citizens reporting unrestrained and/or improperly restrained children.



GOHS continues to provide funding to support personnel services (overtime) as well as materials and supplies for child safety seat inspections. GOHS additionally funds for grantees to attend the most current in and out state training seminars and/or conferences.

As part of the New Generation campaign twenty-seven (27) police agencies are now participating in a cohesive enforcement effort supporting by both paid and earned media. Recent surveys revealed a marginal increase in Maricopa County (Phoenix area) but an increase of **5%-7%** in Pima County (Tucson area). Extensive high visibility enforcement supported by public awareness and educational activities is the best strategy is addressing non-usage of seat belts and child safety seats.

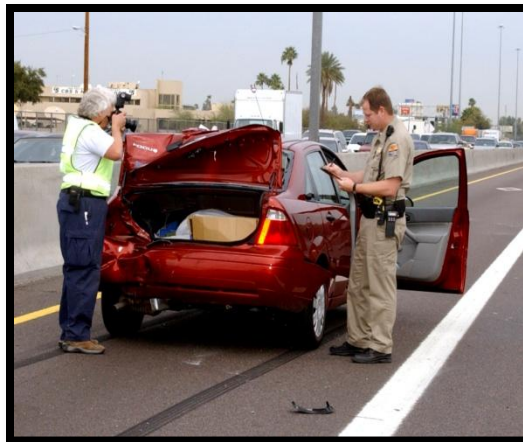
Overall Usage of Safety Devices – 2009 Arizona Seatbelt Use Survey



ACCIDENT INVESTIGATION

In FY 2009, GOHS continued funding accident investigation projects for agencies statewide with most of the funding going to the Arizona Department of Public Safety (“DPS”) and to the Tempe Police Department.

Total budgeted funding for this task amounted to **\$140,004.30** which including two (2) Nikon Total Station Accident Measuring Systems for DPS. The equipment purchased by DPS provided their fatal collision investigators with the most advanced technology in scene and diagram measuring systems.



Additional funding provided to the Tempe Police Department both in and out of state travel allowing fatal collision investigators to attend the most current Institute of Police Technology and Management (“IPTM”) collision reconstruction courses to enhance their investigative knowledge and abilities.



EMERGENCY MEDICAL SERVICES

In FY 2009, GOHS continued to show support for rural fire departments by funding extrication equipment for 21 fire departments and fire districts throughout Arizona.

GOHS funded over **\$445,508.00** in projects to fire departments and fire districts, providing valuable life saving extrication equipment for first on-scene responders. The equipment included various items of hydraulic tools, rescue kits, stabilization equipment,

hoses, generators etc.

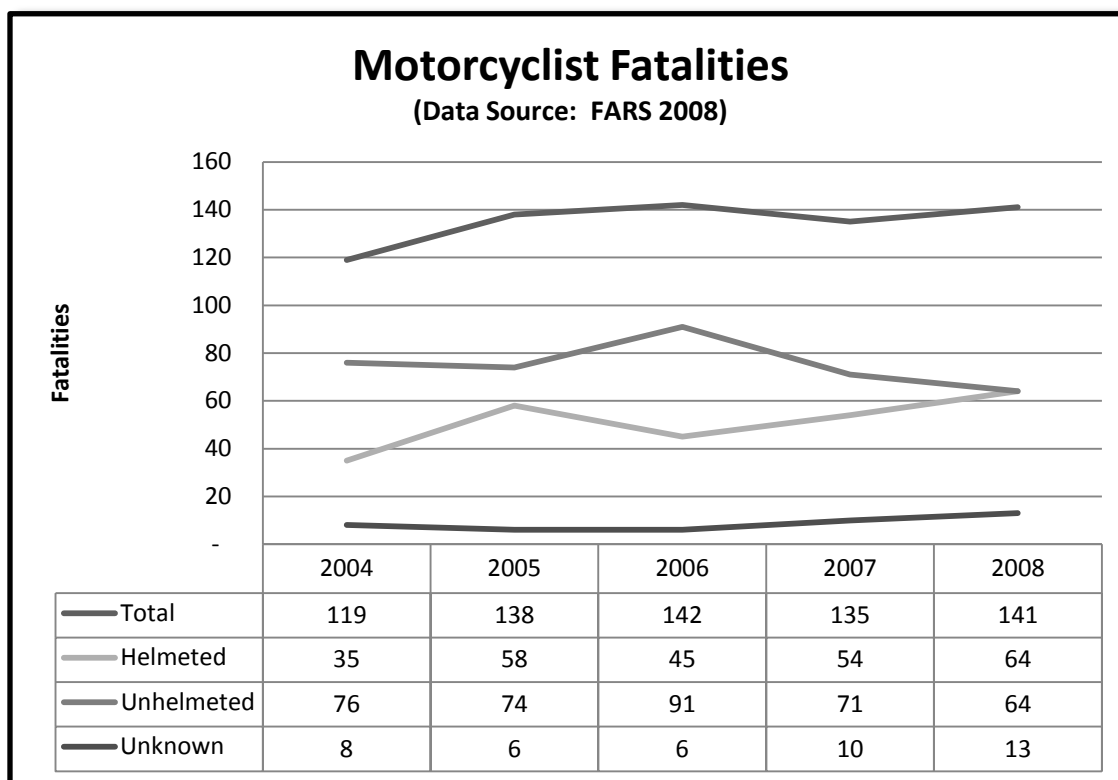
Of the 937 fatalities on Arizona roads in 2008, 55.82 percent (523 fatalities) occurred in rural areas.¹

¹ Arizona Motor Vehicle Crash Facts, 2008. Arizona Department of Transportation.

MOTORCYCLE SAFETY

Motorcyclist fatalities are the only core data measure for Arizona that saw an increase in fatalities in 2008.

Motorcycle fatalities continued increasing in 2008, rising 4.44 percent over the prior year to 141. In the most recent five year recording period, motorcycle fatalities have increased 18.49 percent.



More Arizonans are riding and registering motorcycles in Arizona. In 2008, there were 154,536 motorcycles registered – a 9.25 percent increase over 2007.²

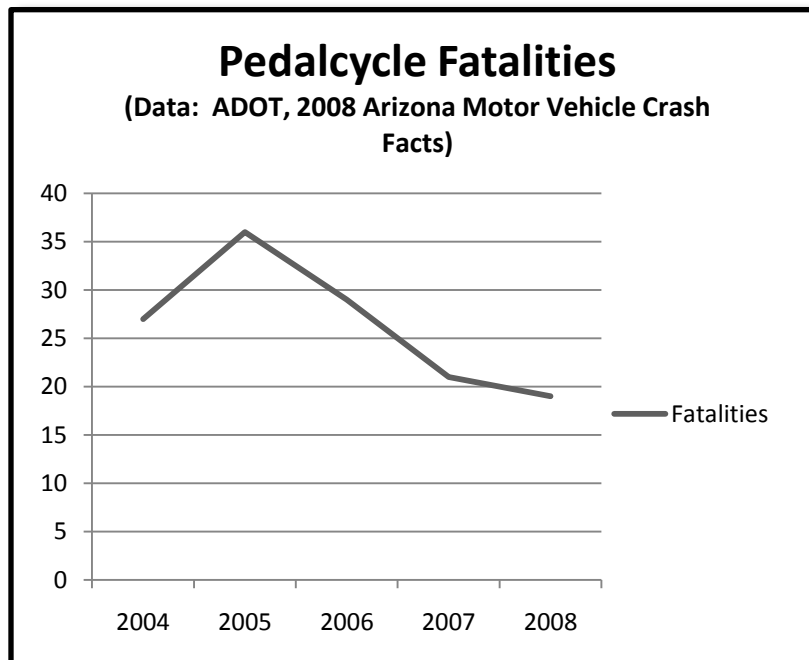
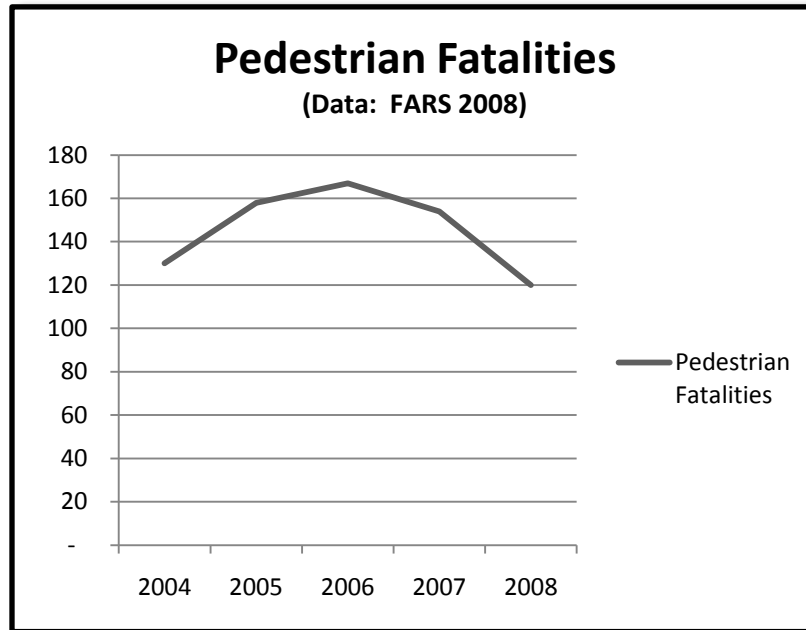
Arizona did not do enough in 2009 with either 402 or 2010 funds for motorcycle safety issues. In FY 2010, GOHS has plans to expend over \$250,000 in 2010 funds for an advertising campaign geared towards promoting motorcycle safety.

GOHS has set a goal for FY 2010 to decrease motorcycle fatalities two percent and will achieve this goal through an aggressive advertising and public relations campaign geared towards motorcyclists and non-motorcyclists alike.

² Arizona Motor Vehicle Crash Facts, 2008. Arizona Department of Transportation.

PEDESTRIAN AND BICYCLE SAFETY

Pedestrian fatalities continued to decrease in 2008, to 120 – a 7.69 percent decrease from the prior year. Pedestrian fatalities continue to decrease from their five-year peak of 167 in 2006.



In FY 2009, GOHS provided **\$90,000.00** in funding to the Arizona Department of Transportation for the purposes of conducting and enhancing bicycle and awareness programs throughout Arizona. These

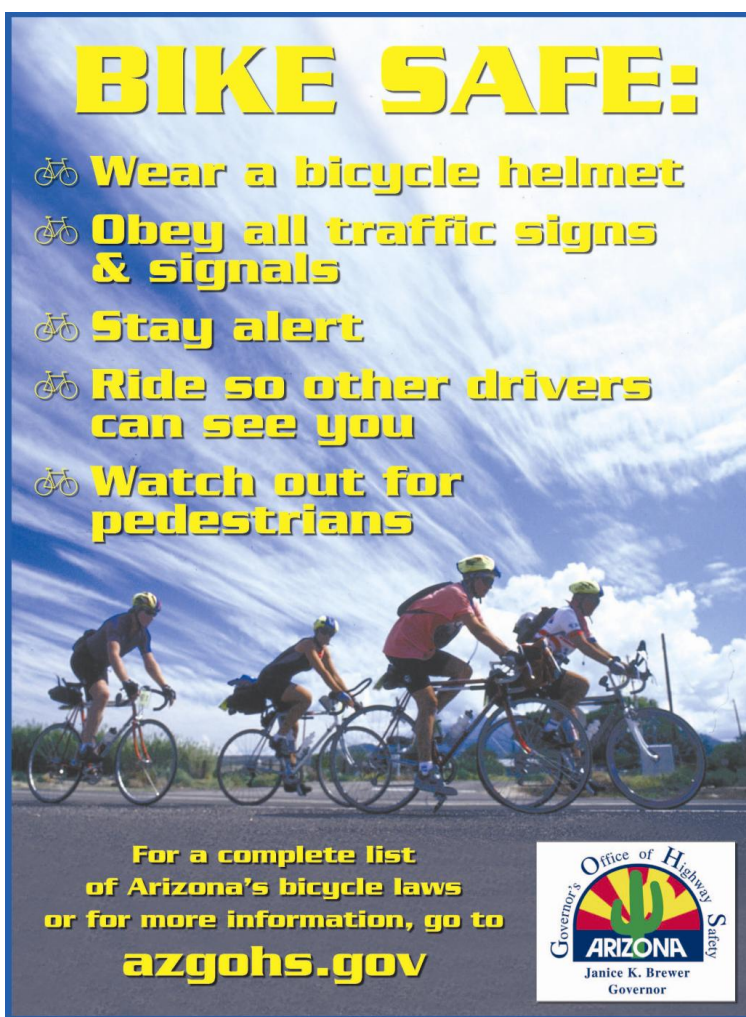
programs provided hands-on bicycle training as well as outreach programs in both Spanish and English (posters, brochures, radio messages, advertising).

GOHS additionally purchased **\$10,000.00** in youth bicycle helmets which were distributed to needy children at various public safety events during the year. Additional events and/or programs directed toward bicycle safety were conducted during the year as follows:

- Phoenix Children's Hospital- Bike Pro Walk Conference
- Phoenix Street Transportation- Traffic Safety Challenge Game
- Phoenix Street Transportation- Halloween Pedestrian/Bicycle Safety

This fall, GOHS ran the following ad in the "Back to School" issue of the College Times, which is distributed to 20 college campuses throughout the Phoenix area.

2009 College Times "Back to School" Advertisement

A vertical poster with a blue border. The background is a photograph of four cyclists riding on a road under a bright blue sky with wispy clouds. The text is in bold yellow font. At the top, it says "BIKE SAFE:". Below this, there are five bullet points, each preceded by a small bicycle icon. At the bottom, there is a line of text directing to a website, and a logo for the Governor's Office of Highway Safety, Arizona, featuring a stylized sun and the name Janice K. Brewer, Governor.

BIKE SAFE:

- 🚲 **Wear a bicycle helmet**
- 🚲 **Obey all traffic signs & signals**
- 🚲 **Stay alert**
- 🚲 **Ride so other drivers can see you**
- 🚲 **Watch out for pedestrians**

For a complete list of Arizona's bicycle laws or for more information, go to azgohs.gov

Governor's Office of Highway Safety
ARIZONA
Janice K. Brewer
Governor

TRAFFIC RECORDS & 408 INFORMATION SYSTEM IMPROVEMENT GRANT

As required by SAFETEA-LU, Arizona designated the Traffic Records Coordinating Committee (“TRCC”) to coordinate the collection and storage of traffic safety data. GOHS has been working with leadership at the Arizona Department of Transportation (“ADOT”) to better manage the data process that TRCC utilizes, including working on a redesign of Arizona’s accident report form.

In FY 2009, the TRCC – with funding from the section 408 grant – accomplished the following:

- Implementation of a new Model Minimum Uniform Crash Criteria (“MMUCC”) complaint database for crash data
- Implemented a new data entry application for the ADOT Traffic Records System
- Implemented a secure web portal for traffic safety incident data analysis and download
- Implemented a standard Electronic Incident Data Submission (“EIDS”) XML format
- Implemented an electronic procedure for return of rejected reports from MVD to AOC
- Reduced the number of days between a crash occurrence and data availability from 390 days to 90 days

GOHS is working with ADOT and the TRCC to insure that 408 funds are spent properly and in a timely manner. At the end of FY 2009, more than \$1 million in 408 funds remained unspent by TRCC.

In the summer of 2009, GOHS terminated its software contract with the Law Enforcement Advanced DUI Reporting System (“LEADRS”). The contract between GOHS and TMPA was entered into by GOHS with the understanding that LEADRS would be adopted as the DUI reporting system for many of the agencies that GOHS provides funding to. However, in recent months two of the largest recipients of funding from GOHS, DPS and the City of Phoenix Police Department have instead implemented TraCS as their reporting system for DUI and crash data.

GOHS intends on moving forward with funding to the TRCC to further develop and implement AZTraCS as the data repository for the state.

Utilizing section 402 funding, GOHS funded two (2) programs totaling **\$64,000.00** through the Glendale City Court to develop an e-ticket computerized citation system and for additional equipment to enhance the educational components of the court. Glendale City Court declined the awarded contract for the e-ticket system (**\$50,000.00**) which was subsequently added to a existing FY 2010 Glendale Police Department for the a new version of the same program.

RACIAL PROFILING

In FY 2009 as part of the Section 1906 Racial Profiling Grant, GOHS awarded DPS a contract for \$454,170 to fund field reporting software and hardware for DPS officers. The purpose of the hardware is to provide DPS officers a means to input data and print enforcement forms while in the field.

This year, software was developed and the mode of transfer from the car to central databases was perfected and converted to the most recent version of TraCS. Unfortunately, due to issues with DPS’s



budget, DPS was unable to provide the initial upfront funding for the equipment in FY 2009. As a consequence, all of the equipment will be ordered and installed in FY 2010.

Upon completion, this project will fund 875 portable printers and handheld bar scanners to be utilized in activities to prevent racial profiling and to collect and evaluate traffic stop data from motor vehicle stops throughout the State.

LOOKING AHEAD

FY 2009 was the year of transition and change at GOHS. The changes implemented this year will enable GOHS to successfully meet its ambitious Highway Safety goals in the years to come.

In conjunction with the goals set forth in the FY 2010 HSP, next year GOHS will:

- ✓ Continue to promote GOHS as the leading agency in promoting highway safety throughout Arizona.
- ✓ Maintain and enhance existing DUI Task Force operations, including saturation patrols and sobriety checkpoint development.
- ✓ Rewrite and expand the CAPP program to identified areas.
- ✓ Continue to fund programs (overtime and equipment) and identify strategies to reduce speed-related fatalities and serious injury collisions.
- ✓ Continue to develop the nationally recognized DRE and Phlebotomy programs.
- ✓ Evaluate the implementation of the 1906 – Racial Profiling Grant.
- ✓ Continue to partner with NHTSA and statewide law enforcement agencies on national mobilizations, such as “Click it or Ticket.”
- ✓ Rewrite the accident report form.
- ✓ Complete the forensic audit and determine GOHS’ balance sheet, status of carry-forward funding and overall financial status of the agency.
- ✓ Redesign the online grant management system.
- ✓ Redesign the online DUI reporting system.
- ✓ Implement a public relations and paid media campaign to decrease motorcycle fatalities.
- ✓ Maintain 80-82 percent seatbelt usage rate.

GOHS is optimistic that it will meet and surpass the goals and objectives outlined in our FY 2010 Highway Safety Plan and those enumerated above to reduce traffic fatalities in Arizona in this year and beyond.

GOHS is well prepared to meet these, and other challenges, to keep the public safe on Arizona’s streets and highways.