

	<p style="text-align: center;">BRIDGEPORT POLICE DEPARTMENT</p> <p style="text-align: center;">POLICY AND PROCEDURE GENERAL ORDER</p>	Distribution	General Order Number
		ALL PERSONNEL	5.09
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Order Title: TRAFFIC ENFORCEMENT		Accreditation Standard:	Section
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		Section Title PATROL FUNCTIONS	
Rescinds:		Rebeca Garcia, Chief of Police	

This General Order is for departmental use only and does not apply in any criminal or civil proceeding. This General Order should not be construed as creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this General Order will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting

I. PURPOSE

The purpose of this General Order is to establish and provide written guidelines that describe the Bridgeport Police Department’s procedures relating to traffic enforcement activities.

II. POLICY

It is the policy of the Bridgeport Police Department to establish procedures for traffic enforcement activities, including provisions that officers enforce traffic laws and regulations in a fair and equitable manner in an effort to increase voluntary compliance with motor vehicle laws, deter collision-causing violations, and promote the safe and efficient flow of traffic.

III. PROCEDURES

A. Selective Traffic Enforcement Activities and Procedures

The ultimate goal of the Department's selective enforcement is to reduce traffic collisions and increase voluntary compliance with traffic laws. Traffic enforcement and traffic collision data summaries and analysis will be used to support field operations, program planning, development of countermeasures, and evaluation of program effectiveness, including the following:

1. Analysis of Traffic Collisions

The Traffic OIC or designee will be responsible for conducting a monthly analysis of all traffic collisions investigated by our Department. This analysis will be used to assign personnel to any identified hazardous locations for selective enforcement activities. This analysis will be submitted to the Chief of Police as part of the monthly *Traffic Analysis Report* (See Section A.5., *Evaluation of Selective Traffic Enforcement Activities*.) The analysis will include:

- a. The monthly number of collisions by classification, including property damage only, personal injury, and fatalities
- b. Temporal analysis of traffic collisions, including day of week and hour of day
- c. Geographic analysis of traffic collisions

2. Analysis of Traffic Enforcement Activities

The Traffic OIC or designee will be responsible for conducting a monthly analysis of all traffic enforcement activities conducted by our Department. This analysis will be used to assist in gauging the effectiveness of selective enforcement countermeasures and other traffic programs. This analysis will be submitted to the Chief of Police as part of the monthly *Traffic Analysis Report* (See Section A.5., *Evaluation of Selective Traffic Enforcement Activities*.) The analysis will include:

- a. A summary of all traffic citations according to day of week, hour of day, and location
- b. An officer summary of citations, traffic stops, and radar posts.

3. Implementation of Selective Enforcement Techniques

While the implementation of selective enforcement techniques is the responsibility of all Patrol Supervisors, the Chief of Police may designate certain supervisors and officers whose primary duties and responsibilities would include concentrating on selective enforcement techniques and activities, including:

- a. Geographical/temporal assignment of personnel and equipment
- b. Preventive patrol designed to deal with specific categories of unlawful driving behavior

The use of such techniques should be based upon crash data and experience, enforcement activity records, traffic volume, and traffic conditions.

4. Deployment of Personnel for Traffic Enforcement

Supervisors will deploy patrol personnel to selective enforcement activities in conjunction with routine patrol responsibilities, including the following activities:

- a. Observe and report traffic flow
- b. Look for improper driving behavior
- c. Identify and act on emergency, hazardous conditions, and other service needs

5. Evaluation of Selective Traffic Enforcement Activities

The Traffic OIC or designee will be responsible for conducting a monthly evaluation of the Department's selective enforcement activities through a *Traffic Analysis Report*, which will be due by the 15th of each following month. An annual analysis will be completed and submitted by the 15th of February. This analysis will attempt to determine the correlation, if any, between the number and type of traffic accidents (Section A) and the Department's enforcement efforts (Section B). The Supervisor will include any findings and recommendations. The analysis may include factors listed below, and may be supported with graphs and charts:

- a. Implementation of selective enforcement techniques and procedures
- b. Deployment of traffic enforcement personnel
- c. Analysis of selective traffic enforcement activities
- d. Contributing factors to traffic accidents, including:
 - Types of violations
 - Temporal and geographic factors
 - Engineering or environmental factors
 - Roadway hazards
- e. Traffic complaints from the public and neighbors
- f. Results of Speed Studies and Speed Trailer Monitor Reports Analysis of traffic accidents.

B. Enforcement Procedures for Traffic Violations

Enforcement procedures for traffic violations include provisions for the following:

1. Making a Physical Arrest

Officers shall make a physical in-custody arrest of persons who are in violation of serious traffic laws, such as, DUI, felony traffic offenses, and other serious violations as required by the court.

2. Issuing a Citation

The issuance of a traffic citation (infraction or misdemeanor summons) is applicable in the majority of cases involving all traffic violators. A traffic citation should be issued to all violators who qualify for a pay by mail ticket, or who can be issued a summons with a court date.

3. Issuing a Written and/or Verbal Warning

Except for the following types of offenses, a written and/or verbal warning may be a proper alternative used by officers in response to a minor traffic infraction:

- a. All felony offenses handled by the Court
- b. Vehicles deemed by the officer to be unsafe
- c. Other violations as determined by the Chief of Police

Similarly, a written and/or verbal warning may be appropriate for a minor equipment failure (such as license plates not illuminated) of which the driver was unaware. Verbal warnings may be supported by some written documentation, such as an entry into the CAD System, or a similar manual reporting system.

C. Motor Vehicle Stops

1. Stopping the Violator

After the decision to make a stop is made, the officer should choose an appropriate location to make the stop based on several factors including:

- a. Location of the violation.
- b. Traffic and road conditions.
- c. Weather conditions.

Conduct the traffic stop as soon after the violation as practical based on the above conditions.

2. Guidelines for Stopping the Violator

- a. Signal the violator your intention to pull them over by using flashing lights, "wig-wag" headlights, and audible signal (air horn/siren) as deemed necessary;
- b. Radio headquarters and advise dispatch of the following:

- The location of the stop
 - The plate number of the offending vehicle
 - Request for assistance (if necessary)
- c. If the license plate is not visible, a description of the vehicle such as make, model and color and the number of occupants shall be communicated.
 - d. Park the police cruiser behind the offending vehicle in a safe position and at a safe distance, establishing an "aisle of safety" by off-setting the cruiser two to three feet to the traffic side of the offending vehicle.
 - e. In the event the vehicle operator refuses to stop, the procedures for Pursuit Policy, G.O. 3.06, shall be strictly adhered to.

D. Procedures for Handling Special Traffic Law Violators and Situations

On occasion, officers may encounter traffic violators or situations that may require special procedures to be followed. These situations include, but are not limited to, any of the following:

1. Violators Who Live Outside the State of Connecticut

- a. When an out-of-state traffic violator is issued a minor misdemeanor traffic citation, the officer shall inform the operator that his/her privileges to operate a motor-vehicle in Connecticut and other states may be suspended/revoked if he/she does not appear in court as required.
- b. Residents of a state which is part of the No Bail Compact may be issued a misdemeanor summons complaint and a no bail compact ticket for certain violations, which allows the operator to effectively mail in a fine. The front of the no bail compact booklet instructs officers with directions on how to fill out the form. These violations are:
 - 1) Speeding over 60 MPH on any road other than a multiple lane, limited access highway while operating any type of motor vehicle or operating a truck at more than 55 MPH but less than 60 MPH on such road;
 - 2) Reckless driving offenses on multiple lane, limited access highways when the only specification of the recklessness is operating at a speed greater than 85 mph (C.G.S. § 14-222).
- c. If a no bail compact schedule (form JD-CR-27) is utilized, it will be

completed in duplicate with the original issued to the operator and the copy attached to the summons report.

2. Juvenile Violators

- a. Juveniles, defined in the State of Connecticut as persons under the age of 18, who have committed traffic violations, will not normally be taken into custody, but will be issued a juvenile summons instead, unless the alleged violation is one of the following:
 - 1) Vehicular homicide
 - 2) Driving under the influence of alcohol and/or drugs
 - 3) Fleeing and eluding a police officer
 - 4) Leaving the scene of an accident
 - 5) Other circumstances deemed necessary by a Supervisor
- b. If an adult operator is not able to be notified to retrieve the vehicle in a timely manner, it may be towed.
- c. Any time a juvenile is to be given a summons, the officer shall notify the juvenile's parent or guardian of the circumstances as soon as possible. For those offenses that do not result in an in-custody arrest, the officer will either summon the parent or guardian to the scene, or take the juvenile home. If an officer deems that a juvenile should remain in custody pending a hearing, the officer must first obtain proper authorization in accordance with the provisions in General Order 6.06, "Youth Investigations."
- d. It should be noted that juveniles are permitted to operate farm equipment or related implements as defined in the statutes without an operator's license, as such are not legally defined as "motor vehicles."

3. State or Federal Legislators

In those instances where state or federal legislators are stopped for a motor vehicle violation, citations may be issued to such persons in the same manner as any other citizen.

4. Foreign Diplomats, Consular Officials, and Foreign Nationals

Diplomatic and consular officers may be accorded special privileges, rights, and immunities as directed by law and federal statutes. At the same time, it is the duty of all persons enjoying such rights and privileges to respect local laws and regulations. Questions that may arise regarding a traffic violator's diplomatic status may be directed to the U.S. Department of State.

5. Military Personnel

Military personnel who violate the traffic laws should be treated with the same discretion as any other violator. When a physical arrest of an active armed forces member occurs, the arrestee will be allowed to call his/her duty officer, similar to that of any other arrestee.

Military personnel who are assigned to an in-state post may maintain an out of state license and/or registration, so long as they comply with the requirements set forth in their home state.

Connecticut military personnel who have been on active military duty either in another state or overseas may be issued a temporary license without a photo during the time of their absence from this state. On their permanent return, however, they must obtain a photo license.

E. Information to be Provided to Traffic Law Violators

When a motorist is charged with a traffic violation, the officer will provide the violator with at least the following information:

1. Court appearance schedule, if applicable
2. The optional or mandatory nature of a court appearance by the motorist, including the date, time, and location of the scheduled court appearance, if applicable.
3. Notice of whether the motorist is allowed to enter a plea and/or pay the fine by mail or at a specific location, along with an explanation of the options and procedures in regards to paying or contesting the ticket and the possible consequences of failing to appear, or pay the fine, as required.
4. The motorist shall be advised of any other information deemed necessary in a clear, concise, and professional manner. The officer should make every effort to ensure that the motorist has understood the instructions and has no questions.
5. The motorist shall be given the standardized "Right to File a Complaint" form after every motor vehicle stop.

F. Uniform Enforcement of Traffic Laws

1. Uniform enforcement action for traffic violations is a key step in achieving the Department's traffic safety goals. Ultimately, uniform enforcement guidelines combined with properly used discretion will ensure appropriate actions by the police, and gain the public confidence in traffic enforcement.

2. To establish uniform traffic law enforcement within the discretion vested in each officer, Officers will adhere to the following guidelines:
 - a. Officers engaged in traffic enforcement shall be in full uniform and utilizing an authorized police vehicle.
 - b. Vehicles may be used in a highly visible manner in order to enhance the deterrent effect on the public. Vehicles may also be positioned in a concealed manner to the extent that it is not visible to persons using ordinary powers of observation. These methods may be used at the officer's discretion while operating radar or monitoring traffic.
 - c. An officer may or may not elect to take enforcement action if certain extenuating circumstances or certain aggravating conditions are present.

The following procedures are designed to provide direction in each of the following circumstances. However, these enforcement guidelines are not intended to supplant officer judgment, as the officer must decide what enforcement action is proper based upon a combination of training, experience, and common sense.

UNIFORM TRAFFIC ENFORCEMENT	
VIOLATION	ENFORCEMENT ACTION
A. Driving Under the Influence of Alcohol/Drugs	Officers of the Department shall aggressively enforce the laws pertaining to driving under the influence of alcohol/drugs, and arrest any driver found to be in violation of these laws when probable cause exists. Probable cause can be established by observation of the driver's vehicular operation, field sobriety tests, and other sensory observations of the officer, as well as, blood/urine tests. If probable cause is established, the driver shall be taken into custody and processed for DUI. Warnings for DUI violations are not authorized.
B. Driving while Suspended/ Revoked	All drivers who are driving during a period of suspension or revocation should be considered flagrant violators of the law and will be issued summonses.

C. Speeding Violations	<p>Officers should consider the degree of hazard, location, road condition, weather, and traffic conditions, when deciding what action to take against a driver. The following can serve as a guide for speeding violations:</p> <ul style="list-style-type: none"> • 1-15 M.P.H. above the speed limit - officers may use their discretion to stop the vehicle, and if so, issue either a verbal or written warning, or a traffic summons • 16 -20 M.P.H. above the speed limit - Officers should stop the vehicle and issue either a written warning or issue a traffic summons • 21 M.P.H. and more over the speed limit – Officers will stop the vehicle and issue a traffic summons
D. Other Hazardous Violations	<p>As with speeding violations, the officer may consider the following circumstances before deciding to issue a summons:</p> <ul style="list-style-type: none"> • The hazard committed by the driver (e.g., disregarding a traffic control device/signal, improper lane changes in high volume traffic, or following too close.) • The location and time of day of the offense • The current enforcement emphasis of the department • Road, weather, traffic conditions when the violation was committed • Driving history of operator, if known
E. Off-Road Vehicles	<p>Officers will enforce all laws and ordinance governing the operation of off-road vehicles on public land, parks, private property, etc. If an officer observes an unlicensed vehicle or one that cannot be legally operated on public roadways operating on such roads, he will order the operator to remove the vehicle and will take appropriate enforcement action, including the towing of the vehicle.</p>
F. Equipment Violations	<p>Officers should issue citations for serious equipment defects, and towed from the roadway, if necessary</p>
G. Public Carrier/ Commercial Vehicle Violations	<p>Operators of commercial vehicles are subject to the same treatment as other motorists. Uniform enforcement policies and procedures noted in this General Order are applicable to commercial vehicles.</p>
H. Other Non-Hazardous Violations	<p>Non-hazardous violations are defined as violations of laws or ordinances affecting the use or protection of streets or highways, but not enacted primarily to regulate safe movement of vehicles or pedestrians. Such violations may include minor equipment defects, no license on person, etc.</p> <p>Except in cases of flagrant violations, non-hazardous violations may be handled by verbal or written warning when deemed appropriate by the investigating officer.</p>

I. Multiple Violations	Enforcement action in incidents involving multiple violations may vary greatly, depending on the circumstances. Generally, officers should use discretion and not file multiple charges against persons if both charges involved would be the result of one single event or act. If multiple violations have been committed, the officer should issue a citation for at least the most serious offense, unless serious independent violations exist, which then may warrant more than one charge.
J. Newly-enacted laws and regulations	Normally the Department observes a thirty (30) day grace period during which officers will issue verbal warnings and advise violators of the new law or regulation. The Chief of Police, by Special Order, may establish leniency periods of different lengths for individual laws/regulations; however, this enforcement guideline is not intended to supplant officer judgment. Each officer must decide what enforcement action is proper based on a combination of training, experience, and common sense.
K. Violations Resulting in Collisions	Officers will investigate traffic collisions as outlined in General Order 5.08, <i>Traffic Accident Investigations</i> .
L. Pedestrian and Bicycle Violations	<p>The enforcement of traffic laws pertaining to pedestrians and bicycles necessitates broad discretion from individual officers. To provide guidance in this discretion the following procedures are established, which should result in more uniform and consistent application of the law:</p> <ul style="list-style-type: none"> • Sufficient publicity and community awareness campaigns should be initiated prior to any substantial increase in the enforcement effort toward pedestrian and/or bicycle traffic • Officers should concentrate their efforts on pedestrian and bicycle violations in those areas where pedestrian congestion or bicycle accidents have been frequent and severe, or in areas where such violations are known to frequently interfere with traffic

G. Enforcement Practices

The most effective deterrent to traffic law violations is visible patrol in a marked vehicle. All personnel are responsible for traffic law enforcement and other traffic related activities during non-committed times. The following types of traffic patrol may be used for traffic enforcement:

1. Visible Traffic Patrol

This type of patrol includes the following activities:

- a. *Area Patrol*: Moving or stationary observation in the officer's area of assigned responsibility that covers a particular number of streets, roads, or sections of highway
- b. *Line Patrol*: Moving or stationary observation on a specified route between two points, usually on one City street or a section of highway
- c. *Directed Patrol*: Area, line, or stationary patrol, usually performed in an "out-of-service" capacity, at the direction of a supervisor for specified times, locations, and violations

Officers have the option of using area or line patrol at any time during their tour of duty. Officers may be assigned a directed patrol area at any time a supervisor believes a special area needs a greater concentration of traffic enforcement.

2. Stationary Observation, Covert, and Overt Traffic Patrol

- a. Stationary observations may be made from either covert or overt locations depending upon collision history or specific traffic flow problems and the type of location to be observed. Observation from conspicuous locations will serve to deter violators, while covert observations will likely offer the opportunity to detect more violators. If operating speed checks by radar during dark, officers should keep parking lights illuminated on the police vehicle if parked on the roadway or for some other safety reason.
- b. Radar posts will not be conducted from private property without the owner's permission. This does not preclude officers from running radar on private property that is open to public use, such as, shopping center parking lots and City property.

3. Use of Unmarked or Unconventional Vehicles

Shift Sergeants may approve the use of unmarked police vehicles for the purpose addressing a specific traffic enforcement problem. Officers assigned to bicycle patrol may perform traffic enforcement and conduct traffic stops within the limits of the bicycle and officer's capabilities (See General Order 5.01 - Patrol Administration - for further information).

4. Use of Roadside Safety Checks

Roadside safety checks are a systematic method of stopping vehicles for selective enforcement. Consideration must be given to visibility and stopping distance, traffic and call volume, and staffing levels. A minimum of two officers shall be assigned to any checkpoint. The use of roadside safety checks requires the advance approval of the Shift Sergeant (*See Section J below for further information*).

H. Procedures for Stopping and Approaching Traffic Law Violators

1. Statistics indicate that a high percentage of the incidents resulting in officer injuries and deaths begin as “routine traffic stops.” Officers should approach all traffic stops with caution, and remain flexible in the tactics used depending on the circumstances involved in a particular stop.
2. At best, stops for moving violations, equipment violations, and other reasons that appear to initially present minimal threats to the officer can only be categorized as having an unknown risk to the officer, regardless of the apparent lack of threat potential.
3. High-risk traffic stops would involve circumstances where the threat potential against an officer is either known or believed to be high, based on specific information, including stopping of stolen vehicles, vehicles containing wanted or suspected felons, vehicles with known or suspected deadly weapons inside, and stops at the conclusion of a pursuit.
4. Depending upon the situation and the officer’s assessment, officers shall use procedures and tactics that are including in their training on this topic.

I. Officer Conduct During Traffic Enforcement Activities

1. While traffic law enforcement is a routine task for police officers, it is usually not a routine experience for the general public. Traffic enforcement should be accomplished by conducting the traffic stop in an organized and professional manner, including those factors listed on the cover of the Infractions Book. In addition, officers should:
 - a. Presenting a confident and professional image in dress, grooming, language, bearing and emotional stability
 - b. Allowing the driver to reasonably discuss the violation
 - c. Being alert for any impairment, emotional stress, or illness exhibited by the driver
 - d. Making a reasonable effort to answer the violator's questions and to assist him/her with entering back into the flow of traffic
2. Officers should be mindful that this might be the only contact that a citizen may have with the Department, and the manner in which they treat the violator can reflect favorably or unfavorably on the citizen’s perception of the department as a whole.

J. Use of Speed Measuring Devices for Traffic Law Enforcement

1. The use of speed measuring devices is an invaluable tool to aid in traffic law enforcement. More specifically, police radar/laser and speed trailers, have

been shown to be an effective device in carrying out the following departmental traffic enforcement objectives:

- a. Reducing traffic accidents in high collision areas where speed is a factor
 - b. Reducing speeding violations in response to citizen complaints
 - c. Reducing speeding where speed limit violations are prevalent
2. Radar and laser will be operated in accordance with Federal Communications rules and regulations. Radar and laser units will be operated in a manner consistent with the operator's training and the unit's instruction manual, keeping in mind the requirements of C.G.S. § 14-219c.
 3. The radar/laser operator will select a site where road conditions provide a minimum possibility of distortion. At the beginning and end of each use the radar/laser will be tested for accuracy. Officers will make visual observations that the suspect vehicle is traveling unreasonably fast prior to determining its speed, using the radar or laser.

4. Equipment Specifications

The equipment standards of electronic speed measuring devices used by the Department, including radar units, laser units, speed monitoring trailers, and similar devices, will be equivalent to the model standards promulgated by the National Highway Traffic Safety Administration.

5. Operational Procedures

Each officer shall have a thorough understanding of the operational procedures for all speed measuring devices and will adhere to the manufacturer's recommendations as outlined in the instruction manual. Other operational procedures include:

- a. All officers certified in the use of electronic speed measuring devices will inspect the unit prior to its use to ensure it's working properly.
 - b. The calibration will be checked in the proper manner according to training at the beginning and end of the radar post.
6. Proper Care and Upkeep

If the operator of a speed-measuring device does not get a proper calibration check or feels the device is malfunctioning at any point during its operation, an equipment repair slip will be completed and turned into the Traffic OIC or designee. The unit will not be placed back in service until it has been properly checked and/or repaired. The Traffic OIC or designee will be responsible for the operational readiness of all traffic enforcement equipment.

7. Programmed Maintenance

The Traffic OIC or designee will ensure that every speed-measuring device is maintained according to manufacturer recommendations, and receives a certified calibration at least semi-annually, either by the manufacturer or a qualified technician. All certification, service, and repair records for each speed will be forwarded to the Court Liaison officer for filing.

8. Operator Training and Certification

The effective use of speed measuring devices is dependent upon the operator's training and understanding of the specific limitations and use of each device. No officer shall operate any speed-measuring device unless he/she has received property training in its use, including certification when applicable.

K. Speed Trailer

1. The operations and maintenance of the speed trailer is assigned to the Shift Commanders under the direction of the Division Commanders.
2. The speed trailer is used for educating the motoring public by displaying their speed in relation to the posted speed limit.
3. Set up locations for the speed trailer shall be determined by the shift supervisor or coordinated with the Commander of the Patrol Unit.
4. Priority will be given to locations determined to be unsafe for the motoring public due to excess traffic crashes or motor vehicle complaints.
5. The speed trailer will not be set up in high wind, or during any inclement weather.

L. DUI and Alcohol Enforcement Countermeasures

Drivers impaired by alcohol and/or drugs represent a serious threat to the lives and safety of persons using the streets of the City of Bridgeport. Consequently, a comprehensive, coordinated, and ongoing countermeasures program involving enforcement, education, adjudication, treatment, and public support is essential if a program is to have long-term success in combating the DUI problem.

1. Enforcement Countermeasures

- a. The Department will take aggressive enforcement action as it relates to persons operating vehicles under the influence of alcohol and/or drugs. The primary objective of this effort is to reduce the number of drug and/or alcohol related traffic accidents and their subsequent property

damage, personal injuries, and death. Patrol officers have the primary responsibility for DUI enforcement. Because of this responsibility:

- 1) Officers should become familiar with those locations in their assigned areas that are frequently traveled by alcohol or drug impaired drivers, and those areas where alcohol or drug related accidents occur as established through common knowledge or by the traffic analysis function.
 - 2) Officers must be alert for signs of alcohol and/or drug impairment in all contacts with motorists.
 - 3) Officers, who are DUI Operator Certified, must remain proficient in administering breath tests on breath testing equipment, and attend all scheduled recertification sessions that may be required.
 - 4) Officers should refer to Section M below for further information on handling violators charged with DUI.
- b. The Department recognizes the importance of DUI enforcement, and is committed to the efforts necessary to be effective in this area. As a result, the department will:
 - c. Provide in-service training from time to time on related issues, as determined necessary by the Chief of Police, and designees.
 - d. Offer various opportunities for officers to attend proficiency and/or testing sessions for breath testing equipment as required by the State of Connecticut

2. DUI Checkpoints

The Department will use checkpoints. A tool to enforce the traffic laws of Connecticut and the City of Bridgeport in a safe, effective manner and conforming to all regulations thereof. In addition to DUI checkpoints authorized by the Chief of Police, Shift Supervisors are authorized to conduct this operation on their shifts. At least one supervisor will be on the scene as the supervisor in charge of the operation. The supervisor will assure that checkpoints are established at a location that has appropriate site lines to assure the safety of staff and the motorists. Whenever possible, planning should take place prior to the implementation of the operation. Sobriety checkpoints and its location will be announced through the media prior to the implementation of checkpoints, as required by law.

3. Other DUI and Alcohol Enforcement Countermeasures

- a. The Department will conduct other DUI and alcohol enforcement countermeasures, including:
 - 1) Programs designed to detect, arrest, and prosecute underage purchases, possession, and drinking of alcoholic beverages, before they have the opportunity to drink and drive.
 - 2) Programs aimed to detect and take enforcement action against liquor stores and other businesses that are licensed to sell alcohol, before they can drink and drive.
- b. The Patrol Sergeant has the functional responsibility of such special operations. The Patrol Sergeant may be required to prepare a detailed written operational plan prior to implementation of any of these operations, as well as an after action report of the results.

4. Educational Programs

The Traffic OIC or designee will have the primary functional responsibility for alcohol and driver safety awareness programs for schools and other civic organizations. This may include, but is not limited to the following formal programs:

- a. Drug Awareness and Resistance Program (D.A.R.E.)
- b. Point of sales training programs on laws and rules for retail liquor store owners and/or employees, and businesses that are licensed to serve alcohol
- c. Public cable access programming
- d. Citizen Police Academy presentations
- e. Any other related program(s) approved by the Chief of Police or designee

M. Handling Traffic Violators Charged with Driving Under the Influence

In an effort to reduce alcohol and/or drug related traffic collisions or offenses, officers will make every effort to detect, apprehend and arrest all persons suspected of operating under the influence. All officers will receive initial training regarding DUI enforcement during recruit training at the Connecticut Police Academy and will receive in-service training as necessary to comply with changes in statute law or arrest procedures during the in-service training period.

Based on organization needs and community desires, officers may be specifically assigned to detect and apprehend impaired drives based on analyses of accident and enforcement data with respect to impaired drivers. The police department will provide saturation patrol tactics, in addition to Roadside Sobriety Checkpoints, for the detection and apprehension of impaired drivers.

The following procedures are designed to assist officers when handling traffic violators charged with Driving Under the Influence.

1. Observations Used to Detect and Detain DUI Violators

- a. Unusual or erratic behavior on the road (such as weaving back and forth in the travel lane, sudden starts or stops, erratic turns, extremely slow speed, etc.)
- b. The condition and appearance of a driver the officer has encountered
- c. The driver's behavior at the scene of a collision
- d. The fact that a driver left the scene without stopping, indicating he may have wanted to conceal his condition as well as his identity

2. Observations Used to Establish Probable Cause

- a. If the driver's behavior or appearance suggests driving under the influence
- b. If any of the telltale conditions are present, the officer should always ask the operator if he/she is ill or has been taking any medicine or drugs
- c. Field Performance Tests, which are conducted at the scene.

3. Location for Field Sobriety Tests

- a. The operator should be asked to go behind his vehicle, and in front of the primary cruiser. If it is dark or poorly lit, the officer should try to illuminate the area as much as possible via appropriate vehicle lighting. Front strobe lights and wig-wag lights should be turned off. Officers shall consider safety first before turning off any strobe lights.
- b. Field sobriety tests should ideally be given on level ground, on a hard, dry, non-slippery surface. If these conditions are not possible, it may be necessary to walk a short distance to a more suitable location, such as a parking lot.
- c. The operator should be asked if there is any reason why they would not be able to perform balance and coordination tests if asked to do so. If they state that they have some type of physical impairment, the tests may still be given, but the officer should take into account any disabilities claimed.

4. Conducting Field Sobriety Tests

- a. The State of Connecticut A-44 form, "Officer's DUI Arrest and Alcohol Refusal or Failure Report," specifies three (3) field sobriety tests that are normally offered in order to establish probable cause for Operating Under the Influence:
 - 1) Horizontal gaze nystagmus
 - 2) Walk and turn
 - 3) One leg stand
- b. In addition, other optional tests may be offered at the discretion of the officer, specifically when the operator is unable to perform the standard tests listed above due to handicap:
 - 1) Finger to nose
 - 2) Alphabet (e.g., J-T, K-R, or any other sequence chosen by the officer)
 - 3) Count out loud
- c. The officer should demonstrate the test first, thoroughly explaining to the operator specifically what they want them to do, and showing them exactly how to perform the exercise. If the operator states that he/she does not understand what is being asked, the officer should demonstrate the tests a second time. Officers should make sure that they maintain a safe distance from the operator (minimum three feet), and remain aware of what the operator is doing at all times.

5. Arrest Procedures of DUI Suspects

If probable cause exists to believe that the operator of a vehicle is under the influence of alcohol and/or drugs, the operator shall be arrested and taken into custody and charged with violation of Connecticut General Statute §14-227a. The arrestee will normally be transported directly to Headquarters for processing. The accused must be:

- a. Advised of his/her constitutional rights
- b. Read the Post-Arrest Warning in Section E of the DUI A44 Form
- c. Afforded a reasonable opportunity to telephone an attorney prior to the performance of such tests

If the DUI operator is alone, and the vehicle is either on a public roadway or a private parking lot, the vehicle shall be towed. If there is another licensed

operator in the vehicle, the vehicle may be driven from the scene by that operator if they are capable of doing so and with permission of the owner.

6. Chemical Tests or Analysis

a. Types of chemical tests or analysis

- 1) Breath tests - Incorporates the collection and analysis of a sample of deep lung air using breath-testing equipment operated by a trained and certified operator
- 2) Blood tests - Involves the collection of a sample of venous blood by medical personnel and analysis of same by a qualified laboratory
- 3) Urine tests - Requires the collection of a urine sample by law enforcement personnel and an analysis of same by a qualified laboratory

b. Number and Timing of Chemical Tests

- 1) An additional chemical test of the same type must be performed at least 10 minutes after the initial test was performed (C.G.S. 14-227a(b))
- 2) Any tests performed pursuant to an arrestee's request will be at the arrestee's own expense and convenience

7. Procedures for Bonding

a. The following procedures will be in effect for bonding:

- 1) DUI violators shall not be released on their own recognizance
- 2) A State of Connecticut Appearance Bond Form or a Misdemeanor Summons shall be completed and a copy issued to the person being bonded.
- 3) If the posted bond is a cash payment, an official receipt shall be completed and a copy issued to the person being bonded

b. If the individual charged with DUI, Section 14-227a is unable to post bond and will be incarcerated, the following procedures will be followed:

- 1) If in the opinion of the arresting officer the arrestee is in need of immediate medical care, or has a BAC of .30 or greater, he /she will be taken to the hospital by EMS personnel

2) If the individual is hospitalized, after the medical evaluation a Supervisor will re-evaluate the individual's qualification for bond and either:

a) Bond the individual out at the medical facility, leaving a copy of the MV Summons or other appropriate paperwork with the individual, OR

b) Have an officer stay with the suspect until he/she can be returned to HQ

8. Temporary Holding of DUI Violators

a. All suspects who are charged with DUI will either be:

1) Released to a responsible adult (as judged by a Supervisor). If a responsible party is not available, THEN

2) The person shall be held until a responsible adult can be located, or the Shift Sergeant determines that the person may be bonded out

9. Reporting Requirements

In all cases where an individual is charged with Operating Under the Influence (C.G.S. §14-227a), the following reports must be submitted:

a. Officer's DUI Arrest and Alcohol Test Refusal or Failure Report, A-44 (this form must be notarized)

b. Bridgeport Arrest Report or State Collision Report Form - PR-1

c. Copy of license memo

The case report, supplements, and related paperwork must be completed in a timely manner. Under the per se law requirement, the report must be sent to the Motor Vehicle Department within 72 hours.

If, during the processing, the accused admits that they were drinking at a specific location (bar/restaurant/tavern), and if the BAC results in excess of .15%, a case on a liquor violation shall be taken, and the particular location shall be referred to the State Liquor Commission.

N. Identification and Referral of Drivers for Operator's License Reexamination

1. In instances when Officers encounter drivers who no longer appear to be

competent to operate a motor vehicle, a request for recertification may be made to the Connecticut Division of Motor Vehicles. Connecticut Motor Vehicle Department Regulation 14-217-1 authorizes police officers to take an operator's license. The license may be confiscated for any reason or combination of reasons regarding age, physical condition, or mental instability.

2. Licenses shall be confiscated under the following circumstances:
 - a. The age, physical condition or mental instability of the operator indicate to the officer that the operator is unfit to drive.
 - b. The officer has probable cause to believe the operator's right to drive is suspended and the operator holds a Connecticut driver's license.
 - c. The license appears to have been altered in any way.
3. Once the license has been confiscated, the following steps shall be taken:
 - a. A DMV Law Enforcement Authorization to take possession of Connecticut Operators License N-105 form will be completed and the driver's license will be attached to the transmittal, and will be reviewed by a supervisor.
 - b. Whenever a license is seized, a written report will be completed citing the officer's observations of the operators conduct and any appropriate violations
 - c. A copy of the Form N-105 will be attached to the police report.
 - d. The report will be completed within the guidelines of the report writing standard.
 - e. All reports, forms and the license will be forwarded to the Records Division

O. Parking Enforcement Activity

1. General Provisions

Street parking in the City of Bridgeport is restricted in various areas to ensure fair access to parking and expedite the flow of vehicular traffic. All existing parking regulations will be enforced with reasonableness and impartiality in all areas of City. Procedures for the Department's parking enforcement program including the following:

- a. *Overtime Parking Violations*: Overtime parking will be enforced on City or State maintained roadways posted with "Time Restriction" parking signs (e.g., 2-hr. parking)
- b. *Handicapped Parking Violations (C.G.S. § 14-253a)*: Will be enforced at all posted and painted stalls with "State Permit Required" signs
- c. *Fire Lane Violations*: Fire lane violations may be enforced in those

areas identified as such and display an official “No Parking - Fire Lane” sign

- d. *Overnight Parking Violations*: Will be enforced for commercial vehicles parked overnight on residential streets
- e. *Snow-Ban Parking*: Parking violations will be enforced:
 - When the mayor declares a state of snow emergency, no person shall stand or park a vehicle upon a street designated by signs as a snow emergency street, except in such areas and for such purposes as shall be designated by the mayor, until the mayor has declared the prohibition of such standing or parking terminated.
 - Refer to City Ordinance 10.28.050 for a list of streets designated as snow emergency streets.

2. Enforcement Action

The appropriate enforcement action will depend on a variety of factors, including officer discretion, based on experience and training. This may include making a reasonable attempt to contact or locate the vehicle's owner or operator to have the vehicle moved prior to taking formal enforcement action.

3. Issuance of a Parking Ticket

Upon completing the necessary information, the two portions of the parking ticket will be distributed as follows:

- The hard copy (envelope) will be left with the vehicle. If a vehicle is unoccupied and towed, the parking ticket will be attached to the windshield.
- The white copy will be forwarded to the Parking Enforcement Officer.

The copies will be turned in by the end of the tour of duty.

4. Exempted Vehicles

Officers shall be aware certain legal exemptions that may exist when enforcing parking regulations, including those that follow:

- a. Vehicles bearing commercial license plates may occupy a parking space on a City street for the purpose of loading or unloading merchandise without violating any ordinance, providing that such loading or unloading shall be done as expeditiously as possible
- b. Vehicles exempted under C.G.S. § 14-290(b) shall not be ticketed

5. Contested Parking Tickets

Parking tickets may be administratively disposed of when it would be the prudent course of action under the circumstances surrounding the individual ticket. Citizens may contest a parking ticket, or ask that it be administratively dismissed or excused, by submitting a *Parking Violation Review Request Form* to the Parking Enforcement Unit. This form is also available on the Department's Web Page. As the Local Traffic Authority as designated by State statute, only the Chief of Police, or designee, may dispose of a parking ticket, which will only be allowed for one of the following reasons:

- a. **Dismissed:** based upon determination that the offense did not occur or a valid permit exists, but was not properly displayed, such as a handicapped parking permit
- b. **Excused:** based upon determination that the offense did occur, but discretion was exercised to administratively excuse the parking ticket. No parking ticket is eligible to be excused unless the registered owner of the vehicle meets ALL of the following criteria:
 - o There are no outstanding unpaid parking tickets, AND
 - o There has not been another parking ticket excused within the past 12 months

The Chief will review and audit this process each year, and at other times as determined by the Chief of Police.

P. Reporting Motor Vehicle Stops

1. Verbal warnings

Verbal warnings should not be routinely substituted for written warnings and should only be given due to special circumstances, i.e. called from scene for emergency assignment, etc.

2. Written warnings

Written warnings and emissions warnings require no additional report(s). The Incident number shall be written on the front of the warning ticket or emissions warning. Warning tickets will be placed in the records basket prior to the end of the issuing officer's shift

3. Infractions/summons

Officers will complete an infraction/summons report in the NexGen computer system and attach it to the ticket. If an infraction or summons is issued pursuant to an accident or a DUI arrest, the infraction/summons report is not

necessary. Infractions/summons will be placed in the records basket prior to the end of the issuing officer's shift

4. Voiding of Infractions/Misdemeanor Summons Complaints

Infractions or misdemeanor summonses issued to motorists will not be rescinded, under any circumstances. If the summons or infraction has been issued and the motorist believes that it was issued in error, they shall be instructed to plead not guilty to the offense and state their reasons in court. If an officer writes out a summons or infraction and discovers that it was written in error, i.e. incorrect charge, defective traffic control, etc., the officer will do the following:

- Take all copies of the summons or infraction, write the word "VOID" across the summons, and submit an inter-office memo to the Records Department requesting that the ticket be voided, and explaining the reasons that the officer wants the ticket voided.
- The voided ticket will then be disposed of in a manner appropriate with state records retention guidelines.

Q. Traffic Stop Statistics Form – Anti-Profiling Form

1. Officers shall complete a traffic stop statistic form and have a different CFS# on each traffic stop. Officers will not ask the driver for information, but rather will utilize the driver's license and personal observations to complete the form.
2. Traffic stop statistic forms shall be completed electronically prior to the end of the issuing officer's shift.
3. Officers will provide the operator with any other forms required by law, including the mandatory "Right to File a Complaint" form.

R. Issuance of Infractions and Misdemeanor Summons Book

1. Officers needing infraction and misdemeanor summons complaint books are to request it from their respective Supervisor..
2. The receiving officer will fill out the receipt stub completely and turn it over to their Sergeant before removing the infraction or misdemeanor summons book from the office.
3. The issuing Supervisor will sign the receipt stub and forward the form to records.

S. Observation of Off Duty Traffic Violations

If an officer observes a traffic violation while off duty, or for the purpose of this section on the way to or from work, the officer shall not take immediate enforcement action, but may choose to make a complaint based on the severity of the violation. The officer will then call in the violation using portable radio or phone. An on duty officer will be assigned. Off-duty officers witnessing a violation will not investigate their own complaints.

T. Escort Services

1. The department recognizes that there are legitimate and reasonable requests for police escort services to ensure safe, orderly, and efficient movement of special traffic or to expedite delivery of special items. The department shall make every effort to honor such requests to the extent practical and consistent with the need to ensure that the act of escorting or emergency relay itself does not create unnecessary risk to the public. The patrol commander or his/her designee shall review and approve all requests for escorts or relay and determine if the activity can be handled by existing personnel or require detail officers to fill the assignment.
2. Requests for escorts that may be obliged may include, but are not limited to, the following:
 - a. Funerals;
 - b. Motorcades;
 - c. Public officials and dignitaries;
 - d. Oversized vehicles;
 - e. Highway construction and maintenance vehicles; and
 - f. Hazardous or unusual cargo
3. Emergency vehicles, particularly ambulances, shall not be escorted by officers, except under specific circumstances approved by the Supervisor. An example of an escort which may be approved is the escort of an emergency vehicle from the city limits to a hospital or address in City.
4. Officers shall not escort civilian vehicles except in unusual medical emergencies. Possible options include:
 - a. Call for rescue and provide emergency medical care until relieved by Rescue personnel;
 - b. Direct the operator to proceed to the hospital under normal speed and operation; or
 - c. If, in the officer's opinion, delay or transfer would jeopardize a person's life, the officer may, with the approval of the Supervisor or OIC, escort the vehicle to the nearest medical facility. During this

escort, all emergency equipment (lights and siren) shall be utilized, officers will travel at a safe speed for both vehicles and officers will stop before all intersections and assure the way is safe before proceeding.

U. Adverse Weather, and Hazardous Road Conditions

1. Adverse weather or road conditions include, but are not limited to:
 - a. Accidental hazards, such as debris that has fallen onto the roadway. Examples include debris from another motor vehicle, power lines, and trees;
 - b. Acts of nature, such as fog, ice, snow, etc.; or
 - c. Engineering hazards, such as exposed guardrail ends, potholes, missing drain covers, or other objects that may cause unnecessary additional damage or injury during a crash.
2. Officers dispatched to or finding hazards on the roadway will take the appropriate action to remove the hazard or call for the assistance of other City departments to mitigate the hazard and remain at the scene as long as necessary to ensure public safety.
3. The Supervisor should consider notifying the local newspapers, radio stations, public works, and fire department of the adverse road condition(s) when it appears that the event may close the road for an extended period.
4. The Supervisor will assure that the Department of Public Works (DPW) office or on-call personnel are notified when an incident or weather conditions create a hazardous condition that requires DPW intervention.

V. Manual Traffic Direction Locations

1. Manual direction will be used in situations where traffic control signals or devices are not present, inadequate due to traffic flow or malfunctioning. Emergency conditions may dictate the manual control of traffic.

W. Manual Traffic Direction Procedures

1. All persons on manual traffic duty will wear a traffic vest and reflective high visibility gloves. All cruisers will be equipped with these vests and illuminated flashlight.
2. Clear, uniform hand signals shall be used. Hands and arms will be kept in a position to be clearly visible to motorists who are signaling to stop. Officers must recognize vehicle signals before others are allowed to proceed.

3. Officers will take into consideration bad weather, darkness, bright sunlight or flashing cruiser lights, which might obscure motorist's vision.

X. Manual Operation of Traffic Control Devices

1. All officers are provided with keys to the traffic control boxes and shall operate traffic signals manually when:
 - a. The signal light malfunctions, but can still be operated manually and traffic is too heavy to leave the light on flashing operations.
 - b. To expedite the flow of traffic during times of unusually heavy congestion.
 - c. To control traffic at accident scenes.

Y. Special Event Traffic Control

1. Special events are those activities within that would be not be a normal occurrence, that have never taken place before or any other event so designated by the Chief of Police.
2. Special events are any activities that may involve large amounts of vehicular and/or pedestrian traffic. These may include parades, picketing, demonstrations, or any large public gathering.
3. The Professional Standards Commander shall designate supervisory personnel for special events. All coordination inside and outside the police department will be directed by the designated supervisor of the event. The designated supervisor will provide an After Action Report to the Professional Standards Commander regarding the special event.
4. Professional Standards Commander will develop a plan to provide for traffic direction and control, crowd control and as anticipated crime problems during these events. The plan shall be forwarded to the Chief of Police for review and approval. The plan should address the following concerns:
 - a. A written estimate of crowd control, traffic, and anticipated crime problems for the event.
 - b. Number of officers needed and/or any special operations personnel.
 - c. The need for on-street parking restrictions.
 - d. A contingency plan for traffic direction and control, which will include a route to allow for normal and emergency activities to continue with minimal disruption.

- e. Information will be provided at the earliest possible time to the media concerning the event.
- f. Officers will be allotted adequate breaks during the course of the event.
- g. Where traffic direction and control is provided by private sources it will be monitored by patrol to insure it is adequate and
- h. Use of special operations personnel, if any.

Z. Fire Scene Traffic Control

- 1. Police officers shall control traffic at fire scenes, as necessary. Police officers will check surrounding areas to see if they are impacted by detours and assist with traffic if needed. Private vehicles driven by volunteer fire fighters are not allowed into the fire zone. The vehicles are to be parked properly and not in a manner as to obstruct traffic.

AA. Adverse Weather/Road Traffic Control

- 1. Adverse road conditions may arise from many situations. These include accidents, power lines and limbs down, or severe weather conditions.
- 2. An officer will be cognizant of changing weather conditions so emergency measures can be taken. This includes calling out sand and/or snowplow crews.
- 3. An officer may be utilized to provide on-scene traffic direction if needed.

BB. Provision of Assistance to Highway Users

- 1. The public, when utilizing public highways, may encounter mechanical or other difficulties requiring assistance from the police. Officers will advise the dispatcher of the location and reason for request when assistance is required for:
 - a. Tow trucks (Type of car, problem, whether hook or flatbed is needed);
 - b. Ambulance;
 - c. Emergency assistance; or
 - d. Traffic control.
- 2. With a high transient driving population, a stranded motorist can also be a potentially dangerous condition. Officers will offer reasonable assistance at all hours of the day. If the officer believes it is necessary to transport a stranded person in his/her police vehicle, [s]he shall first obtain permission from the Supervisor. Prior to such transport, the officer shall advise dispatch of his/her location, destination, and reason for the transport and mileage at the beginning and end of the transport.

3. When a citizen requests directions, officers shall provide information and direction consistent with other duties and responsibilities.
4. Procedures concerning towing of motor vehicles are covered in Directive 5.20.

CC. Coordination With City, Regional and State Traffic Authorities

1. The Traffic Division Commander is responsible for forwarding all appropriate collision and enforcement data to the Connecticut DMV.
2. Whenever Bridgeport Police Department staff receive complaints or suggestions concerning traffic engineering deficiencies or become aware of engineering deficiencies based on traffic crash analysis, the information will be forwarded to the Traffic Division Commander who will forward the information to the appropriate state authorities.

DD. Training

1. Officers shall receive training related to traffic incident management during their basic training.
2. Each officer shall receive training concerning traffic incident management as part of their review training program.
3. Such training shall be in compliance with the training program developed by the Police Officer Standards and Training Council.
4. Traffic Incident Management Training shall be documented and such records shall be retained by the department in accordance with the State of Connecticut Municipal Document Retention Schedule.