PILOT STUDY OF A "HOT LIST" FOR THE SPECIFIC ENFORCEMENT OF REPEAT DRIVING UNDER THE INFLUENCE OFFENDERS WITH SUSPENDED OR REVOKED LICENSES:

PROCESS EVALUATION

November 2013

Author: Patrice Rogers
Research and Development Branch
Licensing Operations Division

REPORT DOCUMENTATION PAGE

Form Approved
OMB No. 0704-0188

Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Washington Headquarters Service, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302, and to the Office of Management and Budget, Paperwork Reduction Project (0704-0188) Washington, DC 20503.

1. REPORT DATE (DD-MM-YYYY) November 2013	2. REPORT TYPE Final Report	3. DATES COVERED (From - To)	
4. TITLE AND SUBTITLE Pilot Study of a "Hot List" for the Specific Enforcement of Repeat Driving Under the Influence Offenders with Suspended or Revoked Licenses: Process Evaluation		**5a. CONTRACT NUMBER**	
		5b. GRANT NUMBER TR1016	
		5c. PROGRAM ELEMENT NUMBER	
6. AUTHOR(S) Patrice Rogers		**5d. PROJECT NUMBER**	
		5e. TASK NUMBER	
		5f. WORK UNIT NUMBER	
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) California Department of Motor Vehicles Research and Development Branch P.O. Box 932382 Sacramento, CA 94232-3820		**8. PERFORMING ORGANIZATION REPORT NUMBER** CAL-DMV-RSS-13-245	
9. SPONSORING/MONITORING AGENCY NAME(S) AND ADDRESS(ES) California Office of Traffic Safety 2208 Kausen Drive, Suite 300 Elk Grove, CA 95758-7115		**10. SPONSOR/MONITOR'S ACRONYM(S)** OTS	
		11. SPONSORING/MONITORING AGENCY REPORT NUMBER	

12. DISTRIBUTION AVAILABILITY STATEMENT

13. SUPPLEMENTARY NOTES email: research@dmv.ca.gov

14. ABSTRACT Repeat driving under the influence of alcohol or drug (DUI) offenders in California comprised 24.1% of all drivers involved in alcohol- or drug-related fatal crashes and 62.2% of those involved in alcohol- or drug-related injury crashes during 2010. Most DUI-prevention law enforcement operations (e.g., sobriety checkpoints) are intended to reduce DUI among the general driving population (i.e., general deterrence). Targeted enforcement efforts (i.e., specific deterrence) aimed at monitoring and ensuring DUI sanction and driver license action compliance among repeat DUI offenders has the potential to reduce their recidivism.

The California Department of Motor Vehicles provided 15 law enforcement agencies with bimonthly "Hot Lists" of the driver license numbers of all suspended or revoked multiple DUI offenders for their use in conducting interventions for reducing driving and DUI recidivism among these offenders. This report summarizes the various enforcement processes and levels of commitment to using the lists, describes several barriers identified, and discusses problems in general associated with conducting targeted enforcement efforts.

Hot List activities during the first year included 174 stops of offenders' vehicles, 308 in-person checks of offenders' compliances with probation requirements, 469 mailings of letters to offenders warning them not to drive, and 258 stakeouts of offenders at bars, residences, courts, or other locations. These activities resulted in 115 citations for driving on a suspended/revoked license, 129 vehicle impoundments, 23 DUI arrests, and 53 arrests for other reasons. The analysis identified barriers that contributed to limited use of the lists by some participating agencies—most resulting from funding constraints, officer training deficiencies, and the time and effort needed to verify requisite offender identities and residence addresses—and several tools and strategies that were developed by some agencies to more effectively use the Hot Lists. Recommendations are made for improving the dissemination and use of the Hot List, and for improving the reporting of Hot List-related activity.

15. SUBJECT TERMS   Suspended; Revoked; Hot List; Specific Enforcement; DUI; California

16. SECURITY CLASSIFICATION OF: Unclassified			17. LIMITATION OF ABSTRACT	18. NUMBER OF PAGES	19a. NAME OF RESPONSIBLE PERSON Douglas P. Rickard
a. REPORT Unclassified	**b. ABSTRACT** Unclassified	**c. THIS PAGE** Unclassified	None	46	19b. TELEPONE NUMBER (Include area code) 916-657-5768

Standard Form 298 (Rev. 8-98)
Prescribed by ANSI-Std Z39-18

PREFACE

ACKNOWLEDGEMENTS

EXECUTIVE SUMMARY

Introduction

Repeat driving under the influence of alcohol or drug (DUI) offenders in California comprised 24.1% of all drivers involved in alcohol- or drug-related fatal crashes and 62.2% of those involved in alcohol- or drug-related injury crashes during 2010. The long-term recidivism rates for DUI offenders increase as a function of their numbers of prior DUI offenses. Compared to 1st DUI offenders, 2nd DUI offenders are 24% more likely, and 3rd DUI offenders are 47% more likely to recidivate within 5 years of their conviction. It is well recognized that for some DUI offenders traditional countermeasures have limited effects, and these individuals often persist in choosing to drive while impaired even after multiple DUI convictions. Targeted enforcement efforts (i.e., specific deterrent efforts) aimed at monitoring and ensuring compliance among repeat DUI offenders with their DUI sanctions and driver license actions have the potential to reduce their recidivism.

In an attempt to reduce the traffic risk posed by repeat DUI offenders who continue to drive while suspended or revoked, in 2009 the California Office of Traffic Safety (OTS) asked the California Department of Motor Vehicles (DMV) to provide a bimonthly "Hot List" of driver license numbers and license plates of registered vehicles owned by repeat DUI offenders with active license suspensions or revocations for use in their license plate readers (LPRs). The Hot List was modified in 2010 to include additional data elements for use in targeted enforcement by eight law enforcement agencies.

In 2011, DMV was awarded an OTS grant (No. 20791) to re-implement the Hot List and facilitate its use by 15 law enforcement agencies, add additional data elements, and make refinements to the lists so they would be more immediately usable to the agencies. DMV was awarded a 2nd OTS grant (No. AL 1307) in 2012 to continue providing the list, document how it is used, and identify ways to improve its utility. The present report reflects this effort. DMV has also been awarded a 3rd grant (No. AL 1408) that runs from October 2013 until the end of September 2014 to continue providing the list, improve its use by law enforcement, and add six or more law enforcement agencies that do not have heavy time obligations due to other OTS enforcement/prevention efforts.

This report presents a process analysis of the activities and problems encountered during the first year of the re-implemented Hot List project, including the processes that were followed and the level of commitment made by the agencies, barriers identified with regard to using the Hot List, and problems in general associated with conducting enforcement efforts targeting specific offenders.

Method

The 15 participating law enforcement agencies who agreed to participate in the Hot List pilot project were provided the Hot List of suspended/revoked multiple DUI offenders with active suspensions/revocations by secure file transfer on a bimonthly basis. There were five data elements provided on the Hot List: (a) driver license numbers, (b) residence ZIP codes, (c) vehicle plate numbers from their last major conviction, (d) numbers of major convictions in prior 10 years, and (e) dates of last major conviction.

All participating agencies committed through use agreements to use the Hot List as a tool to conduct primary enforcement against repeat DUI offenders, provide regular reports of the Hot List-related enforcement activities to DMV throughout the 12-month duration of the pilot program using provided tracking sheets, and to abide by DMV-proscribed security-precautions and use-limitations of the Hot Lists.

Results

Law enforcement agencies spent about 1,400 hours on Hot List activities during the 12 months of the project. About 40% of this time was spent on pre-enforcement activities to prepare the Hot List for use (e.g., verifying license status and adding other data elements). Sixty-eight percent of the monthly tracking reports indicated that no Hot List offender enforcement activities had been completed during the reporting period.

The Hot List activities conducted by law enforcement during the first 12 months included:

- 174 stops of offenders' vehicles;
- 308 in-person checks of offenders' compliances with probation requirements;
- 469 mailings of letters to offenders warning them not to drive; and
- 258 stakeouts of offenders at bars, residences, courts, and so forth.

These completed Hot List activities resulted in:

- 115 citations for driving on a suspended/revoked license,
- 129 vehicle impoundments,
- 23 DUI arrests, and
- 53 arrests for other reasons.

Discussion

This process analysis identified several barriers that contributed to limited efforts made by some participating law enforcement agencies, and several highly effective tools and strategies that were developed by other agencies to more effectively use the Hot Lists. The following lists the barriers to effective use of the Hot List that were identified during the process analysis.

- **Limited staff/time/prioritization allocated for specific Hot List enforcement activities, often due to competing OTS grant obligations.** The most common reason provided for not having the time to conduct targeted Hot List enforcement was that all available staff was committed to completing other OTS grant required activities focused mostly on general deterrence, leaving little time for the Hot List specific deterrent efforts.

- **Too much time is required to complete missing data elements and identify offenders on the Hot Lists to make them useful for enforcement.** Many agencies reported that it takes too much time to get the offender information from the Hot List into a usable form (e.g., to identify offenders and their locations) to make the information usable for actual targeted enforcement. Law enforcement representatives have repeatedly requested that additional data elements be added to the Hot List to decrease the amount of time required to make it more immediately usable for focused enforcement, and also to augment its utility for use in conducting less time-intensive specific deterrent operations. The data they have requested is in accord with the data elements recommended in NHTSA-funded guidelines that were developed, piloted, and implemented in a few states in 1998.

- **Limited knowledge of DUI, or suspended or revoked offender concentration areas.** While some of the participating agencies have access to crime mapping systems designed to help them focus enforcement efforts, their systems generally do not track DUI-related traffic statistics, such as where concentrations of offenders reside, or DUI arrests or alcohol-involved crashes occur, leading to inefficient use of the Hot List.

- **Training issues for effective use of the Hot List**. Some of the participating officers had little knowledge of how to best use the Hot List information or how to most effectively choose offenders from the list for efficient enforcement efforts. They suggested that greater collaboration between the participating agencies might aid efficiency for all of the agencies.

- **Unexpected problems with using the Hot Lists in LPRs.** Several of the agencies wanted to use the Hot List in LPRs, but have had trouble purchasing the LPR equipment or having the vendor load Hot List cases into the LPR units.

- **Other barriers.** Other reasons for limited Hot List use included: officers being deployed to assist in other matters; entire units undergoing required extended training; low staffing due to budget cuts; and only being allowed to do Hot List work if time was funded by OTS grants.

Recommendations

The following recommendations are made for improving the dissemination and use of the Hot List, and for improving the reporting of Hot List-related activities to DMV.

1. **Identify and add law enforcement agencies to the next phase of the Hot List pilot project that have minimal OTS grant obligations.** The law enforcement agencies added during the next Hot List grant should not have heavy time obligations due to other OTS enforcement or prevention efforts, because it is expected that such agencies will have more flexibility and leeway in how they spend their enforcement time and hence be able to dedicate greater time to repeat-offender-targeted enforcement activities assisted by the Hot List.

2. **DMV should consider adding data elements to the Hot List that have been requested by law enforcement agencies to increase its usability.** These data elements are:

   - offender residence address;

   - suspension/revocation service code (e.g., verbal notice, certified mail, etc.);

   - number of driving while suspended or revoked violations; and

- ignition interlock device restriction status.

3. **Have law enforcement agencies that are most successfully using the Hot List share their strategies and mentor other agencies.** This sharing and mentoring should include the best processes for matching offender identifiers to the driver license numbers listed on the Hot List and the most effective enforcement strategies.

4. **Capture additional data elements on the monthly tracking reports.** The new elements should better assess the volume of workload dedicated to using the Hot List as an enforcement tool and to better determine the full extent of enforcement actions that are due to having used the Hot List to determine that enforcement is appropriate. The new data elements that should be collected from participating agencies are:

   - the number of officers within each agency who are given access to the Hot List and charged with obtaining the necessary information on the identity, criminal status, and driver license status of the listed offenders;

   - the number of officers assigned within the agency to conduct actual Hot List-offender-targeted enforcement;

   - the percentage of each Hot List-assigned officer's time spent conducting targeted enforcement activities;

   - the number of citations for driving unlicensed resulting from Hot List use; and

   - the number of probation violation checks performed as a result of the Hot List.

5. **Determine the level of law enforcement management support for conducting specifically targeted interventions to reduce driving and DUI recidivism among Hot List offenders.** This should include the number of officers who are provided the information, sufficient training, and enough time to conduct targeted-enforcement interventions.

6. **Interview law enforcement officers who are provided the Hot Lists.** The interviews should chronicle the officers' impressions of their effectiveness in using the Hot List, and

determine what knowledge they have and what training they have received that helps them use the Hot List for targeted enforcement of repeat DUI offenders.

7. **Law enforcement should consider a method to continue sharing the Hot List offender map created by the Petaluma Police Department's mapping tool.** The map of Hot List offenders could help simplify Hot List delivery in the future and enable law enforcement agencies to better target Hot List offenders.

8. **Consider additional metrics to broaden the scope of activity tracking and help determine whether an outcome evaluation is feasible.** Additional metrics that might be obtained from each law enforcement agency are detailed in this report.

TABLE OF CONTENTS

LIST OF TABLES

LIST OF FIGURES

INTRODUCTION

General Background

Crashes caused by driving under the influence of alcohol and/or drugs (DUI) are a major source of mortality and morbidity in California. For example, 53% of all California traffic fatalities and 12% of all traffic injuries in 2011 involved alcohol or drug use (Oulad Daoud & Tashima, 2013). Even though the total number of traffic fatalities in California declined starting in 2008 due to the weakening of the U.S. economy, higher percentages of traffic fatalities involve alcohol or drug use now than in prior years. In 2013 the National Transportation Safety Board (NTSB) recommended that both general deterrents—such as sobriety checkpoints—and specific deterrents—such as court sting operations—be used in combination as mainstays of state and local efforts to reduce mortality and morbidity associated with DUI (NTSB, 2013).

Many general deterrence DUI enforcement countermeasures that have the potential to deter the general population of drivers from driving impaired—such as high visibility enforcement (HVE) activities—have been institutionalized by states and are typically well-funded and supported by the traffic safety community. Common HVE countermeasures, such as sobriety checkpoints or law enforcement saturation patrols, have been shown to substantially reduce DUI (Lacey, Ferguson, Kelley-Baker, & Rider, 2006) and DUI-related driving fatalities (Community Preventive Services Task Force, 2012; Nelson et al., 2013; Shults et al., 2001).

Administrative license suspension—which is when law enforcement officers immediately confiscate the licenses of DUI suspects during their arrests and initiate a DMV license suspension or revocation—is one of the most effective interventions states can use to decrease DUI (DeYoung, 2013; Wagenaar & Maldonado-Molina, 2007). This intervention has been shown to reduce DUI among the general driving population (general deterrence) and also recidivism among drivers arrested for DUI (specific deterrence). In California, administrative license suspension is estimated to reduce recidivism by 21% for 1st offenders and 19% for repeat offenders (Rogers, 1997). Even so, it is estimated that up to 75% of suspended and revoked drivers continue to drive (Coppin & Van Oldenbeek, 1965; Hagen, McConnell, & Williams, 1980; Lenton, Fetherston, & Cercarelli, 2010; Ross & Gonzales, 1988), albeit generally less often and more carefully (Clark & Bobveski, 2008; Ross & Gonzales, 1988). These suspended and revoked drivers who continue to drive pose a traffic safety risk that is about three times higher than that for properly licensed drivers (Brar, 2012; Gebers & DeYoung, 2002).

The Need for Targeted Enforcement of Repeat Offenders

It is well recognized that traditional countermeasures have limited effects for some DUI offenders and that these individuals often persist in choosing to drive while impaired even after multiple DUI convictions (Simpson, Beirness, Robertson, Mayhew, & Hedlund, 2004). Repeat DUI offenders in California comprised 24% of all drivers involved in alcohol- or drug-related fatal crashes and 62% of those involved in alcohol- or drug-related injury crashes during 2010 (Oulad Daoud & Tashima, 2013). The recidivism rates of DUI offenders increase as a function of their numbers of prior DUI offenses. Compared to 1st DUI offenders, 2nd offenders are 24% more likely and 3rd offenders are 47% more likely to recidivate within 5 years of their DUI conviction. The National Highway Traffic Safety Administration (NHTSA) estimates that drivers involved in fatal crashes with BACs of 0.08% or higher are seven times more likely to have a prior DUI conviction than those with no alcohol in their systems (NHTSA, 2012).

Targeted enforcement efforts specifically aimed at monitoring repeat DUI offenders and ensuring compliance with their DUI sanctions and driver license actions have the potential to reduce their recidivism, particularly when combined with other high visibility traffic enforcement strategies such as sobriety checkpoints, saturation patrols, or random traffic checkpoints (i.e., license, registration, and insurance checks; Moser, 1998; NTSB, 2013). Towards this end, the American Association of State Highway and Transportation Officials (AASHTO), with the assistance of the Federal Highway Administration, NHTSA, and the Transportation Research Board, recommended in 1998 that states create and distribute to law enforcement "Hot Sheets" that list the unlicensed, suspended, and revoked drivers living in particular areas for specific enforcement purposes (AASHTO, 2005). Similarly, the President's National Commission against Drunk Driving declared in 2004 that:

> Persistent drinking drivers have not responded to the threat of legal sanctions or to prevention activities. In order to help curb the traffic safety problem posed by this group of drivers each state should develop a comprehensive system with key features aimed at deterring the persistent drinking driver.... Special enforcement campaigns, such as developing a 'Hot List' of repeat DUI offenders or the 'Stakeout' of people who have lost their license due to a DUI conviction should help to detect future violations and reduce impaired driving.... Publicizing these campaigns may increase the perceived likelihood of apprehension and result in better compliance with the law. (National Commission Against Drunk Driving, 2004).

2

Given the high-risk nature of repeat DUI offenders and the potential effectiveness of license actions against them, there is a clear need for specific enforcement efforts that target those offenders who persist in violating their license actions. Such efforts may result in greater offender compliance with DUI sanctions and license actions, particularly if the targeted enforcement efforts are well publicized and diligently carried out. This is consistent with Recommendation H-13-07 of the NTSB, which recommends that states include in their impaired driving prevention plans or highway safety plans elements that specifically target repeat DUI offenders to reduce their recidivism (NTSB, 2013). The current project is intended to determine the extent to which one such specific enforcement effort—a "Hot List" of repeat DUI offenders on active suspension or revocation that is provided to law enforcement for targeted interventions with these offenders—may be an important element in California's efforts to reduce mortality and morbidity associated with DUI and also addresses this NTSB recommendation.

Implementation of Habitual Offender Unit Efforts to Target Repeat Offenders

The need for specific enforcement efforts aimed at repeat DUI offenders was recognized by law enforcement before the AASHTO and NTSB recommendations. The earliest example is from 1991 when Ohio established a Habitual Offender Tally (HOT) sheets program, which was distributed to every county in Ohio, and listed all drivers with suspended licenses and five or more DUI arrests. The Ohio Department of Public Safety (ODPS) reported that the Ohio HOT Sheet program resulted in 18,411 arrests of habitual offenders between August 1991 and January 2003 (ODPS, 2008). In California several police departments (PDs) had established specialized Habitual Offender (HO) units, which are specialized groups of officers that specifically target repeat DUI offenders. The purpose of these HO units was to reduce deaths caused by recidivating drunk drivers. A HO "Hot Sheet" of repeat DUI offenders was compiled in the course of such efforts by the Los Angeles Police Department (LAPD) in December 2003 to allow targeted enforcement of these offenders' court-ordered sanctions (e.g., driver license suspension) and conditions of probation. Unique at the time, the LAPD HO unit and their activities received considerable media attention. About that same time, the Fresno PD also established a HO unit and initiated numerous innovative HO-targeted enforcement strategies that also lead to extensive media coverage of their program.

In response to seeing the success of HO units, and in line with federal initiatives offered at the time, the California Office of Traffic Safety (OTS) provided funding for several additional HO units throughout the state. However, over the succeeding years since those initiatives, the financial support for the remaining HO targeted enforcement efforts largely comes from the PDs.

As a result, the HO unit's personnel hours and other resources are usually allocated to other enforcement duties as well, commonly allowing only a fraction of their time to be spent on dedicated HO-targeted enforcement activities compared to past years.

In addition to DUI/driver license checkpoints and DUI saturation patrols, as recently as 2010 the LAPD was funded by OTS to develop a "Hot Sheet" program and conduct stakeout operations for officers to concentrate on specific enforcement of suspended or revoked repeat DUI offenders. That grant funded "Court Sting" operations of DUI offenders with suspended or revoked driver licenses who subsequently drive away from their court appearances. The LAPD also targeted repeat DUI violators who failed to appear in court or who violated probation during warrant sweeps. Their efforts were designed to earn media attention to enhance the general deterrent effects. This program's success has led the LAPD to continue to support these operations even without OTS funding, and many of the recommended strategies in the current Hot List project are based on the successes from that program's efforts.

History of the Hot List Project

In an attempt to reduce the traffic risk posed by repeat DUI offenders who continue to drive while suspended or revoked, in 2009 OTS asked the California Department of Motor Vehicles (DMV) to provide a "Hot List" of driver license numbers and license plates of registered vehicles owned by repeat DUI offenders with active license suspensions or revocations. The list was updated every 2 weeks and provided via a Virtual Private Network (VPN) connection to several law enforcement agencies to be used in their automated License Plate Readers (LPRs).

In 2010 OTS asked DMV to expand the repeat DUI offender Hot List to include not only the driver's license number and ZIP Code, but also the driver's number of prior DUI convictions within the 10 years since the last DUI conviction (establishing offender status), and the license plate number of the vehicle driven by the offender during the most recent DUI. Again, several participating law enforcement agencies were authorized to obtain this more detailed DMV Hot List file via a VPN. While there is anecdotal evidence that some of the law enforcement agencies used these data to target suspended repeat DUI offenders, the implementation appears to have been inconsistent, and no process data were captured that could be used to describe how police used these data or to determine whether this phase of the pilot was truly successfully implemented.

The key problem with the implementation of the original Hot List pilot was that there was no project manager providing oversight of data usage, identifying barriers to data use and implementation by the law enforcement agencies, monitoring how the data were used, or systematically collecting information about the process. Consequently, in 2011 OTS approved a grant (N0. 20791) for the current Hot List project for which DMV was to re-implement a Hot List pilot program targeting high-risk suspended/revoked multiple DUI offenders with active suspensions/revocations and provide it bimonthly to 15 law enforcement agencies. As part of this grant, DMV was responsible for oversight of the Hot List and tasked with ensuring maximum use of the data, collecting process measures, working to improve ease of obtaining and interpreting the data, and reducing barriers to use of the data. DMV was awarded a 2nd OTS grant (No. AL 1307) in 2012 to continue providing the list, document how it is used, and identify ways to improve its utility. The process analysis presented in the current report reflects that effort. DMV has also been awarded a 3rd grant (No. AL 1408) that runs from October 2013 until the end of September 2014 to continue providing the Hot List, improve its use by law enforcement, and add six or more new law enforcement agencies.

Study Purpose

This report presents a process analysis of the activities and problems encountered during the first year of the re-implemented Hot List project (July 2012–June 2013), including the processes that were followed and the level of commitment made by the agencies, barriers identified with regard to using the Hot List, and problems in general associated with conducting enforcement efforts targeting specific offenders. The specific goals of the process evaluation were to:

1. assess the extent to which the participating agencies strictly adhered to the pilot project plan of conducting specifically targeted interventions to reduce driving and DUI recidivism among the identified suspended or revoked multiple DUI offenders in their areas;
2. examine whether law enforcement resource expenditures were adequate;
3. establish whether sufficient policy- and resource-support were being maintained by the law enforcement agencies obtaining the Hot List from DMV;
4. describe the various ways that the Hot List was used by these agencies and provide summaries of their activities; and
5. identify the best implementation practices among those reported by the participating agencies.

METHOD

Participating Law Enforcement Agencies

In December 2011, DMV held a meeting to initiate re-implementing the DMV DUI Hot List Pilot Program with 32 individuals representing 22 police or Sheriff's agencies solicited from 29 total agencies identified by OTS as good candidates for participation since they had good track records of seeking, obtaining, and complying with OTS law enforcement grants over the years. Fourteen of the agencies that participated in the initial launch meeting and one additional agency, the Fortuna Police Department, agreed to participate in the re-implemented Hot List Pilot Project (Table 1).

Table 1

15 Law Enforcement Agencies Agreeing to Participate in the Hot List Pilot Program

1. Citrus Heights Police Dept.	6. Los Angeles Police Dept. – Valley Division	11. Petaluma Police Dept.
2. Fontana Police Dept.	7. Los Angeles Police Dept.– West Traffic Division	12. Riverside Police Dept.
3. Fortuna Police Dept.	8. Livermore Police Dept.	13. Riverside Sheriff's Office – Norco
4. Fresno Police Dept.	9. Moreno Valley Police Dept.– Traffic Division	14. Sacramento Police Dept.
5. Gardena Police Dept.	10. Murrieta Police Dept.	15. South San Francisco Police Dept.

The Fresno PD and LAPD had participated in the initial Hot List project efforts described earlier in this report. The Fresno PD maintains a HO unit with limited OTS funding, and the LAPD continues to maintain at least two HO units that receive no external funding support. In addition, other PDs participating in the Hot List project (e.g., the Sacramento PD, the Petaluma PD, and perhaps others) had DUI-enforcement units that focus more broadly on DUI issues, including

targeted prevention efforts such as sobriety checkpoints and other HVE efforts, and conduct only limited HO compliance monitoring.

<u>Hot List Use Agreement Form</u>

DMV developed a Hot List Use Agreement Form (Appendix A) and distribution schedule that described the DMV's expectations, and solicited agreement from each participating agency to commit to:

1. using the Hot List as a tool to conduct interventions specifically targeted to reduce driving and DUI recidivism among the identified suspended or revoked multiple DUI offenders in their areas,
2. tracking these enforcement activities, and
3. providing monthly reports of the Hot List-related enforcement activities to DMV for 1 year.

The Hot List Use Agreement Form also specified security-precautions and use-limitations to be strictly adhered to by both DMV and each participating Police or Sheriff's Agency, and was used to obtain the specific ZIP Codes (if any) for which each agency was most interested in receiving cases. The schedule consisted of a calendar indicating the bimonthly dates that the Hot Lists would be provided to the participating agencies and the monthly dates by which the agencies should submit completed activity tracking sheets.

<u>Hot List Data Elements</u>

In an effort to make the Hot List data file provided by DMV more user-friendly compared to earlier incarnations, the DMV Research and Development Branch developed SAS programming to modify how the Hot List data fields were arranged and the procedures by which the Hot List would be provided to the participating agencies.

The data that were initially intended to be included on the Hot List for each listed individual repeat DUI offender with a suspended or revoked driver license were the driver's:

1. date added to the Hot List,
2. residence address ZIP Code,
3. driver license number,

4. vehicle license plate number of the vehicle recorded on the most recent abstract of a DUI conviction,
5. number of DUI convictions within the prior 10 years, and
6. date of the most recent DUI conviction.

With the first release of the Hot List in July 2012, several participating agencies identified and reported to DMV inaccurate listings and errors in the data elements on the Hot List. DMV worked with the agencies to pinpoint the errors and to determine what DMV programming corrections were needed to rectify the errors. Some of the corrective programming was completed within the first 2 months of releasing the Hot Lists. However, extensive DMV programming corrections are still needed to specifically limit reported counts of offenses to only DUI offenses. Currently, the Hot List provides the count of *all types of major convictions[1]* that the DUI repeat offender had accrued over 10 years instead of providing the count of only *DUI convictions* accrued by the offender during that period. Major convictions include DUI, but also include reckless driving, driving with a suspended or revoked license, and convictions for other serious 2-point moving violations. Programming to correct this error and count only DUI convictions will take more time. Meanwhile, the data column headings for the Hot List were changed in the files that were provided participating agencies by the Research and Development Branch to reflect the data that were actually provided for the first 12 months after re-implementation:

1. date added to the Hot List,
2. residence address ZIP Code,
3. driver license number,
4. vehicle license plate number of the vehicle recorded on the most recent abstract of a major (2-point) conviction,
5. number of major (2-point) convictions within the 10 years of the last major offense, and
6. date of most recent major (2-point) conviction.

The differences in the data fields from what was originally intended do not adversely affect the utility of the data for identifying repeat DUI offenders. Therefore, the Hot Lists continued to be released as scheduled with these data fields while the programming changes were being made.

---

[1]All major 2-point convictions (e.g., DUI, reckless driving, and driving with a suspended or revoked license) under the California Negligent Operator Treatment System.

At the suggestion of some of the participating agencies, the Research and Development Branch added a separate tab to the Hot List data that showed the driver licenses of the offenders who had dropped off the list since it was last released. These offenders usually dropped off because they reinstated their licenses, but sometimes because their driving record was updated to show that they were deceased. This information was added to help the officers who may have compiled detailed offender information from prior lists to stop enforcement efforts for offenders who were no longer on the Hot List. With this information, a quick check against this list could save time that the officers would otherwise have spent rechecking the offenders' statuses, and any rechecking would only be needed for those who do not appear on the "drop" list.

Distribution of the Hot Lists to Participating Law Enforcement Agencies

Beginning on July 2, 2012 the DMV Research and Development Branch began providing 15 participating law enforcement agencies the Hot Lists bimonthly in the form of Excel spreadsheets. Upon receipt of the spreadsheets, the participating law enforcement agencies began carrying out agreed upon data-use activities. Each Hot List spreadsheet file contained data for 80,000 or more repeat DUI offenders statewide, along with separate tabs created by the DMV Research and Development Branch that contained only the cases from the specific ZIP Codes requested by each agency.

The process of creating the formatted Excel Hot List spreadsheets that were provided to the participating law enforcement agencies started with a text data file generated by a DMV-programmed bimonthly pass through the Driver License Masterfile database. This file was downloaded and processed by the Research and Development Branch using SAS to format the data fields, identify newly added offenders, sort the list, create the main statewide list of suspended or revoked repeat DUI offenders, and make separate tabs of offenders grouped by the ZIP Codes selected by the participating agencies. The completed Excel file was then password encrypted and sent by secure email to each participating agency.

It was immediately identified that due to various security and access constraints imposed by their agencies' computer systems, several of the participating agencies could not receive the Hot List spreadsheets due to the size of each file (varying from 12–16 MB). After several failed attempts to compress or reformat the full spreadsheet for these agencies, DMV produced and provided to these agencies a separate subset of the full spreadsheet that consisted of only offenders from their requested ZIP Codes.

Subsequently it also became clear that DMV's encrypted email system that was used to send the Hot Lists by secure email to participating agencies was not always reliable. Continuing efforts were made throughout the project to resolve ongoing retrieval problems and to overcome system constraints. This process was far more time consuming than had been anticipated, though it was still considered more "user friendly" than the VPN method used for prior Hot List efforts.

Eventually, due to ongoing intermittent problems experienced by a number of the agencies attempting to open the secure email Hot Lists, DMV established an alternative simple File Transfer Protocol (FTP) to provide the data. This has been found to be the simplest and preferred mode of providing the Hot Lists to most of the participating agencies. However, three of the participating agencies restricted access to the FTP site, so for the duration of the pilot program, the Hot List was sent to each of the agencies using the mode that they identified as working best for them between the two different processes available.

Hot List Activity Tracking Sheet

DMV developed and provided a Hot List activity tracking sheet to capture volumes of various types of enforcement activities or contacts completed by the participating law enforcement agencies (Appendix B). The tracking sheet also listed some potential uses of the Hot List data. The tracking sheets were to be completed by the participating agencies and sent to DMV on a monthly basis to allow DMV to establish the various ways that the Hot Lists were actually being used, and the extent to which having the information enabled effective enforcement activities.

The tracking sheet data collected for the first 12 months of activity following the reimplementation of the Hot List are summarized in this process evaluation along with other process data collected through two formal meetings with participating agencies and frequent communications with agency personnel via phone and email.

RESULTS

Hot List Acquisition among the Law Enforcement Agencies

During the initial months of the project, most of the participating agencies indicated that they had accessed and reviewed all of the Hot Lists that were provided. However, as described earlier, it took some deliberation and alternative means of providing the Hot List information to several of the agencies mostly due to their limits on email access or in obtaining large data files. This resulted in several agencies being somewhat delayed in being able to begin using the Hot Lists. Figure 1 shows the total number of times (out of 24) that each participating law enforcement agency obtained the bimonthly Hot List. "Obtained" simply means that the agency took the necessary steps to download the Hot List data file from the DMV secure email or FTP site. Eleven of the law enforcement agencies accessed the majority of the Hot Lists; the most obvious low access agencies are the Riverside, Fresno, Livermore, and Murrieta PDs.
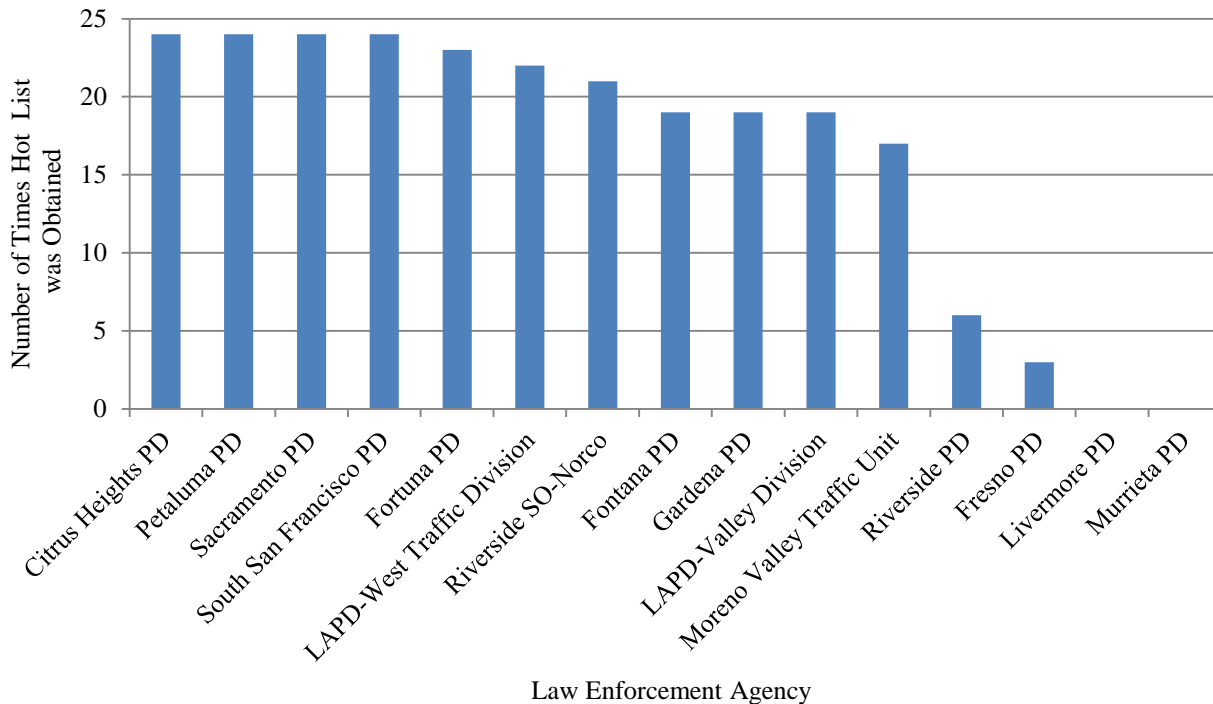

Figure 1. Total number of times the bimonthly Hot List was obtained by each law enforcement agency during the first 12 months of Hot List reimplementation.

The Livermore and Murrieta PDs never took the steps to obtain a single Hot List, so in reality only 13 of the 15 "participating" agencies were actually using the Hot Lists throughout the year.

13

It became apparent shortly after re-implementing the Hot List that Livermore PD was not really participating. It was later learned that the agency had shut down their traffic unit and the officer who had wanted to conduct Hot List enforcement efforts had been put back on general patrol, so there were no agency resources available for participation in the project. The Murrieta PD had indicated from the start that they were intending to use the Hot List only in conjunction with their LPRs and had no activity to report throughout the year as they waited for LPR accessibility and training. By the end of the year they still had not succeeded in getting the Hot List loaded into their LPRs. The Murrieta PD indicated that they had no time to work directly with the Hot List data in another manner, but expressed interest in participating in the project in the future; they continue to be optimistic that they will eventually be able to use the Hot List in their LPRs. The Riverside PD did not often obtain the Hot List, but they did successfully load Hot List data in their LPRs, which subsequently resulted in several enforcement activities.

The Fresno PD accessed the Hot List only three times during the year and eventually indicated that they no longer wished to participate in the project. This was surprising because they had participated in every Hot List effort from the program's inception. During discussions with Fresno PD it was determined that they believe that the Hot List is a viable tool worth supporting, but that identifying the offenders and obtaining their detailed information was too labor intensive to make their continued participation worthwhile. Specific reasons they gave for opting to not continue participating are that they lack support staff to identify the Hot List offenders and deploy the data to the agency's 75 traffic officers and over 250 patrol officers; they believe their DUI efforts should focus on a "broad net" general deterrence approach, rather than fishing for specific repeat offenders; and that their agency's 2010 OTS grant-funded purchase and deployment of electronic ticket writers allows them to capture all of their traffic enforcement data and to deploy recourses in an effective manner. In this system, vehicle code violation data are placed on scalable maps that display any further arrests stemming from traffic stops. They felt that the Petaluma PD mapping tool (described later in this report) has the potential to help streamline the pre-enforcement process for agencies of any size, if it can be instituted.

Overall Hot List Process Measures

With each release of the Hot List, there were roughly 86,500 suspended or revoked multiple DUI offenders listed statewide. Roughly 500 new offenders were added and 500 of those listed on one or more prior versions were dropped with each new release of the Hot List.

There were large differences between the participating agencies in the volume of offenders that they could be targeting and in the numbers of the most intractable DUI offenders within their enforcement (ZIP Code) areas. Repeat DUI offenders comprise roughly 27% of all DUI offenders, statewide (Oulad Daoud & Tashima, 2013) and DUI offenders compose about 24% of all suspended or revoked drivers in the state (Gebers & DeYoung, 2002). However, it would not be expected that suspended or revoked drivers would necessarily be distributed uniformly throughout the state or across all law enforcement jurisdictions.

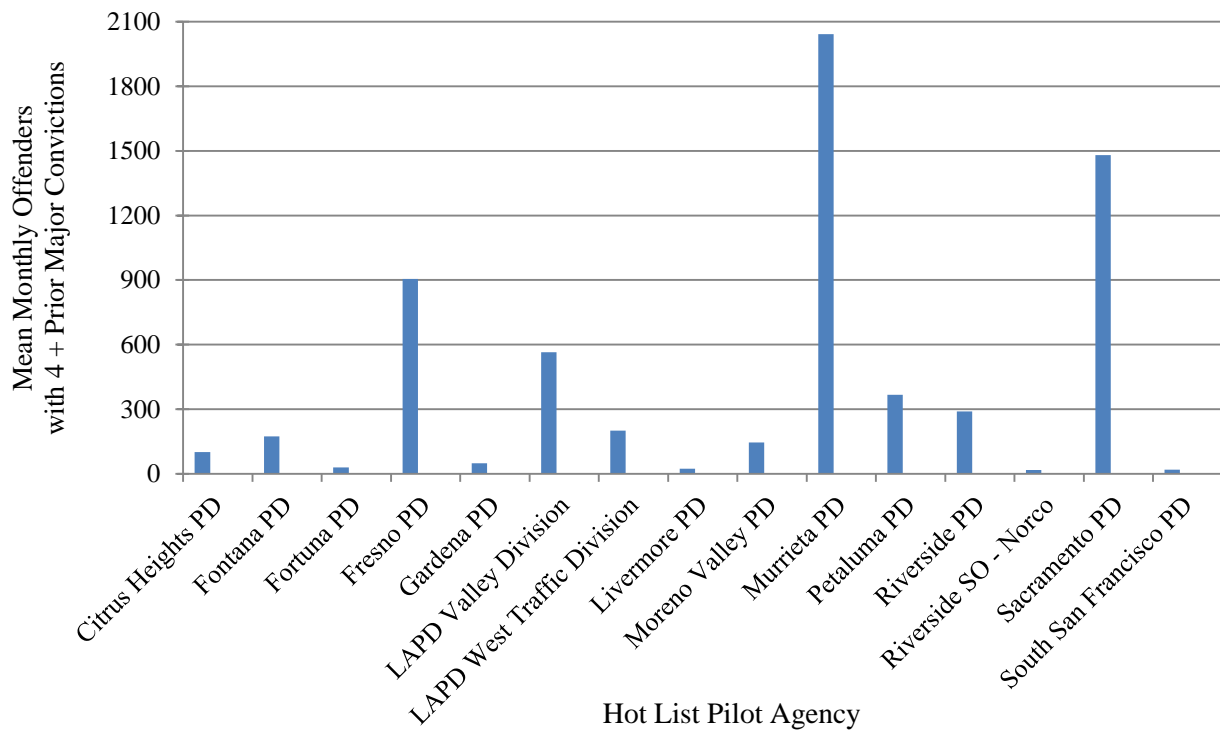*Figure 2*. Mean monthly number of Hot List offenders with four or more prior major offenses within 10 years by agency monitoring ZIP Code area.

Figure 2 provides an indication of the vast differences in numbers of the more intractable-offender-population within each of the law enforcement agency ZIP Code monitored areas. (The greatest number of major violations for any one offender listed within the pilot agencies was for

15

an offender in the Sacramento PD ZIP Code area who had 18 prior major violations within 10 years.) Figure 2 shows that the areas monitored by the Fresno, Murrieta, and Sacramento PDs would appear to contain the greatest number of persistently offending drivers. However, some caution should be used in interpreting this and any of the workload indicators presented in this report since the criteria for deciding which ZIP Codes to include or how many ZIP Code areas to monitor likely varied between the agencies. Some may have selected to include only their immediate enforcement area Zip Codes, while others may have also selected to receive the listings for offenders in ZIP Code areas in close proximity to, but somewhat outside of their actual jurisdiction. As noted earlier, Murrieta PD (obtained offender listings from 359 ZIP Codes) had requested the listings for offenders in a large number of their region's ZIP Codes because they intended to load the data into their LPRs for indirect monitoring. However, it is noteworthy that while Fresno PD (monitoring listings from 22 ZIP Codes) and Sacramento PD (monitoring listings from 29 ZIP Codes) each obtained information from a large number of ZIP Code areas, LAPD Valley Division (monitoring 41 ZIP Codes) and Petaluma PD (monitoring 55 ZIP Codes) obtained data from even more ZIP Code areas, but have substantially fewer apparently intractable DUI offenders residing in their particular monitoring areas.

Table 2 shows workload indicators and total enforcement activities completed by the participating law enforcement agencies. Across the various ZIP Codes monitored by the Hot List agencies, 239 officers spent an average of 81 hours tracking 15,500 offenders each month—an average of 8 activities per 100 offenders per month—resulting in at least 1,065 total enforcement actions taken against offenders during the 12-month period on the basis of them having been identified from the Hot Lists.

Several agencies reported that they were using the Hot List information in combination with their agency's accumulative data, court records, or other data sources to successfully identify offenders for further actions such as investigating parole or probation violations that might otherwise have been missed if they had not been able to accurately identify the offenders. These activities could not be enumerated based on the current tracking information collected in this phase of the pilot program, but methods of collecting this type of benefit from use of the Hot List will be developed and recorded in the next phase. Systematic information will also be obtained to assess the magnitude or degree of assistance the agencies think they get from receiving this added information.

Some agencies reported that after first obtaining the Hot List files, they realized they needed to spend some initial time developing a plan for how best to use the data and to train officers

Table 2

Hot List Workload Indicators and Overall Enforcement Activities by Law Enforcement Agency during the First Year

Law enforcement agency	ZIP Codes tracked	Hot List enforcement officers	Mean monthly enforcement hours[c]	Total activities (12 mo.)[d]	Mean monthly offenders in ZIP Codes	Mean monthly activity rate per 100 offenders
Citrus Heights Police Dept.	2	40	3.2	52	342	15
Fontana Police Dept.	4	12	5.5	89	623	14
Fortuna Police Dept.	3	18	0.7	30	109	27
Fresno Police Dept.	22	6	11.0	29	3,331	1
Gardena Police Dept.	3	40	16.6	116	175	66
Los Angeles Police Dept. – Valley Div.	41	6[a]	8.4	153	2,509	6
Los Angeles Police Dept.– West Traffic Div.	28	3	12.1	107	984	11
Livermore Police Dept.	2	–	–	–	–	–
Moreno Valley Police Dept.– Traffic Div.	5	9[b]	6.8	364	542	67
Murrieta Police Dept.	359	–	–	–	–	–
Petaluma Police Dept.	55	7	–	–	1,621	–
Riverside Police Dept.	9	2	1.3	18	995	2
Riverside Sheriff's Office – Norco	1	18	1.3	41	64	64
Sacramento Police Dept.	29	7	9.0	48	4,126	1
South San Francisco Police Dept.	2	80	5.3	18	102	18
Overall	**239**		**81.2**	**1,065**	**15,523**	**8[e]**

Note. – indicates value unknown due to non-reported work volumes.
[a]Los Angeles Police Dept. – Valley Div. provided offender information from the lists to 100 officers in the department although their use of the information was not tracked. [b]For DUI and failure-to-appear (for court) warrant sweeps, Moreno Valley PD indicated that there were 15 deputies using the Hot List. [c]Hours estimates exclude time mailing or processing warning letters. [d]Activity estimates exclude sending warning letters. [e]Calculated using 13,903 overall offenders, which excludes the Livermore, Murrieta, and Petaluma PDs since their enforcement efforts are unknown.

regarding how to use the information. Additionally, six of the agencies reported that they had not been able to begin immediately using the lists for primary enforcement; five because they were concentrating their efforts on other OTS-funded enforcement activities or their agency's priority activities; and one because they were awaiting LPR upload and training for their officers since that was to be their main use of the Hot List data.

The agencies collectively spent about 1,400 hours on Hot List activities during the 12-month period. About 40% of that time was spent on pre-enforcement activities to prepare the Hot List for use (i.e., identifying the listed offenders, verifying their license status, and adding other data about their criminal history or patterns from other sources such as RAPP sheets and CLETS).

The Petaluma PD has actively participated through all phases of the Hot List project. They indicated throughout this current phase that they consistently obtained the Hot List tool upon each new release. However, somewhat uniquely, the Petaluma PD has used the Hot List extensively to improve their broader community policing efforts by using it to augment their own enforcement tool. With each release of the Hot List, they imported the entire list into their accumulative DUI offender database comprised of information obtained for individual offenders from a variety of other sources (e.g., ILEADS, CRIMNET, CLETS)[2], to form a broad profile of each offender. Petaluma can query their database looking for specifics (e.g., DUI offenders arrested in a specific timeframe who had high blood alcohol concentration levels at the time of their arrests). Officers access the database for all types of enforcement efforts, including to help direct their specific DUI-targeted operations; they do not access data directly from the DMV Hot List. Every Petaluma PD officer has access to the database and any enforcement efforts that resulted from having the Hot List data could not be specifically distinguished. Therefore, specific Hot List tracking could not be completed by their agency. Petaluma PD officers indicate that they consider the Hot List to be a tremendous asset as it allows them to update and maintain more accurate driver license status for everyone in their larger database.

Consequently, while their Hot List offender volumes (i.e., 1,621 mean total Hot List offenders in the Petaluma area) and potential workload indicators (i.e., 7 officers reported as working Hot List targeted operations in the Petaluma PD Habitual Offender Unit) are presented in Table 2, none of Petaluma PD enforcement activity could be summarized. Therefore, the 1,065 total enforcement actions and other activities reflected throughout this report exclude any activities

---

[2] These shared law enforcement data systems match multiple sources of data, combining law enforcement data with, for example, court and corrections data.

that may have been conducted by the Petaluma PD and should, therefore, be considered the lower bound of actual actions taken during the first 12 months after Hot List re-implementation.

Despite failing to provide specific tracking information, the Petaluma PD contributed importantly to the potential utility of the Hot List by creating and providing to all of the participating agencies a geocoded mapping tool that operationalizes the entire Hot List data set, showing the residence ZIP Code location of every offender listed on the Hot List. This has practical utility because it provides each agency with easily accessible, localized offender intelligence. The Petaluma mapping tool and its potential for improving the utility of the Hot List are described more fully later in this report.

Overall Enforcement Activity among the Law Enforcement Agencies

There were large differences in the degree to which the law enforcement agencies conducted targeted intervention activities of Hot List offenders. Of the 180 monthly tracking sheets collected from the law enforcement agencies during the 12-month period, 123 (68%) of them indicated that no Hot List offender enforcement activities had been completed during the reporting period. Most of the agencies expressed frustration throughout the project that their time to develop the lists (identify offenders) and carry out targeted enforcement activity was very limited. There are, undoubtedly, a number of reasons that may help explain these differences that cannot be adequately characterized in this phase of the project given the limits of the tracking data collected. A few reasons for these differences emerged, though, through communications with the participating agencies and are described later in this report.

Four of the participating agencies (the Gardena PD, both Los Angeles PD units, and the Moreno Valley PD) completed 740 of the total 1,065 enforcement activities, or 69% of all of the enforcement activities completed during the first 12 months of the project. Few similarities among these four agencies are apparent with regard to their resources or time dedicated to working from the Hot Lists, other than the fact that they were each agencies for which the Hot List officers worked primarily within a dedicated traffic division or HO Unit. It is likely that the particular officers working in these more specialized units have acquired skills or are aware of more resources to assist them and that may have contributed to their effectiveness in getting the greatest use from the Hot List. These possibilities will be further explored in the next phase of this project and attempts will be made to share with all the Hot List participating agencies any effective pre-enforcement or enforcement skills, methods, or resources that emerge as being particularly effective during this further investigation.

Law Enforcement Resource Expenditures

Differences in resource expenditures for Hot List activities and geographic coverage may help explain the variation in overall volumes of Hot List enforcement activities among the law enforcement agencies. For example, there were differences in numbers of ZIP Codes monitored and officers deployed to work the Hot List detail among the agencies (Table 2). Those agencies that had fewer offenders to focus on may have been more capable of targeting proportionately more of the offenders in their monitored areas, though even agencies with few offenders in their monitored areas frequently indicated that they could find little time for conducting targeted Hot List activities.

There were also large differences between the agencies in terms of the total hours expended on Hot List activities, and the hours spent per enforcement activity (Table 3). These differences likely resulted in large part from geographic size and topographical dissimilarities between the agencies. For instance, the Sacramento PD had only seven officers working on Hot List activities in a large geographical area where targeted offenders are less likely to be in close proximity to each other than they would be in a smaller jurisdiction. To conduct stakeout operations, for instance, there would naturally be longer travel times from one activity to another in large jurisdictions than in those that are geographically smaller.

Table 3 also indicates that many of the participating agencies did not conduct Hot List enforcement activities consistently throughout the first year of the project, given that the modal (most frequently reported) number of monthly hours was zero for over half of the agencies. These agencies commonly reported frustration regarding having little time to focus on specific Hot List offender enforcement activities. The agencies provided several explanations for the limited time spent, with the most common being that their time was completely committed to fulfilling other OTS grant-funded operations or activities. The various reasons provided for limited time expenditures on Hot List activities are presented and discussed later in this report.

Table 3

Hot List Program Enforcement Hours and Overall Activity during the First Year

Law enforcement agency	Monthly modal hours[a]	Total hours[a]	Total activities[b]	Hours per activity
Citrus Heights Police Dept.	2	38	52	0.7
Fontana Police Dept.	0	66	89	0.7
Fortuna Police Dept.	1	8	30	0.3
Fresno Police Dept.	0	22	29	0.8
Gardena Police Dept.	0	199	116	1.7
Los Angeles Police Dept. – Valley Div.	10	101	153	0.7
Los Angeles Police Dept.– West Traffic Div.	10	145	107	1.4
Livermore Police Dept.	–	–	–	–
Moreno Valley Police Dept.– Traffic Div.	3	82	364	0.2
Murrieta Police Dept.	–	–	–	–
Petaluma Police Dept.	–	–	–	–
Riverside Police Dept.	0	16	18	0.9
Riverside Sheriff's Office – Norco	0	15	41	0.4
Sacramento Police Dept.	4	108	48	2.3
South San Francisco Police Dept.	0	63	18	3.5
Overall (mean)[c]	**3**	**72**	**89**	**1.1**

Note. – indicates value unknown due to non-reported work volumes.
[a]Hours estimates exclude time mailing or processing warning letters. [b]Activity estimates exclude sending warning letters.   [c]Estimates exclude the Livermore, Murrieta, and Petaluma PDs since their enforcement efforts are unknown.

Specific Hot List Enforcement Activities Completed

Table 4 lists the specific activities reported on the monthly tracking sheets obtained from the participating agencies. The Hot List activities conducted by law enforcement during the first 12 months included 174 stops of offenders' vehicles, 308 in-person checks of offenders' compliances with probation requirements, 469 mailings of letters to offenders warning them not to drive, and 258 stakeouts of offenders at bars, residences, courts, and so forth. These completed Hot List activities resulted in 115 citations for driving on a suspended/revoked license, 129 vehicle impoundments, 23 DUI arrests, and 53 arrests for other reasons. The agencies indicated that they conducted many more repeat offender enforcement activities, but strictly limited their reporting to only those activities that were directly related to having access to the Hot List data.

Table 4

Hot List Activities and Resulting Actions Reported during the First Year

Enforcement activity	Unique instances of activity	Agencies that conducted activity
Warning letters sent	469	3
Probation compliance checks	308	10
Stakeouts	258	11
Vehicle stops	174	10
Vehicle impounds	129	9
Driving while suspended citations	115	7
Other arrests	53	7
DUI arrests	23	5
DUI warrant sweeps	5	5

Note. Occasionally other enforcement activities were informally reported (including confiscating stolen goods and weapons, conducting FTA warrant sweeps, issuing suspension service orders, and confiscating driver licenses), but were not systematically captured, and are therefore not shown here.

Through shared communication coordinated by DMV, three agencies wrote and sent warning letters to Hot List identified offenders in their monitoring areas to serve as a deterrent to the offenders, and also to identify which offenders did not have accurate addresses on file; information that was valuable to improve the efficiency of their stakeout operations. Smaller jurisdictions such as the Fortuna PD, which sent 71 warning letters comprising 43% of the offenders in their monitoring area, probably had greater capability of absorbing the costs of such an effort and likely had more direct ability to monitor whether the letters were returned as undeliverable. Some of the larger jurisdictions (e.g., LAPD Valley Division) indicated that monitoring warning letters was not feasible given that the officers working with the Hot Lists would have no ability to track which particular offenders' letters were returned as undeliverable because of the complex mailing operations in their agencies. In addition to the Fortuna PD, the Citrus Heights PD mailed warning letters to roughly 51% of their offenders and the South San Francisco PD sent letters to roughly 49% of their offenders. Between 13% and 17% of the letters sent by these three agencies were returned by the Post Office as undeliverable.

Another explanation for the differences across agencies in time spent per enforcement activity is the different types of enforcement activities they conducted and the resources available to conduct these activities. For instance, stakeout operations can be very time intensive, whereas making vehicle stops of Hot List offenders may be more time efficient. Alternatively, the large differences between agencies in time spent per enforcement activity may actually be more reflective of variations between officers in their interpretation of what figures or activities to

report on the DMV tracking sheet than in actual differences in time spent on interventions by the agencies. This was evidenced in communications with officers regarding their reporting throughout the project. Based on communication with the agencies, improvements to the tracking sheet to help systematize officer-reported tracking are being considered for the next phase of this project.

<u>Publicizing Hot List Participation and Enforcement Efforts</u>

A total of 17 press releases about Hot List participation or activities were issued by five of the participating law enforcement agencies, resulting in five media contacts (Table 5). For example, on September 28, 2012 the Petaluma PD issued a press release that highlighted their Hot List enforcement activities. The release was shared with the other participating agencies as a model and means to encourage them to issue their own press releases. The two agencies that highly publicized their efforts (the Fortuna and South San Francisco PDs) are in smaller jurisdictions where it is possible that there may be a greater likelihood of the information being picked up by the local media. Greater coordination and more publicity efforts should be considered in continuing phases of this project.

Table 5

Publicity for Hot List Participation and Enforcement Efforts during the First Year

Law enforcement agency	Press releases issued	Resulting media contacts
Citrus Heights Police Dept.	0	
Fontana Police Dept.	0	
Fortuna Police Dept.	6[a]	1 radio interview 1 newspaper article
Fresno Police Dept.	0	
Gardena Police Dept.	0	
Los Angeles Police Dept. – Valley Div.	1[a]	
Los Angeles Police Dept.– West Traffic Div.	0	
Livermore Police Dept.	–	
Moreno Valley Police Dept.– Traffic Div.	1	
Murrieta Police Dept.	–	
Petaluma Police Dept.	1	
Riverside Police Dept.	0	
Riverside Sheriff's Office – Norco	0	
Sacramento Police Dept.	0	
South San Francisco Police Dept.	8	2 newspaper articles 1 TV interview
Overall (sum)	**17**	**1 radio interview** **3 newspaper articles** **1 TV interview**

Note. – indicates unknown value due to non-reported work volumes.
[a]The Fortuna PD and Los Angeles PD Valley Division also publicized their participation in the Hot List program on the city or law enforcement agency websites.

DISCUSSION

From the information gathered from each participating agency through the monthly activity tracking sheets and ongoing communication with the officers, it became clear by the second quarter of this project that many of the agencies were not able to dedicate adequate time or resources to developing the lists and conducting targeted interventions to reduce driving and DUI recidivism among the identified suspended or revoked multiple DUI offenders on the Hot List. Many of the participating agencies reported needing to spend the majority of their DUI-focused enforcement time completing other OTS-funded campaigns such as sobriety checkpoints or other general deterrence focused high visibility enforcement efforts. While these general deterrence efforts have value, they do not meet the Hot List project objective of conducting specific-deterrence interventions aimed at multiple DUI offenders. Several of the participating agencies reported that given the large number of offenders in their areas that were listed on the Hot Lists, their volumes of specific enforcement efforts were not satisfactorily sufficient. In addition, many of the agencies encountered common and sometimes extensive barriers to using the Hot List; these barriers should be more thoroughly investigated and removed before an adequate summative analysis of the utility of the Hot List as an effective HO enforcement tool can be completed.

What follows are summaries of the barriers identified to using the Hot List and ways to possibly reduce these barriers, descriptions of some best implementation practices, and recommendations to improve the Hot List project in the future. Though there can be inherent features of interventions (or programs) that make them difficult to implement and prone to be ineffective, the impact of intervention programs are often diminished, sometimes to zero, not by inherent program deficiencies but rather because the intended intervention was not adequately delivered or was not delivered to the right targets, or both. That is, program failures frequently reflect implementation problems rather than ineffective interventions (Rossi, Lipsey, & Freeman, 2004). Removing the implementation barriers identified in this process analysis during the next phase of this project will be necessary for the effectiveness of the Hot List concept to be properly evaluated. During the next OTS-grant-funded phase of this Hot List project, DMV will expand use of the Hot List to include additional agencies that have fewer other OTS obligations and will continue to monitor data from the agencies regarding how the Hot List is used, with the goal of making a recommendation about the appropriateness of completing a subsequent summative analysis of the Hot List concept.

Barriers Identified to Using the Hot List

This process analysis identified several barriers that contributed to limited efforts made by some participating law enforcement agencies. The following summarizes these barriers to effective use of the Hot List.

Limited Staff/Time/Prioritization Allocated for Specific Hot List Enforcement Activities, Often Due to Competing OTS Grant Obligations
While most participating agencies indicated that they found the Hot List information valuable, and that they dedicated time and deployed the information about offenders from the list to their staff for targeted enforcement, half of the agencies indicated on more than one of their monthly tracking sheets that they had not been allowed, or could not find, sufficient time to use the Hot List for targeted enforcement during the entire tracking period. The most common reason provided for not having the time to conduct targeted Hot List enforcement was that all available staff was committed to completing other OTS-grant required activities focused mostly on general deterrence leaving little time for these specific deterrent efforts.

An unanticipated explanation emerged for why many agencies reported having limited time available to work with the Hot List; it appears to have been tied to the original process used to invite law enforcement agencies to participate in the project. Through further communication with the participating agencies it became apparent that this problem largely resulted from the fact that most of the agencies had other, sometimes multiple, competing OTS grant obligations that had to be prioritized over the Hot List activities because they had agency-funding-tied contractual obligations associated with those OTS grants (while there were no such obligations for participating in the Hot List project).

To try to ensure that the participating agencies would be committed to working with the Hot List, the attempt was made to include only agencies with a proven track record of being committed to completing activities intended to reduce DUI. In an attempt to maximize the likelihood that participating agencies would dedicate effort to completing Hot List project activities, most of the agencies that were invited to participate in the project were those that that had a recent and good DUI enforcement track record with OTS, as demonstrated by their having obtained and successfully completed the obligations of recent OTS grants intended to reduce DUI. While nearly all of the law enforcement agencies *attempted* to participate in Hot List enforcement activities, the demands of their other ongoing OTS grant obligations often trumped their ability to voluntarily invest the time needed to complete the pre-enforcement work and/or to conduct the

specific Hot List aided enforcement operations. Some of the agencies experienced staff cuts resulting from locally-controlled budget cuts that limited their ability to meet their OTS obligations and their time available to complete Hot List operations. An attempt will be made to address these problems in the next phase of the Hot List project by adding at least six additional agencies that are not heavily obliged to complete other OTS funded activities. Communications with some of the participating officers suggested that agencies might have greater leeway in enforcement efforts if they have fewer OTS grant obligations. This observation was instrumental in identifying the need for this change in focus; the effects of which will be assessed in the next project phase.

The Hot List Does Not Provide Enough Information to Enable Users to Quickly Identify Offenders for Enforcement Purposes

Many agencies reported that it takes too much time to get the offender information from the Hot List into a usable form (i.e., to obtain the data needed to specifically identify offenders and their locations) to make the information usable for targeted enforcement. Law enforcement representatives have repeatedly requested that additional data elements be added to the Hot List to decrease the amount of time required to make it usable for focused enforcement, and less time-intensive specific deterrent operations. The additional data they have requested is in accord with the data elements recommended in NHTSA-funded guidelines that were developed, piloted, and implemented in a few states in 1998 (Moser, 1998).

Law enforcement staff charged with deploying the Hot List in each agency—who were sometimes the sole officer or one of only a few officers who accessed the Hot List—commented on their tracking sheets that they had been able to spend very little time to get the offender information from the list into a form that would make the listed information usable for enforcement. A few participating officers suggested that this problem could be remedied if OTS offered small grants specifically for obtaining offender identity and criminal history information for the offenders on the Hot List so that they would have sufficient information to effectively conduct targeted enforcement. They suggested that such grants would only need to cover the time it takes officers to fill-in the details about the offenders and to distribute the detailed information by patrol area to the officers policing those areas. They felt that this would allow greater use of the Hot List, because the individuals on the list can only be targeted if someone first invests the time to gather additional information about the listed offenders. There may be some support for this suggestion as evidenced by the fact that those agencies that indicated that they took the needed time to gather offender identities and check their criminal records of

proportionately more offenders identified from the list in their jurisdiction consistently also indicated completing greater numbers of enforcement activities.

Representatives from Sheriffs Offices and Police Departments expressed during the initial launch meeting, and occasionally throughout the course of the project, that the Hot List would be more useful if it contained better identifiers for the offenders, such as the offenders' names, physical descriptions, or residence addresses. DMV decided against doing this because providing more specific identifiers in combination with the driver license numbers on the Hot List might dissuade the participating officers from consistently conducting independent identity and license status checks for each individual prior to taking enforcement actions against them. These checks are considered crucial because some offenders may have ended their suspension following generation of the list and driving privilege enforcement actions against them would then no longer be appropriate. In response to this concern, the participating agencies have communicated that HO-targeted operations tend to be very time intensive and that no agency would authorize, nor would an officer want to spend the long time it takes for such activities, without first being certain that the targeted offender is still, in fact, under probation or license control.

Four data fields that officers have particularly sought to have added to the Hot List are offender residence addresses, indications of whether the offenders were properly served notices of their suspensions or revocations, numbers of prior driving while suspended or revoked violations, and indications of any ignition interlock device (IID) requirements. The officers explained that having the addresses would enable distributing to officers those entries on the Hot List within their specific beat to better enable them to conduct strategic enforcement using the lists, even in the course of conducting general community enforcement efforts. The officers indicated that the addition of addresses would not deter them from performing the required license status checks prior to conducting any HO-targeted activities, since the combination of having a driver license number and address—without any other specific personal descriptors—does not indicate the identity of the offender nor the offender's license status. The officers also explained that if the indications of proper service of notices of license suspension/revocation and IID requirements were added to the Hot List, it would better accommodate taking appropriate enforcement actions when they observe violations. Knowing the numbers of convictions for driving on a suspended or revoked license would help target enforcement efforts towards offenders who continue to drive.

Making changes to the programming that generates the Hot List is time intensive, and adding an indicator of IID requirements may be too complex to be completed within the timeframe of this project. However, the programming changes required to add residence address and an indicator of "good service" may be less complicated and should be considered for inclusion in the next phases of this project. Numbers of driving while suspended/revoked convictions and the IID requirement indicator should be given consideration for inclusion if the Hot List program is expanded and made available statewide, or if new laws extend IID requirements beyond the four counties in which they are currently required for all DUI offenders under a legislative pilot program (per AB 91, Chapter 217, 2009, Feuer).

Limited Knowledge of DUI or of Suspended or Revoked Offender Concentration Areas
While some of the participating agencies have access to crime mapping systems designed to help them focus enforcement efforts, their systems generally do not track DUI-related traffic statistics, such as locations where offenders are concentrated and where DUI arrests or alcohol-involved crashes more commonly occur. Failure to track such statistics leads to inefficient use of the Hot List. Greater use of such tracking in the next phase of the Hot List project, perhaps using tools such as the Petaluma PD mapping tool, may help agencies select specific enforcement targets from the Hot List with greater efficiency.

Agency-maintained data on habitual offenders is often limited, so improved data collection by the law enforcement agencies should also be encouraged. For example, given the criticality of obtaining robust data to determine the scope of safety issues, track changes over time, assess the effectiveness of countermeasures, and focus training and enforcement actions in locations where alcohol offenses are more concentrated, the NTSB currently recommends that law enforcement agencies collect "place of last drink" data as part of any arrest or crash investigation involving an alcohol-impaired driver (NTSB, 2013). Place of last drink surveys of offenders have been completed in at least a few of California's counties, such as in Ventura County (Evalcorp, 2009). Consideration should be given to determining the extent to which the Hot List agencies have access to, or could collect and use such information, to assist in their Hot List enforcement efforts.

Lack of Training on How to Effectively Use the Hot List
Some of the participating officers had little knowledge of how to best use the Hot List information or how to most effectively choose offenders from the list for efficient enforcement efforts. They suggested that greater collaboration between the participating agencies might aid efficiency for all of the agencies. One agency Sargent suggested starting the next phase of the

project by holding a webinar to train participating agency staff regarding how they might best use the Hot List.

Problems Using the Hot Lists in LPRs
Several of the agencies wanted to use the Hot List data in LPRs, but had trouble purchasing the LPR equipment or having the vendor load Hot List cases into the LPR units. To date, DMV has received only two reported uses of LPRs in Hot List enforcement activities. None of the officers who are actively assigned to be working with the Hot List have direct access to use of an LPR-equipped vehicle. Therefore, in each instance of LPR use, the Hot List officer was later notified of a hit or hits that had been recorded. For only one of the 19 hits was an immediate enforcement action possible. That action, taken by the Riverside PD, resulted from an automatically generated email that the Hot List officer received informing him of the hit. This led the officer to assume that the particular offender was likely driving and to conduct a stakeout, which resulted in the arrest of the offender. The Murrieta PD has not yet been able to get the Hot List loaded into their LPRs, but has been working with the vendor to try to obtain training to do so. The Sacramento PD was hoping to obtain funding to purchase an LPR, but their request was not approved. Consequently, they are sharing use of one that is maintained within their Stolen Vehicle Unit. Early indications from their experience with this shared approach are promising; 15 hits were recorded during the first day of having the Hot List information loaded into the LPR. The officers are still determining how to best coordinate their efforts with the Stolen Vehicle Unit that maintains the LPR.

In the next phase of the Hot List project, DMV will encourage Hot List agencies to consider seeking shared access to LPRs similar to the operations of the Riverside PD in which notification of a Hot List LPR "hit" on an agency-shared LPR is used to prompt consideration of specific enforcement activities of the offender owning the detected vehicle. Participating agencies will be urged to identify whether there are LPRs in use within their agency and to consider seeking the means of loading the Hot List into the LPRs even if the equipment is maintained by another of the agency's units, and then to identify Hot List offenders most worthy of targeted surveillance as evidenced by any LPR hits being recorded for their vehicles. Any other promising LPR strategies identified by participating Hot List agencies will also be sought by DMV and shared with all of the participating agencies for their consideration.

Other Barriers
Other identified reasons for limited Hot List use included officers being deployed to assist in other matters (e.g., all of the LAPD officers were deployed for an extended period to provide

security during a terrorist incident in Los Angeles); entire units undergoing required extended training that took them away from all of their regular duties; low staffing, with some of the agencies experiencing sizable cuts in staff due to budget cuts; and officers only being allowed by their management to use time for Hot List efforts if their time spent was funded under one of the agency's OTS grants. A few agencies reported several months delay in working on targeted enforcement for this project while they awaited approval of other OTS grants that would cover their Hot List enforcement efforts.

<u>Ways to Reduce Barriers to Using the Hot List</u>

Several telephone conference meetings were held throughout this phase of the Hot List project to bring together the participating agencies and share ways of using the Hot List data. However, other obligations such as agency training sessions or other enforcement demands commonly prevented a number of the participating agencies from being able to attend the meetings. Those who did participate consistently indicated that they found the meetings informative and worthwhile. Given the continued requests for training regarding how the Hot List might be more effectively or efficiently used and the value in sharing suggestions and examples of Hot List uses, meetings between all the participating agencies will continue to be scheduled on a regular basis throughout the expansion phase of the project.

These planned meetings will enable greater collaboration and direct sharing of uses of the Hot List, including how some agencies (e.g., the LAPD, Moreno Valley PD, and Petaluma PD) combine the Hot List data with other data sources to improve enforcement efforts, and how some have identified how much more current and complete the Hot List information is than the data from other sources that they might otherwise use to identify offenders, such as court files that would only pertain to a subset of the offender population in the jurisdiction. Greater collaboration between the participating agencies may provide the officers, particularly those in agencies where the officers are less well-trained in conducting specific offender targeted enforcement operations, or are given less time or resources to work with the Hot List, with examples or resources that enable them to use the Hot List more efficiently and effectively.

<u>Best Implementation Practices for the Hot List</u>

This process analysis identified several tools and strategies that were developed by the agencies to more effectively use the Hot Lists. One of this project's requirements was to identify the best

31

implementation practices among those reported by the participating agencies. As such, what follows is a discussion of some of the best or most innovative uses of the Hot List information.

Petaluma PD Mapping Tool

The Petaluma PD made an important contribution to the potential utility of the Hot List for all participating agencies by creating and providing to all of the agencies a mapping tool that shows the location (by residence ZIP Code) of every offender listed on the Hot List (Figure 3). This tool has practical utility because it has the potential to provide each agency with easily accessible, localized offender intelligence that can help them strategically target their enforcement efforts at offenders residing in specific areas.

The Petaluma PD mapping tool also offers the potential for making the distribution of the Hot List data to law enforcement agencies easier. It negates both the need for agencies to pre-designate monitoring areas (using Zip Codes) and for DMV programming to group offenders by those areas for distribution to the law enforcement agencies. The Petaluma PD mapping tool works in conjunction with the raw Hot List data by allowing the officer to select specific patrol geography (e.g., county or city areas) and then using data filters to enable more specific searches of the available fields. For example, by using the mapping tool officers can easily search for only Hot List offenders with recent major violations or for only offenders with multiple prior violations.

The mapping tool has a strong potential to more easily enable combined targeted HO interventions with other enforcement operations; it can be used to identify best areas for general DUI enforcement (e.g., strategic locations to conduct sobriety checkpoint operations) or areas appropriate for broader traffic enforcement efforts because of high offender concentrations. This type of combined enforcement strategy has the potential to:

- improve DUI enforcement efficiency (e.g. by enabling less randomness in DUI patrol routes),
- improve DUI enforcement efficacy (e.g., by putting law enforcement in the immediate proximity of offender groups), and
- enable some degree of targeted intervention among non-DUI specific general traffic or community policing efforts.

The Petaluma PD is continuing to refine the mapping tool and is willing to continue to share the tool with the other Hot List agencies throughout the next phase of the Hot List project. Because

Statewide Distribution of Hot List Offenders by ZIP Code

Major 2 Pt Convictions

2   22
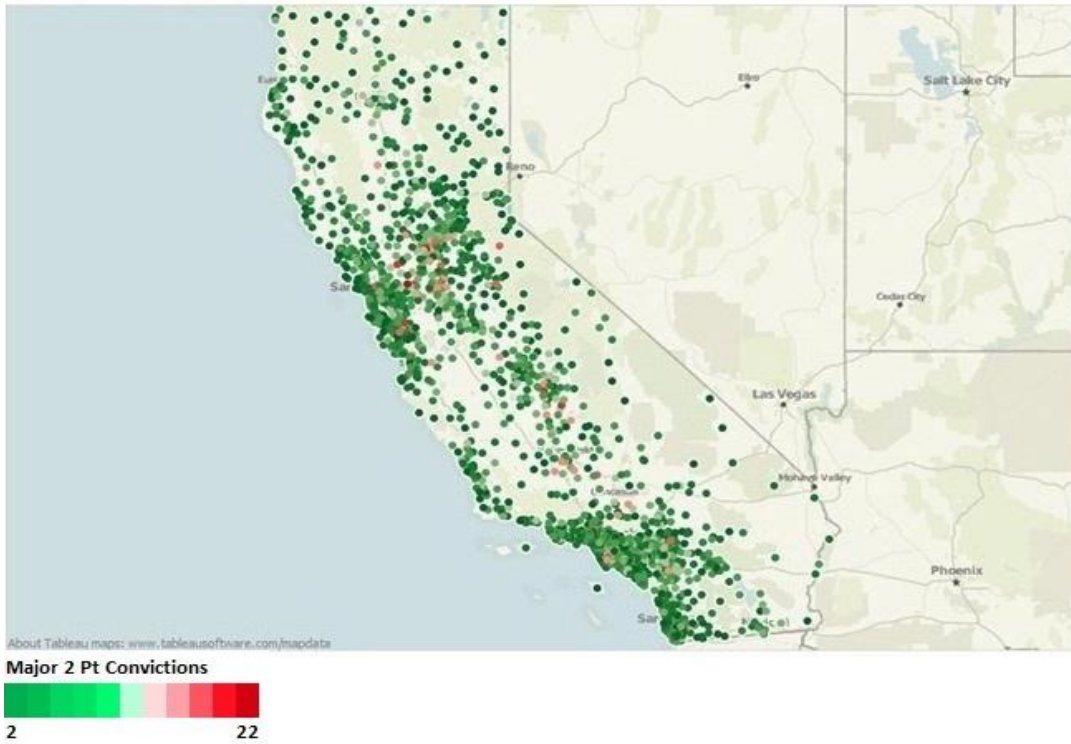
Sacramento County Distribution of Hot List Offenders by ZIP Code
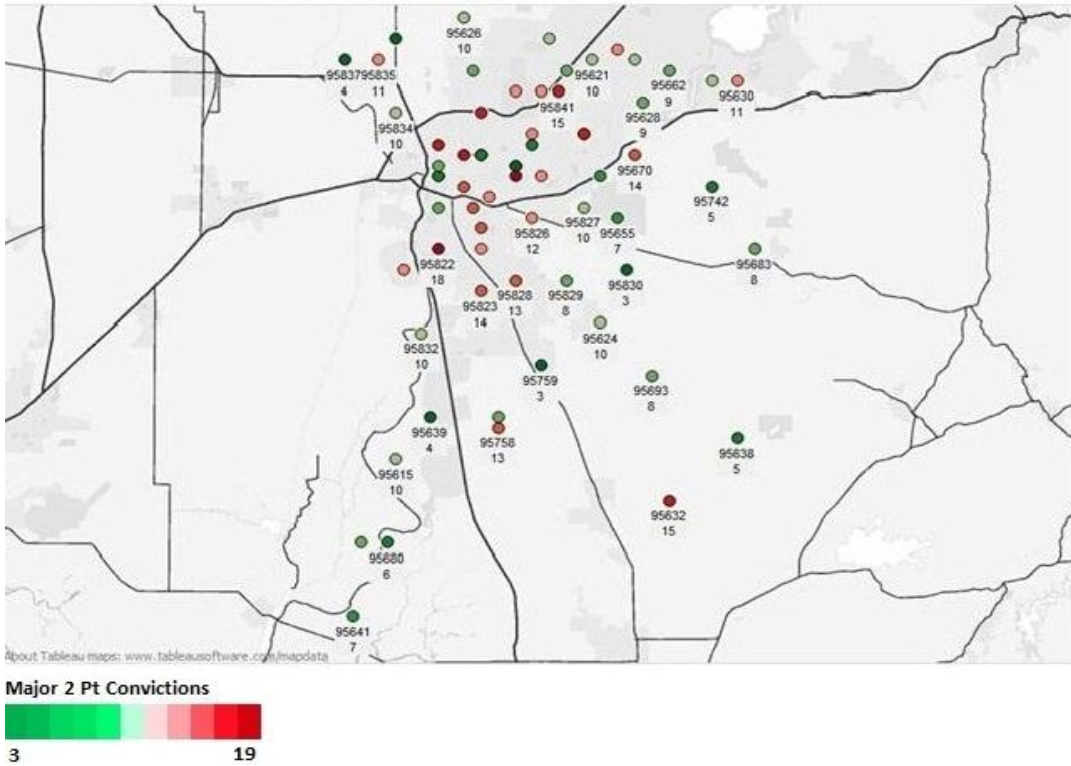

Major 2 Pt Convictions

3   19

Figure 3. Examples of statewide (top) and Sacramento County-specific (bottom) maps of Hot List offenders by ZIP Code created using the Petaluma PD mapping tool.

the tool was introduced near the end of this project cycle, there was little opportunity to determine how well it was received by other participating law enforcement agencies. Immediate feedback from the other participating agencies about the mapping tool was generally positive, though several agencies indicated that the Hot List data being limited to ZIP Code level inquiries severely limits its utility. They further indicated that if the maps could be developed to the level of actual residence addresses, it would be a more effective tool for planning targeted HO enforcement efforts. In its current form allowing mapping of only the offenders' ZIP Codes, the tool is a useful aid only for large police jurisdictions that monitor offenders across numerous ZIP Code areas. As is, this level of specificity is not sufficient to be useful for small agencies that monitor Hot List offenders within only one or two ZIP Code areas. If the maps showed specific offender street addresses, they would be useful for both large and small agencies. This may be one of the most accessible and practical potential Hot List implementation practices identified in this phase of the Hot List project, so it will be investigated more thoroughly during the next phase of the project.

Sacramento PD Hot List Implementation

Initially the Sacramento PD practice was to give six to seven officers the entire Hot List to work stakeout operations and other specific enforcement efforts. In addition, a few of the worst offenders from the Hot List were identified and the detailed information about those offenders was sent out to officers each month through information bulletins and beat sheets. The strategy was intended to prompt officers who encountered one of these offenders in the course of conducting general enforcement efforts to enforce on any violations observed. This approach netted few specific enforcement actions.

Near the end of this grant phase the Sacramento PD tried another approach for tracking the offenders. Specifically, the officers were encouraged to check the Hot List for all drivers with whom they had any contact during a shift. This approach was much more successful, resulting in the agency making two arrests of offenders in 1 month. The two stops were made for reasons unrelated to the Hot List enforcement, but resulted in one arrest for DUI and another for probation violation, and both resulted in citations and vehicle tows for driving with a suspended driver license. The Sacramento PD is currently compiling a list of their arrests and traffic stops that officers will be able to cross-check each week against the Hot List.

As discussed earlier, the Sacramento PD has also started to upload their Hot List offenders' vehicle license plate numbers into the Stolen Vehicle Unit's LPR system. While there is only one officer trained to use the LPR, that officer received 15 contact emails indicating that "hits" had

occurred during the first day of LPR monitoring. This is a Hot List intervention approach that the Sacramento PD was just beginning to institute by the date of this report. They anticipate even better results if they obtain their own LPR and more officers are trained.

Gardena PD, Moreno Valley PD-Traffic Unit, and LAPD Habitual Offender Units
The combined efforts of the Gardena PD, the Moreno Valley PD Traffic Unit, and the Habitual Offender Units in LAPD's Valley Division and West Traffic Division resulted in over two thirds of all of the enforcement activities completed within the first year of the project. They each successfully targeted greater volumes of offenders from their lists for enforcement, and consequently carried out more enforcement activities than all of the other agencies combined. The LAPD units and the Moreno Valley PD Traffic Unit indicated that they had developed methods of efficiently obtaining sufficient details about the offenders on their lists, which allowed them to spend more time actually conducting enforcement activities. In the next phase of the Hot List project, the effective methods used by these and other successful teams will be identified, and these agencies will be encouraged to share their approaches with all of the other participating agencies.

<u>Recommendations for Improving the Hot List in the Future</u>

The following recommendations are made for improving the dissemination and use of the Hot List, and for improving the reporting of Hot List-related activities to DMV.

1. **Add law enforcement agencies to the next phase of the Hot List pilot project that have minimal OTS grant obligations.** The law enforcement agencies added during the next Hot List grant should not have heavy time commitments tied to other OTS enforcement or prevention efforts, because it is expected that such agencies will have more flexibility and leeway in how they spend their enforcement time and hence be able to dedicate greater time to repeat-offender-targeted enforcement activities assisted by the Hot List. From tracking reports and informal feedback provided by the participating agencies, it became evident that those agencies that depend largely on OTS funding for their DUI enforcement efforts spent less time and committed fewer enforcement efforts to Hot List targeted enforcement activities. Therefore it was suggested and OTS approved a plan to add at least six agencies to participate in next year's Hot List expansion project that are not dependent on OTS grants. It

is recommended that each of these new agencies be participants in their region's AVOID[3] program to ensure that they each have a sufficient number of officers trained in field sobriety testing and at least some existing agency support for targeted DUI enforcement activities.

2. **DMV should consider adding data elements to the Hot List that have been requested by law enforcement agencies to increase its usability.** These data elements are:

   - offender residence address;

   - suspension/revocation service code (e.g., verbal notice, certified mail, etc.);

   - number of driving while suspended or revoked violations; and

   - ignition interlock device restriction status.

3. **Have law enforcement agencies that are most successfully using the Hot List share their strategies and mentor other agencies.** This sharing and mentoring should include the best processes for matching offender identifiers to the driver license numbers listed on the Hot List and the most effective enforcement strategies.

4. **Capture additional data elements on the monthly tracking reports.** In completing this phase of the Hot List project, a number of new tracking data elements and law enforcement agency characteristics were identified that should be captured during the next Hot List Expansion and Monitoring Project (Grant AL1408) to better assess the extent to which the Hot List works as a targeted-enforcement tool. The new elements should better assess the volume of workload dedicated to using the Hot List for enforcement and the full extent of enforcement actions that are due to having used the Hot List to determine that enforcement is appropriate. The new data elements that should be considered for collection are:

---

[3] The AVOID regional task force program is made up of clusters of law enforcement agencies in a particular region that join forces during peak holiday periods to fight drunk driving. A number after the name – AVOID the 13, for example – indicates the number of law enforcement agencies in that region's task force. The name of the program – AVOID is a message to motorists that simply means this: don't drink and drive and you will *avoid* being arrested.

- the number of officers within each agency who are given access to the Hot List and charged with obtaining the necessary information on the identity, criminal status, and driver license status of the listed offenders;

- the number of officers assigned within the agency to conduct actual Hot List-offender-targeted enforcement;

- the percentage of each Hot List-assigned officer's time spent conducting targeted enforcement activities;

- the number of citations for driving unlicensed resulting from Hot List use; and

- the number of probation violation checks performed as a result of the Hot List.

5. **Determine the level of law enforcement management support for conducting specifically targeted interventions to reduce driving and DUI recidivism among Hot List offenders.** This should include the number of officers who are provided the information, sufficient training, and time to conduct targeted-enforcement interventions.

6. **Interview law enforcement officers who are provided the Hot Lists.** The interviews should chronicle the officers' impressions of their effectiveness in using the Hot List and determine what knowledge they have and what training they have received that helps them use the Hot List for targeted enforcement of repeat DUI offenders. The interviews would also establish the officers' impressions of the impact of having had access to the Hot Lists, and any recommendations they may have to improve the Hot List program.

7. **Law enforcement should consider a method to continue sharing the Hot List offender map created by the Petaluma Police Department's mapping tool.** The map of Hot List offenders could help simplify Hot List delivery in the future and enable law enforcement agencies to better target Hot List offenders. Enabling the sharing of the Hot List presented in mapped form to all participating agencies could simplify the Hot List delivery and eliminate the need for DMV to form ZIP Code groupings of offenders for each agency. Using mapped data would enable agencies to select any region of interest to them, and would allow them to easily make changes to the areas they monitor. Future delivery of Hot Lists will need to be very simple and have low system requirements to be able to work universally to accommodate the large variation in systems used by law enforcement agencies. This could be

accomplished through use of a shared mapping tool such as the one developed by the Petaluma PD.

8. **Consider additional metrics to broaden the scope of activity tracking and help determine whether an outcome evaluation is feasible.** In conducting this process evaluation, several additional measures that would improve the understanding of Hot List use were identified. Consider collecting from the agencies during the expansion phase of the project additional metrics that all of the participating agencies should be able to collect and monitor irrespective of how they use the Hot List. Additional metrics might include counts of:

- total records 'extracted' from the DMV Hot List exclusively for use in the agency's enforcement efforts, that is, how many of the listed offenders were specifically detailed through CLETS, RAPP sheets, and so forth, for specific enforcement efforts;

- targeted repeat offenders identified from preexisting agency DUI offender lists before being updated by the DMV Hot List;

- total repeat offenders on the agency's own database used for enforcement activities by the agency after incorporating the Hot List data;

- repeat offenders identified from the Hot List who were already identified to the agency from other sources and needed no further updating;

- repeat offenders identified from the Hot List who were already identified to the agency from other sources, but required at least some data items (e.g. suspension status or street address) to be updated;

- repeat offenders who were apprehended (e.g., arrested or warrant served) by the agency that are listed on the Hot List; and

- repeat offenders who were apprehended that are not on the Hot List.

An additional metric that should be considered and could be obtained from the DMV driver record database is the number of times the driver license status of Hot List offenders changed over the course of the next project phase.

REFERENCES

American Association of State Highway and Transportation Officials. (2005). *Guidance for implementation of the AASHTO strategic highway safety plan: Volume 2: A guide for addressing collisions involving unlicensed drivers and drivers with suspended or revoked licenses*. Washington, DC: NCHRP, Transportation Research Board.

Brar, S. S. (2012). *Estimation of fatal crash rates for suspended/revoked and unlicensed drivers in California* (Report No. 238). Sacramento: California Department of Motor Vehicles.

Clark, B., & Bobevski, I. (2008). *Disqualified drivers in Victoria: Literature review and in-depth focus group study* (Report No. 274). Victoria, Australia: Monash University Accident Research Centre.

Community Preventive Services Task Force. (2012, August). Reducing alcohol-impaired driving: publicized sobriety checkpoint programs (abbreviated), Guide to community preventive services. Available: www.thecommunityguide.org/mvoi/AID/sobrietyckpts.html

Coppin, R. S., & Van Oldenbeek, G. (1965). *Driving under suspension and revocation* (Report No. 18). Sacramento: California Department of Motor Vehicles.

DeYoung, D. J. (2013). Traffic safety impact of judicial and administrative driver license suspension. In Countermeasures to address impaired driving offenders: Toward an integrated model, *Transportation Research Circular*, E-C174 (pp. 41–53). Washington, DC: Transportation Research Board.

Evalcorp. (2009). *Ventura County Place of Last Drink Survey.* Ventura: Ventura County Behavioral Health-Alcohol and Drug Prevention Division. Available: http://www.evalcorp.com/PDFs/Publications/POLD-Spot-2009.pdf

Gebers, M. A., & DeYoung, D. J. (2002). *An examination of the characteristics and traffic risk of drivers suspended/revoked for different reasons* (Report No. 200). Sacramento: California Department of Motor Vehicles.

Hagen, R. E., McConnell, E. J., & Williams, R. E. (1980). *Suspension and revocation effects on the DUI offender* (Report No. 75). Sacramento: California Department of Motor Vehicles.

Lacey, J. H., Ferguson, S. A., Kelley-Baker, T., & Rider, R. P. (2006). Low-manpower checkpoints: can they provide effective DUI enforcement in small communities? *Traffic Injury and Prevention*, *7*(3), 213–218.

Lenton, S., Fetherston, J., & Cercarelli, R. (2010). Recidivist drink drivers' self-reported reasons for driving whilst unlicensed – A qualitative analysis. *Accident Analysis and Prevention*, *42*, 637–644.

Moser Jr., A. N. (1998). *Guidelines for a suspended or revoked operator enforcement program* (No. HS-808 653). Washington, DC: National Highway Traffic Safety Administration.

National Commission Against Drunk Driving. (2004). The technology answer to the persistent drinking driver. www.ncadd.com

National Highway Traffic Safety Administration. (2012). *Traffic safety facts: Alcohol-impaired driving* (DOT HS-811-700). Washington, D.C.: U.S. Department of Transportation. Available: http://www-nrd.nhtsa.dot.gov/Pubs/811700.pdf

National Transportation Safety Board. (2013). Reaching zero: Actions to eliminate alcohol impaired driving (Report No. PB2013-106566). Washington, D.C.: Bureau of Safety Programs. Available: http://www.ntsb.gov/doclib/reports/2013/SR1301.pdf

Nelson, T. F., Xuan, Z., Babor, T. F., Brewer, R. D., Chaloupka, F. J., Gruenewald, P. J., ... Naimi, T. S. (2013). Efficacy and the strength of evidence of US alcohol control policies. *American Journal of Preventive Medicine*, *45*(1), 19–28.

Ohio Department of Public Safety. (2008, March). *Hot sheet news*.

Oulad Daoud, S., & Tashima, H. N. (2013). *Annual report of the California DUI management information system. Annual report to the Legislature of the State of California* (Report No. 243). Sacramento: California Department of Motor Vehicles.

Rogers, P. N. (1997). *The general deterrent impact of California's 0.08% blood alcohol concentration limit and administrative per se license suspension laws, Volume 2* (Report No. 167). Sacramento: California Department of Motor Vehicles.

Ross, H. L., & Gonzales, P. (1988). Effects of license revocation on drunk-driving offenders. *Accident Analysis and Prevention, 20*, 379–391.

Rossi, P. H., Lipsey, M. W., & Freeman, H. E. (2004). *Evaluation: A systematic approach* (7th ed). Thousand Oaks: Sage Publications.

Shults, R. A., Elder, R. W., Sleet, D. A., Nichols, J. L., Alao, M. O., Carande-Kulis, V. G., & Thompson, R. S. (2001). Reviews of evidence regarding interventions to reduce alcohol-impaired driving. *American Journal of Preventive Medicine*, *21*(4), 66–88.

Simpson, H. M., Beirness, D. J., Robertson, R. D., Mayhew, D. R., & Hedlund, J. H. (2004). Hard core drinking drivers. *Traffic Injury Prevention*, *5*(3), 261-269.

Wagenaar, A. C., & Maldonado-Molina, M. M. (2007). Effects of drivers' license suspension policies on alcohol-related crash involvement: Long-term follow-up in forty-six states. *Alcoholism: Clinical and Experimental Research*, *31*(8), 1399–1406.

APPENDICES

Appendix A

DMV Hot List Use Agreement Form

Each DMV generated Hot List (DMV Hot List) does not provide real-time driver information. For some drivers license and other identifying information may change and the suspensions for some may end some time following generation of a DMV Hot List. As a result, your agency should not directly rely on the information listed on the DMV Hot List, rather, you must look up the individual's information and their current license suspension status prior to acting on any driver listed on the Hot List.

This form will serve as the agreement between the California Department of Motor Vehicles Research and Development Branch (DMV R&D) and your Police or Sheriff's Office Agency (Agency), hereinafter referred to as the Agreement, and will specifically detail the terms and conditions of how the DMV Hot List information may be used by your Agency, what DMV R&D will provide, and other security requirements concerning use and handling of the DMV Hot List information.

A. STATEMENT OF INTENDED USE

1. The Agency will use the data acquired under the Special Provisions of this form to (1) conduct specifically targeted interventions to reduce driving and DUI recidivism among the identified suspended or revoked multiple DUI offenders in their areas, (2) track these enforcement activities, and (3) provide the tracking information to DMV R&D once per month for one year.

2. DMV R&D agrees to provide every other week (biweekly), and the Agency agrees to obtain within one week of receipt, for one year, the following information on DUI repeat offenders with suspended or revoked driver licenses:
   a. Residence Address Zip Code,
   b. Driver License Number,
   c. Vehicle License Plate Number of the vehicle recorded on the most recent abstract of DUI conviction,
   d. Number of DUI convictions within the prior 10 years,
   e. Date of the most recent DUI conviction.
   These data lists will hereinafter be referred to as the DMV Hot List. The DMV Hot List will be provided as an EXCEL file sent by secure email to one recipient identified by the Agency. The DMV Hot List file will list suspended or revoked repeat DUI offenders sorted by Zip Code and organized to highlight offenders when they are newly added to the list. The DMV Hot List will be organized into two separate worksheets. One will list all offenders statewide, sorted by Zip Code, and one will provide a subset of offenders for only those Zip Codes identified by the Agency as being of particular interest to them, as listed below. This DMV Hot List will be provided to the Agency by DMV R&D through secure email. DMV R&D will provide assistance and support to the Agency as needed to access the list.

3. The Agency agrees to use the information provided only for the intended use as stated.

B. SPECIAL PROVISIONS

1. DMV R&D agrees to provide the Agency with driver license numbers of repeat DUI offenders whose driving privileges are suspended or revoked on the date that the list is generated, and the corresponding information listed under Section A, Provision 2, above. Agency will acquire the specific information under the provisions of this agreement to perform the functions as stated in Section A. (Driver Privacy Protection Act, 18 U.S.C. section 2721(b) (1).)

2. The term of this agreement is in effect from the date DMV R&D receives Agency's signed agreement, and will end one year from the date DMV R&D starts releasing the data to the Agency.

3. Access to the DMV Hot List is subject to immediate cancellation and termination with cause.

4. To receive the DMV Hot List, the Agency must agree to the terms and conditions specified in this agreement.

5. Agency shall not sell, assign, distribute, or transfer any DMV data except as specified within this agreement.

6. Agency shall implement and maintain the security of its system and components used for retrieval, transmittal, storage, and services used in conjunction with DMV information, as described in the documentation provided to and approved by DMV. Agency agrees to overwrite the data at monthly intervals or to remove and destroy the provided data once its use has ended. The DMV reserves the right to change conditions and/or security requirements to keep pace with the development and enhancements of security, telecommunications, and data technology.

7. The Agency shall take all proper measures to prevent the unauthorized publication or dissemination of data provided under this agreement. In the event of such unauthorized publication or dissemination of data, the Agency shall immediately provide DMV R&D with written notice of same, and shall take all necessary steps to prevent future unauthorized use or dissemination of the data. In the event of any breach of security of the Agency's system or database containing the personal information of California residents, the Agency shall bear all responsibility for providing notice of the breach to the affected residents as required by California Civil Code section 1798.29. The Agency shall bear all costs associated with providing this notice, and shall also be responsible for providing identity theft prevention services to the affected California residents. These protections include, but are not limited to, providing credit monitoring services for each affected resident for a minimum of one year following the breach of security of the system maintained by the Agency.

   In addition, the Agency agrees to comply with all federal and California state laws, including all of the provisions of the California statutes and Title 13 of the California Code of Regulations.

I have read and understand this agreement, and agree to abide by the terms and conditions herein. Your Agency's agreement to participate in this project and to be provided the DMV Hot List will be indicated by the signing, and return of this document.

The specific Zip Codes that are of particular interest to my Agency are as follows (Agency may list as many Zip Codes as desired):
List Zip Codes Here:

_____ _____ _____ _____ _____
_____ _____ _____ _____ _____
_____ _____ _____ _____ _____
_____ _____ _____ _____ _____
_____ _____ _____ _____ _____

City of _____

Approved:_____Date:_____

Police Department/Sheriff's Office Name   _____
Street Address   _____
City, State, Zip Code   _____

State of California
Department of Motor Vehicles

By:_____Date:_____

Authorized Representative
DAVID J. DeYOUNG, Chief
Research & Development Branch
Licensing Operations Division

Appendix B

Hot List Activity Tracking Sheet

DMV DUI Hot List Pilot Program Implementation Project Tracking Sheet 7/1/13 through 9/30/13

Enter your Agency Name Here _____ (all reported actions should be for offenders from the Hot List)

Report period	Reporting Date (mm/dd/yy)	# of times a new Hot List was obtained this report period	# of Law Enforcement Personnel Hours spent this report period on Hot List activities **pre-enforcement**	# of Law Enforcement Personnel Hours spent this report period on Hot List activities **enforcement-related**	# of **over-time hours used** this report period on all Hot List activities	# of offenders *actually tracked* in your Zip Code area from Hot List	# of new offenders on the Hot List targeted from your Zip Code(s) that had **no matching address or vehicle info.**	# of Hot-List-offender vehicle stops	# of offender compliance checks *attempted* by Law Enforcement (non-vehicle-stops)	# of compliance checks by Law Enforcement that *resulted in* action(s) on offenders (non-vehicle stops)	# of warning/monitoring letters sent to Hot-List-offenders	# of warning/monitoring letters sent to Hot-List-offenders returned unclaimed	# of Hot-List-offender stakeouts held	# of Hot-List-offender probation violations reported	# of Hot-List-offender 1401 impounds	# of Hot-List-offender 1401 citations issued	# of Hot-List-offender **DUI arrests**	# of Hot-List-offender **other arrests**	# of LPR hits for Hot-List-offenders inside your Zip Code area (if not using LPRs indicate NA)	# of LPR hits for Hot-List-offenders outside your Zip Code area (if not using LPRs indicate NA)	# and brief description of any other Hot List **enforcement** activities not already captured	# and brief description of any other Hot List **non-enforcement** activities not already captured
ex	08/01/12	2	8	80	10	80	10	4	80	5	300	50	40	7	2	2	2	0	NA	NA	0	
1																						
2																						
3																						
4																						
5																						
6																						
7																						
8																						
9																						
10																						
11																						
12																						

Suggestions for use of data and possible reporting options:

License Plate Readers (LPR) - plates from list are entered into LPR and alert law enforcement when detected.

Local Tracking Database - used to produce top habitual list, probation, warrants, and high BAC lists for targeting offenders for compliance checks, stakeouts, and warrant service.

Probation Compliance Checks - proactive monitoring of DUI probationers so they know law enforcement is checking on them.

Stakeout Operations - on scene surveillance or GPS tracking devices placed on offender vehicles.

Advance Warning/Monitoring Letters - In advance of compliance checks, putting offenders on notice their history and location is known and law enforcement will be conducting compliance checks and doing surveillance.