



CHATHAM COUNTY POLICE DEPARTMENT

STANDARD OPERATING PROCEDURES

SOP # OPS-005:

EFFECTIVE: 02/01/18

TRAFFIC ENFORCMENT

REVISION: 05/02/22

PURPOSE

To establish guidelines for the administration of all traffic related activities and establish the proper procedure for taking enforcement action applicable to traffic law violations within the unincorporated Chatham County. The goal of the Chatham County Police Department (CCPD) is to prevent crashes and facilitate the smooth and efficient movement of traffic.

POLICY

It is the policy of the Chatham County Police Department (CCPD) to enforce all applicable laws relating to the movement of motor vehicles, bicycles, and pedestrians. Officers will enforce traffic laws fairly and with an impartial approach to achieve voluntary compliance.

PROCEDURE

I. TRAFFIC OPERATION

- A. Data: All pertinent data pertaining to traffic collisions, DUI enforcement, and citations will be retained in the department's records management system Synergistic Software Inc. (SSI).
- B. Reports: Prior to February 1st the Field Operations Commander or designee, will prepare an enforcement/accident data report and review spanning the previous calendar year. The report will include the following information:
 1. An evaluation and review of the following accident causation factors; location (identifying top ten accident intersections), day of week (highest frequency), time of day (highest frequency), violation leading to accident, and injuries.
 2. A review of traffic enforcement activities data.
 3. A comparison of collision data and enforcement activities data,
- C. All reports completed regarding traffic accidents will be distributed department wide.
- D. Personnel Deployment - The deployment of personnel will be based on an review of traffic accidents, traffic related complaints, and traffic related calls for service.

II. TRAFFIC LAW ENFORCEMENT ACTIONS

- A. Enforcement action is necessary whenever an Officer observes a serious or overt traffic violation a moving or non-moving violation, or a violation which places others in immediate or near danger.
- B. Traffic violations of a routine nature will not be the subject of enforcement action by off duty personnel. Only those violations which pose an immediate threat to the safety of the public, in which an "on duty" Officer cannot be summoned, shall be authorized for off duty stopping/enforcement.
- C. Officers responding to a previously dispatched call for service will balance the seriousness of the traffic violation against the urgency of the call for service to which he is responding.
- D. Officers shall use discretion about the type of enforcement action to take for traffic violations. When deciding the level of enforcement action to take, the type and severity of the violation committed shall be considered. There are three general levels of enforcement action available to Officers:
 1. **Warning** - Warnings may be either verbal or written. Warnings may be given for minor traffic infractions when the Officer feels the warning is sufficient to correct the violation.
 2. **Citation** – Uniform Traffic Citations (UTC) will be issued to violators who jeopardize the safe and efficient flow of vehicular and pedestrian traffic including hazardous moving violations and operating unsafe and/or improperly equipped vehicles.
 - a. The driver's license of all violators will be returned to the violator, except for violations listed in O.C.G.A. § 40-5-54, violations of O.C.G.A. § 40-6-391, § 40-5-121, and § 40-5-72.
 - b. The citing officer will not accept cash bonds or any gratuity from a violator.
 - c. Officers will utilizing the SSI records management system when issuing citations. If the records management system is unavailable the officer will use the uniform traffic citation book when issuing citations. [CALEA 82.3.4 a, b, c]
 - d. If the use of an interpreter is required to effectively communicate with the violator the officer must indicate in the remarks section of the citation that an "Interpreter is required". It must also include the language spoken by the violator.
 - e. Citation books will be kept in a secured location at each precinct and issued by supervisors only.

- (1) The name of the officer to whom the citation book is issued, along with the corresponding citation numbers, will be recorded in a log book or the records management system by the supervisor.
 - f. The Office of Internal Affairs will conduct periodic, unscheduled audits of all citation logbooks to assure compliance with the policy.
 - g. A uniform traffic citation may be voided for the following reasons:
 - (1) The information or charge cited on the Uniform Traffic Citation to be voided was incorrect, and a new citation is to be issued.
 - (2) The citation form has been altered or damaged in some way.
 - (3) A supervisory investigation revealed the information to be incorrect, or the charges are unfounded.
 - h. When voiding a Uniform Traffic Citation that has not been sent to Recorder's Court, a Uniform Traffic Citation Void Slip will be completed and signed by a Lieutenant or above and the citation and approval slip will be sent to the Records Unit.
 - i. Citations that have been sent to Recorder's court can only be voided at Recorders Court or in open court
 - j. The CCPD Court Liaison Sergeant will be the primary point of contact should there be any issues involving a traffic citation, after the citation has been sent to Recorders Court.
 - k. A parking citation written by a CCPD officer may be voided by the Chief of Police, Assistant Chief, a Division Commander, or the Precinct/Unit Commander.
 - (1) When voiding a parking citation, the word "VOID" will be written on the outside of the hard copy along with the reason for voiding the citation.
 - (2) The individual voiding the citation will sign and date the citation and turn it in to the Records Unit to be retained for accountability purposes.
3. **Physical Arrest** - Physical arrest may be made for misdemeanor violations and all felony criminal violations of the traffic laws. All arrests will be in accordance with current Georgia law.
 - a. Misdemeanor traffic violations may be handled:
 - (1) By the issuance of a Uniform Traffic Citation with mandatory court appearance.
 - (2) By the arrest and release upon issuance of a Uniform Traffic Citation.

- (3) Through arrest, issuance of a Uniform Traffic Citation, and completion of an Arrest Report followed by processing the offender into the County Jail.
- (4) Issuing a verbal warning or a written warning citation.
- b. Felony violations may be handled by the issuance of a Uniform Traffic Citation and physical arrest of the offender or by obtaining an arrest warrant from the proper Court, followed by processing into the County Jail.
- c. In all cases, Officers will exercise sound judgment and discretion when deciding what level and type enforcement action to take.
- d. Officers will not arrest persons who choose to not sign a Uniform Traffic Citation.
- e. Persons who are not United States citizens or Georgia residents shall not be afforded special considerations and shall be warned, cited, or arrested as appropriate.
- f. A juvenile traffic offense as defined by Section 16 of the Official Georgia Code consists of a violation of any law or ordinance governing the operation of a moving vehicle upon the streets or highways of this state by anyone sixteen years old or younger. A court date will be set by the Juvenile Court. Officers are not required to attend the first hearing. If the case is contested, the officer will be subpoenaed later..
- g. All legislators, state or federal, have immunity from arrest when traveling to and from legislative sessions or committee meetings. Citations or physical arrests will only be initiated when the legislature is not in session or the offense is of a serious nature such as driving under the influence, fleeing an Officer, vehicular homicide, hit and run, or driving without a valid license.
- h. The Diplomat/Consular will have in their possession an identification card which will have the level of immunity of the person printed on the back. The United States State Department should be contacted anytime an Officer plans to issue a citation or make a physical arrest of a violator that is in possession of a State Department Identification card.
- i. The members of National Guard and Reserve military forces are in all cases, except treason, a felony, or a breach of peace, privileged from arrest during their attendance at drills, parades, meetings, encampments, elections of Officers, and going to, during, and/or returning from their performance of any active duty as such members in accordance with OCGA § 17-4-2. Whenever an Officer stops a National Guard and Reserve member on active duty, they may make an arrest if the offense involves treason, a felony, or a breach of peace.

III. UNIFORM TRAFFIC LAW ENFORCEMENT ACTIONS

A. Driving Under the Influence of Alcohol /Drugs.

1. Reasonable Suspicion:

- a. Officers will establish reasonable suspicion that the violator might be under the influence through erratic driving, the detection of the odor of an alcoholic beverage on or about the suspect, and other "classic" indications of intoxication such as reddened eyes, flushed face, slurred speech, etc.

2. Field Sobriety Tests:

- a. Upon establishing reasonable suspicion of drug/alcohol related impairment, Officers will administer sufficient field sobriety tests to determine if the violator's driving ability is impaired to the extent that would make the suspect a "less safe driver." Should the suspect fail to perform the administered field sobriety tests in a satisfactory manner, probable cause has been established to place the violator under arrest for D.U.I.

3. Arrest of the Suspect:

- a. Officers will advise violators that they are under arrest for driving under the influence.
- b. The violator will be secured so as prevent possible escape or injury to the suspect, Officer, or bystanders.
- c. The Georgia Implied Consent Warning (OCGA § 40-5-55 and § 40-6-392) will be read to the violator at the scene, immediately after being placed under arrest. Even if there are more serious charges, the driver must be told that they are under arrest for DUI prior to having the implied consent read to them.
- d. OCGA § 40-5-55 provides that the chemical test to be administered is the Officer's choice; any person who is deceased, unconscious, or otherwise in a condition rendering them incapable of refusal will be deemed as having given consent to testing.

4. Security of Suspect's Vehicle:

- a. The arresting Officer will ensure that a second Officer remains with the suspect's vehicle for security while the suspect is transported for testing. The arresting Officer may release the vehicle to a sober, licensed driver at the request of the owner or impound the vehicle in accordance with the Department policy on Towing Vehicles. If the arresting Officer has not already done so, the stand-by Officer will run registration (10-28) and stolen (10-29) checks on the suspect's vehicle.

5. Prisoner Transport:
 - a. The arresting Officer will search, handcuff, and transport the suspect to any CCPD facility equipped with testing devices, or other law enforcement facility equipped for the administration of the breath test.
6. Each Precinct Captain will designate a secure area or room to be utilized for the testing of persons suspected of driving under the influence. This area will provide security for the equipment as well as safety of officers and suspects.
7. Administration of Chemical Test for Alcohol or Drugs:
 - a. Breath Tests - Should a breath test with an intoxilyzer be utilized, the test must be administered by an individual possessing a valid permit issued by the State of Georgia Division of Forensic Sciences for the intoxilyzer [OCGA § 40-6-392 (a) (1)]. The arresting Officer must annotate the intoxilyzer operators name on the citation, give the violator a copy of the intoxilyzer printout along with a copy of the citations, and attach a copy of the intoxilyzer printout to the court copy of the D.U.I. citation.
 - b. Blood Test - Should a blood test be utilized, OCGA § 40-6-392 (a) (2) provides that only a physician, registered nurse, laboratory technician, or other qualified person may withdraw the blood. The arresting Officer will witness the collection of the blood.
 - c. Urine Test - Should a urine test be utilized; the arresting Officer will witness the collection of the sample. Note Exception: Male Officers will call for the assistance of a female Officer to witness the collection of the urine sample from a female suspect, and female Officers will call for the assistance of a male Officer to witness the collection of the urine sample from a male suspect. The arresting Officer will deliver and log into evidence all samples of blood, urine, etc. with the CCPD Property Room. Property Room personnel will be responsible for delivering all evidence samples to the State Crime Lab for analysis.
 - d. Refusal to Submit to Chemical Testing - Upon the request of the suspect submitting to the chemical test designated by the Officer, full information concerning the test will be made available to the suspect or their attorney. The arresting Officer will complete a suspension affidavit (DMVS Form 1205) if the violator refuses to submit to a test specified by the Officer. The arresting Officer, under oath and in the presence of a notary public, must sign the affidavit. The violator will be charged with D.U.I. and the words, "Refused Test" noted on the citation in the test results section.
 - e. Right to an Independent Test - Every driver arrested for DUI who has completed the state test(s) has the right to additional chemical tests of their blood, breath, urine or other bodily substances at their own expense and by qualified personnel of their own choosing. Should the violator express a

desire to exercise their right to additional chemical testing, it is the duty of the arresting Officer to provide the person with access to communication and transportation, within reason, so that the additional testing may be obtained. The arresting Officer will make every effort to ensure that any additional chemical tests performed on the suspect, at their request and by personnel of their own choosing, are done at the suspect's expense.

8. Charging the Suspect with D.U.I.:
 - a. If the test results were less than 0.05 grams %, it will be presumed that the suspect was not under the influence of alcohol, unless the person was operating a commercial vehicle as defined in OCGA § 40-5-151 or under the age of 21.
 - b. If test results are in excess of 0.05 grams % but less than 0.08 grams %, this will not give rise to any presumption that the suspect either was or was not under the influence of alcohol unless the violator was operating a commercial vehicle or under the age of 21. This fact may be considered with other competent evidence in determining whether the person was under the influence of alcohol to the extent that the person was a “less safe driver” and may be charged.
 - c. If the blood alcohol content is 0.08 grams % or more, it will be presumed that the suspect is under the influence of alcohol and will be charged as violating O.C.G.A. § 40-6-391. (If the suspect is 20 years of age or younger, the percentage will be 0.02 grams %.)
 - d. All suspects who have chemically tested at 0.08 grams % or more will be charged by the arresting Officer with D.U.I. (0.02 grams % if 20 or under; 0.04 grams % if a commercial vehicle.)
9. Automatic License Suspension Procedures:
 - a. If the violator registers 0.08 grams % or more on the chemical test (0.02 grams % or more if 20 or under; 0.04 grams % if a commercial vehicle), the arresting Officer will request a driver’s history from the Communications Center.
 - b. If the suspect has a previous D.U.I. arrest within the last five years, the Department of Motor Vehicle Safety (DMVS) form 1205, "Notice of Intent to Suspend License" will be completed to suspend their license for one year. The suspect and the Officer will sign the DMVS 1205, and the suspect will be given the violator's copy.
 - c. If the suspect refuses to sign the DMVS 1205, the Officer will write "Refused" in the suspect's signature block. The Officer, in the presence of a notary public, must sign the DMVS 1205. The arresting Officer will mail

the Department of Public Safety copies and the violator's driver's license to the address on the DMVS form 1205 within five days of the arrest.

- d. The stand-by Officer will inventory and tow the suspect's vehicle in accordance with the Department's policy for towing of vehicles, unless the vehicle is released to a licensed driver of the suspect's choosing.
- e. The arresting Officer will write a detailed incident report on the arrest and the circumstances leading up to the arrest. At a minimum, the report will describe the reason for contact with the suspect, the detection of alcohol or drugs establishing reasonable suspicion of intoxication, the field sobriety test(s) used to establish probable cause, a statement that the suspect was advised he/she was under arrest for DUI, a statement that the current version of the implied consent was read and from what, the violator's demeanor, the charges against the violator, the names and addresses of any passengers or witnesses, and the status of the suspect's vehicle.

B. Suspended/Revoked Driver's License/Habitual Violators (HV).

1. Any Officer who suspects that a driver is a Habitual Violator (HV), as defined in O.C.G.A. 40-5-58, will obtain a computer printout from the Communications Center verifying the driver's license has been suspended/revoked. The computer verification should have a revocation date indicating the driver has been declared a HV. The HV will be properly served with notice of such suspension/revocation before affecting an arrest.
2. If less than five years has elapsed since the revocation date, the driver will be charged with a felony count of, "Driving After Having Been Declared a Habitual Violator," in violation of O.C.G.A. §40-5-58. For a felony count of "Driving after Having Been Declared a Habitual Violator", the Field Arrest Report will be properly completed listing all charges made against the driver.
3. If more than five years has elapsed since the revocation date, and the driver has not applied for reinstatement, the driver will be cited for "Driving on a Revoked License" in violation of O.C.G.A. §40-5-58 which is a misdemeanor. The Officer should use the same code section, 40-5-58, on the citation, but use the same processing procedures as for a violation of O.C.G.A. §40-5-121, Driving on a Suspended/Revoked License.
4. If the driver has not been properly served notice of the suspension/revocation, the Officer should serve the driver notice using the proper forms from the Department of Motor Vehicle Services. No case should be made for violating O.C.G.A. 40-558 (the driver may be cited for driving on a suspended license or no license on person if applicable). The driver may not operate a motor vehicle until such time as the Department of Motor Vehicle Services Safety has issued a valid driving permit.

5. The arresting Officer will forward the Officer's copy of any citations, the computer verification, arraignment forms, and any other documentation applicable to this case to the Criminal Investigations Division Case Management Officer.
6. The Case Management Clerk will create a Criminal Investigation Case File, which will contain the above documentation, as well as the Officer's arrest report and other documentation.
7. The Case Management Clerk will request a certified copy of the defendant's service as a Habitual Violator from the Department of Public Safety, add this to the case file, and be the custodian for the case file.

C. Speed Violations

1. Speed detection devices will only be used in clearly marked police vehicles as outlined in O.C.G.A. § 40-8-91 and in accordance with Title 40, Chapter 14.
2. The speed detection devices of the Department will be assigned to the Patrol Division.
3. CCPD Officers will not utilize speed detection equipment without being currently certified by the Georgia P.O.S.T. Council as a radar operator. This provision excludes Officers who are conducting their practical exercise for certification in accordance with P.O.S.T rules.
4. Prior to using a speed detection device, the unit will be tested in accordance with the manufacturer's guidelines. The operator will maintain a log of the testing.
5. All speed detection devices will be stored in a secured area and operational readiness ensured through periodic inspections when not routinely used. The Precinct Commander or a designee will conduct inspections monthly.
6. Officers using speedometers to establish probable cause to issue speed violation citations must pace the violator for an adequate distance to ensure an accurate reading prior to the stop.

D. Hazardous and Non-Hazardous Traffic Violations

1. Traffic citations shall be based on lawful authority and probable cause which satisfies the elements of the specific violation being charged. Discretion may be used by Officers enforcing hazardous and non-hazardous violations when appropriate.
 - (1) Hazardous violations expose a person or property to risk, loss, or damage (i.e., running a red light/stop sign, careless driving, and reckless driving).
 - (2) Non-hazardous violations are violations which are not likely to involve or expose persons and/or property to risk, loss, or damage. This would include document or non-moving violations, such as expired tag, parking violation, etc.

E. Off-Road Vehicles

1. Officers shall enforce all traffic laws as they apply to off-road recreational vehicles.
2. Written warnings and Uniform Traffic Citations shall be issued to operators who violate traffic laws, with attention being paid to the following offenses: Unlicensed vehicles operating on the roadway, misuse of public trails and improper crossing of traffic way. Officers shall immediately remove or cause unlicensed vehicles to be removed from the traffic way
3. For violators 14 years of age or older, the Officer shall use discretion when deciding to issue a Uniform Traffic Citation, a written warning, or a verbal warning.
4. First time violators under 14 years of age may be issued a verbal or a written warning. If a written warning is issued, the Officer shall obtain the violator's parent's name, address, and zip code and write this information on the citation.
5. Warning citations shall be forwarded to the Records Unit.
6. For serious violators and repeat offenders under the age of 14, the Officer should use discretion when deciding to issue a Uniform Traffic Citation, a written warning, or a verbal warning.
7. Officers shall advise Communications of off-road recreational vehicle violations and the action taken.

F. Equipment Violations

1. Officers shall consider using written warnings for minor equipment violations in lieu of traffic citations.

G. Public Carrier/Commercial Vehicle Violations

1. Public carriers and commercial vehicles must comply with all applicable laws, rules, and regulations.
2. Officers may summon assistance from the Georgia State Patrol (GSP), Motor Carrier Compliance Division (MCCD), or Department of Transportation for special equipment needs.
3. School buses must comply with Federal laws as well as Georgia Statutes.

H. Multiple Violations

1. Officers shall exercise discretion when dealing with multiple violations. Consideration should be given to issuing citations for charges encompassing multiple lesser violations (i.e., running a stop sign and speeding can be cited as reckless driving).

- I. Newly Enacted Laws and/or Regulations
 - 1. Officers shall be notified of newly enacted laws or regulations via legal bulletins from the Training Unit.
 - 2. When considering enforcement action in the above listed situations, the Officer shall evaluate:
 - a. The actual or potential danger to persons and property.
 - b. The seriousness of the violation.
 - c. The degree or excessiveness to which the motorist violated the law.
 - d. The urgency of calls for service to which the Officer may be responding.
- J. Violations Resulting in Traffic Collisions
 - 1. See OPS-006 Traffic Accident Investigation.
- K. Bicycle/Pedestrian Violations
 - 1. Written warnings and Uniform Traffic Citations may be issued to bicycle operators and pedestrians who violate traffic laws, with particular attention being paid to the following offenses:
 - a. Riding on the wrong side of the road, against traffic.
 - b. Improper lights during night riding.
 - c. Failure to obey traffic signs or signals.
 - d. Failure to yield to on-coming traffic when exiting residential driveways.
 - e. Soliciting a ride (hitchhiking), employment, or business from an occupant of any vehicle.
 - f. Crossing an intersection at other than right angles.
 - g. Traffic citations or warnings for bicycle/pedestrian violations may be issued under the following guidelines:
 - (1) For violators 14 years of age or older, the Officer shall use discretion when deciding to issue a Uniform Traffic Citation, a written warning, or a verbal warning. First time violators under 14 years of age should be issued a verbal or written warning. If a written warning is issued, the Officer shall obtain the violator's parent's name, address, and zip code and write this information on the citation.
 - (2) Warning citations shall be forwarded to the Records Unit.
 - (3) For serious violators and repeat offenders under the age of 14, the Officer should use discretion when deciding to issue a Uniform Traffic Citation, a written warning, or a verbal warning.

IV. TRAFFIC ENFORCEMENT PRACTICES

A. Visible Traffic Patrol

1. Area Patrol - Units may be deployed to a specific geographical area to enforce the traffic laws. Normally, Officers are assigned to particular areas for events or circumstances to conduct highly visible preventative patrols.
2. Line Patrol - Units are stationed on particular roads or highways, either in stationary observation or moving patrol. Line patrols will be conducted when specific roads or highways are identified as having unusually high crash or fatality rates. Rigorous enforcement of all traffic laws should be employed. An example calling for line patrol would be heavy beach traffic on a specific roadway.
3. Directed Patrol - Directed patrols should be employed to tackle specific problems or complaints. Officers are directed in their enforcement actions toward those violations identified as contributing to the crashes or specific complaints. Officers assigned directed patrols shall document the actions taken during the detail in an incident report. The data contained in the report will be forwarded to the Precinct Commander.

B. Stationary Observation – Stationary observation may be covert or overt and employed for the operation of radar, detection of defective equipment violations, surveys, and the enforcement of other traffic violations.

1. Overt - Highly visible stationary observation may be employed to slow traffic, remind citizens of their responsibility to obey the traffic laws, or observe, identify, and target particular problems. Officers should park vehicles so as to avoid presenting a roadway or visibility obstruction. Radar may be effectively employed during overt observation in accordance with Georgia law governing speed detection devices.
2. Covert - Covert observation is normally employed to conduct surveys or detect those violations of traffic laws which would not occur if the Officer's presence was known. Officers may use covert observation to detect and enforce any violation of the laws of the State of Georgia. Covert observation of intersections, roadways and school crossings are recommended during traffic surveys.
 - a. When operating radar or lidar, covert observation enforcement is not permitted.

C. The use of unmarked police vehicles for traffic law enforcement is prohibited.

D. Plain-clothes sworn personnel shall not conduct traffic stops whether in a marked or unmarked police vehicle; however, an exception would be violations or circumstances which expose the public to danger.

1. In the event that a Plain-clothes Officer must conduct a traffic stop, the Officer shall advise the dispatcher of the stop, the location, the tag number, the

description of the vehicle, and the fact that they are in plain clothes, and request uniform assistance.

2. The dispatcher shall immediately dispatch a uniformed Officer to the location.
 3. Plain-clothes Officers shall clearly identify themselves to the violator and advise the offender that a uniformed Officer has been requested to their location.
 4. The Officer stopping the violator shall appear in court for any enforcement actions.
- E. Traffic Checkpoint Operations: Traffic check points may be used as an enforcement measure to ensure that motorists are adhering to all Georgia Traffic Laws.
1. CCPD Form # 234 Supervisory Initiation of Roadblock will be complete and signed prior to initiating a traffic/roadblock checkpoint.
 2. All checkpoints will be conducted under the authority and presence of a Supervisor in accordance with current constitutional rulings. All checkpoints will have signs displayed indicating that a police checkpoint is in operation. Only marked vehicles, will be used at checkpoints, and only uniformed Officers will conduct checkpoint operations.
 3. Each Officer will wear a reflective vest or garment. Safety and environmental conditions must be evaluated when selecting a location for a checkpoint, and Officers will position themselves so that vehicles would not be encouraged to evade or avoid checkpoints.
 4. The “screening” Officer’s training and experience should be sufficient to qualify him to make a determination as to which motorists should be given field tests for intoxication.
 5. The supervisor approving and monitoring the checkpoint will complete an after-action report stating the reason for the checkpoint, the methods used, included personnel and the results. This will be forwarded to the appropriate precinct commander for retention.

V. STOPPING AND APPROACHING THE TRAFFIC VIOLATOR

- A. Officers will stop and approach a traffic violator in a manner designed to provide maximum safety for the Officer, the violator, and other users of the roadway. Varying conditions regarding the engineering of the particular traffic artery, the urgency to stop the violator, or the existing volume of traffic may dictate adjusting or altering this procedure. Nevertheless, these procedures are to be followed whenever possible.
- B. Activate the body worn camera system immediate upon observing the violation or the vehicle the officer intends to stop.
- C. The Officer will notify Communications of the radio signal, the intended location of the traffic stop, the license number, and the visual description of the vehicle and occupants.

- D. The violator should be signaled using the vehicle's emergency equipment and directed to the right side of the roadway close to the curb or onto the shoulder.
- E. On multi-lane roadways, the Officer should ensure the safety of the violator during lane changes by gradually changing from lane to lane with the violator until the right side of the roadway is reached.
- F. If the driver is suspected of being impaired or physically ill to the extent that their driving ability is impaired, they will not be allowed to move the vehicle once it has been stopped.
- G. Once the violator has stopped in an appropriate location, the Officer should position the police vehicle approximately one-half to one car length behind the violator's vehicle.
- H. The police vehicle should be positioned at a slight angle so the left front is offset approximately two feet to the left of the violator's vehicle and the right rear is near the curb. The front and/or rear emergency lights should be clearly visible to oncoming traffic.
- I. The Officer should approach from the rear of the violator's car, check the trunk to ensure that it is closed and locked, look into the rear seat area, and stop at a point to the rear of the trailing edge of the left front door.
- J. The Officer should conduct dialogue with the violator while maintaining a safe location, slightly behind the driver. If the situation dictates, the Officer can approach from the right side of the vehicle.
- K. This procedure will remain the same for stops conducted at night; however, Officers should attempt stops at locations with sufficient lighting.

VI. STOPPING A FELONY SUSPECT

- A. When an Officer has the occasion to stop a suspected felon, the Officer will request "back-up" and then notify Communications of the reason (signal) and location of the stop and the description of the vehicle and occupants.
- B. The Officer will keep the suspect vehicle in view while awaiting assistance from support units. The vehicle should not be stopped before assistance arrives, unless absolutely necessary.
- C. When stopping the vehicle, Officers will:
 - 1. Plan to stop the suspect in a location which presents minimal danger to other citizens and have their firearm ready for immediate use.
 - 2. Turn off all unnecessary equipment and activate the public address system.
 - 3. Park their vehicle approximately one car length behind at an angle slightly to the left of the suspects. This is for the Officer to utilize the firewall and engine as cover. At night, focus all lights on the interior of the suspect's vehicle, assume a

position in the door frame while utilizing the public address system to give voice commands to the occupants, and direct each occupant to exit the vehicle one at a time, starting with the driver.

- a. When there is a second officer in the vehicle, the second officer should immediately exit the vehicle and move to the right rear of the police vehicle for cover.
- D. The support Officer will maintain a position at the back of the first police vehicle covering the right side of the stopped vehicle. The Officer will not give any commands to the occupants unless necessary for the Officer's protection.
- E. Once the occupants are removed, the primary Officer will either search the suspects or direct a third Officer to search the suspects.
- F. The occupants may be handcuffed for the Officer's protection if the situation warrants, however, once the situation is controlled and the person is no longer a suspect, the handcuffs will be removed.

VII. OFFICER/VIOLATOR RELATIONS

- A. When approaching a violator, CCPD Officers will:
 1. Be courteous, polite, and professional.
 2. Provide name and agency credentials if not in uniform.
 3. Explain to the citizen the reason for the stop as soon as practical, unless providing this information will compromise personal safety or the safety of another person.
 4. In vehicle stops, this information shall be provided before asking the driver for their license and registration.
 5. Appropriately explain to the violator when to appear in court and whether a court appearance is optional or mandatory, whether the violator is allowed to enter a plea and/or pay a fine by mail or in person at Recorder's Court, what the options are prior to court, and other information located on the back of the citation, prior to release.
- B. Officers must maintain a professional demeanor, avoiding rudeness or discourtesy, regardless of provocation.
- C. Officers should assist the violator in safely maneuvering the vehicle back into the traffic flow.

VIII. TRAFFIC ENFORCEMENT ACTION

- A. Responsibility: All uniformed personnel share the responsibility for enforcement of traffic laws.
 1. CCPD Officers will exercise discretion as to enforcement action for each violation of the law witnessed by them.

2. All traffic stops will be based on sound principles of the law as applied to the violations as observed by the Officer. Such action will be accomplished in a business-like, firm, fair, impartial, and courteous manner.
- B. Insurance: Chatham County Police officers will check for proof of insurance during each traffic stop, by their MDT or through dispatch.
1. Proof of insurance may be the actual insurance policy, policy binder issued by the agent, (good for 30 days after purchase), or an affirmative response pursuant to an inquiry of the Department of Motor Vehicles database.
 2. If a violator's vehicle is self-insured, a proof of insurance card or self-insurer card issued by the company in accordance with Georgia law will suffice.
 3. A copy of the rental agreement will suffice as proof for rental vehicles.
 4. Officers will cite individuals who are in violation of Georgia Insurance laws, but will not remove license plates.
 5. Vehicles that are not covered by insurance and/or have a suspended license tag will be towed.
 6. Individuals in violation of O.C.G.A. § 40-6-15, in regard to driving a motor vehicle with invalid registration, will be arrested and charged with a misdemeanor, if the person has been served notice.
- C. Speed Enforcement:
1. The use of speed measuring devices in traffic law enforcement is governed by O.C.G.A. § 40-8-91 and O.C.G.A § 40-14-1 thru 40-14-18.
 2. Electronic or mechanical devices used to measure speed will meet the following requirements:
 - a. The device must be approved for use by the Georgia Department of Public Safety;
 - b. The device must have been calibrated by a licensed technician within the previous year. A certificate, signed and witnessed, showing the device was tested within the required test period and that the device was in proper working order will be kept on file and ready for court presentation.
 3. The use of radar/lidar speed measuring devices require the following:
 - a. The operator must have successfully completed the radar/lidar certification course(s) and obtained their valid certification established by the Georgia Peace Officer Standards and Training (POST) Council;
 - b. The operator will have an independent visual determination that the vehicle is operating in excess of the posted speed limit.
 - c. The operator will issue a citation only where conditions permit a clear assignment of speed to a single vehicle.

- d. The device shall have no automatic locking device or audio alarm, unless said device is deactivated or disconnected.
 - e. The audio Doppler will be engaged.
 - f. The radar/lidar unit must be approved by the Georgia Department of Public Safety.
 - g. The operator shall test the device for accuracy and record and maintain the results of the test at the beginning and end of each duty tour, in a log book or journal, in accordance with the O.C.G.A. § 40-14-5.
 - h. The operator will follow the manufacturer's recommended methods of checking calibration.
4. Officers may use police vehicle speedometers for speed enforcement. Officers shall follow the target vehicle at a safe distance for the length of time necessary to accurately establish the target vehicle's speed.
- a. It is recommended that due to speedometer variances, a lower speed be used when citing individuals, but the observed speed should be recorded in the remarks section of the citation.
5. Only Officers certified in the use of Visual Average Speed Computers (VASCAR) are authorized to deploy this technique to measure a target vehicle's speed for traffic law enforcement purposes.
6. It shall be the responsibility of the Precinct Commander or designee to:
- a. Ensure that all devices utilized are in compliance with Georgia Statutes and Administrative procedures.
 - b. Determine the proper assignment of speed measuring devices.
 - c. Ensure that all devices are properly maintained and recertification is kept up to date.
 - d. Maintain documents and certification on all radar/lidar units.

IX. RE-EXAMINATION OF LICENSED DRIVERS

- A. Requests for Licensed Drivers to submit to a license re-examination will be made through the Georgia Department of Motor Vehicles.
- B. Law enforcement Officers can require a re-examination of a licensee upon showing that the licensee is mentally or physically incompetent to operate a motor vehicle.
- C. An Officer, having good cause to believe that a licensed driver has a mental or physical impairment or is otherwise not qualified to be licensed, will request the licensee to be re-examined.

- D. A licensee may be deemed incompetent/incapacitated by reason of disease, mental or physical disability, or chemical dependencies to the extent that such person is incompetent to operate a motor vehicle. This directive does not pertain to DUI offenders.
- E. When an Officer encounters a licensee suspected of being mentally or physically incompetent to safely operate a motor vehicle, a citation for the initial offense(s) may be issued. The Officer will then:
 - 1. Print, "Driver Must Appear In Court-Request That Driver Be Re-examined" in the remarks section of the citation(s).
 - 2. Make transportation arrangements for the licensee (relative, public transportation, or other).
 - 3. Arrange for securing the vehicle with towing as a last option.
 - 4. Complete an incident report detailing the observed behavior that justifies the request for a driver's license re-examination.
 - 5. Complete in triplicate the Request for Driver Evaluation (DDS-270).
 - a. The Officer will mail the original copy to the Georgia Department of Driver Services Customer Services, License and Records Division, 2206 East View Parkway, Conyers, Georgia 30013.
 - b. One copy will be forwarded to the Traffic Unit, and
 - c. one copy will be issued to licensee. Both the Officer and the licensee will sign the Request for Driver Evaluation Form at the time the citation(s) is issued.
 - 6. In the event the licensee refuses, the Officer will print the word, "Refused" on the line designated for the licensee's signature.
- F. The licensee will retain possession of the license until the Department of Public Safety has determined otherwise.

X. PARKING ENFORCEMENT

- A. CCPD Officers will be responsible for enforcing all parking regulations in accordance with Georgia Law and County Ordinance.
- B. Parking citation books will be kept in a secured location and distributed by the Records Unit.
 - 1. The name of the officer to whom the parking citation book is issued, along with the corresponding citation numbers, will be recorded in a log book or the records management system, by Records Unit personnel.
 - 2. The Office of Internal Affairs will conduct periodic, unscheduled audits of all citation logbooks to assure compliance with the policy.

- C. When an Officer finds a vehicle that is improperly parked, he may issue a parking citation and place a copy on the windshield.
 - 1. The officer will submit or forward the parking citation to the Records Unit, prior to the end of their shift.
- D. If the vehicle must be towed, the Officer may impound the vehicle according to procedures described in the directive pertaining to towing vehicles and an incident report will be written
- E. A parking citation may be voided for the following reasons:
 - 1. The information or charge cited on the citation to be voided was incorrect, and a new citation is to be issued.
 - 2. The citation has been altered or damaged in some way.
 - 3. A supervisory investigation revealed the information to be incorrect, or the charges are unfounded.
 - a. When voiding a Uniform Traffic Citation that has not been sent to Recorder's Court, a void slip will be completed and signed by a Lieutenant or above and the citation and approval slip will be sent to the Records Unit.
 - (1) The Records Unit will then void the citation in RMS.
 - 4. Citations that have been sent to Recorder's court can only be voided at Recorders Court or in open court.
 - 5. The CCPD Court Liaison Sergeant will be the primary point of contact should there be any issues involving a traffic citation, after the citation has been sent to Recorders Court.
 - 6. A parking citation written by a CCPD officer may be voided by the Chief of Police, Assistant Chief, a Division Commander, or the Precinct/Unit Commander.
 - a. When voiding a parking citation, the word "VOID" will be written on the outside of the hard copy along with the reason for voiding the citation.
 - b. The individual voiding the citation will sign and date the citation and turn it in to the Recorded Unit, to be retained for accountability purposes.

XI. TRAFFIC CONTROL

- A. Manual Traffic Control: When emergency situations, critical incidents or other conditions dictate, CCPD Officers will perform manual traffic direction and control (Point Traffic Control) to ensure safe and efficient movement of both vehicular and pedestrian traffic. Manual traffic direction and control will be performed when necessary for safety and efficiency of traffic flow, when necessary to preserve a crime or crash scene, or at special events involving the large flow of vehicular or pedestrian traffic to facilitate the safe passage of the public.

1. When a traffic signal malfunction occurs, personnel will be dispatched for traffic control at the affected intersection. Additional assistance will be dispatched if the traffic volume exceeds the safe control of a single manual traffic controller or the intersection requires more personnel. The Communications Center will immediately notify the County Traffic Engineer, during regular business hours, or GA Depart of Transportation (GA DOT), after regular business hours, of all traffic signal malfunctions.
 2. Personnel will be equipped with a whistle and a reflective vest when performing manual traffic control. At night, personnel directing traffic will also be equipped with a flashlight. CCPD officers will wear their issued uniform and a reflective vest while directing or controlling traffic.
 3. Personnel will select a safe position, which provides a full view of the intersection and permits motorists and pedestrians the best view of the manual traffic controller.
 4. When feasible, the police vehicle will be placed in a position that will allow;
 - a. The greatest visibility of the blue lights to on coming traffic,
 - b. Increased scene and officer safety,
 5. Whistle signals will be coordinated with hand signals in order to command the attention of drivers and pedestrians, as well as to clearly indicate the manual traffic controller's commands.
 - a. For STOP, one long whistle blast; arm extended, hand up and palm outward, pointed toward oncoming traffic.
 - b. For GO, two short whistle blasts; point at the driver/pedestrian who is to proceed and establish eye contact, bend arm at the elbow indicating "proceed" in the intended direction of travel.
 - c. For ATTENTION, a series of short whistle blasts.
 - d. For TURNS, ensure conflicting traffic is stopped; point toward the driver, who is to turn, to establish eye contact; indicate the turn by exhibiting a GO signal while pointing in the direction of the turn.
 6. Temporary traffic control devices such as traffic cones, barricades, and temporary road signs are available from County Public Works if needed and approved by a Supervisor.
- B. Traffic Control at Fire Scenes: Officers will assume the responsibility for traffic control at fire scenes as soon as possible. Traffic will be routed around the fire scene so that hoses are not driven over by vehicles or firefighters interfered with by vehicles or onlookers. Officers will carry out all instructions given to them by police or fire Supervisors on the scene.

- C. Traffic Control during Adverse Road and Weather Conditions: When the normal control of traffic is impaired during adverse road or weather conditions (e.g., fog, rain, snow or ice, flooding, downed power lines, etc.), greater consideration will be given to Officer Safety which may be jeopardized by the adverse conditions. The same procedures outlined in this directive for other conditions will be utilized during adverse conditions. Officers will make every effort to protect the general public from hazards.
- D. Traffic Control for Special Events: A contingency plan for special events will be prepared at the direction of the Chief of Police on an individual basis.
 - 1. The commissioned Officer designated by the Chief of Police will be responsible for devising a contingency plan for traffic control during special events.
 - 2. The designated commander will be responsible for internal and external coordination of resources, as well as completing after-action reports.
 - 3. Each contingency plan will address, as applicable, the following ingress and egress of vehicles and pedestrians; written estimates of vehicular and/or pedestrian traffic; potential crime problems; special personnel needs (SWAT, SET, Communications Specialists, etc.); provisions for parking; crowd control; logistical requirements; relief of Officers assigned point traffic control duties; news media releases and relations; alternate traffic routes; temporary traffic controls and parking prohibitions, and emergency vehicle access.

BY ORDER OF:

Electronically Signed in PowerDMS on 05/02/2022

Jeffrey M. Hadley

Chief of Police