


Atlanta Police Department – Standard Operating Procedure		
	<b>APD.SOP.4010 Traffic</b> <b>Effective Date: July 3, 2024</b>	
Chief Darin Schierbaum	Signature by: DS	Date Signed: July 3, 2024

## SIGNIFICANT CHANGES

### APD.SOP.4010 Traffic

#### Policy revisions and highlights:

1. Complete revision to Section 4.17.2, No. 4
2. Minor formatting & grammatical changes

APD Staff,

The Policy and Standards Section has reviewed and revised the “APD.SOP.4010 Traffic.”

Listed below are some of the notable changes—however, read the entire policy to remain knowledgeable about the department’s procedures.

Section 4.17.2 No. 4 was revised to read: “A Motor Vehicle Collision (Accident) Report will be completed on the RMS any of the following are present:

- a. If one or more of the parties involved in the Motor Vehicle Collision are still on scene.
- b. Reported injuries to any party of the Motor Vehicle Collision: Driver, Passenger, Pedestrian, other 3rd party.
- c. Any visible damage to involved vehicles or property, such as, guardrail, buildings, utility poles, etc.
- d. All Hit and Run Motor Vehicle Collisions.
- e. Evidence that any involved driver, passenger, or pedestrian are impaired due to alcohol or drugs.
- f. Presence of Hazardous Material at the Motor Vehicle Collision scene. The Hazardous Materials can be carried by an involved vehicle or inside a structure damaged by the collision.
- g. A Chargeable Private Property Motor Vehicle Collision.

Thank you and stay informed!

Policy and Standards Section  
Planning, Research, and Accreditation Unit

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## **1. PURPOSE**

The purpose of this directive is to establish the policy and procedures of the Atlanta Police Department's (APD) traffic enforcement operations.

## **2. POLICY**

It is the policy of the APD to use patrol and specialized resources to aggressively reduce the occurrence of unsafe drivers who threaten the lives, safety, and property of others in the City of Atlanta.

## **3. RESPONSIBILITIES**

- 3.1 The Special Operations Section (SOS) commander will be responsible for monitoring the implementation of all traffic enforcement operations within the Department.
- 3.2 The SOS Commander will ensure proper analysis of traffic patterns and the use of effective selective traffic enforcement activities.
- 3.3 The SOS Commander will monitor significant traffic collisions and engineering issues and complete an annual analysis report available to the zones for utilization in selective traffic enforcement activities.
- 3.4 Zone commanders will be responsible for implementing traffic enforcement operations into daily patrol activities.
- 3.5 Zone commanders will ensure officers are trained and use selective traffic enforcement techniques to reduce the occurrence of unsafe driving in their assigned service areas.
- 3.6 Zone commanders will be responsible for ensuring that all supervisors assigned to their zone or unit are provided with traffic analysis reports for traffic enforcement activities.
- 3.7 Zone and SOS supervisors will be responsible for the enforcement of traffic policies, laws, and ordinances procedures for areas under their supervision.
- 3.8 Zone and SOS supervisors will also ensure officers are utilizing selective elective traffic enforcement techniques to reduce traffic collisions.
- 3.9 Zone and SOS supervisors will be responsible for ensuring reported deficiencies are made to the appropriate streets and highway departments concerning identified patterns or contributing conditions.
- 3.10 Officers will be responsible for following Departmental traffic policy while enforcing state traffic laws.
- 3.11 Officers will select enforcement techniques in locations or at times when traffic patterns indicate such techniques are necessary.
- 3.12 Officers will be responsible for reporting to their immediate supervisor as well as the appropriate street or highway department any traffic patterns or engineering issues that impede safe traffic flow for their patrol area.
- 3.13 The Traffic Analysis Unit will be responsible for compiling and reviewing traffic citations and collision reports issued by officers in the field to identify traffic pattern problems, engineering design issues, and enforcement techniques.

- 3.14 The Traffic Analysis Unit will distribute the report annually to the zone and section commanders for their utilization of selective traffic enforcement activities.

#### **4. PROCEDURE**

##### **4.1 SELECTIVE TRAFFIC ENFORCEMENT** (CALEA 6th ed. standard 61.1.1)

- 4.1.1 Officers have the authority to arrest a person accused of violating any law or ordinance governing the operation, licensing, registration, maintenance, or inspection of motor vehicles by the issuance of a Uniform Traffic Citation (Form APD 008 or such electronic form as approved by the Department); provided the offense is committed in their presence or information constituting a basis for arrest was received by the arresting officer from an officer observing the offense being committed (O.C.G.A. 17-4-23 a).
- 4.1.2 Selective traffic enforcement involves many interrelated activities that maximize the Department's effectiveness in combating problem locations, hazardous conditions, and unsafe drivers. These activities should be applied using the appropriate enforcement measures and strategies based on the frequency and seriousness of the traffic violations. Selective traffic enforcement will also educate the public on the proper compliance with traffic laws and regulations to encourage safe driving behavior.
- 4.1.3 Those selective traffic enforcement activities include:
1. Compilation, Review, and Comparison of Traffic Collision Data (CALEA 6th ed. standard 61.1.1a, c): The compilation, review, and comparison of location, time/day, and violation factors in vehicle collision will be based upon data enforcement generated by the Department and by the Georgia State Patrol. The analysis will also study the fluctuations caused by seasonal or man-made variations (e.g., adverse weather conditions, special events, sports events, rush hour) that result in increases in traffic volume and/or collisions.
  2. Compilation, Review, and Comparison of Traffic Enforcement Activities Data (CALEA 6th ed. standard 61.1.1b, c): The compilation, review, and comparison of traffic enforcement activities will be accomplished by reviewing Uniform Traffic Citation and Accident Reports completed by patrol officers, Traffic Unit officers, parking enforcement, High Intensity Traffic Team (HITT), and the Accident Investigation Unit to identify specific traffic-related problems, the location, and time of day of occurrence.
  3. Implementation of Selective Enforcement Techniques and Procedures (CALEA 6th ed. standard 61.1.1d): Safety checkpoints, speed measuring devices, and other enforcement measures will be used at specific locations that have been identified as problem areas through data analysis, citizen complaints, engineering, or other roadway hazards.
  4. Deployment of Employees (CALEA 6th ed. standard 61.1.1e):
    - a. The deployment of officers in traffic enforcement will be based upon the identification of specific problems or general trends occurring in a service area. This identification will be based in part on analysis data issued to section commanders and officer observation of traffic patterns.
    - b. Special patrol or observation will be given to traffic problems identified by civic groups and local media.



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- c. The method of deployment will be either stationary observation or directed traffic patrol at specific locations.
5. Evaluation of Activities  
(CALEA 6th ed. standard 61.1.1f):
  - a. The effectiveness of various traffic enforcement measures will be measured by reviewing citations and traffic-related reports. This comparison will be done against historical and demographic data or engineering changes in the service area.
  - b. If a particular traffic enforcement measure does not produce the desired results in an area by reducing or eliminating a traffic-related condition, then the measure will be discontinued, re-evaluated, identification of the specific problem, and re-implemented using the adjusted traffic enforcement measures or a completely different strategy to accomplish the objective.
  - c. A memorandum will be completed by the watch or unit supervisor illustrating their plan of action regarding the enforcement measures for an identified traffic problem. The memorandum will outline:
    - i. The enforcement objective,
    - ii. The specific enforcement measures to be used,
    - iii. The location of the operation the time frame for the operation
    - iv. The expected results the for the enforcement measure.
  - d. At the end of the operations time frame, the supervisor will complete a follow-up report outlining the results of the enforcement measure and whether they were successful, were adjusted for better effectiveness, or discontinued and why.
  - e. This memorandum and the subsequent follow-up memorandum will be forwarded through the chain of command to the Community Services Division (CSD) and the Special Operations Section (SOS) commanders.

## **4.2 TRAFFIC ENFORCEMENT POLICY**

4.2.1 The Atlanta Police Department seeks to promote:

1. Traffic safety,
2. Uniform enforcement of all traffic laws,
3. Education of the public regarding traffic safety,
4. Recognize the multiple options officers have when enforcing traffic laws.

4.2.2 Uniform Enforcement Policies  
(CALEA 6<sup>th</sup> ed. standard 61.1.5)

The following guidelines are provided to assist officers in making decisions as to whether or not a traffic citation is warranted.



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1. Speed Violations: Traffic, weather, and road conditions should be considered when making speed violation cases (e.g., congested areas, school zones, etc.). (CALEA 6th ed. standard 61.1.5c)
2. Public Carrier and Commercial Vehicle Violations: The severity of the hazard or violation must be considered when making these cases. Departments with specialized training in these areas can be called upon for assistance with these cases, such as the Georgia Department of Transportation (GDOT), The Public Service Commission, etc. (CALEA 6th ed. standard 61.1.5e)
3. Pedestrian and Bicycle Violations: The officer should consider traffic, weather, and road conditions as well as the potential of a collision occurring from the cyclist's actions (CALEA 6th ed. standard 61.1.5l).
4. Off-Road Vehicle Violations: Officers will enforce these traffic laws like any other traffic violation. Officers will be proactive regarding these off-road vehicles on the city streets, violations of off-road vehicle registration laws, misuse of public trails and parks, and improper use of traffic way crossings. (CALEA 6th ed. standard 61.1.5e)
5. Equipment Violations: With only an emission inspection now required on vehicles, consider issuing citations for any equipment defect that has the potential to cause a potentially hazardous condition (CALEA 6th ed. standard 61.1.5d).
6. Other Hazardous Violations: The traffic, weather, and road conditions as well as the degree of the hazard should be considered when making these cases. The location previous collision history may also be taken into consideration (CALEA 6th ed. standard 61.1.5d).
7. Non-Hazardous Violations: Officers may consider issuing a verbal warning unless repetitive or flagrant violations have occurred (CALEA 6th ed. standard 61.1.5d).
8. Multiple Violations: The officer may cite a violator for all offenses if deemed necessary. For example, a motorist stopped for following too closely and subsequently found to be operating without a driver's license should be issued two separate citations. In other cases, a verbal warning may be given for a non-hazardous violation in conjunction with a formal citation for a more serious hazardous moving violation (CALEA 6th ed. standard 61.1.5f).

#### 4.3 TRAFFIC ENFORCEMENT ACTIONS

- 4.3.1 Sworn officers are authorized to use their training and judgment to determine what charges, if any, will be made in a given traffic-related incident.
- 4.3.2 Physical Arrest (CALEA 6<sup>th</sup> ed. standard 61.1.2a): A physical arrest is the most serious action an officer may take incidental to a traffic offense. An officer will write a citation and make a physical arrest when a driver is cited for:
  1. Driving under the influence of intoxicating alcoholic beverages where the level of intoxication is .08% or more; .02% or more for drivers under the age of 21 and .04% or more for commercial vehicle drivers (CALEA 6<sup>th</sup> ed. Standard 61.1.5a; O.C.G.A. 40-6-391).
  2. Driving under the influence of any drug, as defined by O.C.G.A. 16-13-21, where there is reasonable articulable suspicion or probable cause that the effect has rendered the driver a less safe driver (CALEA 6<sup>th</sup> ed. Standard 61.1.5a).

3. Homicide by vehicle, 1st Degree (O.C.G.A. 40-6-393a), 2nd Degree (O.C.G.A. 40-6-393c).
  4. Feticide by vehicle, 1st Degree, 2nd Degree (O.C.G.A. 40-6.393.1(b)(1)).
  5. Serious injury by vehicle (O.C.G.A 40-6-394).
  6. False affidavit to the Department relating to the ownership, registration, or identity of a vehicle (O.C.G.A. 40-2-7, 40-2-8, 40-4-21).
  7. Reckless driving (O.C.G.A 40-6-390).
  8. Racing on a highway or street (O.C.G.A. 40-6-186).
  9. Fleeing or attempting to elude a police officer (O.C.G.A. 40-6-395).
  10. Fraudulent or fictitious use of a driver's license (O.C.G.A. 40-5-120 & 40-5-125).
  11. Driving while license suspended or revoked (O.C.G.A. 40-5-121); (CALEA 6th ed. 61.1.5b).
  12. Driving without a license (O.C.G.A 40-6-20).
  13. The commission of any felony in which a motor vehicle was used.
- 4.3.3 When a traffic violator is wanted on a Municipal Court of Atlanta (150 Garnett Street, SW) warrant for a "failure to appear" and a valid warrant number is confirmed by ACIC radio, the officer will physically arrest the violator and transport them to Atlanta Pre-trial Detention Center (236 Peachtree Street, SW, Atlanta, Georgia 30303).
- 4.3.4 The purpose of arresting and requiring the posting of a bond by the traffic violator is:
1. To ensure an appearance of the violator in court when an officer has reason to believe an offender will not appear for his or her scheduled court date.
  2. To remove from the street any reckless or potentially unsafe driver.
  3. All felony traffic charges occurring in Fulton County will be processed through Fulton County's Intake and transported to Fulton County Jail (901 Rice Street, NW).
  4. The Municipal Court of Atlanta (150 Garnett Street, SW) will process all misdemeanor traffic charges except Homicide by Vehicle 2<sup>nd</sup> Degree (40-6-393c), the court date set as indicated on the arraignment calendar.
  5. Violators physically arrested for misdemeanor traffic charges except for Homicide by Vehicle 2<sup>nd</sup> Degree (40-6-393c) will be transported to Atlanta Pre-trial Detention Center (236 Peachtree Street, SW).
  6. If the violator has a combination of felony and misdemeanor charges, the citations will go through the Complaint Room and the violator transported to Fulton County Jail (901 Rice Street, NW); or
  7. Felony traffic charges (or a combination of felony and misdemeanor traffic charges) occurring in DeKalb County will be processed in DeKalb County Magistrate Court (556 N. McDonough St. Suite 1200. Decatur, GA 30030) and transported to the DeKalb County Jail (4415 Memorial Dr, Decatur, GA 30032 (APD.SOP.3030 "Arrest").

- 4.3.5 When a physical arrest is made, write “Jail” where the violator would normally sign their name.
- 4.3.6 Written Citation (CALEA 6<sup>th</sup> ed. standard 61.1.2b): A copy of charges (Uniform Traffic Citation, Form APD 008 or department approved electronic format), will be issued to persons who violate state laws or applicable city ordinances. However, the charge does not dictate a physical arrest.
1. A copy of charges will be set for the Municipal Court of Atlanta with the court date indicated in the specified court appearance portion of the citation.
  2. All copies of charges will be turned into the officer’s supervisor by the end of their tour of duty on the date of the violation. The watch supervisor will ensure all citations are delivered promptly to the Municipal Court of Atlanta (APD.SOP.3161 “Delivering Reports and Tickets to the Courts”).
  3. All officers writing traffic citations will attend traffic court when properly subpoenaed by the court to appear on a case.
  4. The officer will ensure the current home address of the violator is correct on the citation.
  5. The officer will have the violator sign the citation only to acknowledge receipt of the citation and awareness of the court date. If the violator refuses to sign the citation. The officer will inform the traffic violator that signing the citation is not an admission of guilt. (O.C.G.A. 40-13-2.1).
  6. If the violator still refuses to sign the citation, the officer will write “refusal to sign” in the signature line in Section IV, Summons of the Uniform Traffic Citation and issue a copy of charges in lieu of a physical arrest.
  7. When a violator is not in possession of their valid driver’s license, the officer will issue a copy of charges for “driving without license on person” (O.C.G.A. 40-5-29a) along with citations for any other offenses.
  8. When a traffic violator is found to be wanted on a Municipal Court of Atlanta (150 Garnett Street, SW) “failure to appear” warrant, but the warrant number is not confirmed, the officer will issue a copy of charges and send the driver’s license attached to the citation to traffic court. The court date will be set as indicated by the court’s arraignment calendar.
- 4.3.7 Most of the information on the Uniform Traffic Citation (Form APD 008 or department approved electronic format) is self-explanatory. However, the following should be noted:
1. The officer will complete a Uniform Traffic Citation (Form APD 008 or department approved electronic format) on each traffic charge against a violator.
  2. If there are multiple charges, write the companion citation numbers on the citation with the major charge in the “Companion Case” line.
  3. The officer will write the appropriate title and code section for all charges.
  4. The officer will write the times on the citation, and the time will be written in civilian time (12-hour clock), not in military time (24-hour clock).
  5. The officer will write their off days in the space marked “Court Code: off days” and assigned court time in space marked “Time.”



6. When the arrest is based on a valid warrant, write the issuing agency, warrant number, and any charged offense in the "Remarks" section.
7. The officer must sign all citations legibly and have their supervisor's signature affixed.

4.3.8 Verbal Warnings (CALEA 6<sup>th</sup> ed. standard 61.1.2c): The Atlanta Police Department does not utilize a written warning system. However, an officer can use, in conjunction with their training and judgment, a verbal warning as an alternative to a written citation.

#### 4.4 SPECIAL CATEGORIES OF VIOLATORS

##### 4.4.1 Non-residents of Georgia

If a violator's state of residence is a member of the Non-Resident Violator Compact, the officer will advise the violator that if the citation is not paid or if they do not appear in traffic court on the date indicated, the violator's driver's license could be subject to suspension by the State of origin until the fine is paid.

##### NON-RESIDENT VIOLATOR COMPACT STATES

Alabama	Hawaii	Maine	New Hampshire	Pennsylvania	Virginia
Arizona	Idaho	Maryland	New Jersey	Rhode Island	Washington
Arkansas	Illinois	Massachusetts	New Mexico	South Carolina	West Virginia
Colorado	Indiana	Minnesota	New York	South Dakota	Wyoming
Connecticut	Iowa	Mississippi	North Carolina	Tennessee	District of Columbia
Delaware	Kansas	Missouri	North Dakota	Texas	
Florida	Kentucky	Nebraska	Ohio	Utah	
Georgia	Louisiana	Nevada	Oklahoma	Vermont	

##### STATES NOT HAVING A NON-RESIDENT VIOLATOR COMPACT

Alaska	California	Michigan	Montana	Oregon	Wisconsin
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##### 4.4.2 Juvenile Traffic Procedures (CALEA 6<sup>th</sup> ed. standard 61.1.3b)

1. If a juvenile is under the age of seventeen (but at least sixteen), in possession of a valid Class D driver's license and the offense is a minor traffic offense, the officer will follow the same procedure for issuing a copy of traffic charges as outlined in Section 4.6 of APD.SOP.3191, "Juvenile Procedures," except that the court date on the ticket will be marked "JUVENILE." The officer will turn the court copy into Juvenile Intake and complete a Juvenile Complaint Form (JUV-90-2).
2. An officer has the option to issue a copy of traffic charges to a juvenile who is under the age of seventeen and not in possession of a valid Class D driver's license only when the offense is a minor traffic offense, and a responsible person is available to take charge of the juvenile. The court date on the ticket will be marked "JUVENILE" and the officer will also complete the following steps:
  - a. Give the defendant's copy of the citation to the parent or legal guardian.
  - b. Take the court copy to Juvenile Intake.
  - c. At the Juvenile Intake office, the officer is required to complete the Juvenile Complaint Form.



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- d. The officer will turn in the Department's copy of the citation to the shift supervisor; and
    - e. The officer should maintain adequate notes for court testimony.
  3. Be aware that drivers sixteen-to eighteen-years-old should be in possession of a Class D provisional driver's license. A Class D driver will not be charged with a violation of this section alone, but can be charged in conjunction with any other traffic offense (O.C.G.A. 40-5-24): The following conditions apply:
    - a. Any Class D license holder will not drive a Class C motor vehicle on the public roads, streets, or highways of this state between the hours of 12:00 midnight and 6:00 A.M.
    - b. For the initial six-month period immediately following the issuance of a Class D driver's license, only immediate family have the option to be passengers in the vehicle.
    - c. During the six-month period immediately following issuance of such license, a Class D license holder will not drive a Class C motor vehicle upon the public roads, streets, or highways of this state when another passenger in the vehicle is not a member of the driver's immediate family.
    - d. After the second six-month period, a Class D license holder will not drive a Class C motor vehicle on the public roads, streets, or highways of this state when more than three other passengers in the vehicle who are not members of the driver's immediate family are less than 21 years of age.
  4. A juvenile who is arrested for Driving Under the Influence (DUI), who is sixteen years of age, and possesses a Georgia driver's license, is subject to the Georgia Implied Consent Law, and will be given the same rights as an adult.
  5. The juvenile is subject to submit to a blood or breath test at Grady Hospital Detention (80 Jesse Hill Jr. Drive, NE, Atlanta, Georgia 30303). The arresting officer must be present during the drawing of blood or the administering of the breath test. After the test is completed, the arresting officer will follow standard procedure for the arrest of a juvenile (APD.SOP.3190, "Juvenile Procedures," Section 4.7).
  6. A juvenile without a valid driver's license who is arrested for DUI, regardless of age, is not subject to the Georgia Implied Consent Law and cannot be administered a blood or breath test, unless permission has been given by the juvenile's parent or legal guardian.
  7. When contacting the parents or legal guardian is not possible due to location, time involved, etc., the arresting officer will follow standard procedure for the arrest of a juvenile. The court date will be marked "Juvenile" (APD.SOP.3190, "Juvenile Procedures," Section 4.7).
- 4.4.3 For information pertaining to the arrest of state legislators, foreign diplomats, consular officials, military personnel, and poll officials see APD.SOP.3030 "Arrest Procedures." (CALEA 6<sup>th</sup> ed. Standard 61.1.3c)

## **4.5 TRAFFIC STOPS**

(CALEA 6<sup>th</sup> ed. standard 61.1.7a, b)

### **4.5.1 General Procedures:**



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1. Traffic stops will be made only by marked Atlanta Police Department vehicles equipped with emergency lights and sirens.
2. Officers making traffic stops will turn on their emergency lights, sound the horn, and motion the violator to stop. At night, headlights can be flashed from low to high beam instead of sounding the horn.
3. If the violator fails to stop, then the siren, spotlight, and take down lights can be used to gain attention.
4. Unless necessary, vehicles should not be stopped in:
  - a. Congested areas that inhibit the officer's movement.
  - b. Areas that present a safety issue to the officer and violator.
  - c. Places where a driveway will be blocked; and
  - d. Desolate or poorly lit areas.
5. As the violator's vehicle is stopping, the police vehicle will be centered on the left taillight of the violator's vehicle, front wheels turned out to open lane of travel, and several feet to the rear of the violator's bumper.
  - a. Advise Communications of the location of the stop, the description and license number of the vehicle, and the number of occupants in the vehicle.
  - b. If the police vehicle is equipped with a mobile data terminal (MDT),
  - c. The officer will run the vehicle license number and await a response prior to exiting the vehicle.
  - d. Observe if the registration on file matches the vehicle stopped. If the registration does not match, advise radio to start another unit prior to approaching the vehicle. If there is no MDT available, record the license plate number and/or vehicle description on a pad to be left in the police vehicle.
  - e. Compare the vehicle and occupant(s) with wanted vehicles and subjects.
6. Approach the vehicle from the driver's side but do not walk beyond the trailing edge of the driver's door.
7. Do not walk between the two vehicles while the violator's vehicle is occupied.
8. If two officers are present, the other officer will take a position near the right rear of the violator's vehicle to act as a guard.
9. When stopping a vehicle on the interstate system:
  - a. The officer will use extreme caution during heavy traffic conditions.
  - b. Do not allow the vehicle to stop against a median wall if at all possible.



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- c. If a violator attempts to stop against a median wall, the officer should sound their horn or siren to gain the attention of the driver and signal them to the emergency lane on the right side of the interstate.
  - d. At times the officer may have to exit their vehicle and proceed around the rear of the patrol vehicle and approach the suspect vehicle from the passenger side.
  - e. The officer may communicate with the driver through the passenger if necessary; however, the officer will, if possible, communicate with the driver.
10. The approaching police officer will tell the violator:
  - a. Why they were stopped,
  - b. Ask for and obtain the driver's license,
  - c. Verify that the license information is correct with the driver, and
  - d. Verify that the insurance is in effect on the vehicle through Atlanta Crime Information Center (ACIC) (CALEA 6<sup>th</sup> ed. standard 61.1.8).
11. After the citation is written, inform the violator:
  - a. Of the court date and time.
  - b. Request that the violator sign the citation.
  - c. Inform the violator to refer to the back of their copy of the citation for contact information and procedures for Municipal Court.  
(CALEA 6<sup>th</sup> ed. standard 61.1.4a-d).
12. Any officer having reasonable articulable suspicion to believe that a violator is not physically or mentally qualified to be a licensed driver should complete a form DDS-270 "Request for Driver's Evaluation" and follow the directions on the form. If any accident or incident reports have been generated regarding the driver, they should be submitted with the DDS-270. Physical or mental defects observed must be described in specific detail. The letter must be signed by the initiating officer. (CALEA 6<sup>th</sup> ed. standard 61.1.12).

### 4.5.2 Felony Stops

(CALEA 6<sup>th</sup> ed. standard 61.1.7b)

1. When an officer observes a vehicle or occupants of a vehicle wanted in connection with any felony, the officer will immediately advise E-911 Communications of:
  - a. The description and license number of the vehicle.
  - b. Location and direction of travel.
  - c. The crime in which the vehicle is wanted; and
  - d. The number of occupant(s) and brief description thereof.
2. Before the stop is made, the officer will request backup and the location of backup units responding.



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3. The officer will select a location for the stop but will not attempt the stop until a backup unit arrives.
4. When a backup unit arrives, the primary officer will notify E-911 Communications of the location of the stop and turn on the vehicle's emergency lights and siren together. If it is at night, the headlights should be on the high beam.
5. When the suspect vehicle stops, the primary officer will position the police vehicle at a 45-degree angle, with the front end to the left, and 20-30 feet to the rear of the suspect vehicle. The officer will turn the front wheels all the way to the left to provide added protection, exit the vehicle, and take a position behind the driver's door, weapon drawn.
6. The first backup unit will position their vehicle behind the primary officer's vehicle in line with the suspect vehicle and take a position behind the right rear bumper of the arresting officer's vehicle, weapon drawn.
7. Additional backup officers will position their vehicle parallel to that of the first backup officer's vehicle on either side and take a position behind the rear bumper of the first backup unit's vehicle.
8. The primary officer will speak through the patrol vehicle's public-address system or speak loudly and order the occupants to place their hands outside the vehicle windows where they can clearly be seen. The driver will be ordered to turn off the engine with their left hand and toss the keys out of the driver's side window.
9. Occupants will be removed by ordering the occupants in the front seat to exit the vehicle one at a time, starting with the passenger nearest the right door. Occupants in the rear will be removed in the same manner.
10. As each occupant exits, the officer will instruct them to do the following:
  - a. Place their hands above their head, fingers spread out.
  - b. Turn completely around facing the officer.
  - c. Back away from the vehicle slowly with their backs to the officer.
  - d. Drop to their knees.
  - e. Assume the prone position facing the suspect vehicle with arms extended and palms facing up.
11. When all occupants are thought to be outside of the suspect vehicle and in the prone position and cover officer(s) are on scene, the primary officer will approach the suspect vehicle from the driver's side and visually check the passenger compartment for other subjects or weapons.

4.5.3 The felony stop will not be employed when stopping misdemeanor suspect vehicles and suspect vehicles not wanted in connection with a felony, unless there is probable cause to believe that suspects are armed and dangerous. (CALEA 6<sup>th</sup> ed. standard 61.1.7).

### **4.6 VEHICLE STOPS AND SEARCHES** (CALEA 6<sup>th</sup> ed. standard 61.1.7)

1. An officer can search a vehicle incident to an arrest only if the arrestee is:



- a. Within reaching distance of the passenger compartment at the time of the search or
  - b. It is reasonable to believe the vehicle contains evidence of the offence of arrest.
2. When these justifications are absent, a search of an arrestee's vehicle will be unreasonable without a warrant.
3. If an officer makes an arrest and it is reasonable to believe that evidence related to the crime of arrest could be found in the passenger compartment, it can be searched incident to a lawful arrest.
4. If an officer has probable cause to believe that evidence of a particular crime is located in a vehicle, the officer can search the vehicle without a warrant, based upon the motor vehicle exception to the search warrant requirement.
5. An exception to a warrantless search of a vehicle in the case that the vehicle has been abandoned by the occupants.
6. If an officer has a lawful justification to impound a vehicle, the officer can conduct an inventory of the contents of the vehicle and all containers therein, pursuant to department policy. Any contraband or evidence observed during this inventory can be seized and should be admissible in court. The rationale for the inventory is:
  - a. To protect the owner's property.
  - b. To protect the officer from potential danger due to the contents of the vehicle, and
  - c. To protect the officer from false allegations of theft.

#### 4.7 TRAFFIC ENFORCEMENT METHODS

4.7.1 The following methods will be used to conduct traffic enforcement operations:

1. Visible Traffic Patrol (CALEA 6<sup>th</sup> ed. standard 61.1.6a) will be the primary method to be used by officers when performing traffic enforcement operations. This may include:
  - a. Area: Moving or stationary observation in a specific location that consists of a number of streets, sections of a highway, subdivision, or other identifiable geographical area.
  - b. Line: Moving or stationary observation on a specific street or portion of highway between two points; or
  - c. Directed: Either an area or line patrol, which is specifically directed by a supervisor and is based upon unfavorable traffic collisions, enforcement data, or upon high number of citizen complaints.
2. Stationary Observation (CALEA 6<sup>th</sup> ed. standard 61.1.6b) is used when traffic enforcement vehicles are stopped and positioned in a stationary mode. They will be situated in such a manner that the police vehicles can be clearly observed by motorists using ordinary powers of observation.



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- a. If emergency equipment devices (lights or sirens) are not in use, traffic enforcement vehicles will be parked in such a manner as not to cause a traffic hazard or to otherwise require a driver to take evasive action to avoid a collision.
  - b. While operating speed detection devices, traffic enforcement vehicles will be in compliance with applicable speed detection operation requirements with respect to distance, location, visibility, and upon roadways as approved by state for use of such devices. (O.C.G.A. 40-14-7)
3. Unmarked or unconventional vehicles (CALEA 5<sup>th</sup> ed. standard 61.1.6c) will not be used in traffic enforcement operation; however, they can be used to gather traffic data in a specific area or for observation of traffic patterns.

### **4.8 SAFETY CHECKPOINTS**

(CALEA 6<sup>th</sup> ed. standard 61.1.6d & 41.2.3)

- 4.8.1 The use of safety checkpoints for seatbelts, vehicle registration, valid driver's license, insurance, and safety equipment compliance is part of the Department's overall traffic enforcement program.
- 4.8.2 Sobriety checkpoints will be one of the enforcement measures of the Department's H.I.T.T and as authorized by zone supervisors within respective areas of responsibility. When properly used in conjunction with other forms of education and enforcement, sobriety checkpoints can be an effective means to substantially reduce drinking and driving within the City of Atlanta.
- 4.8.3 Safety Checkpoints will only be operated under the on-scene supervision of a sergeant or higher rank commander.
- 4.8.4 It is the responsibility of the on-scene supervisor to ensure that all necessary planning, equipment, and operational requirements are met before the start of a safety checkpoint location.
- 4.8.5 Although the principle reason for a safety checkpoint is to identify potential traffic safety violators, all officers at the scene should be aware of current "BOLO" information and of any driver who presents reasonable suspicion of trying to conceal their identity.

#### **4.8.6 Safety Checkpoint Planning:**

The following planning activities shall be accomplished by the field supervisor prior to establishing the safety checkpoint.

1. Site Selection: The identification of a location for a checkpoint should be done with great care and consideration for the following:
  - a. Purpose: The purpose of the safety checkpoint should be centered on possible traffic safety and driver issues. Is it a safety check for seatbelts and children restraint seats? Is a sobriety checkpoint in an area that analysis has shown a high degree of intoxicated drivers? Is it a check for valid registration, driver's license, and insurance?
  - b. Safety: The location should provide maximum safety for both officers conducting the safety checkpoint and the motorists who will encounter it. The most desirable locations are those that are flat and provide sufficient sight distance to give approaching motorist adequate time to come to a safe stop; and adequate shoulders and turn-out areas for safe evaluation and processing of drivers suspected of a traffic offense. The field supervisor should visit a potential safety checkpoint location prior to calling officers to ensure the area is appropriate.





- c. Degree of Traffic Flow Interference: The location selected for a safety checkpoint should minimize interference with the normal flow of traffic as much as possible. If a safety checkpoint backs up traffic, it is intrusive for the motorist and cumbersome for the officers, and hence unproductive. Additionally, consideration should be given to the reasonableness of holding a safety checkpoint in a location or at a time that the majority of motorists would be traveling to or from a regularly scheduled event, such as a worship service or a sporting event. The field supervisor should monitor the traffic flow during a safety checkpoint and adjust accordingly.

2. Officer Selection and Training

- a. Selection: The required number of officers to properly operate a safety checkpoint should be evaluated based on the location's topography and the anticipated volume. Consideration should be given to the number of vehicles that could be stopped, the transport of offenders taken into custody, and the need to process traffic offenders at the location. All officers should be trained and familiar in conducting safety checkpoints. If an officer is unfamiliar with safety checkpoint operations, they should be paired with an experienced officer.
  - b. Training: Officers who participate in safety checkpoint operations should be fully aware of all procedural aspects from their training from the Training Academy and should carry out their assigned safety checkpoint functions.
3. Vehicles and Equipment: Another principle consideration is the number and types of police vehicles and other required equipment needed to effectively operate the safety checkpoint. Only marked patrol vehicles and prisoner transport vans, if needed, will be used. At least two of the marked patrol vehicles in the safety checkpoint will have their blue lights on.
4. All employees in the safety checkpoint will wear his or her issued reflective traffic vest or rain gear for inclement weather. For safety checkpoints during hours of darkness, officers will also have their Department-issued or approved flashlights.

4.8.7 Safety Checkpoint Operations

1. Vehicles passing through the safety checkpoint will be stopped in a regulated, predetermined pattern. Examples of acceptable patterns would be all vehicles, every second vehicle, every tenth vehicle, northbound traffic only, etc. Arbitrary stopping is not authorized. When traffic backs up, officers can allow several vehicles to pass unchecked to avoid traffic congestion.
2. Plainclothes officers will not be directly involved in safety checkpoint operations unless they are present for anticipated follow-up investigative activities.
3. The location of the safety checkpoint will be clearly marked as such with at least two marked patrol vehicles with blue lights on and, at the discretion of the on-scene supervisor, traffic cones or signs can also be used.

4.8.8 Reporting – Safety Checkpoints





The on-scene supervisor will document all aspects of the safety checkpoint operation using Safety Checkpoint Report (Form APD 694) and turn the completed form into the watch commander before the end of the tour of duty. The watch commander will review the report and forward it through the chain of command to the SOS commander for inclusion in the annual traffic analysis. The report should contain the following:

1. Establishment of Safety Checkpoint: The details of the safety checkpoint's selection will be made a matter of record. This should include the identification of the various reasons for selecting the specific site such as a drunk-driving problem has been identified in an area. It should also include number of officers involved in operations, if other employees used them, and the physical layout of the safety checkpoint.
2. Safety Checkpoint Operation: Information pertaining to the actual operation of the checkpoint needs to be documented in the report. This includes:
  - a. The selection criteria used to stop motorists (e.g., every vehicle, every third vehicle, seatbelt check).
  - b. The need for temporary "shutdowns" because of congestion, officers on paperwork, or other reasons.
  - c. The number of drivers detained for further evaluation and the methods of evaluation used (e.g., drivers without proper identification, insurance, or possibly wanted).
  - d. The number of citations written, and
  - e. The number of arrests made and the charge.

#### 4.9 FORCIBLE STOPS

(CALEA 6<sup>th</sup> Edition, Standard 41.2.3)

The Atlanta Police Department's only approved methods of a forcible vehicle stop is with the use of the Department's approved tire deflation device and the Precision Immobilization Technique (P.I.T.) maneuvers. These methods can only be used by personnel trained in the practice and with the approval of their supervisor.

#### 4.10 TIRE DEFLATION DEVICE

(CALEA 6<sup>th</sup> Edition, Standard 41.2.3)

1. Tire deflation devices must be used in accordance with the manufacturer's instructions, training, Department policy and procedures.
2. Section commanders will be responsible for accounting for the City-issued tire deflation devices and maintaining a file copy of each documented use of the tire deflation device.
3. The Training Section commander is responsible for ensuring that a suitable instructor is trained in the use of the Department tire deflation device. The Training Section commander is responsible for approving the applicable lesson plan and any changes to the lesson plan.
4. Sworn supervisors are responsible for monitoring the use of the tire deflation device by their employees, ensuring that their subordinates are in compliance with this directive, and taking immediate corrective action when necessary.
5. All sworn employees are responsible for properly using and maintaining their City-issued tire deflation devices.



6. The Special Operations Section (SOS) is responsible for the storage, issuance, inventory, documentation, and replacement of Department issued tire deflation devices.
7. Sworn employees will be allowed to carry and use a tire deflation device only after they have been successfully trained in the use of a tire deflation device. The training must be conducted under the auspices of the Department's Training Academy. No other training will satisfy this requirement.
8. Sworn employees are not authorized from carrying and use any other tire deflation device that has not been approved for use or issued by the Department.
9. Sworn employees will be justified in using a tire deflation device when no other available option would be as safe and effective in terminating or preventing the movement of a vehicle.
10. Modification or alterations of the City-issued tire deflation device are not authorized, unless approved by the Chief of Police, based on a recommendation by the Training Academy's commander.
11. No sworn employee will be issued a tire deflation device or be allowed to use a tire deflation device, unless they have successfully completed the basic training course that has been approved by the Training Academy's commander.

#### 4.10.1 The Use of a Tire Deflation Device

1. Tire deflation devices should be used on vehicles with four or more tires.
2. Tire deflation devices are not effective on the tires of heavy commercial vehicles and will not be deployed when involved with these types of vehicles.
3. Tire deflation devices will not be used on any two or three-wheeled vehicle, including four wheeled all-terrain vehicles.
4. Officer and citizen safety will be the prime consideration when deploying the tire deflation device. If attempts to deploy the tire deflation device compromise safety, they will not be utilized.
5. Tire deflation devices will be positioned to minimize the ability of the suspect vehicle to avoid or evade the device.
6. Tire deflation devices will be used in a single unit or in combination of two or more units depending on the width of the roadway to be covered and available time to deploy them. When deployed as multiple units, the tire deflation device will be deployed as recommended by the manufacturer.
7. Tire deflation devices will not be deployed within 300 feet of any major intersection.
8. Tire deflation devices should only be deployed on hard roadway surfaces, as they are less effective otherwise. Additionally, tire deflation devices should not be used in locations where specific geographic features (sharp curves, steep embankments, etc.) would increase risk to the officer or the public.
9. Tire deflation devices can only be utilized after supervisory approval.



10. Communications radio dispatchers must notify all units of the location of the deployed tire deflation devices.

#### 4.10.2 Deployment Safety – Tire Deflation Devices

1. It is imperative that all officers involved are aware of the exact location of deployed devices, so they can slow down in time to allow the removal of the device after the suspect vehicle crosses it. Measures will be taken to divert other traffic from the area to prevent unnecessary damage to other vehicles.
2. The tire deflation device should be removed immediately after the target vehicle crosses it. The suspect vehicle will be slowing, and officers should be prepared to take evasive action to avoid contact with the suspect vehicle.
3. The deploying officer should park a patrol vehicle near the place of deployment and stand 10 to 20 feet in the front of the patrol vehicle when deploying the tire deflation device. If the patrol unit is facing toward the pursuit, the officer should then position themselves 10 to 20 feet to the rear of the unit.
4. The deploying officer, time permitting, will place the tire deflation device perpendicular to the roadway on the shoulder and un-reel the cord across the roadway to a position of safety. If time does not permit, the tire deflation device should be tossed in front of the suspect vehicle.
5. The officer must NOT attach the reel to himself or herself or wrap the line around his or her hand.
6. If the tire deflation device is removed from the trunk of the officer's vehicle, the officer will close the trunk lid so as not to block the visibility of the emergency lights.
7. Officers will refrain from entering traffic lanes to deploy the tire deflation device.
8. Tire deflation devices are not authorized during a pursuit involving more than one agency.
9. The supervisor in charge will authorize the use of the tire deflation device.
10. Tire deflation devices can be used on both stationery (static application) and moving (dynamic application) vehicles.

#### 4.10.3 Reporting - Tire Deflation Devices

1. Officers will document the use of tire deflation devices in their incident reports or the supplement to an existing incident report. The incident report should contain justification for using the tire deflation device, the outcome, the serial number of the device, information on damaged property, and any injuries.
2. When a tire deflation device is successfully or unsuccessfully used, a sworn supervisor will respond to the deployment scene. The supervisor will take charge of the scene and conduct an investigation into the sworn employee's use of a tire deflation device. The responding supervisor will complete a Supervisor's Use of Force Supplement Form (Form APD 809) and submit per procedures outlines in APD.SOP.3010 "Use of Force," Section 4.6 (CALEA 6<sup>th</sup> edition, Standard 1.3.6)
3. To ensure the effectiveness and proper use of tire deflation devices, the Special Operations Section commander will be responsible for conducting an annual analysis of the device

usage. The written annual analysis of tire deflation device will be forwarded to the Chief of Police, the Field Operations Division, the Training Academy, and the Planning, Research and Accreditation Unit.

#### 4.10.4 Replacement - Tire Deflation Devices

1. The officer will go to the SOS to replace the damaged or lost tire deflation device.
2. The officer must provide SOS with a copy of the APD Incident Report form.
3. In the case of a damaged tire deflation device, the officer will return the damaged device to SOS before receiving a replacement.

### 4.11 SPEED MEASURING DEVICES

- 4.11.1 Drivers exceeding the posted speed limit can be detected by officer's observation and the use of the patrol vehicle's speedometer (as performed during the Emergency Vehicle Operations Course at the Academy). This is probably the most frequent speed detection measure during patrol activities.
- 4.11.2 If an officer cites a driver for excessive speed beyond the posted limit or road conditions, it will be noted on the traffic citation that the patrol vehicle was used to clock the speed of the offender.
- 4.11.3 If this method is used by the officer, they should ensure the patrol vehicle's speedometer is in approximate measurement condition at the beginning of the tour of duty and be prepared to testify to such (e.g., Preventive Maintenance Schedule) (O.C.G.A. 40-6-180, 40-6-181, 40-6-186, and 40-6-187; CALEA 6<sup>th</sup> ed. standard 61.1.9a-e).
- 4.11.4 Equipment Specifications for Speed Measuring Devices (CALEA 6<sup>th</sup> ed. standard 61.1.8a): Sworn employees will only utilize speed measuring devices that meet or exceed the performance specifications established by the Georgia Department of Public Safety. (O.C.G.A. 40-14-1)
- 4.11.5 Operational Procedures (CALEA 6<sup>th</sup> ed. standard 61.1.8b)
  1. No speed measuring device will be operated until the appropriate application for a permit has been made by the City's governing authority and the subsequent approval and authorization received from the Georgia Department of Public Safety.
  2. No speed measuring device will be operated:
    - a. Within 500 feet of warning signs on the state highway system advising motorists that speed detection devices are being employed (O.C.G.A. 40-14-6).
    - b. From a concealed vehicle or one that is not visible to approaching motorists for at least a distance of 500 feet (O.C.G.A. 40-14-7).
    - c. Within 300 feet of a reduction of speed limit sign inside City of Atlanta limits (O.C.G.A. 40-14-9).
    - d. Within a period of 30 days following the posting of a revised or new speed limit sign (O.C.G.A. 40-14-9)
    - e. On any street or roadway having a grade in excess of seven percent (O.C.G.A. 40-14-9).



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- f. Without being certified for compliance by a technician possessing a certification as required by the Department of Public Safety (Laser not required under Federal Communications Commission; O.C.G.A. 40-14-4); or
    - g. For any reason other than for the promotion of the public health, welfare, and safety (O.C.G.A. 40-14-11).
  - 3. Speeding citations will only be initiated if the violator's speed:
    - a. Exceeds the posted speed limit by more than ten miles per hour unless the speed is too fast for prevailing conditions.
    - b. Is more than the posted limit by any amount within a marked school zone one hour before, during, or after normal hours of school operation; or
    - c. Exceeds the posted speed by any amount within a residential zone that has a marked limit of less than 35 miles per hour (O.C.G.A. 40-14-8).
  - 4. Additional operational requirements: The precise method for using a speed measuring device and the enforcement of those laws applying to speed will vary in accordance with the type of equipment used. Generally, the following procedures will apply:
    - a. The equipment must be properly installed and operated according to the manufacturer's specifications.
    - b. The effective range of the unit must be thoroughly understood by the operator so visual observation can support the speed readings; and
    - c. Any unit not meeting the manufacturer's minimum accuracy requirements will be removed from service and will not be used until it has been serviced, tested, and re-certified by a qualified technician. (O.C.G.A. 40-14-5)
    - d. The operator is certified by the State of Georgia in the operation and use of speed such detection device.
- 4.11.6 Proper Care and Upkeep (CALEA 6<sup>th</sup> ed. standard 61.1.8c): will be performed by the operator, as specified by the equipment's manufacturer, and will include cleanliness, daily inspections, and necessary follow-up action to correct any noted deficiencies.
- 4.11.7 Maintenance and Testing Records (CALEA 6<sup>th</sup> ed. standard 61.1.8d)
  - 1. The zone commanders, SOS, and any other units in control of speed measuring devices will be responsible for ensuring that the necessary maintenance and testing is performed; that operational records are developed for each assigned speed measuring device; and that such records are maintained for suitable introduction as evidence in court.
  - 2. Programmed maintenance will be performed when stipulated by the manufacturer or at least on an annual basis, whichever occurs sooner.
  - 3. The operator will test the device for accuracy; record and maintain the results of the test at the beginning and end of each tour of duty on their speed detection log (O.C.G.A. 40-14-5) or as required by law.



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4. Records will be maintained by the operator for each unit to include:
  - a. Statement of origin and accuracy.
  - b. All tests performed, including the time, date, and results of test; and
  - c. All reported defects and repairs.
5. If there is a problem with the device as detected by the operator, an incident report will be completed referencing the items in Section 4 and an immediate supervisor will be notified.

### 4.11.8 Operator Training and Certification (CALEA 6<sup>th</sup> ed. standard 61.1.8e)

1. Officers who operate speed measuring devices have successfully completed an initial basic operator course and receive certification training. (O.C.G.A. 35-8-12)
2. Such training will include:
  - a. Familiarization with the theory of operation of speed detection devices.
  - b. At least 16 hours of in-car, on-the-job instruction detecting, tracking, and documenting violations under the direct supervision of an experienced operator or instructor.
  - c. Demonstrated equipment proficiency to the instructor; and
  - d. Satisfactory compliance with all minimum requirements specified by Georgia P.O.S.T.

### 4.11.9 Courtroom Testimony: Officers who operate speed detection devices should be prepared to testify to the following in court:

1. The time, place, and direction of the vehicle, its description, and the speed of the motorist as displayed on the speed measuring device.
2. That the defendant's vehicle was identified as the violator vehicle to the exclusion of other traffic on the roadway.
3. That the defendant was the individual operating the vehicle within the Atlanta City limits.
4. That the equipment was operating properly.
5. That the device was checked as required by an approved calibration method; and
6. Establish operator qualifications and training.

COURTROOM TESTIMONY GUIDE



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On the \_\_\_\_\_ day of \_\_\_\_\_, in the City of Atlanta, Fulton/DeKalb County, in the State of Georgia at \_\_\_\_\_ hours.

1. I was operating a radar/laser unit (Unit Name and Number), which is approved by the Georgia Department of Public Safety for the measurement of speed.
2. The City of Atlanta possesses a license in compliance with FCC rules for the use of this device, and I am certified to operate radar/laser.
3. The unit was certified for compliance by a technician possessing the certification as required by the Department of Public Safety.
4. In addition, the device has passed tests for accuracy conducted in accordance with the manufacturer's recommended procedure by me at the beginning and end of each tour of duty and the results were recorded and maintained.
5. At the time, I was operating moving/stationary radar/laser on Street Name, an approved street for the operation of radar/laser with a grade of less than 7%, the vehicle from which the device was being operated was visible to approaching motorists for a distance of at least 500 feet.
6. At this time, I observed a Vehicle's Year, Make, and Model driven by the defendant traveling Direction at a high rate of speed (**state tracking history**).

### 4.12 IMPAIRED DRIVING ENFORCEMENT

(CALEA 6<sup>th</sup> ed. standard 61.1.5a)

4.12.1 Driving under the influence of alcohol and/or drugs has been interpreted by the courts to mean that there is a presumption of impairment when a motorist's ability to operate a vehicle is adversely affected by the consumption of alcoholic beverages or other drugs.

1. The fact that a driver has the odor of alcoholic beverages on his or her breath is not sufficient cause for an arrest. The violation occurs when the driver's ability is impaired.
2. DUI offenses are potentially life-threatening violations that require immediate and decisive enforcement actions to prevent suspected violators from committing a deadly act.
3. Impairment due to an intoxicating alcoholic beverage is where the level of intoxication is .08% or more; .02% or more for drivers under the age of 21 and .04% or more for commercial vehicle drivers (O.C.G.A. 40-6-391).
4. Impairment due to any drug, as defined by O.C.G.A. 16-13-21, where there is reasonable articulable suspicion or probable cause that the effect has rendered the driver a less safe driver.
5. Drivers found in violation of DUI laws will be arrested. The arrest will be based upon probable cause and the observed actions of the driver on the roadway during a traffic stop, at a Safety Checkpoint, or after involvement in a collision. These actions can be subsequently verified by a field sobriety test, breath intoximeter, urine, and/or blood tests.

### 4.12.2 High Intensity Traffic Team (HITT)

(CALEA 6<sup>th</sup> ed. standard 61.1.10, 61.2.1d, & 61.2.2c)





1. Drivers impaired by alcohol and/or drugs represent a serious threat to the lives and safety of persons using the streets and highways of the City of Atlanta. Therefore, the use of a variety of comprehensive, coordinated, and continual countermeasures involving education, enforcement, adjudication, treatment, and public support are essential to the Department's efforts to combat the problem of driving under the influence (DUI) and serious traffic offences.
  2. Enforcement is the key to the Department's High Intensity Traffic Team (HITT). The HITT is a select unit of officers whose focus will be on DUI enforcement and serious traffic offences.
  3. DUI enforcement measures consist of:
    - a. Selective assignment of officers at the times and locations where analysis has shown that a significant number of violations and/or collisions involving impaired drivers have occurred.
    - b. Selective surveillance of streets and highways where citizens have reported sightings of impaired drivers; and
    - c. Sobriety checkpoints for the deterrence and detection of DUI offenders.
- 4.12.3 Motorists observed operating a vehicle in a manner indicating possible impairment will be stopped so that a further investigation can be performed to determine the driver's continued fitness to drive. Such observable driving characteristics are, but not limited to:
1. An inability of the driver to maintain consistent directional control within the traffic lane.
  2. Uneven or jerky stops and/or starts.
  3. Sudden stops, jack rabbit starts, or prolonged stops.
  4. Speeds above or below the flow of traffic; and
  5. Other potentially dangerous acts such as sudden lane changes or forcing other drivers to take evasive actions to avoid a collision.
- 4.12.4 Following a traffic stop or vehicle collision, officers will be alert for any signs of alcohol and/or drug impairment. Recognizable symptoms usually associated with impairment include, but are not limited to:
1. Flushed face and bloodshot glassy eye appearance.
  2. Noticeable odor of alcoholic beverage.
  3. Problems associated with performing physical tasks related to the traffic stop (e.g., retrieving driver's license, finding insurance or registration information).
  4. Slurred speech, erratic behavior, slow response, and other related deficiencies such as clarity, volume, and sentence structure; and
  5. Hiccupping, belching, vomiting, profound sweating, sudden emotional swings such as crying or laughing.





- 4.12.5 Initial Investigation Procedures for DUI Offenders (CALEA 6<sup>th</sup> ed. standard 61.1.11, 61.1.10 & 61.2.2c): Officers will take the following actions when handling a suspected DUI offender.
1. Be polite and professional; remain aware that the driver's judgment, self-restraint, and self-confidence can become distorted.
  2. Do not become argumentative with the violator. Answer any questions posed by the motorist.
  3. Ask the driver questions, such as where they are going, or where they are coming from.
  4. Do not allow the subject to move the vehicle when impairment is suspected.
  5. Request the subject to exit the vehicle if there is reasonable cause to believe the driver's ability is impaired.
    - a. Proceed to a safe location on the shoulder of the roadway or off the roadway such as a parking lot to better observe the individual's movements, balance, appearance, and general ability to perform walking movements.
    - b. Request assistance from another unit through radio, if necessary, to move to a safer location.
- 4.12.6 Standardized Field Sobriety Tests (CALEA 6<sup>th</sup> ed. Standard 61.1.10)
1. When investigating suspected impaired drivers, officers will employ the use of standardized field sobriety tests if the driver is physically capable, conditions permit, and it is generally safe to do so. Psychophysical tests are methods of assessing a suspect's mental and physical impairment. If available, request the dispatcher to send another unit to witness the testing and assist in officer safety measures.
  2. Officers will use one or a combination of the below standardized field sobriety tests. Officers who have had additional training through the Atlanta Police Academy will be authorized to conduct other field sobriety tests in addition to the standardized tests (APD.SOP.4040 "Special Operations Sections"). Officers will record the standardized field sobriety test used and the results in their incident report.
  3. The driver should be advised that the tests are voluntary and that they have the right to refuse.
    - a. Horizontal Gaze Nystagmus Eye Test (HGN): This test may only be conducted by officers who have been trained and certified through the DUI Detection Standardized Field Sobriety Testing course. If the arresting officer wants the test done, they should contact a trained officer to come to the scene. It is not necessary for the test to be done to establish probable cause for a DUI arrest.
    - b. One-Leg Stand: This divided attention test consists of evaluating the suspected impaired driver's ability to successfully follow verbal instructions. The suspect is to stand with their heels together and arms at their sides, and not to begin the test until the officer says to begin. When the suspect is told to begin, they are to raise up leg approximately 6 inches off the ground, foot parallel to the ground. The suspect is to stare at their elevated foot and count aloud (1001, 1002, 1003...) until the officer tells the suspect to stop. The suspect is to keep both legs straight



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and their arms at their sides at all times. The officer is to time the test on his or her wristwatch, for a period of 30 seconds.

- c. **Nine Step Walk-and-Turn:** This test consists of evaluating the suspected impaired driver's ability to successfully follow verbal instructions, walk in a straight line from one designated point to another (heel-to-toe) for nine steps, turn around according to the investigating officer's instructions, and return to the starting point. During the evaluation the suspect is to look at their feet at all times, keep their arms at their sides, and count their steps out loud. Once they start the evaluation do not stop until the test is completed. Before administering the test, the investigating officer should ask the driver if they have any injuries or problems that would affect his or her walking.
4. Alternative field sobriety tests will be administered if the suspected impaired driver is unable to perform the standardized field sobriety tests due to physical limitations, possible injury, weather, surface defects, etc. Officers will record the reasons for substituting the alternative field sobriety tests for the standardized field sobriety tests in his or her incident report.
5. When using alternative field sobriety tests, the investigating officer will employ the use of the following "divided attention" tests:
  - a. **Finger-to-Nose:** This test consists of evaluating the suspected impaired driver's ability to successfully follow verbal instructions, stand erect with their heels together, head tilted back, eyes closed, and arms down at their sides, make fists with the index finger extended and rotate the palms forward. When instructed to do so the officer will call out the left or right hand. The suspect is to touch the tip of the finger to their nose and bring hand down to the starting position. The suspect is to use a forward high arching motion to complete this task. The officer will always use the sequence "left...right...left...right...right...left". The officer will demonstrate the test (without closing their eyes) if necessary.
  - b. **Alphabet Recitation:** This test consists of the investigating officer choosing a portion of the alphabet (ex. "J" through "X") and having the subject recite the string of letters in proper order starting from the letter given. The officer should ensure the driver knows the alphabet before beginning.
  - c. **Rhomberg Balance:** This test requires the suspect to stand with the feet together, the head tilted slightly back, eyes closed, and estimate the passage of thirty seconds. When suspect believes that the thirty seconds have passed, they are to tilt their head forward, open their eyes, and say, "Stop". The officer is to tell the suspect to begin while timing the suspect on his or her watch.
6. After conducting the initial investigation at the scene of a traffic stop involving a suspected impaired person, if probable cause does exist through observation and field sobriety tests, officers will physically arrest the offender.

### 4.12.7 Arrest - DUI (First Time Resident Offenders and all Non-resident Offenders Who Submit to State-Administered Chemical Tests) (CALEA 6<sup>th</sup> ed. standard 61.1.10, 61.1.11 & 61.2.1d)

1. The investigating officer will physically arrest and make an incident report (and accident report, if applicable) of any violator charged with driving under the influence of alcoholic beverages whose level of intoxication is .08% or more and 21 years-of-age or older. Physical arrest and incident report are also required where the driver has a blood alcohol greater than .05% yet less than .08% and the officer has probable cause to believe they are



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a less than safe driver or is under the influence of alcohol or drugs (.02% or more for drivers under age 21, .04% for commercial drivers).

2. Whenever a driver is charged with DUI and has a valid driver's license, the officer will seize the license.
  - a. The arresting officer will take the driver's license of all DUI violators regardless of whether the driver is a resident of the State of Georgia or from another state. The officer will place the driver's license in a small manila envelope and attach it to the court's copy of the traffic citation.
  - b. In Section IV of the traffic citation, "License surrendered in lieu of bail" must be marked "no."
  - c. The arresting officer will turn in the confiscated driver's license along with the appropriate copies of the citation to the corrections intake officer at the Atlanta Pre-trial Detention Center.
  - d. The supervisor will ensure that the license and citation are promptly delivered to the Municipal Court of Atlanta.
3. On the traffic citation the officer will assign a court date of the next available day from the violation date, for DUI and any companion charges against the violator.
4. The arresting officer and any witnesses do not need to attend the first appearance in court; therefore, the investigating officer should not subpoena witnesses at the scene, but will write their names, addresses, and telephone numbers on the incident report, so that they may be subpoenaed when needed.
5. When the arrest is made, the officer will immediately, and while still on the scene advise the driver of the following:
  - a. That they are under arrest for Driving Under the Influence.
  - b. The portion of the Implied Consent Warning (DDS 354) that applies to the incident (below).

*Revisions to OCGA 40-5-67.1 (b)*

**Georgia Implied Consent Notice**

*Effective April 28th, 2019.*

*Language reprinted from HB471 by GBI-DOFS.*

**Implied Consent Notice / Suspects under age 21:**

The State of Georgia has conditioned your privilege to drive upon the highways of this state upon your submission to state administered chemical tests of your blood, breath, urine, or other bodily substances for the purpose of determining if you are under the influence of alcohol or drugs. If you refuse this testing, your



Georgia driver's license, or privilege to drive on the highways of this state will be suspended for a minimum period of one year. Your refusal to submit to blood or urine testing may be offered into evidence against you at trial. If you submit to testing and the results indicate an alcohol concentration of 0.02 grams or more, your Georgia driver's license or privilege to drive on the highways of this state may be suspended for a minimum period of one year. After first submitting to the requested state tests, you are entitled to additional chemical tests of your blood, breath, urine, or other bodily substances at your own expense and from qualified personnel of your own choosing. Will you submit to the state administered chemical tests of your (designate which test)?

**Implied Consent Notice / Suspects aged 21 or over:**

The State of Georgia has conditioned your privilege to drive upon the highways of this state upon your submission to state administered chemical tests of your blood, breath, urine, or other bodily substances for the purpose of determining if you are under the influence of alcohol or drugs. If you refuse this testing, your Georgia driver's license, or privilege to drive on the highways of this state will be suspended for a minimum period of one year. Your refusal to submit to blood or urine testing may be offered into evidence against you at trial. If you submit to testing and the results indicate an alcohol concentration of 0.08 grams or more, your Georgia driver's license or privilege to drive on the highways of this state may be suspended for a minimum period of one year. After first submitting to the requested state tests, you are entitled to additional chemical tests of your blood, breath, urine, or other bodily substances at your own expense and from qualified personnel of your own choosing. Will you submit to the state administered chemical tests of your (designate which test)?

**Implied Consent Notice / CMV Driver Suspects:**

The State of Georgia has conditioned your privilege to drive upon the highways of this state upon your submission to state administered chemical tests of your blood, breath, urine, or other bodily substances for the purpose of determining if you are under the influence of alcohol or drugs. If you refuse this testing, you will be disqualified from operating a commercial motor vehicle for a minimum period of one year. Your refusal to submit to blood or urine testing may be offered into evidence against you at trial. If you submit to testing and the results indicate the presence of any alcohol, you will be issued an out-of-service order and will be prohibited from operating a commercial motor vehicle for 24 hours. If the results indicate an alcohol concentration of 0.04 grams or more, you will be disqualified from operating a commercial motor vehicle for a minimum period of one year. After first submitting to the requested state tests, you are entitled to additional chemical tests of your blood, breath, urine, or other bodily substances at your own expense and from qualified personnel of your own choosing. Will you submit to the state administered chemical tests of your (designate which test)?

6. Upon arrest of an impaired driver, the arresting officer will immediately transport them to the Atlanta Pretrial Detention Center or to Grady Memorial Hospital for the appropriate test(s) of the arresting officer's choosing. The defendant's copy of the traffic citation must accompany the defendant.
  - a. Blood test for alcohol or drugs: The arresting officer must be present during the drawing of blood, and the officer should ensure that two samples of blood are taken. The officer should note the name of the person who drew the blood in the incident report. If the officer suspects an individual is under the influence of drugs it should be noted on the crime lab paperwork to check for drugs and which specific drugs to check if known or



suspected. Ensure in cases where the charge is Vehicular Homicide that each sample vial is marked "Vehicular Homicide".

- b. Breath test (for alcohol only): The defendant must be in a controlled environment for a period of at least 20 minutes before the test is administered. The courts have rules that a handcuffed person in the back seat of a police vehicle is considered in a controlled environment. The arresting officer's 20 minutes starts at the time of arrest. During this time the defendant must be prohibited from consuming any liquid and if the defendant should vomit, the condition should be noted in the incident report. If the defendant vomits, wait until they have recovered sufficiently to wash his or her mouth out with water, and then restart the 20-minute waiting period from the beginning. Any such incident should be noted in the narrative of the incident report.

Do not permit the suspect to use any form of tobacco until the chemical test(s) are completed.

7. Officers can request more than one type of test to be administered with DUI violations. If the officer requires the suspect to submit to another test, they do not have to read the Implied Consent Warning to the arrested person a second time. However, if the officer request a single test initially, or a test not originally requested, or prior to release of the suspect an initial test is needed; the officer may re-read the Implied Consent Warning (DDS 354) to request additional testing. A refusal by the suspect to comply with any state requested testing from the Implied Consent Warning (DDS 354) will be considered a refusal and fall under the penalties of license suspension via the Administrative License Suspension Form (DDS form 1205).
8. Once the State-administered chemical test has been completed, the subject has the right to an additional test by personnel of his or her own choosing (at his or her own expense). The defendant is not entitled to an additional test until after the state tests have been administered. The defendant may request additional tests at any time; however, the additional test must be requested while the suspect is in the arresting officer's custody.
9. It is the officer's responsibility to assist the subject in securing an independent test. This may include transporting the defendant to a testing facility of the defendant's choosing up to an hour drive outside the city limits. This also includes transporting the defendant to an ATM, to his vehicle, or to another location to retrieve money to pay for the testing. Before transporting the defendant, the officer will inform his or her supervisor to obtain permission.
10. All drivers whose breath test result is greater than .08% (.02% for drivers under age 21 and .04% for commercial vehicle drivers) on the breath Intoxilyzer 9000 will post bond.

4.12.8 Arrest - DUI (Second and Subsequent Arrests for Georgia Residents)  
(CALEA 6<sup>th</sup> Edition, Standard 61.1.10, 8.11.7)

When it is determined that a person arrested for DUI has been previously arrested in the past five years for DUI (through a check of the offender's driver's license record), the arresting officer, in addition to completing the steps in Section 4.11.6, will complete the following steps:

1. Complete the Administrative License Suspension Form (DDS form 1205) and give a copy to the arrested person.
2. Place the arrested person's driver's license in the small manila envelope and attach it to the Administrative License Suspension Form (DDS form 1205) on the front in the top left corner.



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3. The arresting officer will give the completed Administrative License Suspension Form (DDS form 1205), along with the arrested person's driver's license attached, to his or her supervisor. The supervisor will collect all of the forms for the watch, ensure that they have been completed correctly, and forward them (in an inter-department delivery envelope) at the end of each tour of duty to the Departmental mail room at headquarters for mailing to the Georgia Department of Public Safety.

### 4.12.9 Georgia Department of Public Safety Form 1205 (CALEA 6<sup>th</sup> ed. Standard 61.1.10)

When Georgia residents are arrested for DUI who have been arrested for DUI within the previous five years or any person arrested for DUI who refused to submit to the required state-administered chemical test(s), the arresting officer may complete an Administrative License Suspension Form (DDS form 1205).

1. In the "Temporary Driving Permit" section of form 1205, officers will write his or her signature to make valid the temporary driver's permit. If the arrested person's license is already under suspension or otherwise invalid, the officer will write "void" in the signature space.
2. When administratively suspending a person's license (completing DDS Form 1205), officers will notify the person that they have the right to an Implied Consent Hearing, but that the hearing must be requested, in writing, within ten (10) business days and sent to the address at the top of the Administrative License Suspension Form (DDS Form 1205). The driver will receive a copy of the Administrative License Suspension Form (DDS Form 1205) upon completion by the arresting officer.
3. The arresting officer will bring a copy of the incident report, citations, and any other paperwork as a result of the attempted DUI chemical testing to the Implied Consent Hearing when subpoenaed.

### 4.12.10 Supplemental Chemical Test Report (DS-1205S) (CALEA 6<sup>th</sup> ed. Standard 61.1.10)

When officers arrest DUI offenders and request state-administered chemical test(s), for alcohol, where the results are not immediately available (ex: blood or urine) the officer will upon receipt of results that are above the legal limits complete a Supplemental Chemical Test Report (DS-1205S). Specifically, the following results require the officer to complete the Supplemental Chemical Test Report (DS-1205S):

1. Chemical test(s) results indicated a blood alcohol concentration of 0.08 grams or more; or
2. The driver was under the age of 21 and the chemical test(s) results indicated a blood alcohol concentration of 0.02 grams or more; or
3. The driver was operating or in actual physical control of a moving commercial motor vehicle and the chemical test(s) results indicated a blood alcohol concentration of 0.04 grams or more.

### 4.12.11 Refusal (CALEA 6<sup>th</sup> ed. Standard 61.1.10)

1. Persons arrested for driving under the influence who refuse to take the required test(s) will be transported to Atlanta Pretrial Detention (236 Peachtree Street, SW, Atlanta, Georgia





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30303) or Grady Memorial Hospital Detention (80 Jesse Hill Jr. Drive, NE, Atlanta, Georgia 30303), as appropriate.

2. When a person is arrested for driving under the influence but refuses to submit to the required test(s), the arresting officer will complete an Administrative License Suspension Form (DDS form 1205).
3. The arresting officer will then forward the Administrative License Suspension Form (DDS form 1205) and driver's license to the Georgia Department of Public Safety in accordance with the procedure in Section 4.10.8.
4. After the Administrative License Suspension Form (DDS form 1205) has been completed, the arrested person will be processed for arrest according to the respective procedures for adults or juveniles.

### 4.12.12 Search Warrant – Blood (CALEA 6<sup>th</sup> ed. Standard 61.1.10)

1. Suspects arrested for DUI who refuse to take the required test(s) may be transported to the nearest zone precinct or to the Public Safety Headquarters to obtain a search warrant via the Electronic Warrant (EWI) system.
2. Each officer applying for a search warrant is responsible for corroborating the facts stated in a search warrant affidavit and determining the accuracy, validity, and truthfulness of the information presented.
3. The warrant must be signed by a neutral and detached magistrate or judge who is authorized to hold a court of inquiry for any area of the county (Clayton, Dekalb, or Fulton) in which the premises described in a search warrant is located.
4. After obtaining the search warrant, the arrested suspect is immediately transported to the Atlanta Pre-trial Detention Center, Grady Memorial Hospital, or any other approved vender to obtain two blood samples. At this time, the arrested suspect is served with a copy of the signed search warrant.
5. The arresting officer must be present during the drawing of the blood and should note the name of the medical professional or corrections official who performed the procedure for the incident report. If the arresting officer has reasonable articulable suspicion the arrest suspect is under the influence of drugs, it should be noted on the crime lab paperwork to check the blood evidence for both alcohol and drugs.
6. The arresting officer has a total of three (3) hours to obtain two blood samples from the time the traffic stop was initiated.
7. After obtaining two blood samples, the person is transported to the Atlanta Pre-trial Detention Center or to Grady Memorial Hospital Detention for processing.
8. After the search has been completed, it is the duty of the arresting officer to return the search warrant and file a verified list of the items seized.
9. The sealed blood and urine specimen kit will be transported to the State crime lab of the Georgia Bureau of Investigation's (GBI) Division of Forensic Sciences (3121 Panthersville Rd. Decatur, Ga. 30034). The State crime lab will only accept blood and urine specimen kits Monday through Friday between the hours of 0800 hours to 1630 hours.



10. When the State crime lab is closed, the arresting officer will transport the sealed blood and urine specimen kit to the Property Control Unit (3493 Donald Lee Hollowell Parkway, NW, Atlanta, Georgia 30331) where it will be logged in and secured as evidence. At the arresting officer's earliest convenience and when the State crime lab is open, the officer will check-out the specimen (evidence) from the Property Control Unit and transport it to the State crime lab.

#### 4.13 PARKING ENFORCEMENT

(CALEA 6<sup>th</sup> ed. standard 61.1.13)

- 4.13.1 Threat to Public Safety or Property: Parking enforcement activities will normally be limited to situations that present a threat to public safety or property. Examples of conditions that may constitute such a threat are when a motor vehicle is:
  1. Situated in such a manner to either block the flow traffic or is causing a traffic hazard; or
  2. Parked in a fire lane or other location that would seriously impede emergency vehicles.
- 4.13.2 All sworn officers will adhere to O.C.G.A. 40-6-200, 40-6-203, and 40-6-206 in enforcing proper parking of attended and unattended vehicles.
- 4.13.3 The following actions will be initiated if a parked or standing vehicle poses a threat to public safety or property:
  1. If present, the driver will be directed to move the vehicle to an authorized location (O.C.G.A. 40-6-206a).
  2. An appropriate nonmoving traffic citation will be issued to unattended vehicles.
  3. If left unattended, the vehicle will be impounded in the following situations:
    - a. O.C.G.A. 40-6-206b: Any police officer is authorized to remove or cause to be removed to a place of safety any unattended vehicle illegally left standing upon any highway, bridge, or causeway or in any tunnel.
    - b. O.C.G.A. 40-6-206c: A reported stolen vehicle; if those in charge of a vehicle are unable to provide for its custody or removal; if the person driving or in control of such vehicle is arrested for an alleged offense for which the officer is required by law to take the person arrested before a proper magistrate without unnecessary delay; any vehicle that has been left unattended for 24 hours or more; or a vehicle stopped, except when traffic congestion makes movement impossible, on a controlled-access highway;
    - c. O.C.G.A. 40-11-15: A vehicle left unattended on a public street, road, or highway or other public property for a period of at least five days.
- 4.13.4 Handicapped Parking Violations: The enforcement of handicapped parking will normally be performed in response to public complaints or observation (O.C.G.A. 40-6-226). Violators will be:
  1. Attended vehicle instructed to move their vehicle to an authorized parking location; or
  2. Unattended vehicles issued a nonmoving traffic citation and, at the discretion of the officer, impounded.



#### **4.14 VEHICLE IMPOUNDS**

(CALEA 6<sup>th</sup> ed. standard 61.4.3)

4.14.1 Officers must follow these guidelines every time they impound a vehicle:

1. Check the vehicle for stolen status by running the Vehicle Identification Number (VIN) and license plate number.
2. If the vehicle is stolen, the officer will stand by on the ACIC channel until the “hit” has been confirmed by the operator. The officer will provide such additional information as requested by the operator, including but not limited to location of the vehicle, whether the vehicle is damaged, and whether items are missing from the vehicle.
3. When impounding a vehicle that is not stolen and unattended, officers will advise an ACIC operator that a vehicle is being impounded, at which time the officer will relay the following: make and model, license plate number, VIN, location of impound, name of contract wrecker service and the reason for the impound.

4.14.2 Supervisor notification is required on all impounds.

4.14.3 Impound for Illegal Parking  
(CALEA 6<sup>th</sup> ed. standard 61.4.3b)

If a vehicle is illegally parked and meets one or more of the conditions listed below, the officer may impound it. The officer will make reasonable efforts to locate the driver and have them move the vehicle. If the driver is found or comes to the scene before the wrecker leaves with the vehicle, issue the driver a traffic citation for illegal parking and release the vehicle.

1. The vehicle is illegally parked and blocking traffic.
2. The vehicle is creating a traffic hazard on any street or highway.
3. The vehicle is illegally parked in the parking lots or street spaces reserved for police vehicles.
4. The vehicle is parked in front of a restricted no-parking area or Fire Lane.
5. The vehicle is illegally parked in a parking space on public or private property, reserved for use of the handicapped by a sign designating it as such.

4.14.4 Impounding Abandoned Vehicles  
(CALEA 6<sup>th</sup> ed. standard 61.4.3a, b)

1. An officer encountering an abandoned vehicle on public property will attempt to notify the owner of the vehicle. If the owner or person responsible for the vehicle cannot be found, the officer will place a written notice (an orange 5-day sticker) on the windshield of the vehicle to determine if it is actually abandoned. If after five days the vehicle has not been moved, the officer will impound the vehicle.
2. An officer will not impound a vehicle from private property unless the vehicle is wanted in connection with a crime or the vehicle constitutes an immediate danger to life or property.

4.14.5 A vehicle will be impounded if:



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1. The driver is arrested, not qualified, not capable to drive the vehicle due to impairment, or not having a valid license, and:
  - a. The operator refuses to release the vehicle to a person of his or her own choosing who is present and is properly qualified and capable of operating the vehicle, or there is no such person present.
  - b. The vehicle is not parked at his or her residence or property.

NOTE: Officers will ensure that another officer witnesses the offender giving consent for the vehicle's release to protect the officer and the Department from liability.

2. The vehicle contains evidence or contraband that requires the vehicle to be taken to a police facility to conduct a proper search.
3. The vehicle must be processed for evidence.
4. The vehicle does not have valid insurance coverage, or its condition would not permit operating it without it becoming unsafe or creating a hazard.
5. Otherwise, necessary and authorized by a supervisor.

### 4.14.6 Impounding Government Vehicles

1. Whenever an officer is summoned to or observes a government-owned vehicle parked in such a manner that it presents a hazard to safety or property, and such vehicle is unattended, the officer will request permission from his or her supervisor to impound such vehicle.
2. Government vehicles that have unpaid parking tickets will not be impounded but will be reported by making an incident report. A copy of this report will be forwarded to the government agency that the vehicle is registered to.
3. When a government vehicle is impounded, the impounding officer will insure the proper agency is notified as soon as possible.

### 4.14.7 Assisting Stranded Passengers

When an officer arrests the driver of a motor vehicle that is subsequently impounded and other occupants of the vehicle do not have transportation for themselves, the officer will:

1. Assist the person(s) in obtaining transportation to a secure location if this can be accomplished in a reasonable length of time.
2. Otherwise, notify their immediate supervisor of the situation. The immediate supervisor will:
  - a. Give the requesting officer permission to transport the person(s) to a secure location; or
  - b. Make arrangements for another officer to transport the person(s) to a secure location; or
  - c. Transport the person(s) to a secure location in their vehicle.



#### 4.14.8 Inventory and Incident Report

1. An incident report and Impound Report (Form APD 005) will be completed for each impounded vehicle. In certain circumstances, as contained in Section 4.16.16 (#2), the Impound Report may be used in lieu of the incident report.
2. Every impounded vehicle will be inventoried prior to its release to the wrecker service. All property that is considered “valuable” will be removed, inventoried, and turned into the Property Control Unit.
3. If upon conducting the inventory, the officer finds a container, which is unsealed but accessible (i.e., box, suitcase, briefcase, etc.), they will open the container to inventory the contents.
4. When conducting an inventory search, the officer will search all compartments (passenger, engine, trunk, etc.). Electronic items such as radios, CD players, cassette or tape players, DVD players, or T.V. monitors that are installed within the vehicle will be noted in the incident report and the Impound Record Form. If the officer has access to the trunk, they will also record spare tires and jacks.

#### 4.14.9 Vehicles Placed in Investigative Holding Cages

If a vehicle must be held pending further investigation, the vehicle is to be stored in an investigative holding cage located at Atlanta Public Safety Annex (3493 Donald Lee Hollowell Parkway, NE, Atlanta, Georgia). The lone exception to the above is when a vehicle is held for Financial Investigations, discussed below in Section 4.16.11. No vehicles with holds for other units are to be taken to an impound lot. (See APD.SOP.3068, “Vehicle Storage for Investigative Purposes”)

The following units have their own cages set aside for vehicles under investigation: Accident Investigation Unit, Homicide Unit, and Financial Investigations Unit. Officers will not put a vehicle in an investigative holding cage unless directed to do so by an investigator or employee of one of the above referenced units. An investigator of the appropriate unit must accompany the officer to provide access to the cage. (See APD.SOP.3068, “Vehicle Storage for Investigative Purposes”)

1. To hold a vehicle for Accident Investigation Unit, the officer must first get authorization from the on-call investigator who will be reached through a communications supervisor.
2. If a FOD Investigations or General Investigations unit directs an officer to place a hold on a vehicle for further investigation, the vehicle will be placed in the cage designated for either the Identification Unit or General Investigations (also utilized for Auto Theft Task Force, Robbery and Fugitive units). Officers will accompany the contract wrecker to the Property Control Unit. A Property Management Technician (PMT) will have the officer sign for a key to the appropriate investigative holding cage (Identification or General Investigations).
3. Officers will accompany the contract wrecker to the cage and secure the cage once the vehicle is placed inside, and then provide a copy of the Impound Sheet to the wrecker driver.
4. If the officer is not accompanied by an investigator to the holding cage, the officer must complete and submit a detailed report prior to the end of their shift, to include where the vehicle was secured at.



4.14.10 Holds for Financial Investigations

1. Vehicles impounded due to involvement in crimes relating to drugs, illegal whiskey, lottery, or gambling devices will be held for 10 (ten) days. These vehicles are the only ones with administrative holds that may be transported to an impound lot.
2. During that period, they may only be released with the authorization of a Financial Investigations supervisor. A supervisor from Financial Investigations may agree to release the vehicle on the condition that the receiving party signs a “hold harmless” agreement.
3. All impounding officers will do the following when placing a hold pending further action by Financial Investigations:
  - a. Contact a Financial Investigations investigator before the contract wrecker service leaves with the vehicle to confirm that a hold is appropriate.
  - b. Include a copy of the impound sheet in the detailed report before the end of shift.

4.14.11 Vehicles Sought by Other Agencies

1. Officers will stand by with a vehicle sought by another law enforcement agency within the ten-county metro Atlanta area so long as the agency agrees to collect the vehicle from the scene in a timely manner. The ten-county metro Atlanta area is recognized as the following counties: Cherokee, Clayton, Cobb, DeKalb, Douglas, Fayette, Fulton, Gwinnett, Henry, and Rockdale.
2. Vehicles sought by agencies outside the metro Atlanta area will be transported to the General Investigations holding cage for safekeeping. A Property Control Unit (PCU) supervisor, or designee, must be notified at the time the vehicle is placed in the cage. A Zone Investigations unit from the Zone where the vehicle was recovered will contact the agency as soon as possible to ascertain the status of the vehicle and assist in any efforts to retrieve the vehicle.

4.14.12 Wrecker  
(CALEA 6<sup>th</sup> ed. standard 61.2.2h)

When a wrecker is needed pursuant to a traffic collision, the officer will:

1. Advise radio dispatch and have them contact the appropriate wrecker service for the zone. If the City-contracted wrecker service for the zone cannot come to the collision scene promptly, then have radio start another City-contracted wrecker service. The investigating officer will ensure the wrecker on the scene is from either a City-contracted service or, if a private tow, a service of the vehicle owner's choosing.
2. Complete a Vehicle Impound sheet (Form APD 005) for all police impounds. Give the owner and/or driver copy to the owner or driver of the impounded vehicle and the wrecker copy to the wrecker driver. The original or any remaining copies are given to the field supervisor at the end of the watch. If private tow, the Vehicle Impound Record (Form APD 005) will not need to be completed.
3. Stand-by at the scene until the wrecker has cleared the scene with the vehicle in tow. If it is a private tow and the vehicle is not causing a traffic hazard, the investigating officer will stand by until the private wrecker's arrival to ensure the vehicle is removed.



4. Ensure that the wrecker service sweeps the scene clean of broken glass and other debris.  
(O.C.G.A. 40-6-276)

#### 4.14.13 Cancellation of a Contract Wrecker

An officer will only cancel a dispatched APD contract wrecker when the vehicle, for which the contract wrecker was called, is no longer required to be towed or has been moved prior to the contract wrecker arriving on the scene. When an officer cancels an APD contract wrecker, the officer will provide the radio dispatch with the reason for the cancellation.

#### 4.14.14 Vehicle Impound Sheet (Form APD 005) (CALEA 5th ed. standard 61.4.3c)

The Vehicle Impound Sheet is designed to aid in the formal accounting of vehicles impounded by the Department. The proper completion of the form will contribute to the security and disposition of the property or evidence. This form does not take the place of the vehicle impound portion of the RMS incident report. (APD.SOP.3060 “Reports and Report Writing”)

#### 4.14.15 When to use a Vehicle Impound Sheet (Form APD 005):

1. When impounding a vehicle involved in an incident.
2. Towing a vehicle that is illegally parked.
3. Towing Abandoned Vehicles

Do not use the Vehicle Impound Sheet (Form APD 005) to report a vehicle that is not being impounded. Use the vehicle portion of the RMS incident report to report a stolen or damaged vehicle and vehicles used in crimes that have not been impounded.

### 4.15 TRAFFIC DIRECTION AND CONTROL (CALEA 6<sup>th</sup> ed. standard 61.3.2)

#### 4.15.1 The Atlanta Police Department will carry out its responsibility for traffic direction and control by providing and managing appropriate employees and alternative resources adequate to deal with all traffic needs.

#### 4.15.2 Manual Direction of Traffic (CALEA 6th ed. standard 61.3.2b, g)

1. Visibility: Officers will wear a Department issued, ANSI/ISEA 207-2006 compliant reflective jackets or vests when directing traffic at all times and in all weather conditions. Officers will position themselves where they can be seen clearly by all vehicles or pedestrians, usually in the center of an intersection or street. Officers will stand straight with their weight equally distributed on both feet, with their arms hanging easily at their sides, except when gesturing. Officers will always stand facing the traffic that is stopped, with the side of the body toward the vehicles authorized to move.
2. Stopping Traffic: To stop traffic, the officer will give one long blast on his or her whistle and extend his or her arm and index finger toward, and directly at, the vehicle to be stopped until the driver is aware of the officer's presence. Once the driver has recognized the command, the officer will raise the palm of the pointing hand at the wrist gesturing until the person stops.



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3. Starting Traffic: To start traffic, the officer will face the traffic with his or her arm and index finger toward the vehicle to be started until the driver is aware of the direction to proceed. The officer will give two short blasts on his or her whistle and with palm up, gesture the person to proceed forward by swinging the arm from the elbow through a vertical semi-circle until the hand is adjacent to the chin. Officers will continue this pattern of gesturing until all desired traffic has cleared the area or there is a need to stop traffic.
4. Right Turn: Drivers turning right usually affect their turn without being directed by an officer. When it becomes necessary to direct a right turn, the officer will proceed as follows:
  - a. If the driver approaches from the officer's right side, the officer will give two short blasts on their whistle and extend the right arm and index finger towards the driver. The officer will follow through by swinging the extended arm and index finger in the direction of the driver's intended turn.
  - b. If the driver is approaching from the officer's left side, the officer will use the same procedure using the left arm extended.
5. Left Turn: Drivers turning left will not be directed to affect their movement while the officer is also directing oncoming traffic to proceed. The officer will give one long blast on his or her whistle and stop oncoming traffic by using the right-hand raised palm up, facing the traffic. After the oncoming traffic has come to a complete stop, the officer will give two short blasts on his or her whistle and signal the driver to turn left by extending the arm and index finger towards the driver. Follow through by swinging the extended arm and index finger in the direction of the driver's intended turn.
6. Traffic Direction During Hours of Darkness: Officers will use the same arm movements and whistle signals during hours of darkness as specified above with the additional use of a flashlight. To stop traffic, the officer will slowly swing the flashlight beam across the path of oncoming traffic. The officer can also use the flashlight to aid in signaling a direction by swinging the beam of light in the direction the vehicle will precede.

### 4.15.3 Traffic Direction and Control at Fire Scenes (CALEA 6<sup>th</sup> ed. standard 61.3.2c)

1. Officers at a fire scene will coordinate their efforts with the ranking fire official on the scene.
2. Officers engaged in traffic direction and control at a fire scene will position their patrol vehicle at the scene in a manner that will allow ingress and egress from the scene by Fire/Rescue and other emergency vehicles.
3. Officers at the scene will ensure no vehicles cross over fire hoses without the approval of the senior fire official on the scene. (O.C.G.A. 40-6-248)
4. Officers on the scene will ensure parked vehicles interfering with fire/rescuer operations are towed, if necessary.

### 4.15.4 Traffic Direction and Control During Adverse Road or Weather Conditions (CALEA 5<sup>th</sup> ed. standard 61.3.2d)

1. The watch commander will request radio dispatchers to notify the local media outlets, Department of Public Works, or Atlanta Fire Rescue of adverse road conditions that could cause potential driving hazards.



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2. Officers will provide traffic direction and control at the scene of downed power lines, broken gas or water mains, or construction sites where conditions could endanger the safe movement of traffic.
3. The watch commander may close a street or portion of a street if, in his or her judgment, the surface conditions and terrain create a hazardous condition. The commander will notify and request assistance from the proper agency in alleviating the problem and request public service radio announcements or proper signage be made in reference to the closure.
4. The watch commander will ensure that the Department of Transportation is notified and assists in the closure of any state road, interstate, or highway.

### 4.15.5 Temporary Traffic Control Devices (CALEA 6<sup>th</sup> ed. standard 61.3.2e,f)

1. Officers will notify their immediate supervisor of situations requiring the use of temporary traffic control devices such as cones, barricades, etc. A supervisor will contact the Department of Public Works (GDOT if on an interstate or highway) and request assistance with obtaining the necessary equipment.
2. Officers will ensure temporary devices are removed when the event or emergency situation is over and will request radio dispatch to notify the Department of Public Works that the items are ready to be picked up.
3. When traffic is congested due to a large public gathering or emergency such as a malfunctioning traffic control device, officers will either advise radio dispatch to contact Public Works or traffic engineering to remedy the malfunction or, if familiar with the device, are authorized to manually operate the devices when it is necessary to control the flow of traffic.

## 4.16 TRAFFIC ESCORTS (CALEA 6<sup>TH</sup> ED. STANDARD 61.3.3A, B)

### 4.16.1 Escorts of Non-Department Emergency Vehicles

1. Department vehicles will not be used to escort any authorized emergency vehicle which has its own operating emergency equipment unless:
  - a. The emergency equipment on the other vehicle is inoperative or malfunctioning.
  - b. The driver of the other emergency vehicle is not familiar with the location of the emergency or the quickest route to a hospital.
2. The field supervisor will approve all requests to escort another emergency vehicle.

### 4.16.2 Funeral Escorts

All escorts for funeral procession will be handled off-duty and in accord with the APD.SOP.2060 "Extra Jobs", APD.SOP.4040, "Special Operations Section," and any command memorandums issued by the SOS commander.

1. Department-owned vehicles, including motorcycles, will not be used for extra jobs involving funeral escorts.
2. Officers involved in funeral escorts will adhere to O.C.G.A. 40-6-76 and all applicable laws and ordinances.





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3. Funeral escorts will not be conducted on duty, except in accordance with Section 4.18.3, Dignitaries, Public Officials and Special Event Escort “.
4. Personally owned vehicles or motorcycles are not authorized emergency vehicles and will not be operated as such.

### 4.16.3 Dignitaries, Public Officials and Special Event Escort:

1. Only those individuals who qualify for executive protection (e.g., President of the U.S.A and foreign dignitaries) will be provided with Department escorts in the Metro Atlanta area. Such individuals are those whose movement through City streets must be swift, secure, and may possibly cause traffic congestion. On-duty officers will handle the escort. These escorts will be approved through the Chief's office and organized by SOS.
2. On-duty officers will handle funeral processions of dignitaries and public officials if extraordinary coverage is needed to facilitate movement through traffic and the size of the procession. These escorts will be approved through the Chief's office and organized by SOS.
3. Police escorts will be provided for special events or groups who have obtained a permit from the City to close streets or portions of areas to ensure traffic safety for those participants and other vehicles.
4. Officers providing escorts for private citizens, private groups, or entertainers will do so off-duty and comply with the extra job policy (APD.SOP.2060, “Extra Jobs”).

### 4.16.4 Hazardous or Unusual Cargo Escorts

1. Except for those situations required by Federal or State law, the Department will provide escorts of potentially dangerous vehicles or cargos on a case-by-case basis.
2. Generally, escorts for hazardous or unusual cargo will be handled by off-duty officers in compliance with the Extra Job policy. However, if a request is given to the Department to escort such cargo for Federal or State authorities, or it is an emergency situation, then the escort will be approved through the Chief's office and organized by SOS.
3. Factors to consider for such escorts include the size and weight of the cargo, potential threat to public safety, the route of travel, the time/date of the move, and the availability or appropriateness of a private escort service.
4. If any collisions or property damage occurs during the escort, the officer(s) handling the escort will follow collision reporting procedures as outlined in this policy. If collision or property damage occurs outside the Department's jurisdiction, the officer(s) will immediately contact the appropriate agency to handle the situation.

### 4.16.5 Oversize or Building Mover Escorts

1. Unless it is an emergency situation approved through the Chief's Office, off-duty officers in compliance with the Extra Job policy will provide escorts for oversize or building moving.
2. House moving applicants must comply with the following:
  - a. Obtain a valid permit for excess weight and dimensions from the GDOT (O.C.G.A. 32-2-28).





- b. Comply with all required procedures for escort vehicles and marking of oversize loads as stipulated by GDOT Reg. 672-2-.06 & .07.
  - c. Escort periods: Monday to Thursday (except on holidays), hours of 9:00AM to 3:00 PM, and not during periods of inclement weather.
3. Officers conducting oversize escorts will:
  - a. Verify that the GDOT permit is valid and in order.
  - b. Ensure that appropriate escort and support vehicles are provided.
  - c. Ensure all other vehicles and the oversized load involved in the move are properly equipped and marked as required by GDOT regulations.
  - d. Notify Communications of the route to be taken, the anticipated time period, and any unusual circumstances that occur during the escort.
  - e. Make necessary coordination with other jurisdictions if leaving the city limits; and
  - f. Cancel any escort if all regulatory requirements are not met by the mover or in the event of any potentially unsafe or hazardous condition that may jeopardize public safety.
  - g. If any property is damaged or collisions occur during the escort, the escort officer(s) will follow collision-reporting procedures as outlined in the policy.

#### 4.16.6 Escorts of Civilian Vehicles in Medical Emergencies

1. Officers will not escort private vehicles in emergency medical situations.
2. If an EMS unit is not immediately available, officers may transport the injured or sick individual in the patrol vehicle to the nearest medical facility with supervisor approval.

### 4.17 TRAFFIC COLLISIONS

#### 4.17.1 An officer will be dispatched to the scene of traffic collisions to include, but not limited to (CALEA 6<sup>th</sup> ed. standard 61.2.2a-h):

1. Death or injury.
2. Hit and Run.
3. Impairment of a driver due to alcohol or drugs.
4. Damage to public vehicles or property.
5. Hazardous materials.
6. Major traffic congestion as a result of the collision; or
7. Damage to vehicles to the extent towing is required.



- 4.17.2 The officer initially dispatched to the scene of a traffic collision will normally be the investigating officer and in charge of all on-scene activities unless they are cancelled before arrival at the scene by radio dispatch, properly relieved by an investigator from a specialized unit such as The Accident Investigation Unit, released by Atlanta Fire Rescue or HAZMAT employees, or as directed by a supervisor (CALEA 6th ed. standard 61.2.3a). The first arriving officer at the scene of a traffic collision will:
1. Activate appropriate emergency equipment and park the police vehicle so as not to create an additional traffic hazard, evaluate any injuries, secure the scene to prevent other collisions, and request an ambulance, rescue unit, wrecker, Highway Emergency Response Operator (HERO) or other support services, if needed (CALEA 6th ed. standard 61.2.3b).
  2. If the responding officer encounters a disturbance between any collision parties at the scene, advise dispatch for another unit to the scene and attempt to separate the individuals. If the situation is uncontrollable for one officer, wait until backup units arrive before attempting to intervene (CALEA 6th ed. standard 61.2.2f).
  3. Conduct a preliminary investigation to determine the circumstances surrounding the collision. Driver's licenses and insurance cards will be obtained from all drivers involved. Confirm accurate addresses, telephone numbers, and insurance coverage. Ensure that the drivers are involved in exchange insurance information (O.C.G.A. 40-6-273.1). Witnesses will be separated and questioned to assist in determining the cause of the collision. The officer will note the position of all vehicles involved and protect the collision scene to preserve short-lived evidence such as debris, skid marks, etc. for possible follow-up investigations (CALEA 6th ed. standard 61.2.3d, e).
  4. A Motor Vehicle Collision (Accident) Report will be completed on the RMS any of the following are present:
    - a. If one or more of the parties involved in the Motor Vehicle Collision are still on scene.
    - b. Reported injuries to any party of the Motor Vehicle Collision: Driver, Passenger, Pedestrian, other 3rd party.
    - c. Any visible damage to involved vehicles or property, such as, guardrail, buildings, utility poles, etc.
    - d. All Hit and Run Motor Vehicle Collisions.
    - e. Evidence that any involved driver, passenger, or pedestrian are impaired due to alcohol or drugs.
    - f. Presence of Hazardous Material at the Motor Vehicle Collision scene. The Hazardous Materials can be carried by an involved vehicle or inside a structure damaged by the collision.
    - g. A Chargeable Private Property Motor Vehicle Collision
    - h. When the collision occurs on private property and the incident does not involve death, serious injury, hit and run, impairment due to alcohol or drugs, hazardous materials or is chargeable on private property, a report will be completed on the RMS and the box indicating private property will be checked (CALEA 6<sup>th</sup> ed. standard 61.2.1a-f).



- i. If the drivers involved in a minor collision have not cleared the roadway, clear it as soon as possible to restore traffic flow and direct the parties to a safe location to complete the investigation (O.C.G.A. 40-6-275) (CALEA 6<sup>th</sup> ed. standard 61.2.2g & 61.3.2a)
  - j. If the collision is serious and involves injuries or inoperable vehicles, request additional units or HERO through radio dispatch to help control traffic flow. Ensure the evidence from the collision is protected for possible follow-up investigation.
  - k. Officers may issue citation(s) if the evidence from the collision investigation or an independent third-party witness corroborates the statements made by one or more of the parties involved. Get current names, addresses and telephone numbers of all witnesses so the City Solicitor will know what witnesses to subpoena if the violator requests a trial. Let witnesses know the court date set for the violator. Inform the witnesses they are not required to appear in court for the violator's first appearance but may attend if they so choose. (CALEA 6<sup>th</sup> ed. Standard 61.1.10)
5. The investigating officer, or another designated officer, will ensure property belonging to collision victims, including their vehicle, is protected from theft or pilferage by controlling access to the collision scene. All property that does not go with the victim will be placed in the Department's Property Control Unit and a copy of the Property/ Evidence Form given to the victim. Victims will also be given a copy of the wrecker service information if their vehicle has to be removed by a City-contracted wrecker service. This will be noted in the incident and/or accident reports (CALEA 6<sup>th</sup> ed. standard 61.2.3f).

**4.17.3 Traffic Fatalities.** The supervisor will respond to the scene of any traffic fatality or serious injury. The first arriving officer on scene will:

1. Secure the scene and perform the preliminary investigation, obtaining as much information from the witnesses as possible about the collision:
  - a. Do not release any witnesses.
  - b. Identify all drivers and occupants of all vehicles.
  - c. Do not release any occupants unless they are being transported by MEDICAL personnel. If a juvenile is being transported, allow the parents or guardians to ride with injured child in the EMS vehicle. Identification is required of the parents or guardians prior to transport.
  - d. Insure that the accident scene is secure, with a one lane safety buffer established, to prohibit all traffic from traveling through the scene, but the safe negotiating of traffic around the scene.
  - e. Start an ID Unit to the scene (If they have not been contacted by the on-scene supervisor).
2. The supervisor will request that radio dispatch contact an Accident Investigation Unit investigator and a Crime Scene Unit technician to respond to the scene.
3. The responding officer will stand by at the collision scene to assist the Accident Investigation Unit investigator.  
(CALEA 6<sup>th</sup> ed. 61.2.1a, 61.2.2a, & 61.2.4)



- 4.17.4 If an Accident Investigation Unit investigator is not available to respond to a collision involving a fatality, then the officer answering the call will complete the investigation following the remaining instructions.
1. Instruct the Crime Scene Unit technician to take photographs of the collision site, automobiles involved, and debris. The officer will collect evidence to turn it over to the Property Control Unit. If a Crime Scene Unit technician or other means of photographing the scene is not available, the officer will not keep the body at the scene but will have it removed to either the Fulton County or DeKalb County Medical Examiner's Office (depending on the county of the incident) as soon as possible. The body position will be chalked to facilitate measurements and photographing.
  2. Document measurements of the scene, location of vehicle, and important physical evidence.
  3. Ensure that witnesses have transportation to the station or precinct to have their statements taken. Statements must be signed and witnessed and will be typewritten when possible.
  4. Impound the victim's automobile and state in the "Remarks" area that the vehicle was impounded for Signal 41-48. The victim's name will not appear on the Impound Report sheet (Form APD 005). The word "victim" will be put in the owner's box if the victim and owner are the same person.
  5. After the scene has been cleared, go to either the Fulton County or DeKalb County Medical Examiner's Office (depending on the county of the incident) and obtain the name of the pronouncing physician and the time the victim was pronounced deceased.
  6. Ensure that all reports pertaining to the fatality are completed, including:
    - a. Motor Vehicle Accident Report on the Georgia Electronic Accident Reporting System (GEARS).
    - b. Incident report on the RMS - Case Management detailing the officer's investigation.
    - c. Statements from witnesses, which are typed on the statement form and attached to the Accident Report. Scanned and attached to the RMS - Case Management, if possible.
    - d. Public Affairs Unit notification; and
    - e. All reports, field notes, and sketches will be forwarded to the Accident Investigation Unit.
- 4.17.5 If a death or serious bodily injury has resulted and probable cause exist that a driver(s) is under the influence of alcohol and/or drugs, the driver(s) will be required to submit to a blood test with a drug screen.
1. Serious bodily injury includes depriving the person of a member of their body, by rendering a member of their body useless, by seriously disfiguring their body or a member thereof, or by causing organic brain damage which renders the person's body or any member thereof useless. (OCGA § 40-6-394)
  2. All drivers (regardless of fault) involved in the accident are subject to the Implied Consent Warning (DDS-354).



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3. Drivers who refuse to submit to the blood test will have their driver's license or privilege to operate a motor vehicle suspended. Therefore, the investigating officer will complete a Georgia Department of Public Safety form 1205 (OCGA § 40-5-67.1) (See Section 4.14.12 and 4.14.12 on procedures).

### 4.17.6 Responsibilities of an Accident Investigation Unit investigator are:

1. On call 24 hours, seven days a week, 365 days a year through the Communications Section.
2. Investigate traffic collisions/fatalities.
3. Pre-and post-collision investigations.
4. Ensure Next of Kin is notified by either the Medical Examiner's Office or an investigator with the Accident Investigation Unit.
5. Notify the Medical Examiner's Office; and
6. Speak to the media if an immediate supervisor is not available and ensure that the Public Affairs Unit is notified for news releases.

### 4.17.7 All Accident Investigation Unit investigators will be trained and proficient in handling collision scenes where death or serious injury has occurred. They will preserve evidence, take measurements at the scene, take statements from witnesses, and assist in the prosecution of the offender.

### 4.17.8 Hit and Run (CALEA 6<sup>th</sup> ed. standard 61.2.1c & 61.2.2b)

When the collision involves a hit-and-run, the officer will do the following, in addition to the procedures in Section 4.19.2:

1. Place a lookout for the suspect vehicle with radio dispatch, including description of the driver, if available, and damage to the vehicle.
2. Obtain necessary information that is relevant to the Hit and Run, such as listing all evidence and observations collected at the scene. Be sure to mark "hit and run" on the Motor Vehicle Accident Report completed on GEARS. The GEARS report will be forwarded to the Accident Investigation Unit via the RMS - Case Management for further investigation.
3. If the hit-and-run results in a fatality, secure the scene and notify a supervisor to come to the scene. If the perpetrator is unknown or has not been apprehended and the injury is serious and will possibly result in death, the supervisor will advise Communications to notify an Accident Investigation Unit supervisor. If the incident occurs after Accident Investigation Unit's normal duty hours, Communications will notify the Accident Investigation Unit investigator on call. The Accident Investigation Unit investigator will complete the investigation. (NOTE: Section 4.19.3 "Traffic Fatalities")

### 4.17.9 Collisions Involving City Vehicles (CALEA 6<sup>th</sup> ed. standard 61.2.2d)



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When a collision involves a City vehicle, regardless of the extent of damage, whether on private or public property, the driver of the City vehicle will:

1. Give dispatch the location of the collision and request that a supervisor, an investigating officer, and an ID unit be dispatched to the scene.
2. If the officer involved in the accident was on-duty, the officer will only be charged in accordance with state law as outlined in O.C.G.A. § 17-4-40(c).
3. Complete a "Damage to City Property" on the RMS. If the driver is injured and unable to do so, the driver's immediate supervisor will complete the report.
4. An accident report on GEARS will be completed whenever a City vehicle is involved in a collision on either public or private property.
5. The responding supervisor will follow APD.SOP.3152, "Employee Involved Motor Vehicle Collision Investigation" when investigating and completing all relevant reports.

### 4.17.10 Private Property Collisions (CALEA 6<sup>th</sup> ed. standard 61.2.1f)

The authority of police officers to enforce traffic laws and investigate traffic collisions on private property is as follows:

1. Officers will charge traffic violators on private property only for the violations of reckless driving, laying drag, hit-and-run, DUI, homicide by vehicle or feticide by vehicle.
2. When a collision occurs on private property involving reckless driving, laying drag, hit-and-run, DUI, homicide by vehicle, or feticide by vehicle, the officer will complete an accident report on GEARS and take appropriate enforcement action.
3. When a collision occurs on private property without involving one of the above offenses, the officer will complete an accident report on GEARS and check the proper box indicating private property.
4. The investigating officer will ensure the parties involved in the collision on private property exchange pertinent insurance information.

### 4.17.11 Damage to Property Other than Vehicles (CALEA 6<sup>th</sup> ed. standard 61.2.1b & 61.2.2d)

1. Whenever an officer is handling a traffic collision that involves damage to private property, including walls, mailboxes, fences, etc., the type of damage and the name of the property owner will be identified and included in the accident report. Additionally, the officer will attempt to contact the owner at the collision scene to notify them of the damage and leave the incident number.
2. Whenever an officer handling a traffic collision that involves damage to City property or other public agency property; including fire hydrants, traffic signals, traffic signs, street signs, etc., the type of damage and the name of the City or other public agency will be identified and included in the accident report. In addition, if the damage involves any Atlanta Police property, an incident report will also be completed.



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3. If damage to a public utility (e.g., traffic signals, stop signs, utility poles, etc.) has occurred, the officer will advise radio dispatch who will promptly contact the appropriate agency to ensure immediate restoration of the utility for safe and effective operation. The damage and utility agency will be included in the accident report.

### 4.17.12 Hazardous Materials (CALEA 6<sup>th</sup> ed. standard 61.2.1e, 61.2.2e, & 61.2.3c)

1. Whenever a collision occurs involving a vehicle carrying hazardous materials, where there has been a spillage or rupture, or there is a possibility of spillage or rupture, the responding officer will immediately notify his or her supervisor, Atlanta Fire Rescue (AFR), and Atlanta – Fulton County Emergency Management Agency (AFCEMA).
2. Since there is potential for igniting the hazardous material, the officer will park his or her vehicle a safe distance (at least 1000 feet) upwind of the collision with the engine and any electrical equipment off. The officer will also avoid any radio transmission in close proximity to the hazardous material. Police vehicle engines and electrical equipment operated will only be allowed outside the zone established by the AFR Commander on the scene.
3. If possible, from a distance, the officer will locate the warning placard and the black 4-digit identification (ID) number on the placard or orange panel displayed on the tank, vehicle, or rail car ends, or on the sides of the vehicle if not found on the end. The type of placard and the number will be relayed to Emergency Management Services personnel, who will then advise the officer of any special instructions. (Reference: U.S. Dept. of Transportation, chart entitled "DOT Hazardous Materials Warning Placards," shown in part on the following page.)
4. At any scene involving hazardous material, the officer will (along with other units or HERO) also:
  - a. Move and keep people away from the scene.
  - b. Be careful not to walk into or touch any spilled material.
  - c. Avoid inhalation of all gases, fumes, and smoke; and
  - d. Once Emergency Management employees have stated it is safe to proceed, obtain the vehicle's bill of lading (shipping papers). This is especially important when the vehicle contains a mixed load. The bill of lading is usually located in one of the following locations:
    - I. In a door panel.
    - II. On the seat next to the driver's seat; and
    - III. in a pouch attached to the dashboard.
5. It is important that the officer not assume that gases or vapors are harmless because of lack of smell. Therefore, neither the officer nor other citizens should enter the immediate area of the spill or rupture until it has been cleared by a HAZMAT unit.
6. The responding officer on the scene will complete the appropriate reports and citations as outlined in Section 4.19.2.





Class 1 Explosives



1.1



1.2



1.3



1.4



1.5



1.6

Class 2 Compressed Gasses



2.1



2.2



2.2



2.3

Class 3 Flammable Liquids



3



3



3



3

Class 4 Flammable Solids



4.1



4.2



4.3



Class 5 Oxidizers



5.1



5.2

Class 6 Poisons



6.1



6.1



6.1



6.1

Class 7 Radioactive Materials



7

Class 8 Corrosive Liquids



8

Class 9 Miscellaneous



9



9



Other Related Markings



**4.18 ASSISTANCE TO MOTORISTS**

4.18.1 General Assistance (CALEA 6<sup>th</sup> ed. standard 61.4.1a): The Department will offer reasonable assistance to motorists who appear to be in need of aid. This assistance will be rendered on a 24-hour basis, with particular emphasis during hours of darkness, roadway conditions, or during periods of inclement weather when the potential for danger is higher.

1. Requests for information, directions, or other assistance will be handled as a normal function of an officer's duties. In those instances when the information requested is unknown, officer will contact radio dispatch or another officer for assistance.
2. Officers who observe motorists stranded on roadways will either stop in a safe manner to lend assistance or, if en route to another call for service, will notify the radio dispatcher so that appropriate assistance can be provided or make a direct request to another jurisdiction to provide the assistance.
3. Before aiding a motorist, officers will:
  - a. First activate emergency equipment as appropriate.
  - b. Park patrol vehicles in a visible, overt position to protect location.
  - c. Advise radio dispatch of the situation, the location, and the vehicle's license plate number; and
  - d. Proceed out of and near their patrol vehicle with caution of vehicle traffic.
4. The officer will remain alert to the following possibilities:
  - a. The vehicle in the motorist's possession has not been authorized for their use.
  - b. The vehicle is in an unsafe operating condition.
  - c. The motorist is unlicensed to drive.
  - d. The motorist is incapable of safely operating the vehicle; or
  - e. The vehicle's occupants have engaged in criminal activity.

4.18.2 Mechanical Assistance and Towing Service (CALEA 6<sup>th</sup> ed. standard 61.4.1b): Officers who observe motorists on the side of the roadway with a mechanical problem, flat tire, empty gas tank, etc. will assist the motorists with obtaining the necessary help.

1. Attempt to lend the necessary assistance; or



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2. Contact radio dispatch and request a Highway Emergency Response Operator (H.E.R.O.) to assist the motorists.
3. If the citizen cannot obtain aid from private sources in a reasonable amount of time and the vehicle is a traffic hazard, call for a City-contracted wrecker to remove the vehicle to a place of the citizen's choosing; and
4. Officers will remain with any motorist presenting a traffic hazard until the vehicle is safely removed from the roadway.

4.18.3 Stranded Motorist (CALEA 6<sup>th</sup> ed. standard 61.4.1c): If motorists/passengers involved in a collision, mechanical breakdown or similar situation and are unable to obtain transportation, the officer will assist them in obtaining transportation to the nearest secure location.

4.18.4 Emergency Assistance  
(CALEA 6<sup>th</sup> ed. standard 61.4.1d)

1. Officers encountering a motorist involved in an emergency situation, such as a vehicle fire or medical emergency, will contact radio dispatch and request Atlanta Fire Rescue and/or EMS for assistance.
2. Officers will advise radio dispatch not only the location and type of assistance needed, but the response code (Code 1, 2, or 3) for EMS, the condition, and the approximate age of the injured person(s)

### **4.19 TRAFFIC ENGINEERING**

4.19.1 A vital function of the Department's traffic enforcement program is to:

1. Investigate traffic related complaints,
2. Obtain feedback from officers and
3. Analysts concerning traffic incidents,
4. Evaluate available traffic enforcement and collision data,
5. Analyze suggestions received from the public, and
6. To identify potential roadway hazards, congestion problems, or engineering improvements.
7. Provided information to the local and state traffic engineering authorities for appropriate study and action.

4.19.2 Traffic enforcement information can result in:

1. The more efficient use of traffic control devices and signs.
2. New or revised laws and/or ordinances.
3. Changes to established traffic flow patterns; and
4. Roadway engineering improvements.



4.19.3 Traffic Engineering Deficiencies  
(CALEA 6<sup>th</sup> ed. standard 61.3.1a)

1. All complaints or suggestions related to traffic engineering deficiencies will be forwarded to the SOS for review and evaluation.
2. When appropriate, special traffic surveys and studies may be initiated to define potential problem areas more clearly and to identify remedial measures.
3. The SOS Commander will refer in writing, complaints or suggestions that have merit to the traffic engineering office having primary jurisdiction over the problem.
4. The referral should include any supporting material or information, an assessment of the complaint or suggestion, and any recommendations that should be considered.

4.19.4 Traffic Collision and Enforcement Data  
(CALEA 6<sup>th</sup> ed. standard 61.3.1b)

1. The analysis of traffic collisions and enforcement operations can produce valuable information that is related to traffic engineering.
2. Recognizing similarities between collision data and enforcement activities, patterns and trends may be identified so that appropriate remedies can be proposed to traffic engineering authorities.
3. The referral of such information will be made by the SOS commander to one of the following engineering authorities:
  - a. For city streets, the Department of Public Works.
  - b. For state roads or interstate highways, the Georgia Department of Transportation (GDOT); and
  - c. For road construction projects associated with residential and business developments, the Office of Transportation in the Department of Public Works.

4.20 TRAFFIC COORDINATING ORGANIZATIONS  
(CALEA 6<sup>th</sup> ed. standard 61.3.6)

1. One of the major duties of the Traffic Enforcement Program is to actively participate with other agencies and organizations that have an interest in, and responsibility for, traffic enforcement and planning. The exchange of information can:
  - a. Make a valuable contribution to regional planning efforts.
  - b. Provide information concerning the creation of new traffic-related programs and accident prevention measures.
  - c. Alert the agency to possible public and private funding sources; and
  - d. Serve as the basis for proposing new legislation.
2. Within the metropolitan Atlanta area, there are several formal and ad hoc organizations requiring Departmental participation. When appropriate, the SOS commander, or designee, will represent the Department with these organizations. Some are:



- a. The Atlanta Regional Commission.
- b. The Governor's Office of Highway Safety.
- c. The Georgia Regional Transportation Authority (G.R.T.A.) and
- d. Non-government organizations such as Safe Kids and M.A.D.D.

**4.21 TRAFFIC SAFETY MATERIALS AND PROGRAMS**  
(CALEA 6<sup>th</sup> ed. standard 61.4.4)

- 4.21.1 In conjunction with the Public Affairs Unit and SOS, the Department will develop and distribute traffic safety literature, materials, and other information to the general public concerning:
1. Traffic enforcement measures.
  2. Special traffic circumstances such as street closings, sports events, conventions, etc.
  3. Collision statistics.
  4. Special programs; and
  5. New/revised traffic laws.

**5. DEFINITIONS**

ANSI: American National Standards Institute

Breach of Peace: Offenses that include disorderly conduct, assaults, domestic violence, etc. but not DUI.

Divided Attention Test: Field sobriety tests that requires the person being examined to perform the test while having to divert his or her attention from the performance of the test.

Dynamic Application: The use of a tire deflation device that is characterized by an active placement of the device in close spatial and temporal proximity to its actual or intended use.

Hit and Run: A collision involving one or more vehicles or with a fixed object where one or more vehicle operators fails to report the accident or remain on the scene of the collision.

ISEA: International Safety Equipment Association

Psychophysical tests: Methods of assessing a suspect's mental and physical impairment. These tests focus precisely on the abilities needed for safe driving: balance, coordination of limbs, information processing, short term memory, judgment/decision making, quick reactions, clear vision, and small muscle control.

Roadblock: A restriction, obstruction, or device used or intended for the purpose of preventing free passage of motor vehicles on a roadway in order to affect compliance with motor vehicle laws.

Safety Checkpoint: An organized, planned, and systematic operation designed to identify traffic law violations. Conducted in compliance with state and local laws, an operational plan defines the location, time frame, and method used to contact drivers passing through the safety checkpoint.



Selective Traffic Enforcement: The assignment of employees to traffic enforcement activities at times and locations where hazardous or congested conditions exist. Such assignments are usually based on such factors as traffic volume, accident occurrences, frequency of traffic violations, and emergency and service needs.

Service Areas: A geographic area such as the entire City of Atlanta jurisdiction, a zone, a sector, or a beat for which an organizational component has responsibility.

Static Application: The use of a tire deflation device that is characterized by a fixed, predetermined, or stationary placement of the device well in advance of its actual or intended use.

Tire Deflation Device: A device that is designed to puncture the pneumatic tire(s) of a vehicle that will result in the controlled deflation of the affected tire(s).

## 6. CANCELLATIONS

APD.SOP.4010 "Traffic"; effective September 7, 2021.

## 7. REFERENCES

APD.SOP.3050 "Pursuit Policy"  
APD.SOP.6090 "Parking Enforcement Monitors"  
APD.SOP.4060 "School Crossing Guards"

Commission on Accreditation for Law Enforcement Agencies, Inc. 6th ed. Standards: 41.2.3, 61.1.1, 61.1.2, 61.1.3, 61.1.4, 61.1.5, 61.1.6, 61.1.7, 61.1.8, 61.1.9, 61.1.10, 61.1.11, 61.1.12, 61.1.13, 61.2.1, 61.2.2, 61.2.3, 61.2.4, 61.3.1, 61.3.2, 61.3.3, 61.3.6, 61.4.1, 61.4.3, 61.4.4.

O.C.G.A. § 17-4-40(c): Any warrant for the arrest of a peace officer, law enforcement officer, teacher, or school administrator for any offense alleged to have been committed while in the performance of his or her duties may be issued only by a judge of a superior court, a judge of a state court, or a judge of a probate court.

OCGA § 40-5-67.1: Chemical test; implied consent notices; rights of motorist; test results; refusal to submit; suspension or denial; hearing and review; compensation of officers; inspection and certification of breath-testing instruments.

Georgia Uniform Motor Vehicle Accident Report (DMVS-523)  
Georgia Uniform Vehicle Private Property Accident Report (DMVS-523P)  
Implied Consent Warning (DDS 354)  
Administrative License Suspension Form (DDS form 1205)  
Supplemental Chemical Test Report (DS-1205S)

National Highway Traffic and Safety Administration (NHTSA)