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OCT 27 2014

Traffic Safety

MEMORANDUM OF UNDERSTANDING
WASHINGTON TRAFFIC SAFETY COMMISSION

THIS AGREEMENT, pursuant to Chapter 39.34 RCW, is made and entered into by and between the Fircrest Police Department and the **Washington Traffic Safety Commission (WTSC)**.

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

TERM: October 1, 2014 - September 30, 2015

AMOUNTS

Impaired Driving Funding: \$6,500.00
CFDA# 20.600 (This includes funds for statewide DUI mobilizations, local task force DUI mobilizations, the Home Safe Bar Program and Target Zero Teams.)

Seat Belt Funding: \$ \$408.00
CFDA # 20.616 and 20.600

Distracted Driving Funding: \$1,000
CFDA #20.600

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

SWV 91-6001431
(Agency) Statewide Vendor Number

IT IS, THEREFORE, MUTUALLY AGREED THAT:

- 1. GOAL: To reduce traffic related deaths and serious injuries through aggressive impaired driving, occupant protection, and distracted driving multijurisdictional HVE patrols.**
- 2. SCOPE OF WORK:**

Impaired Driving:

Updated: September 15, 2014

Agency will engage in multijurisdictional HVE patrols, as part of the national effort, for all or part of the following:

Holiday DUI Patrols; November 26, 2014 – January 1, 2015
Drive Sober or Get Pulled Over Labor Day DUI Crackdown;
August 21 – September 7, 2015.

These DUI and Target Zero Team patrols shall be deployed at locations where the data indicates that the most traffic safety benefit can be realized as determined by the local Traffic Safety Task Force. Officers may also work on the Home Safe Bar program with approval of the county Target Zero Manager or the law enforcement liaison to the task force.

Funds permitting (not guaranteed), the local Task Force may coordinate HVE DUI patrols from. Dates of local patrols will be reported to the WTSC on a quarterly basis by the county Target Zero Manager. Only work done on Task Force/TZM pre-approved dates will be considered for reimbursement.

Law enforcement officers will complete the Emphasis Patrol Activity Logs and forward to their supervisor who will forward to the Target Zero Manager within 48 hours of the completion of all local DUI task force patrols and 48 hours after the end of the Holiday statewide Patrol (by January 3, 2015) and the Drive Sober Get Pulled Over DUI Crackdown (by September 9, 2015). Chief John Cheesman Jcheesman@cityoffircrest.net (Name and email address of supervisor who will forward these activity logs to the Target Zero Manager.)

Seat Belts:

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

Click it or Ticket - May 11 – May 25, 2015

These patrols shall be deployed at locations where the data indicates that the most traffic safety benefit can be realized as determined by the local Traffic Safety Task Force. Wherever possible these patrols shall occur in areas with the lowest seat belt use. Ideally, these patrols will begin after 4:00 pm **The Fircrest Police Department agrees to take a zero tolerance approach to seat belt and child car seat violations.**

Law enforcement officers will complete the Emphasis Patrol Activity Logs and forward to their supervisor who will forward to the Target Zero Manager within 48 hours of the completion of the seat belt patrols (by May 27, 2015). Chief John Cheesman. jcheesman@cityoffircrest.net (Name and email address of supervisor who will forward these activity logs to the Target Zero Manager.)

Funds permitting (not guaranteed), the local Task Force may coordinate HVE seat belt patrols from January 1 – September 30, 2015. Dates of local patrols will be reported in advance to the WTSC on a quarterly basis by the county Target Zero Manager. Only work done on Task Force/TZM pre-approved dates will be considered for reimbursement.

Distracted Driving (OPTIONAL)

Agency may engage in multijurisdictional HVE distracted driving-focused patrols, as part the national effort, on some or all of the following dates:

U Drive. U Text. U Pay – April 1-14, 2015

These patrols shall be deployed at locations where the data indicates that the most traffic safety benefit can be realized as determined by the local Traffic Safety Task Force. Wherever possible these patrols shall occur in areas with the highest occurrences of distracted driving.

Law enforcement officers will complete the Emphasis Patrol Activity Logs and forward to their supervisor who will then forward to the Target Zero Manager within 48 hours of the completion of the distracted driving patrols (by April 16, 2015). Chief John Cheesman jcheesman@cityoffircrest.net (Name and email address of supervisor who will forward these activity logs to the Target Zero Manager.)

Funds permitting (not guaranteed), the local Task Force may coordinate HVE distracted driving patrols from January 1 – September 30, 2015. Dates of local patrols will be reported to the WTSC on a quarterly basis by the county Target Zero Manager. Only work done on Task Force/TZM pre-approved dates will be considered for reimbursement.

3. CONDITIONS:

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

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

Standardized Field Sobriety Testing (SFST) Training Requirement

Agency certifies that all officers participating in these patrols are SFST trained. To meet this requirement:

- Officer must be BAC certified and have passed the SFST refresher training within the prior three years, or
- Officer must have successfully completed Advanced Roadside Impaired Driving Enforcement (ARIDE), or
- Officer must be a certified Drug Recognition Expert.

Media Contacts:

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

John Cheesman Chief of Police

253-565-1198 jcheesman@cityoffircrest.net

Office Phone & e-mail

253-320-8421

Cell Phone

Available weekends per above? YES

4. **PAYMENT FOR LAW ENFORCEMENT: Fircrest Police Department** will provide commissioned law enforcement with appropriate equipment (vehicle, radar, PBTs etc.) to participate in these emphasis patrols. **WTSC** will reimburse for overtime at 1.5 times officer's normal rate plus **Fircrest** contributions to employee benefits including FICA, Medicare, Worker's Compensation and unemployment.

For DUI patrols jail booking costs (booking fee plus daily rate) that result from a law enforcement officer from one jurisdiction making an arrest while on DUI patrol in another jurisdiction will be considered for reimbursement with approval of the Target Zero Manager.

5. **SHIFT LENGTH: Fircrest Police Department** will not schedule individual officer shifts for longer than eight hours. (WTSC understands there may be instances when more than eight hours are billed because of DUI processing, etc.)
6. **RESERVE OFFICERS: Fircrest Police Department** certifies that any reserve officer for whom reimbursement is claimed has exceeded his/her normal monthly working hours when participating in this emphasis patrol and is authorized to be paid

the amount requested. **The Fircrest Police Department** understands that reserve officers are not eligible for *overtime* for this project.

7. **DISPATCH:** WTSC will reimburse communications officers/dispatch personnel for work on this project providing **the Fircrest Police Department** has received prior approval from their local Target Zero Manager.
8. **GRANT AMOUNT:** WTSC will reimburse **the Fircrest Police Department** for overtime salary and benefits. The total cost of overtime and benefits shall not be exceeded in any one campaign area and **funds may not be commingled between campaign areas.**

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

9. **PERFORMANCE STANDARDS:**

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

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

a. Invoice Voucher (A19 Form).

- 1) **Agency** identified as the "Claimant"
- 2) **Statewide Vendor Number**
- 3) A Federal Tax ID #
- 4) Original signature of the agency head, command officer or contracting officer, and
- 5) Other information denoted by arrows on the form.

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

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

Emphasis Patrol Activity Logs cannot be modified.

Payment cannot be made unless these activity logs are included.

The Invoice Voucher (A19 Form), payroll supporting documents, and Emphasis Patrol Activity Logs shall be submitted to your Target Zero Manager for review and

approval. The Target Zero Manager will forward these documents to WTSC for processing and payment.

11. DEADLINES FOR CLAIMS

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

- a. **First Deadline:** All claims for reimbursement for emphasis conducted from October 1, to June 30, must be received by the **Pierce County Target Zero Manager** no later than August 1, 2015.

- b. **Second** **Deadline:** All claims for reimbursement for emphasis conducted between July 1 and September 30 must be received by the **Pierce County Target Zero Manager** no later than November 1, 2015.

Invoices submitted for reimbursement after the above dates, will not be paid.

WTSC will NOT accept faxed invoices.

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

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

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

IN WITNESS THEREOF, THE PARTIES HAVE EXECUTED THIS AGREEMENT.

Rick Rosenblatt
Agency Signature
RICK ROSENBLADT
Printed Name
10/15/14
(Date)

Angela C. Ward
WTSC Signature
Angela C. Ward
Printed Name
10/27/14
(Date)

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

City of Fircrest
Attn: Lisa Keely
115 Ramsdell
Fircrest, WA 98466

Please hand deliver or send by snail mail two signed ORIGINAL copies of this MOU to your Target Zero Manager (No later than October 1, 2014 if you are participating in Target Zero Teams and no later than October 17, 2014 if you are participating in any other enforcement activity):

Gloria Mansfield Averill
Tacoma Pierce County DUI and Traffic Safety Task Force Coordinator/Target Zero
Manager
Pierce County Community Connections
1305 Tacoma Avenue South, Suite 104
Tacoma, WA 98402

Target Zero Manager will forward this signed document to:

Angie Ward, WTSC
621 – 8th Avenue SW, Suite 409
PO Box 40944
Olympia, WA 98504-0944
360.725.9888

Addendum A

Multijurisdictional High-Visibility Enforcement Protocols

Purpose

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

Goal

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

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

Method

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

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

Definitions:

- HVE is enforcement of the law in conjunction with publicity that draws the attention of the public to the enforcement activity.
- Multijurisdictional enforcement is defined as a minimum of three law enforcement agencies (LEA's) or patrol units participating at a designated date and time, enforcing a specific activity, in a location determined by the local Target Zero Task Force.

Responsibilities

WTSC:

- Provide Funding.
- Provide state/local traffic fatality and serious injury data.
- Coordinate paid media at the state level for statewide and local mobilizations (when possible).
- Lead news media efforts for:
 - Holiday DUI
 - Click It or Ticket
 - U Drive. U Text. U Pay
 - Drive Sober or Get Pulled Over
- Summarize statewide enforcement activity.
- Report results to the National Highway Traffic Safety Administration.

Target Zero Manager and Law Enforcement Liaison:

- Lead the development of Multijurisdictional High Visibility Enforcement Mobilization Plans.
- Report any plans for local DUI, seat belt, or distracted mobilizations to the WTSC on quarterly basis:

Plans Due:	For local patrols planned for:
October 31, 2014	January – March, 2015
January 30, 2015	April – June, 2015
April 30, 2015	July – September, 2015

*One yearly plan for local mobilizations may be submitted on October 31 in lieu of three quarterly plans.

- Coordinate mobilization briefings.
- Lead news media and community outreach efforts for local mobilizations.
- Review and approve all MOUs, invoices, and other documentation before submission to WTSC. This includes follow-up on incomplete invoicing paperwork and Emphasis Patrol Activity Logs with unexplained low contacts.
- Report local mobilization enforcement totals (by agency and task force) to WTSC within two weeks of mobilization end date.

Law Enforcement Agencies:

- Send a representative to local task force meetings to plan mobilization locations and exact dates.
- Ensure availability of agency media contact, noted on page 3 of this agreement, prior to and during all mobilization dates.

- Provide commissioned police officer(s) (active or paid reserve) with appropriate equipment (vehicle, radar, etc.) to participate in multijurisdictional HVE patrols.
- Ensure that officers assigned to the multijurisdictional HVE campaigns are qualified to enforce the impaired driving laws as outlined on page 2, section 3 of this agreement.
- Require all officers participating in multijurisdictional HVE patrols to attend mobilization briefings.
- Ensure officers working the overtime conduct **a minimum of three (3) self-initiated contacts per hour.**

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

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

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

John Chasman 10/15/14
 Agency Signature Date