



TRAFFIC ENFORCEMENT/ INVESTIGATION/ DIRECTION/ CONTROL

General Order Number: 26.2

Effective Date: 03/04/2025

POLICY:

It is the policy of the Brookline Police Department to attain safety goals through traffic law enforcement, investigation, direction, and control. Among these goals is the reduction of traffic collisions, fatalities, and injuries. Another goal is to facilitate the safe and expeditious movement of vehicular, bicycle and pedestrian traffic, accomplished through the public's voluntary compliance with traffic regulations. It is the policy of this Department to meet this goal through a combination of education, enforcement, engineering, and public support.

With the ever-increasing number of vehicles and operators on the roadways, traffic crashes will continue to occur. In an effort to limit the likelihood of crashes, it is essential to understand the importance of crash investigation and reporting. Data from such are the prime source of information for crash prevention programs. It is therefore imperative that proper information be gathered for use in planning, evaluating, and implementing efforts to achieve roadway safety goals. Officers of this Department shall familiarize themselves with the correct procedures for both reporting and investigating traffic crashes.

PROCEDURES:

- I. **ENFORCEMENT:** The Brookline Police Department is definitely and unequivocally opposed to preferential treatment pertaining to adjudication of traffic cases in any manner by any agency, official, or person.

The ultimate objective of enforcement is to favorably alter the violator's future driving behavior, thus fostering a climate of safe driving throughout the community.

A. SELECTIVE ENFORCEMENT/ASSIGNMENT OF PERSONNEL:

1. **SELECTIVE ENFORCEMENT:** To ensure maximum reduction of crashes, enforcement pressure should be applied in proportion to the needs of the locations, and at the hours of greatest crash expectancy. Traffic laws will be enforced at a level sufficient to ensure the safe and expeditious movement of traffic. Enforcement activities will be conducted in a consistent and uniform manner.

2. **DEPLOYMENT:** The deployment of patrol and traffic unit personnel will be based on an analysis of traffic crashes and traffic-related services.
 3. **ASSIGNMENT:** Assignment of traffic enforcement personnel will be based on principles of selective enforcement. Resources will be directed toward specific violations, in specific locations. Enforcement efforts shall be evaluated to ensure that enforcement action is reducing crashes.
- B. MOTOR VEHICLE STOPS:** If a determination is made to stop a motor vehicle, great care must be exercised. Many officers have been seriously injured, even fatally, in making vehicle stops. Every precaution should be taken in stopping a motor vehicle as described below:
1. Notify the dispatcher of the following:
 - a. Location of the stop.
 - b. Registration of the vehicle.
 - c. If possible, a description of its occupants.
 2. Select a suitable location for making the stop, preferably a well-lit area.
 3. In stopping the suspect vehicle guard against any evasive action by its operator.
 4. Approach the vehicle with extreme caution after signaling the driver to stop.
 5. Leave the emergency lights of the police vehicle flashing to warn traffic and to assist any back-up officers responding to the scene.
- C. UNKNOWN-RISK STOPS:** Unknown-Risk vehicle stops involve the action of police officers contacting a vehicle during the normal course of duties under circumstances, which do not immediately indicate an immediate threat to the officer. All vehicle stops should be considered to have some type of risk. Officers should use heightened awareness when approaching all vehicles, and should also keep in mind the dangers that are posed by other vehicles in the area.
- D. HIGH-RISK VEHICLE STOPS:** Officers shall use high-risk vehicle stop procedures when it is necessary to apprehend a suspect, who is an actual or potential danger. High-risk vehicle stops are vehicle contacts that, by their nature, increase the probability of violence usually associated with armed suspects or violent criminal activity. Any officer conducting a high-risk stop should consider the following:
1. Known Violator:

- a. In cases where the violator is known and it is determined ahead of time that the stop will be conducted “felony stop” style, the initiating officer will be the control officer. He/she will dictate where other units will be positioned and the location of the stop. The control officer will also be responsible for communicating orders to the violators within the vehicle.
- b. The control officer should request radio silence from dispatch, so that the only radio traffic will relate to the stop.
- c. The control officer should maintain radio communications with his/her cover officer(s), and coordinate the stop. The control officer should decide the place of the stop based upon terrain, lighting, traffic volume, weather conditions, etc.
- d. Once the location has been decided, the control officer will position him/herself behind the violator vehicle and activate his/her overhead lights. The control officer will use his/her public address system to direct the driver to the best location for the stop.
- e. When the vehicle is stopped, the control officer should position his/her patrol vehicle approximately two-car lengths behind the violator vehicle, and slightly offset to the left. The first cover vehicle should position his/her patrol vehicle to the right of the control officer’s vehicle, leaving enough room between the vehicles to allow the cover officer to open his/her patrol vehicle door. The cover unit patrol vehicle should be even with the control officer’s vehicle. All available emergency lighting should be activated during the stop.
- f. If available, a third cover unit may be positioned directly behind the first two (2) units.
- g. If other cover units are available, they may be used to divert traffic.
- h. Once all units are in place, the control officer will then order the occupants from the vehicle, one at a time, in accordance with their training.

2. Unknown Violator:

In those situations where the violator is not known to the officer, and where the dispatcher or some other person advised the officer of the violator’s status (such as a known felon, stolen vehicle, etc.) after the stop has been made, the officer should attempt to freeze

the action and request enough cover units to deal with the situation.

E. PROCEDURES FOR DEALING WITH VIOLATORS: All sworn officers shall exercise their good judgment and discretion by taking appropriate enforcement action for each violation of the law witnessed or reported to them. Officers should keep in mind that once they have stopped the violator and are about to communicate with them, officer/violator relations are activated. Officers should conduct themselves in a professional manner, keeping in mind use of proper language, bearing, and emotional stability. Officers should be certain of their observations of the alleged violation, have the necessary forms and equipment to deal with the situation, greet the violator with the appropriate title in a courteous manner when requesting driver and vehicle identification, and explain to the violator the reason for their being stopped. Officers must keep in mind that some violators encountered will show signs of emotional distress. Officers must deal with these individuals in a calm, courteous manner to relieve them of any anxiety. Traffic enforcement action will be taken without regard for such factors as attitude, intent, or frivolous excuse. Upon completion of the required forms, officers must ensure that the violator safely re-enters the flow of traffic. All enforcement actions will be accomplished by using one of the following four methods:

1. VERBAL WARNINGS: A verbal warning is appropriate when the violator commits an act, which may be due to ignorance of a particular law. Examples of this type could be where the operator approaches a stop sign and, instead of coming to a complete stop, slows to a speed slower than walking. If such movement is made with reasonable safety and the driver is accustomed to driving in those jurisdictions where this action is permissible, a verbal warning may be feasible. Similarly, a verbal warning is appropriate for equipment failure (i.e., license plates not illuminated) of which the driver was unaware. **HOWEVER, A WRITTEN WARNING SHOULD USUALLY BE USED INSTEAD OF A VERBAL WARNING BECAUSE IT EXERTS A MORE EFFECTIVE INFLUENCE ON THE DRIVER.**

a. **Traffic Contact Forms:** In accordance with Special order 2007-08, all officers will submit a Traffic Contact Form (TCF) following these two types of interactions:

- i. An MVA occurs and no citation is issued. This would include all crashes with a “papers exchanged” disposition.
- ii. An officer initiates a traffic stop and no enforcement action is taken.

2. WRITTEN WARNINGS: A written warning is a proper alternative by officers in response to a minor traffic infraction. It is also appropriate for

those violations, which occur within the tolerances generally allowed by the courts. These tolerances would include speeds in excess of the legal limit, but less than a speed for which a citation or arrest would result. If used properly, warnings can effectively be used as a means of educating the public because they involve less emotional stress, and are also considered to be an effective public relations tool. However, the excessive use of warnings should be avoided; otherwise, it could create a feeling of lack of commitment by the police department to enforce motor vehicle safety within the community.

3. **CITATIONS:** Citations are the backbone of the police traffic enforcement effort. An officer's discretion plays a big part in the decision to take punitive action against a violator. However, this discretion should be based on a combination of experience, training, and common sense. The traffic citation should be issued to all violators who jeopardize the safe and efficient flow of vehicular and pedestrian traffic, including hazardous moving violations, multiple violations (multiple violations consist of infractions listed on the same citation), violations of new laws and/or regulations, and operating unsafe and/or improperly equipped vehicles.
4. **ARREST:** Officers may effect the physical arrest of any person in violation of those traffic laws allowing an arrest, and shall effect an arrest of any law mandating such.

Whenever an arrest results from the issuance of a motor vehicle citation, the "Arrest" box on the citation shall be checked.

The arrestee's vehicle shall be inventoried and secured in the towns designated tow company lots when circumstances warrant that the vehicle be towed.

- F. **ISSUANCE OF CITATIONS:** Whenever legally and practically possible, officers of this department shall issue citations where circumstances dictate the creation of deterrents to unsafe conduct by users of the roadway. Before releasing the traffic violator, the officer should make them aware of the correct procedures, administrative action, payment of fines, and court appearances, etc. It is essential officers fully explain the motorist's rights and requirements upon arrest or issuance of a citation.

G. **CATEGORIES OF DRIVERS:**

1. **NON-RESIDENTS:** Enforcement activities shall be consistent and in a uniform manner that does not give preference to local residents or non-residents.

2. **JUVENILES:** There are no special procedures dealing with juvenile offenders of the traffic laws and in the issuance of citations. Special procedures only come into play if there is an arrest of a juvenile. When this occurs, officers are to be guided by the departmental policy on handling juveniles.
3. **STATE LEGISLATORS:** The Massachusetts Constitution (Part 2, Chap. 1, Sec. 3, and Article 10) stipulates that state legislators, while attending, going to, or returning from a session of their respective houses shall be exempt from physical arrest. However, citations may be issued as appropriate.
4. **U.S. SENATORS AND REPRESENTATIVES:** United States Senators and Members of the House of Representatives are immune from physical arrest while attending, going to, or returning from a session of their respective houses.
5. **DIPLOMATIC AND CONSULAR OFFICERS:** These officials shall be accorded their respective privileges, rights, and immunities as directed by international law and federal statute. These officials shall be treated with the courtesy and respect that befit their distinguished positions.
 - a. Diplomatic officers, their families, official staff and servants, and consular officers are protected by unlimited immunity from arrest (except for the commission of a felonious crime where public safety is endangered), detention, or prosecution with respect to any civil or criminal offense.
 - b. Traffic citations may be issued, however, the subject may not be compelled to sign the citation.
 - c. Any citations issued shall be reported to the U.S. Department of State. The State Department maintains driver histories and assesses points for moving violations. Drivers who demonstrate a pattern of driving infractions are subject to having their license suspended or revoked.
 - d. **OUI:** When such a person with full immunity from arrest is, in the officer's opinion, too impaired to drive safely, the officer may:
 - i. With the individual's permission, take him/her to the police station or other location until he/she recovers sufficiently to drive;
 - ii. Summon, or allow the individual to summon a friend or relative to drive; or

iii. Arrange for a ride

6. **MILITARY PERSONNEL:** When dealing with military personnel and a physical arrest is made, the investigating officer's supervisor shall cause the liaison officer of the nearest armed forces investigative headquarters division to be notified.

H. OPERATING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS - ENFORCEMENT PROCEDURES: Many traffic accidents, particularly those involving a fatality or personal injury, are directly attributable to persons driving under the influence of alcohol and/or drugs. In all contacts with violators, the officer should be aware of the possibility the driver may be under the influence alcohol or drugs. If the officer determines that the operator is under the influence of alcohol or drugs, appropriate enforcement action shall be taken. Appropriate enforcement action consists of immediate arrest or, if circumstances do not allow for an arrest, issuance of a citation; for example, if an operator is admitted to a hospital and the officer has no means to effect an arrest. **Officers should be aware, though, that arrest is a priority for this offense.** The department will ensure that sworn officers are trained in all aspects of driving under the influence of alcohol or drug enforcement procedures, and will cooperate fully with other agencies and community groups to reduce and control this problem. The following conditions shall also be met in regards to those arrested for driving under the influence of alcohol or drugs:

1. **BREATHALYZER OPERATION:** Breathalyzer operation shall be administered by a trained and certified operator. Examinations shall be according to departmental procedure and Massachusetts's law on persons arrested for operating a motor vehicle under the influence of intoxicating liquor. A blood alcohol reading of .05% or below mandates that the arrestee shall be released from custody forthwith. If the reading is above .05% but less than .08% there shall be no permissible inference, and if the reading is .08% or above there shall be a presumption that the person is under the influence of intoxicating liquor.

When dealing with a person under 21 years of age, the breathalyzer operation remains the same regarding the percentages of alcohol. If a person under the age of 21 has a reading of at least .02%, their driver's license shall be taken by the arresting officer and said person shall be processed according to law.

When dealing with a person who has a CDL (Commercial Driving License) operating a CDL vehicle, and has said person a reading of .04%, this shall be sufficient to establish a violation of operating under the influence of alcohol. Said person's license shall be taken by the arresting officer, and said person shall be processed according to law.

2. **BLOOD ALCOHOL TESTS:** Blood alcohol tests shall conform to Mass. Gen. Law, Chap. 263, Sec. 5A, as well as departmental guidelines.
3. **MELANIE'S LAW:** Melanie's Law has eliminated the fifteen-day temporary driver's license. The operator's license is therefore immediately suspended upon written notification from a police officer. An arrestee's vehicle shall be impounded for 12 hours following an arrest. A 12-hour hold will be placed on the vehicle in the Towed Vehicle System.

I. OTHER ENFORCEMENT VIOLATIONS:

1. **SPEED VIOLATIONS:** Speed is a significant contributing factor to the severity of crashes. Officers shall take appropriate enforcement action for speeding violations. Officers shall use the verbal warning, written warning, and citation to have motorists voluntarily comply with traffic laws and regulations to ensure maximum reduction of crashes.
2. **EQUIPMENT VIOLATIONS:** Equipment required on motor vehicles is covered under Mass. Gen. Law, Chap. 90, Sec. 7. When a vehicle is found to be in violation, officers should consider issuance of a citation for any essential equipment defects. Whenever a fixture is missing and it is obvious that the owner is aware of the defective equipment, a citation should generally be issued even though this may be the only violation on the vehicle. Example of this would be horn removal, parking brake disconnected, light fixture removed, etc.
3. **PUBLIC CARRIER/COMMERCIAL VEHICLE VIOLATION:** Particularly in the business areas, consider the congestion, lack of parking, and carrier needs for delivery access. Repetitive violators should be cited.
4. **OTHER NON-HAZARDOUS VIOLATIONS:** With other non-hazardous violations of law, by-laws, or regulations affecting the use or protection of roadways, but not enacted primarily to regulate safe movement of vehicles and pedestrians, consider warnings unless repetitive or flagrant.
5. **MULTIPLE VIOLATIONS:** Generally, one citation will be issued in the case of related multiple, non-hazardous violations stemming from the same operation.
6. **NEWLY ENACTED LAWS AND/OR REGULATIONS:** These cases should be treated on a case-by-case basis depending on the severity and nature of the offense.

7. **OTHER HAZARDOUS MOVING VIOLATIONS:** A hazardous moving violation shall mean violation of any law, by-law, or regulation affecting the use or protection of roadways enacted primarily to regulate safe movement of vehicles and pedestrians. There are two general types:

a. **Unsafe Behavior:** An action or omission in traffic, which is hazardous even when vehicles, streets or roadways, and people involved are in legal condition.

b. **Unsafe Condition:** Causing or permitting an illegal and possibly hazardous condition of a driver or pedestrian in traffic, streets or roadways used by traffic, or vehicle used in traffic.

8. **SEATBELT ENFORCEMENT VIOLATIONS:** Research indicates the value of wearing a seatbelt especially when involved in a motor vehicle crash. The reduction of fatalities and severity of injuries is well documented. The wearing of a seatbelt also adds to driver control of a vehicle during evasive maneuvers, and can assist the operator in avoiding a crash. Officers should be aware of the benefits seatbelts provide as well as the laws requiring their use. Officers should take note of occupant protection when conducting a motor vehicle stop. This includes seatbelts and the proper use of child safety seats. Officers should take appropriate action when a violation is observed; this may include a written citation or education on the benefits of seatbelt usage.

J. **HANDLING LICENSE SUSPENSIONS/REVOCATIONS:** Under certain conditions, officers may exercise the option of issuing a criminal citation (summons) to an unlicensed operator and towing the vehicle without an arrest. Officers may then tow the vehicle, transfer the vehicle to a licensed operator with the consent of the owner, or allow the operator to leave the vehicle secured on private property where the operator is authorized to park. Under MGL c90 S21, officers lawfully have the discretion to arrest or to issue a criminal complaint for c90 s10 and c 90 s23 violations. With permission of the patrol supervisor, officers will be authorized to tow the vehicle of an unlicensed operator who is placed under arrest or of an unlicensed operator who is issued a criminal citation. This will give officers options in addition to arrest when dealing with a person who is unlicensed. Arrest will still be a valid response. When making the decision to arrest, officers should take into consideration, among other factors, the reason the person is not properly licensed (suspended license for OUI or drug trafficking vs. expired non-renewable for an unpaid parking ticket or suspension due to a payment default with no prior record). An operator's driving and criminal histories should also be considered. Finally, officers should take into consideration the vast array of circumstances they encounter on a regular daily basis such as the presence of children, medical conditions or other extenuating circumstances.

An officer's decision to tow or not to tow the vehicle should be based on current policies and case law regarding towing vehicles involved in an arrest. For example, if a person is stopped in a vehicle in their own driveway or a workplace parking lot where they would normally leave their vehicle, and placed under arrest, the vehicle would not be towed. Similarly, in lieu of a tow, an operator may be permitted to make arrangements to have a licensed operator take control of their vehicle. So long as the operator is able to make such arrangements within a reasonable period of time, officers should stand by until they can confirm that a properly licensed operator takes control. Determining what is a "reasonable time" should be at the discretion of the officer and his or her supervisor, taking into account the need for the officer to clear for service and any extenuating circumstances involving the vehicle.

When a vehicle is towed as the result of a summons, officers should indicate this on the tow slip by writing in the "Reason for Tow" section: "Safekeeping-unlicensed".

As these options are introduced, supervisors will be asked to pay particular attention to these situations. Supervisors should be aware of an officer's decision-making process for enforcement and towing, and provide guidance as needed.

OFFICERS NEVER HAVE THE AUTHORITY TO ALLOW UNLICENSED OPERATION TO CONTINUE.

- K. SPECIAL ENFORCEMENT:** The primary responsibility for the enforcement of traffic laws and regulations rests with the Patrol Division, however, all sworn officers, while on duty, shall take appropriate enforcement action for violations of traffic laws and regulations they observe.
- 1. BICYCLES:** In those areas where traffic flow is minimal, visibility is unobstructed, and traffic crash experience is low, officers should exercise discretion in the application of those laws regarding the safe operation of bicycles. Conversely, where congestion and the frequency of crash experience involving bicycles have been predominant, those laws pertaining to the safe operation of bicycles shall be strictly enforced. Mass. Gen. Law, Chap. 85, Sec. 11B regulates the use of bicycles, and Mass. Gen. Law, Chap. 90, Sec. 1B and 1C regulates the use of mopeds.
 - 2. PEDESTRIANS:** The Town of Brookline Traffic Rules and Regulations, Article VII (A), Sec. 1 thru 9, provides Pedestrian Control Regulations in accordance with the provisions of Mass. Gen. Law, Chap. 90, Sec. 18A. All officers shall enforce these pedestrian control regulations.
 - 3. RECREATIONAL AND SNOW VEHICLES:** Officers shall take appropriate enforcement action against operators of off-road recreational vehicles (e.g., snowmobiles, dirt bikes, minibikes) committing violations

that are either observed by them or reported to them. All rules pertaining to Recreational and Snow Vehicles can be found in Mass. Gen. Law, Chap. 90B, Sec. 20-34 inclusive.

L. ENFORCEMENT ACTION/CRASHES:

- 1. GENERAL ACTION:** Officers are expected to take enforcement action whenever their traffic crash investigation or reporting activities produce probable cause to believe that a violation of law or by-law has occurred.
- 2. SPECIFIC ACTION:** Enforcement action arising from traffic crash investigation or reporting (e.g., physical arrest, citation, written warning, etc.) will be consistent with the nature of the alleged violation and with all of this department's written directives concerning traffic law enforcement.
- 3. VIOLATIONS NOT WITNESSED BY AN OFFICER:** Violations that the officer has not personally witnessed must be established through investigation, which may include but not be limited to:
 - a.** Statements or admissions made by the alleged violator.
 - b.** Statements of witnesses.
 - c.** Crash scene measurements.
 - d.** Physical evidence.
- 4. CRASHES OCCURRING ON PRIVATE PROPERTY - NO RIGHT OF ACCESS:** Crashes occurring on private property which is not normally open to the public, such as a private residence, involving injury or excessive property damage will require a complete report of the incident.
- 5. CRASHES OCCURRING ON PRIVATE PROPERTY - PUBLIC HAS RIGHT OF ACCESS:** Crashes occurring on private property where the public has a right of access and meeting the reporting requirements of Chap. 90-26 will be processed as if they had occurred on a public street and the necessary forms completed.
- 6. GENERATED REVENUES:** Traffic law enforcement will not be used as a means to generate revenue for the department or the Town of Brookline.
- 7. EVALUATION OF TRAFFIC ENFORCEMENT EFFORTS:** The number of citations issued by an officer shall not be the sole basis of determining an officer's traffic enforcement efforts. The quality of the

citations, i.e., crashes and injury-causing types of violations and other elements, will also be considered in an overall evaluation. The number of citations issued will only be one part of the total picture that goes to the overall evaluation.

M. RADAR/LIDAR: Officers using speed measuring devices (Radar/Lidar) shall be fully trained and certified before being authorized to use such devices for traffic law enforcement. This training shall be coordinated through the department training officer, or their designee. The Traffic Sergeant shall keep maintenance and calibration records of Radar and Lidar units.

- 1. PLACEMENT:** The placement of speed measuring devices at fixed posts shall be determined through both selective enforcement data and prior knowledge.
- 2.** In cases where conventional traffic enforcement (marked visible cruisers) is unsuccessful, low-profile units should be utilized. Low profile vehicles may be used where specific violations must be addressed, such as passing school buses, speeding vehicles, stop sign violations, etc. Covert enforcement should be utilized where overt enforcement has failed and as determined by the Commanding Officer - Platoon on Duty, the Deputy Superintendent of the Patrol Division, or the Deputy Superintendent of the Traffic Division.

N. USE OF SPEED MEASURING DEVICES IN TRAFFIC LAW ENFORCEMENT: All members of this department shall adhere to the following guidelines, which govern the use of speed measuring devices in traffic law enforcement:

- 1. EQUIPMENT SPECIFICATIONS:** Members of this department shall use mobile traffic Radar units. Specific information on these units may be found in the operator's manual, which is kept in the traffic division.
- 2. OPERATIONAL PROCEDURES:** The operational procedures for these units concerning (if applicable) stationary mode, moving mode, range control, interference, audio and squelch, tracking, and locking display readings shall be adhered to as provided in the operator's manual for this unit.
- 3. PROPER CARE AND UPKEEP:** All officers using the Radar units of this department are responsible for the proper care and upkeep of the unit(s) they use. Such care and upkeep shall be done in accordance with the directions given them during their original training in the use of the equipment.

4. **PROGRAMMED MAINTENANCE:** The Traffic Sergeant shall schedule maintenance inspections of each Radar unit at least as often as the units are calibrated. The Traffic Division shall maintain a record of all maintenance on each Radar unit.
 5. **MAINTENANCE AND CALIBRATION RECORDS:** Each Radar/LIDAR unit shall be calibrated as needed, and at least once a year. Each officer shall check the calibration of the particular unit, both prior to, and after using the unit, each time it is used during their tour of duty. Any unit that appears to be calibrating improperly shall be returned to the Traffic Supervisor.
 6. **OPERATOR TRAINING AND CERTIFICATION:** All members of the department wishing to use speed measuring devices such as Radar or Lidar, shall be fully trained and certified as outlined by the Municipal Police Training Committee, before using such devices for traffic law enforcement. The training will be coordinated through the Training Division, and shall be equivalent to the model standards promulgated by the National Highway Traffic Safety Administration
- O. **REPORTS:** Accurate, timely, and complete reports are fundamental to the department's efficient and effective operation, as this forms the basis for prosecution and ultimate adjunction of traffic offenses. Officers shall therefore complete all traffic citations and reports (when necessary), as well as arrest reports, to the best of their ability, and submit them through the proper channels as quickly as possible.
- P. **ACCOUNTABILITY OF HARD COPY CITATIONS:** Hard copy traffic citations are received from the Registry of Motor Vehicles, and each book number is recorded in the Traffic Division before issuance to individual officers. These hard copy citations are accounted for from the point of issuance to the time they are recorded and sent to the Registry or court for disposition.
1. **CITATIONS:** Motor vehicle citation books are kept in the guardroom and are issued to officers as needed.
 2. **CITATION INDEX LOG:** A motor vehicle citation index log is also kept in the Detail Office where the officer shall record their name, LC number, date of issue, and number of the citation book issued.
 3. **AUDIT SHEET:** An audit sheet is prepared in the Traffic Division, which corresponds with each citation issued. It shall contain the citation number, date issued, defendant's name and address, the violation, and the officer's name. This audit sheet when filled is sent to the Registry of Motor Vehicles.

4. **LOST CITATIONS:** Officers shall document in writing when a citation is lost. This written document shall be sent through their chain of command to the Deputy Superintendent – Traffic Division
5. **AMENDMENTS TO CITATIONS:** The court prosecutor shall process amendments to citations or dismissal of charges.
6. **SUBMITTING CITATIONS:** All hard copy citations shall be submitted to the Traffic Division upon the completion of the officer's shift. Officers shall submit hard copy citations temporarily in the locked citation box located in the guard room. Hard copy citations shall be removed from this location by the Traffic/Records Division where they will process the hard copy citations by scanning them into Laserfiche for permanent storage. Department copies of the hard copy citations shall be shredded after being processed. Remaining copies shall be sent to the Registry of Motor Vehicles.

Q. ACCOUNTABILITY OF ELECTRONIC CITATIONS:

1. Electronic citations are the preferred method of issuing citations. Paper citations are only to be used when there is no ability to issue an e-citation.
2. **Issuance:** Electronic citations are issued from the Motor Vehicle Automated Citation and Crash System (MACCS), provided by the Executive Office of Public Safety. Citation numbers are issued to officers automatically in the MACCS system.
3. **Audit:** Electronic citations should have an annual audit from MACCS by the Special Services Lieutenant or as needed by operational demand.

R. VOIDANCE OF CITATIONS:

1. **Hard Copy Citation Voiding:** If an error is made while writing a hard copy citation, or if a citation becomes accidentally damaged, it may be administratively voided by the Deputy Superintendent – Traffic Division. The issuing officer shall provide a full explanation in writing via email before the end of their shift to their first-line supervisor for review. The supervisor, if satisfied with the written explanation, shall forward the information via email to the Deputy Superintendent -Traffic Division. If approved, the hard copy citation will be voided and recorded. The emails shall be kept on file and shall constitute the record of justification for the citation voidance. The Department shall retain the emails to comply with records retention obligations.
2. **Electronic Citation Voiding:** If an error is made in the issuance of an eCitation, it may only be administratively voided by the Deputy Superintendent -Traffic Division. The issuing officer shall provide a full

explanation in writing via email before the end of their shift to their first-line supervisor for review. The supervisor, if satisfied with the written explanation, shall forward the information via email to the Deputy Superintendent -Traffic Division. If approved, the eCitation will be electronically voided in the Motor Vehicle Automated Citation and Crash System (MACCS). The emails shall be kept on file and shall constitute the record of justification for the citation avoidance. The Department shall retain the emails to comply with records retention obligations.

- S. INTERFERING WITH THE CITATION PROCESS:** The State Ethics Commission has ruled that requests by police officers for “consideration” or “dismissal” of traffic citations based on the violator’s personal connection with a police officer violate the conflict-of-interest law.

The Commission has addressed what they believe is a widespread practice of police departments’ arranging for the dismissal of traffic citations as an accommodation to fellow police officers.

The State Ethics Commission has ruled that ticket fixing is an unwarranted privilege that violates Mass. Gen. Law, Chap. 268A, Sec. 23, the Conflict Law. They have stated “The ability of a police officer to seek special treatment for somebody because of that person’s relationship to a police officer is the kind of conduct that offends and troubles people. It demonstrates that there is one standard for the public, but a different standard for those with private connections to the police. In the area of law enforcement, the standards must be clear and be administered in an evenhanded way.”

Section 23 of the conflict law prohibits public employees from using their official position to secure substantial privileges for themselves or anyone else, and also prohibits employees from acting in a manner that would cause an objective observer to conclude they would act biased in their official capacity.

Members of this department are hereby informed that this activity is unlawful.

II. TRAFFIC CRASH INVESTIGATIONS:

- A. CRASHES REQUIRING POLICE RESPONSE, INVESTIGATION, AND REPORTS:** Some reports will require more detailed investigation. The following types of crashes shall require investigative police response and reporting measures to be completed:

1. All those involving death or personal injury.
2. All hit and run crashes which involve personal injury, and those hit and run property damage crashes where investigative techniques can be applied.

3. Those involving operator impairment due to alcohol or drugs.
4. Those involving any vehicle carrying materials, which could ordinarily be considered hazardous or dangerous (i.e., vehicles carrying toxic liquid or gaseous material, gasoline, or other combustible products).
5. Those which appear to have been caused by a flagrant moving violation on the part of one or more of the operators, or by defective equipment on or in a vehicle, or by any other circumstances which impeded the safe operation of a vehicle.
6. Those that appear to have been caused by the incompetence of an operator.
7. Those involving Town property or Town owned vehicles.

B. DUTIES OF THE FIRST OFFICER ON THE SCENE - MOTOR VEHICLE CRASHS:

1. **ON ARRIVAL:** The first officer arriving on the scene shall be attentive to the following:
 - a. Determine the extent of injuries, if any, and treat the most serious until assistance arrives.
 - b. If necessary, request assistance of other patrol units, emergency medical personnel, and the fire department.
 - c. Determine what traffic direction and control is needed and communicate those needs to the dispatch center and responding units. Responding units will take control of vehicular and pedestrian movement ensure scene safety.
 - c. In the event of hazardous material incidents, officers shall isolate the hazard area and evacuate nonessential personnel. The officers shall then be responsible for preliminary hazard identification (spill, leak, fire) and identification of vehicle and container placards, until the arrival of the fire department
 - d. Officers will arrange for the removal of damaged vehicles from the roadway, when it will not impede or interfere with the investigation (such as cases when the Crash Reconstruction Officer is assigned). When officers are required to handle crash victims' personal property (such as for identification purposes), they shall do so, whenever possible, in the presence of witnesses, who shall

be identified in the officers' report. If property is to be held, it shall be turned into the property officer with a full report.

- e. The assigned investigating officer shall be in charge of the scene unless relieved, and shall conduct a thorough investigation of the crash by interviewing operators, passengers, and/or any witnesses. When appropriate, they shall contact a Traffic Investigator. **The Traffic Supervisor shall be called in all cases involving: fatalities; serious personal injury which may result in death; or, if in the opinion of the officer on scene, the expertise of a Traffic Supervisor is necessary.** The patrol supervisor on the scene shall make this decision.

In all cases of serious crashes, a patrol supervisor shall be assigned to the scene and shall take charge until the Traffic Supervisor arrives on site.

- f. In cases where the ambulance service has transported an injured person to the hospital, or to a facility other than the hospital, the officer will respond to the hospital when a statement is needed from an injured party.
- g. Take measurements, photographs, etc., in an attempt to determine cause or fault.
- h. File a complete report upon completion of the investigation. In addition to above-mentioned situations, this department shall also assign officers to respond to traffic crashes involving any of the following circumstances:

C. OTHER CRASH CIRCUMSTANCES REQUIRING A RESPONSE: In addition to above-mentioned situations, this department shall also assign officers to respond to traffic crashes involving any of the following circumstances:

1. Damage to Town owned vehicles or property.
2. Disturbances between principals.
3. Major traffic congestion because of the crash.
4. Damage to any vehicle that requires it to be towed.
5. When any person advises the station via telephone or other means that an crash has occurred at a certain location.

D. CRASH REPORTING: DATA AND CRASH FORM USE:

1. **CRASH DATA:** Provides information to both the Traffic Division and Patrol Division Commanders, which will allow them to utilize enforcement procedures for the purpose of reducing crashes within the community. The information should be based on crash data by:

- a. Location;
- b. Time and violation factors;
- c. Fluctuations caused by seasonal variations that result in increases or decreases in traffic volume;
- d. Injuries.

2. **CRASH INVESTIGATION FORM:** Whenever an officer investigates a crash in which there is personal injury and/or property damage in excess of one thousand dollars to any one vehicle, or any other property damage in excess of one thousand dollars, the officer shall be required to complete a "Commonwealth of Massachusetts Motor Vehicle Crash Report."

When an officer is in doubt as to the extent of property damage or the possibility of injury, the Commonwealth form shall also be used. If a crash is minor in nature and no further information will be needed at a later date, officers may so advise the Dispatcher in lieu of a written report.

3. **SUPPLEMENTAL REPORT FORM:** A supplemental report form shall be attached when appropriate (when the officer feels it is necessary to further explain actions taken).

4. **STATE ROADS, MBTA PROPERTY:** When an officer is assigned to a crash on a state road or MBTA property and the State or MBTA Police have begun an investigation, the officer shall assist them as needed. A supplemental report shall be submitted if any action is taken stating the extent of assistance rendered and the following information:

- a. Location of crash.
- b. Name of State Police or other agency officer investigating.
- c. Registration of vehicles involved.

If no Brookline Police action is taken and the State or MBTA Police investigated, the dispatcher shall record this information in the CAD System:

- a. Location of crash.
- b. Registration of vehicles involved.

E. RECORDING AT-SCENE INFORMATION: As soon as reasonably possible under the circumstances, a preliminary investigation shall be conducted and the following actions taken:

1. Interview principals and witnesses.
2. Examine and Record Vehicle damage.
3. Examine and Record effects of crash on the roadway.
4. Take Measurements, as appropriate.
5. Take Photographs, as appropriate.
6. Collect and preserve evidence.
7. Collect and record operator and vehicle information for report and exchange among principals.
8. Complete a Brookline Police Incident Report and a Registry of Motor Vehicles Crash Report.

F. FOLLOW-UP CRASH INVESTIGATION: The department shall perform follow-up traffic crash investigation services in support of on-going or anticipated criminal prosecution whenever necessary. The discretionary authority of a patrol supervisor generally activates the use of this type of investigation.

1. When warranted, this follow-up information should include, but not be limited to:
 - a. Collecting off-scene data.
 - b. Obtaining/recording formal statements from witnesses and suspects.
 - c. Reconstructing crashes.
 - d. Preparing formal reports to support criminal charges arising from the crash.
2. Expert and Technical Assistance:
 - a. The department maintains a number of officers who receive special training in follow-up crash investigation techniques. Members of

the unit shall be assigned to carry out follow-up investigations when necessary and appropriate.

b. CRASH RECONSTRUCTION: The Traffic Crash Investigator shall:

- i. Be able to compute speed from skid marks and vehicle crash damage.
- ii. Establish positions of vehicles and pedestrians.
- iii. Determine which occupant was driving.
- iv. Determine how road, driver, and vehicle conditions contributed to the crash.
- v. Compute energy losses and momentum exchanges in stopping vehicles.
- vi. Analyze movements of vehicles and bodies in collisions.

c. From time to time, follow-up crash investigations may require special skills and technical assistance beyond that available from department personnel. When necessary, the Department shall utilize outside expert and technical assistance (i.e., photographers, surveyors, mechanics, physicians, and crash team specialists). The Traffic Supervisor overseeing an investigation shall make the decision when to seek assistance from an outside crime scene specialist.

G. HIT AND RUN INVESTIGATION: The objective of a hit and run investigation is to determine responsibility for the collision and to identify both the offender and the vehicle involved. This is often a difficult task because the very elements of the crime include flight from the scene. Hit and run crashes may involve property, persons, or both. As the circumstances are more serious when a human life is involved, these procedures are primarily directed at hit and run investigations involving persons.

DEFINITION: Hit and Run - Elements: The defendant goes away having operated a motor vehicle upon any way, or in any place to which the public has a right of access, or any place to which members of the public have access as invitee or licensee, after knowingly colliding with, or otherwise causing, injury to any person, or injury to any other vehicle or property, without stopping and making known his or her name, residence, and the registration number of his or her motor vehicle.

1. **ON-SCENE DUTIES:** Shall be in accordance with Section 2B of this Chapter, "Duties of first officer on scene of motor vehicle crashes." In addition to this, officers shall also:
 - a. Obtain the best possible description of the operator and the vehicle from the victim and available witnesses. The following information about the vehicle is important:
 - i. Make.
 - ii. Model.
 - iii. Year.
 - iv. Color.
 - v. Extent and location of damage.
 - vi. License plates (including partial numbers or letters).
 - vii. Unusual markings or equipment (including school, fraternal, or organizational signs or stickers).
 - viii. Direction of travel before and after collision.
 - ix. Number of passengers, if any, and their descriptions.
 - b. Descriptive information shall immediately be communicated to the dispatcher.
 - c. Officers shall search the area around the scene of the crash, the automobile or other property which was struck, and the clothing of any victim for physical evidence including:
 - i. Personal property left behind by the offender.
 - ii. Glass fragments or paint chips; in the event a pedestrian is struck and injured, officers should meet the ambulance at the hospital, if possible, to secure any such evidence which may have dislodged from the victim's clothing during transport. Also, hospital personnel should be requested to give the victim's clothing and any associated paint chips or glass fragments to the officer.
 - iii. Pieces of chrome or grillwork.
 - iv. Hub caps.
 - v. Tire marks.
 - vi. Oil, gas, or water marks leading away from the scene.
 - vii. Mud or dirt dislodged on impact.
 - d. Photographs and measurements shall be taken at the scene when required.
 - e. Officers shall examine the person and clothing of the victim. Particularly important are traces of paint or parts of the vehicle. If necessary, any officer may take and preserve articles of clothing or

other samples of evidence, such as hair, blood, etc. Outer clothing should be examined for indentations left by impact points of the suspect auto, as these may serve to identify the vehicle. If such indentations exist, the clothing should be carefully preserved to prevent their obliteration.

- f.** Officers should be observant for persons at the scene who are behaving in a suspicious manner.
- g.** Where appropriate, officers should conduct a door-to-door canvas of residences and businesses in the vicinity of the hit and run scene. Often persons who did witness some aspect of the incident are reluctant to come forward and must be sought.
- h.** A preliminary search for the suspect car and driver shall be conducted as soon as possible. Because of the great distance a fleeing vehicle can travel even in a short time, all police on patrol, the State Police, and neighboring police departments should be notified and given as complete a description as is available, also utilizing the BAPERN NETWORK. If an investigating officer feels this crash could result in a motor vehicle homicide charge, or if the victim is in critical condition, the Commanding Officer – Platoon on Duty shall be notified, and they shall notify the Commanding Officer – Traffic Division, who will make the decision if a Traffic Investigator should be called. A decision will also be made to possibly contact the District Attorney's office and enlist their aid in locating the suspect vehicle and operator.

2. HIT AND RUN-FOLLOW UP INVESTIGATION:

- a.** In-depth or follow-up investigation shall be conducted upon the direction of proper authority, either by the investigating officer, Traffic Division, or other individual assigned.
- b.** The follow-up investigation, if any, shall include the following types of activity:
 - i. Checks and records of stolen cars
 - ii. Communication of information relative to the description of the offender and vehicle to other members of the department, to police departments in surrounding communities, and the State Police
 - iii. A second search of the crash scene covering a wider area
 - iv. Repeated visits to and surveillance of the scene at the same time of day that the crash occurred

- v. Visits to garages, auto parts dealers, auto glass dealers, car dealers, auto body repair shops, car wash facilities, etc.
- c. If the vehicle involved is located, it shall be impounded and carefully examined.
 - i. Dents and body damage should be measured as to width, depth, and pattern, taking photographs if possible.
 - ii. Obtain samples of paint chips, broken glass, pieces of clothing, dirt, evidence of blood, hair, flesh, etc.
 - iii. Inspect the interior for personal articles, which may identify the offender.
 - iv. Observe and note any signs of recent repair or any broken or missing parts.

NOTE: The above steps must be taken in accordance with the departmental policy and procedure regarding search and seizure. In the event a search warrant is sought, the vehicle should be kept under surveillance until a warrant is obtained.

The identity of any persons attempting to enter the vehicle or to destroy evidence should be established.

- d. If the operator of the suspect vehicle is located, they should be questioned promptly. If applicable, the Miranda procedures must be followed. Prompt interrogation of the suspect driver is important. For example, if they cannot provide an alibi or if they provide an alibi that is later discredited, these will be critical factors contributing to a successful prosecution.
- e. In conducting a hit and run investigation, it should be noted that a hit and run driver is not necessarily the operator responsible for the crash, but they may be fleeing from the scene of a crime, there may be a warrant for their arrest, they may be intoxicated, they may not have a valid driver's license, or their license may be revoked. It is also not unusual for a hit and run driver to abandon his or her vehicle as soon as possible and then report it to the police station as stolen in order to escape their responsibility for the crash.
- f. A full and complete report shall be made of the crash and the particulars of any follow-up investigation in accordance with departmental procedures.

III. SUSPECTED DRIVER INCOMPETENCE: Routine enforcement, crash reporting, and investigation activities frequently lead to the discovery of drivers who have suspected incompetencies. These incompetencies might prevent the person from exercising

reasonable and ordinary care over a motor vehicle. In addition to reports concerning the original incident, it is incumbent upon the officer to notify the Registry of Motor Vehicles regarding the removal of that person from the roadway. The officer through the Traffic Division shall achieve this in report form.

IV. DRIVERS THAT POSE AN IMMEDIATE THREAT TO THE PUBLIC: The Registry of Motor Vehicles stands ready to quickly suspend and revoke the license of bad drivers for bad driving behavior that constitutes an immediate threat to the driving public.

Aggressive driving constitutes bad driving behavior. It is defined as operating a motor vehicle in an offensive manner, which is likely to endanger, threaten or otherwise intimidate other operators by engaging in any series of violations. These violations include:

A. Chapter 85-2 State D.P.W. Rules (Regulations & By-Laws):

1. Chapter 85-2 Weaving (from lane to lane).
2. Chapter 85-2 Following Too Close (tailgating).
3. Chapter 85-2 Failing to use caution in stopping turning, starting (e.g.; cutting someone off).
4. Chapter 85-2 Failing to obey traffic markings & signs (lane markings & regulatory signs).
5. Chapter 85-2 Failure to yield at intersections.

B. Chapter 89 Rules of the Road

1. Chapter 89-2 Improper Passing (passing on right).
2. Chapter 89-4A Lane violation (failing to be in marked land).
3. Chapter 89-4B Operating in breakdown lane.
4. Chapter 89-8 Right of Way at intersection and turns at red lights.
5. Chapter 89-9 Failure to stop & yield at intersection and designated throughways.

C. Chapter 90 Motor Vehicle Laws:

1. Chapter 90-14B Failure to give signal.
2. Chapter 90-16 Offensive or illegal operation (unnecessary use of a warning device, e.g.; horn).
3. Chapter 90-18 Speed (above posted speed limits).

D. Documenting “Aggressive Driving:” Officers should note the violations and any other pertinent characteristics associated with aggressive driving behavior so as to better fully substantiate the charge. A report should be submitted to the Traffic Division outlining the incident. After review, the Deputy Superintendent/ Traffic division or their designee will determine if the incident as outlined constitutes an immediate threat. The Deputy Superintendent or their designee will then submit the immediate threat request to the Registry of Motor Vehicles for action.

All officers are encouraged to fully assess each situation when deciding to file an Immediate Threat Form so as not to indiscriminately penalize the motoring public. This procedure is simply an additional tool designed to correct poor driving behavior before leading to more potentially serious incidents.

To facilitate this process, when officers determine that circumstances warrant immediate action, a "Request for Immediate Threat License Suspension Form" (Commonwealth of Massachusetts Form) will be filled out and submitted to the Captain of the Traffic Division for their signature.

The Traffic Division will then forward the "Request Form" to the Registry of Motor Vehicles.

In all cases, a copy of the officer's report shall be attached to the "Request Form."

V. HAZARDOUS ROADWAY OR ENVIRONMENTAL CONDITION: Upon discovery of a hazardous roadway or environmental condition, which sometimes are related, the officer shall notify the station and request that the appropriate agency be contacted.

A. HAZARD IDENTIFICATION: When a hazard is identified and, in the officer's opinion, such hazard requires immediate correction (such as a fallen tree or electrical wires across any part of the traveled portion of the roadway), they shall inform the Dispatcher of the situation. They will identify assistance or special equipment needed, if possible, or describe the situation if not able to do so. The officer will protect bystanders, the scene, direct traffic, and/or take any action necessary to correct the situation.

B. HAZARD DETECTION: When a hazard is detected that represents a potential crash situation but the threat of such is not immediate, the officer shall submit an interdepartmental noting the hazard prior to the end of their shift. (This report shall be made available to the proper agency responsible).

VI. TRAFFIC CONTROL: The department shall perform traffic direction and control functions to ensure the safe and efficient movement of vehicles and pedestrians, when necessary, which will include crash scenes.

A. HIGH VISIBILITY CLOTHING:

1. All employees, full time, part time, sworn and non-sworn, are to wear high-visibility retroreflective outerwear in accordance with the Brookline Police Department Uniform policy when assigned to perform manual traffic direction and control functions. Any high-visibility retroreflective vest or clothing used by department employees will meet or exceed ANSI / ISEA 107-2020 requirements. All employees shall wear such high-visibility outerwear, in addition to the full prescribed uniform, whenever conducting manual traffic direction and control.

2. Personnel conducting unscheduled manual traffic direction and control in response to unforeseen contingencies, such as foul weather, will wear high-visibility retroreflective outerwear, provided that conditions make it practical to wear the high-visibility outerwear before initiating manual traffic direction and control.

B. POINT TRAFFIC CONTROL DEFINITION: The control of vehicular and pedestrian movement in a particular place on a roadway, such as an intersection.

C. MANUAL DIRECTION OF TRAFFIC – TRAFFIC POSTS:

1. Times and locations identified as requiring point traffic control will be analyzed to determine whether manual direction of traffic is necessary.
2. Factors to be considered in the analysis will include, but not necessarily be limited to:
 - a. Traffic volume and speed.
 - b. Number of pedestrians present.
 - c. Duration of congestion period.
 - d. Presence and types of traffic control devices.
 - e. Special circumstances of the location (e.g., handicapped pedestrians) and other pertinent factors.
3. The decision to assign personnel to carry out traffic direction and control will be made only if the analysis indicates that unmanned signals/devices cannot adequately ensure the safe and efficient movement of traffic.

D. MANUAL OPERATION OF TRAFFIC CONTROL DEVICES:

1. On occasion, officers must manually operate traffic control signal lights, normally to direct traffic flow, attempt to recycle a signal light, or to place the signal lights on flash or blink. Some intersections in the Town have manual control devices located in the service box, and if an officer can gain entrance, they shall manually control traffic control devices only in the following situations:
 - a. When traffic light malfunctions.
 - b. To facilitate movement at traffic crash or other emergencies.

- c. To provide a thoroughfare for a motorcade, funeral procession, etc.
 - d. To alleviate congestion resulting from use of automatic controls, particularly during planned special events.
- 2. Any officer who is not familiar with the manual operation of traffic controls shall be trained by a responsible officer regarding their use before using manual traffic controls.

E. TEMPORARY TRAFFIC CONTROL DEVICES:

- 1. The department will have use of temporary traffic control devices, including movable barriers, portable signs, and other apparatus intended for temporary deployment, to assist the safe and efficient movement and control of vehicular and pedestrian traffic.
- 2. These temporary control devices shall be deployed in support of traffic direction and control activities only with specific prior approval of supervisory personnel. As soon as practical following termination of the need for the temporary traffic control device, the supervisor authorizing deployment of the device will see to its removal. The department shall not use portable or part-time stop signs as temporary traffic control devices except in an emergency.

F. TRAFFIC CONTROL AT FIRE SCENES AND OTHER CRITICAL INCIDENTS: The department shall continue to work closely with the fire department and other emergency services organizations in order to maintain access and egress at fire scenes by emergency vehicles. Officers responding to fire scenes will adhere to the following procedures:

- 1. **Officers are to be certain not to park cruisers in a manner that will hamper fire department operations.**
- 2. No vehicles will be allowed to drive into the block where fire apparatus is parked and operating.
- 3. No vehicle will be allowed to cross fire hoses without the approval of the fire department's officer in charge.
- 4. Vehicles, which are parked, which interfere with fire operations may be towed as needed.
- 5. Applicable laws which may apply include, but are not limited to:
 - a. Mass. Gen. Law, Chap. 89, Sec. 7A, 7B.

- b. Mass. Gen. Law, Chap. 268, Sec. 32, 32A.

G. TRAFFIC CONTROL DURING ADVERSE ROAD AND WEATHER CONDITIONS:

1. Adverse weather or road conditions include, but are not limited to:
 - a. Crash hazards, such as debris that has fallen onto the roadway. Examples: debris from another motor vehicle, power lines, trees, etc.
 - b. Acts of nature, such as fog, ice, snow, etc.
 - c. Engineering hazards, such as exposed guardrail end, potholes, drain covers missing, or other objects that may cause unnecessary additional damage or injury should a vehicle, for any reason, impact upon the object.
2. The Dispatcher shall notify the public works, and fire department of the adverse road condition(s) that will affect the response of emergency vehicles and/or the motoring public, as appropriate.
3. The Patrol Supervisor may close a street if, in their opinion, the surface conditions and terrain create an unusually hazardous condition. They shall also request assistance from the Department of Public Works.
4. The Patrol Supervisor shall ensure the proper utility company or construction company is also notified, and assigns officers as needed to direct traffic and safeguard the public.

H. MANUAL TRAFFIC DIRECTION: Officers while carrying out manual traffic direction and control shall at all times give due consideration to their own safety and the safety of the public. Personnel shall employ uniform procedures (signals, gestures, etc.) to enhance driver and pedestrian recognition and response to their direction as follows:

1. When an officer is directing traffic, it is necessary that the people using the roadway know that the officer is there for that purpose, and that the officer knows and utilizes standardized, appropriate gestures and audible signals to stop, start, and turn traffic.
2. To indicate that the officer is present for the purpose of directing traffic, they should:

- a. Turn the signal light (if there is one) to blinking or flashing.
- b. Position themselves so that they can be seen clearly by all, usually in the center of the intersection or street.
- c. Allow their hands and arms to hang easily at their sides except when gesturing.
- d. Stand facing or with their back to traffic, which they have stopped, and with their sides to traffic they have directed to move.

3. HOW TO STOP ONCOMING TRAFFIC:

- a. To stop traffic, the officer should first extend his or her arm and index finger toward and look directly at the person to be stopped until that person is aware, or it can be reasonably assumed that they are aware, of the officer's gesture.
- b. The pointing hand is raised at the wrist so that its palm is toward the person to be stopped, and the palm is held in this position until the person is observed to stop. To stop traffic from both ways on a two-way street, the procedure is then repeated for traffic coming from the other direction while continuing to maintain the raised arm and palm toward the traffic previously stopped.

4. HOW TO START TRAFFIC:

- a. The officer should first stand with shoulder and side toward the traffic to be started, extend their arm and index finger toward and look directly at the person to be started until that person is aware, or it can be reasonably assumed that they are aware, of the officer's gesture.
- b. With the palm up, the pointing arm is swung from the elbow only through a vertical semi-circle until the hand is adjacent to the chin. If necessary, this gesture is repeated until the traffic begins to move. To start traffic from both directions on a two-way street, the procedure is then repeated for traffic coming from the other direction.

5. RIGHT TURN MOVEMENT:

- a. If the driver is approaching from the officer's right side, their extended right arm and index finger and gaze are first directed toward the driver, followed 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, either the same procedure may be followed utilizing the left arm extended, or the extended left forearm may be raised to a vertical position from the elbow while closing the fingers so that the remaining extended thumb points in the direction of the driver's intended turn.

6. LEFT TURN MOVEMENT:

- a.** Left turning drivers should not be directed to affect their movement while the officer is also directing oncoming traffic to proceed. Therefore, the officer should either direct opposing vehicles to start while avoiding left turn gestures directed at turning drivers, which will lead them to complete their turn only when there is a gap in the oncoming traffic, or to stop or hold oncoming drivers, after which the left turning driver can be directed into his or her turn. The officer's right side and arm should be toward the oncoming traffic, and the left side and arm should be toward the left turning driver. After stopping oncoming traffic by using the right arm and hand, the right hand should remain in the halt position, then the extended left arm and index finger and officer's gaze is directed toward the driver who intends to affect a left turn. When the left turning driver's attention has been gained, the extended left arm and index finger are swinging to point in the direction the driver intends to go.
 - b.** Street width permitting, in order to clear the lane occupied by a driver who intends to make a left turn but cannot because of oncoming traffic, they can be directed into the intersection and stopped adjacent to the officer's position until the left turn can be safely completed. The driver should be directed into the intersection by pointing toward them with the extended arm and index finger, which is then swung to point at the position at which the officer wishes the driver to stop and wait for clearing traffic. In the alternative, the driver may be directed to move with one arm and hand gesture while the other arm and hand are utilized to point to the position at which the driver is to stop. After the driver is positioned within the intersection, the officer may either halt oncoming traffic and direct the completion of the turn or permit the driver to affect the turn during a natural break in the oncoming traffic.

7. SIGNALING AIDS:

- a.** The **whistle** is used to get the attention of the drivers and pedestrians. It is used as follows:

- i. One long blast with a STOP signal.
 - ii. Two short blasts with the GO signal.
 - iii. Several short blasts to get the attention of a driver or pedestrian who does not respond to given signal.
 - iv. The whistle should be used judiciously. It should not be used to indicate frustration, and the volume should be just sufficient to be heard by those whose attention is required. Therefore, whistle blasts directed at pedestrians should be moderate in volume. The whistle should be used only to indicate stop, go, or to gain attention, and when its purpose had been achieved, the officer should cease sounding the whistle. If the whistle is utilized continuously, it ceases to hold meaning for drivers and pedestrians.
- b. The voice is seldom used in directing traffic. Arm gestures and the whistle are usually sufficient. There are numerous reasons why verbal commands are not used. Verbal orders are not easy to give or understand and often lead to misinterpretations, which are dangerous. An order, which is shouted, can antagonize the motorist. Occasionally a driver or pedestrian will not understand the officer's directions. When this happens, the officer should move reasonably close to the person and politely and briefly explain his or her directions. No officer should exhibit loss of temper by shouting or otherwise indicate antagonism toward those who do not understand or who do not wish to obey the officer's direction

VII. PARKING CONTROL: Parking regulations shall be enforced with reasonableness and impartiality in all areas of the town.

- A. Parking control activities are essential to the safe and efficient movement of vehicles.
- B. The Brookline Transportation Board is responsible for implementing the parking control regulations.

VIII. PARKING ENFORCEMENT:

- A. **ENFORCEMENT:** Officers must be aware of the parking problems within the Town of Brookline. All during the year, enforcement efforts are directed at educating the public where overnight parking is not permitted, this allows ample room for snow plowing, necessary to ensure safe passage of fire, ambulance, and

police vehicles. Officers should also direct their attention to violations, which are hazardous to the public welfare such as:

1. Wrong direction parking.
2. Within ten (10) feet of a hydrant.
3. Double parking.
4. Parking on crosswalk.
5. HP Placard violations and/or Misuse of HP designated parking spaces.

- B. ON STREET PARKING PERMISSION:** The “On Street Parking Permission” will be utilized on an "as needed" basis or of a medical emergency. If continual requests are received for the same location, the Commanding Officer – Traffic Division or designee shall investigate the request to determine if the request is justified.

IX. ESCORTS:

- A.** The department shall recognize 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 Captain of the Traffic Division or their designee shall review and approve all requests for escorts or relay.
- B.** Officers shall not initiate emergency escorts without first obtaining permission from the Patrol Supervisor.
- C.** Requests that may be obliged may include, but are not limited to, the following:
1. Funerals.
 2. Motorcades.
 3. Public officials and dignitaries.
 4. Oversized vehicles.
 5. Roadway construction and maintenance vehicles.
 6. Hazardous or unusual cargo.
- D.** Emergency vehicles, particularly ambulances, shall not be escorted by officers, except under specific circumstances. Example: Escort an emergency vehicle from the town limits to a hospital when the driver of the emergency vehicle is not familiar with the location of the hospital.

Exceptions will be approved by the Patrol Supervisor.

E. Officers shall not escort civilian vehicles except in unusual medical emergencies.

1. The driver of a civilian vehicle requesting an escort should be directed to proceed to the emergency medical facility at normal speed in compliance with all traffic regulations.
2. If, in the officer's opinion, delay or transfer would jeopardize the patient's life, the officer may, with the approval of the Patrol Supervisor, escort to the nearest medical facility. During this escort, all emergency equipment (lights and siren) shall be utilized. Motor vehicle laws outlined in Mass. Gen. Law, Chap. 89, Sec. 7, 7A, & 7B, shall be complied with.

F. Officers shall not escort funerals without permission of the Deputy Superintendent/Traffic Division. Directing traffic at funeral processions at strategic locations is of greater assistance and will be performed by officers when necessary, and shall be done in accordance with current motor vehicle laws.

X. SCHOOL TRAFFIC POSTS: School Crossing Guards, School Traffic Supervisors, and designated Parking Control Officers while working in the capacity of an STS, are responsible for directing traffic at assigned crossings to protect school children and to provide for the orderly movement of traffic. School Crossing Guards, School Traffic Supervisors, and Parking Control Officers do not have arrest powers or authority to issue motor vehicle citations. They are assigned to control pedestrian and vehicular traffic at fixed posts determined to be necessary by the Deputy Superintendent- Traffic Division.

A. LOCATIONS: Crossing Guards and School Traffic Supervisors will be placed at street crossings based upon determination by the Deputy Superintendent- Traffic Division. Deputy Superintendent- Traffic Division seek input on this issue from their Sergeants, who will use such factors including but not limited to: volume and speed of traffic, numbers and ages of students crossing street, location, visibility, and site crash history.

The School Superintendent or designee and the Deputy Superintendent- Traffic Division or designee will review the school crossing sites annually to determine if a crossing guard is needed.

B. GENERAL DUTIES AND RESPONSIBILITIES: It is the duty and responsibility of the School Crossing Guards and School Traffic Supervisors to:

1. Perform their assigned duties under the direct supervision and control of the Commanding Officer of the Traffic Division or their authorized representative, and obey all reasonable commands and order in the performance of their duty.

2. Insure that children use the proper crossing locations and that no children are in the streets while traffic is moving.
3. Shall have as their principal duty, the protection of children going to and from school and shall permit nothing else to interfere with this function.
4. Shall submit to their Commanding Officer a report of all traffic violations and serious traffic hazards noted while on duty.
5. Wear appropriate safety equipment when directing traffic. Department-approved gloves or mittens and an outer garment of reflective material is always required when on duty.
6. Shall wear such uniforms and insignia, and be provided with such equipment as the Chief shall prescribe.
7. Uniforms and equipment will be furnished but will remain the property of the Town of Brookline, to be surrendered upon resignation or termination of appointment;
8. Uniforms shall be given all reasonable care, shall be worn while on duty and shall not be worn at any other time.
9. School Traffic Supervisors are to have high-visibility outerwear in accordance with their policy. All School Traffic Supervisors shall wear such high-visibility outerwear, in addition to the full prescribed uniform, whenever conducting manual traffic direction and control.
10. Shall report directly to their school traffic post for each tour of duty at the assigned times and shall not leave such post until all school children have been safely cared for.
11. If unable to report for duty because of illness or other sufficient reason, they shall notify the Officer-in-Charge of the station not later than 7:00 A.M.
12. Shall report back from sick leave at least one hour before their next assignment.
13. Shall ascertain the location of the fire alarm box and telephone nearest to their post and in the event of an crash or other emergency shall notify the Officer-in-Charge of the station immediately.
14. Shall never, in the performance of duties, place their hands on a student or any other person at any time except in the event of an crash or similar emergency.
15. Shall render the same care and attention to students attending other than elementary grades, as given to children in the elementary grades.

16. Shall transmit all complaints, in writing, received while on duty to their Commanding Officer for proper disposition.
17. Shall present directly to the school principal concerned, any violations by children of their safety rules observed while on duty, and shall make a report of such violations to their Commanding Officer.
18. Shall perform all such other duties as are assigned to them by their Commanding Officer or the Chief of Police.

XI. REQUEST FOR SERVICE VEHICLES: The public, when utilizing public roadways, may encounter mechanical or other difficulties requiring assistance from the police. When police request assistance, notify dispatcher of:

A. TYPE OF SERVICE NEEDED:

1. Tow trucks.
2. Traffic conditions.
3. Road repair/service.

B. GIVE LOCATION THAT SERVICE IS TO BE DISPATCHED TO:
Officers shall give street name and number.

C. REASON FOR REQUEST:

EXAMPLE:

1. **TOW** - Type of car, problem, whether hook or flatbed is needed.
2. **AMBULANCE** - Medical problem requiring attention so that proper life support units can be assigned.
3. **ROAD REPAIR/SERVICE** - Whether it is a flat tire, out of gas, fan belt, etc.

D. STRANDED MOTORISTS: The overall danger to the stranded motorist can also be a potentially dangerous condition. The department shall offer reasonable assistance at all hours of the day.

E. OBTAINING ASSISTANCE ON ROADWAYS/ROADS/ETC:

1. **FIRE SERVICE ASSISTANCE:** When a call for a fire is received, the dispatcher will notify the Fire Department immediately. Officers

dispatched shall notify the dispatcher immediately upon arrival at the scene of the fire of:

- a.** Location, including street and number.
- b.** Type of vehicle involved; for example, car, bus, truck, van, etc.
- c.** Status of fire; for example, fully involved, passenger compartment fire, engine fire, etc.